

SENATE BILL 1806

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 6; Title 5; Title 6; Title 7; Title 9 and Title 67, relative to lobbying services on behalf of public entities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 1, Part 1, is amended by adding the following as a new section:

9-1-120.

(a) No local government entity that engages in lobbying shall obligate or expend, directly or indirectly, any county, municipal or metropolitan government revenue derived from local or state taxes for lobbying services provided by any contractor, subcontractor or other representative who is not an employee of the local government entity. This section shall not apply to any lobbying services provided by an employee of a local government entity on behalf of the local government entity.

(b) As used in this section:

(1) "Lobbying" has the same meaning as defined in § 3-6-301(16)(D);

(2) "Local government entity" means a school board, municipal utility, utility district, or department, agency or entity of county, municipal, or metropolitan government; and

(3) "Local or state taxes" includes taxes levied by the legislative body of a county, municipality or metropolitan government or levied by

this state and distributed to the various counties, municipalities or metropolitan governments.

(c) If any local government entity violates this section, the commissioner of finance and administration may withhold or cause to be withheld, from state-shared revenues distributed to the county, municipality or metropolitan government, as applicable, for use by the local government entity that violated this section, a sum equal to the amount obligated or expended in violation of this section. The withholding of funds shall occur during the fiscal year following the year in which the violation occurred.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.