

HOUSE BILL 42

By Whitson

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 3 and Title 62, Chapter 4, relative to professions.

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

SECTION 1. Tennessee Code Annotated, Section 62-3-110(a)(3), is amended by adding the following as a new subdivision:

(C) The applicant successfully completed, as part of the hours of instruction described in subdivision (a)(2), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 2. Tennessee Code Annotated, Section 62-3-110(b), is amended by adding the following as a new subdivision:

(4) Successfully completed, as part of the hours of instruction described in subdivision (b)(3), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 3. Tennessee Code Annotated, Section 62-3-114, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The board shall not prohibit an applicant from receiving initial reciprocity based on the requirements of § 62-3-110(a)(3)(C), § 62-3-110(b)(4), § 62-3-119(b), or § 62-3-124(a)(3). However, the requirements of § 62-3-110(a)(3)(C), § 62-3-110(b)(4), § 62-3-119(b), or § 62-3-124(a)(3) must be completed before the applicant seeks to renew the certificate of registration.

SECTION 4. Tennessee Code Annotated, Section 62-3-115, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The board shall not prohibit an applicant from receiving initial reciprocity based on the requirements of § 62-3-110(b)(4) or § 62-3-119(b). However, the requirements of § 62-3-110(b)(4) or § 62-3-119(b) must be completed before the applicant seeks to renew the certificate of registration.

SECTION 5. Tennessee Code Annotated, Section 62-3-119, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) A person who holds a certificate of registration under this chapter as of December 31, 2021, and who is renewing the certificate of registration pursuant to this section shall successfully complete by December 31, 2025, up to one (1) hour of online or in-person training, at no cost to the person, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence. If the person fails to complete the course, then the board shall render the certificate of registration invalid on that date until the person complies with this subsection (b).

SECTION 6. Tennessee Code Annotated, Section 62-3-124(a), is amended by adding the following as a new subdivision:

(3) Successfully completed, as part of the hours of instruction described in this subsection (a) or § 62-3-110, up to one (1) hour of online or in-person training, at no cost to the person, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 7. Tennessee Code Annotated, Title 62, Chapter 3, is amended by adding the following as a new section:

62-3-131.

(a) A person who holds a certificate of registration under this chapter, and the employer of that person, who responds to signs of domestic violence with a client, refers a client to resources for victims of domestic violence, or fails to respond or refer is not civilly or criminally liable for those actions or inactions.

(b) A person who holds a certificate of registration under this chapter, and the employer of that person, who responds, refers, or fails to respond or refer as described in subsection (a) is not subject to the jurisdiction of any board under title 63 by those actions or inactions.

SECTION 8. Tennessee Code Annotated, Section 62-3-101, is amended by adding the following as a new subsection:

(c) The state board of cosmetology and barber examiners shall have full rights and access to any approved online training required by this chapter.

SECTION 9. Tennessee Code Annotated, Section 62-4-105, is amended by adding the following as a new subsection:

(f) The state board of cosmetology and barber examiners shall have full rights and access to any approved online training required by this chapter.

SECTION 10. Tennessee Code Annotated, Section 62-4-110(a), is amended by adding the following as a new subdivision:

(4) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (a)(3), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 11. Tennessee Code Annotated, Section 62-4-110(b), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (b)(2), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 12. Tennessee Code Annotated, Section 62-4-110(c), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (c)(2)(C), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence &

Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 13. Tennessee Code Annotated, Section 62-4-110(d), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (d)(2), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 14. Tennessee Code Annotated, Section 62-4-110(e), is amended by adding the following as a new subdivision:

(3) Satisfactory proof that the applicant successfully completed, as part of the hours of instruction described in subdivision (e)(2), up to one (1) hour of online or in-person training, at no cost to the applicant, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence.

SECTION 15. Tennessee Code Annotated, Title 62, Chapter 4, is amended by adding the following as a new section:

(a) A person licensed under this chapter, and the employer of that person, who responds to signs of domestic violence with a client, refers a client to resources for

victims of domestic violence, or fails to respond or refer is not civilly or criminally liable for those actions or inactions.

(b) A person licensed under this chapter, and the employer of that person, who responds, refers, or fails to respond or refer as described in subsection (a) is not subject to the jurisdiction of any board under title 63 by those actions or inactions.

SECTION 16. Tennessee Code Annotated, Section 62-4-117, is amended by adding the following as a new subsection:

(g) A person who holds a license under this chapter as of December 31, 2021, and who is renewing the license pursuant to this section shall successfully complete by December 31, 2025, up to one (1) hour of online or in-person training, at no cost to the person, by a nonprofit anti-domestic violence organization recognized by the Tennessee Coalition Against Domestic Violence & Sexual Assault on domestic violence that focuses on how to recognize the signs of domestic violence, how to respond to these signs, and how to refer a client to resources for victims of domestic violence. If the person fails to complete the course, then the board shall render the license invalid on that date until the person complies with this subsection (g).

SECTION 17. Tennessee Code Annotated, Section 62-4-116, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The board shall not prohibit an applicant from receiving initial reciprocity based on the requirements of § 62-4-110(a)(4), (b)(3), (c)(3), (d)(3), or (e)(3), or § 62-4-117(g). However, the applicant must complete the requirements of §§ 62-4-110(a)(4), (b)(3), (c)(3), (d)(3), and (e)(3), and 62-4-117(g) before the board may grant the license.

SECTION 18. The board of cosmetology and barber examiners shall provide written notice of the requirements of this act to all applicable licensees and schools under the

jurisdiction of the board through the board's website, e-blasts, print mailings, and license renewal communications.

SECTION 19. The board of cosmetology and barber examiners may promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 20. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2022, the public welfare requiring it.