



State of Tennessee

PUBLIC CHAPTER NO. 343

SENATE BILL NO. 1209

By Norris, Lundberg

Substituted for: House Bill No. 319

By Hawk, Casada, Lamberth, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 1, relative to criminal history investigations of employees and contractors with access to federal tax information.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) The administrative departments of state government are authorized, as necessary to comply with internal revenue service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the Tennessee bureau of investigation and the federal bureau of investigation on all employees and contractors with access to federal tax information.

(b) An employee or contractor of any administrative department of state government with access to or that uses federal tax information must:

(1) Agree to a local background check and the release of all investigative records to the state government for the purpose of verifying criminal history information; and

(2) Supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the Tennessee bureau of investigation, and then submit to a national criminal history background check to be conducted by the federal bureau of investigation.

(c) Except as otherwise provided in this subsection (c), a state administrative department shall pay any costs incurred to conduct background checks and investigations requested by the department. The state administrative department may require a person or entity contracting with the department to pay the costs associated with the background investigations for all employees of the contractor. The requirement may be a condition of the contract with the department. Payment must be made in accordance with § 38-6-103.

(d) Each state administrative department required to conduct background checks and investigations pursuant to this section shall establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 27, 2017



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 9th day of May 2017



BILL HASLAM, GOVERNOR