

HOUSE BILL 601

By Casada

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 51, relative to enacting the “Equal Access
to Intrastate Commerce Act.”

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, is amended by adding the following language as a new part 18:

7-51-1801. This part shall be known and may be cited as the “Equal Access to Intrastate Commerce Act.”

7-51-1802. As used in this part, the term:

(1) “County” includes any county having a metropolitan form of government;

(2) “Discriminatory practices” means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, creed, color, religion, sex, age, or national origin;

(3) “Local government” means a municipality or county;

(4) “National origin” includes the national origin of an ancestor;

(5) “Person” includes one (1) or more individuals, sole proprietorships, labor organizations, corporations, legal representatives, partnerships, associations, trustees, trustees in bankruptcy, receivers, mutual companies, joint stock companies, trusts, unincorporated organizations, or other organized groups of persons; and

(6) "Sex" means and refers only to the designation of an individual as male or female as indicated on the individual's birth certificate.

7-51-1803.

(a)

(1) The only anti-discrimination employment practices or standards that may be legally enacted or enforced by ordinance, resolution, or any other means by a local government with respect to any person shall be limited to:

(A) Race, creed, color, religion, sex, age, or national origin as such terms are used and defined in § 7-51-1802 as "discriminatory practices"; or

(B) Other types of discrimination recognized as by state law but only to the extent recognized by the state.

(2) No local government shall by ordinance, resolution, or any other means impose on or make applicable to any person;

(A) An employment practice, standard, definition, or provision which imposes or mandates health insurance benefits, a minimum wage, or family leave requirements such as those authorized pursuant to § 4-21-408; or

(B) An anti-discrimination employment practice, standard, definition, or provision that deviates from, modifies, supplements, adds to, changes, or varies in any manner from:

(i) The definition of discriminatory practices as defined in § 7-51-1802;

(ii) Any term used in such definition and also as defined in such section; or

(iii) Any state; or federal statutorily imposed or recognized requirements.

(3) Any ordinance which does not meet the requirements of subdivision (a)(2) enacted prior to the effective date of this act shall be null and void.

(b) Subsection (a) shall not apply with respect to employees of a local government.

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