

HOUSE BILL 891

By Staples

AN ACT to amend Tennessee Code Annotated, Title 2;
Title 8, Chapter 18; Title 39 and Title 40, relative to
disqualification from holding public office.

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

SECTION 1. Tennessee Code Annotated, Section 8-18-101, is amended by deleting subdivision (1) and substituting instead the following:

(1) Those who have been convicted of offering or giving a bribe, or any other offense declared infamous under § 40-20-112, unless restored to citizenship under title 40, chapter 29; except those who have been convicted of an infamous crime if the offense was committed in the person's official capacity or involved the duties of the person's office, in which case the person shall forever be disqualified from holding office.

SECTION 2. Tennessee Code Annotated, Section 8-18-102, is amended by deleting the section and substituting instead the following:

(a) Any person taking on any office in this state, by election or appointment, under any of the disqualifications specified in § 8-18-101(2) through (5), commits a Class C misdemeanor.

(b) Any person taking on any office in this state, by election or appointment, under the disqualification specified in § 8-18-101(1), commits a Class A misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 40-20-114, is amended by redesignating existing subsection (e) as subsection (f) and adding the following as a new subsection (e):

(e) A court shall not accept any plea agreement that allows an elected public official who is charged with an infamous crime involving an offense committed in the

person's official capacity or involving the duties of the person's office, to qualify for, seek, or hold public office in this state or political subdivision of this state at some point in the future.

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it.