

HOUSE BILL 1687

By Durham

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14; Title 39, Chapter 16 and Title 39, Chapter 17, relative to disruptive and illegal conduct.

WHEREAS, Tennessee is a right to work state; and

WHEREAS, Tennessee's right to work laws are founded on the basic principle that every individual has an inherent right to decide to join a union or an employee organization, and this right to choose should not impact their employment; and

WHEREAS, the general assembly recognizes the importance and necessity of fostering economic development and job creation; and

WHEREAS, certain reprehensible activities that entities may engage in during a corporate campaign, can make the state an unwelcoming and dangerous place for new business and job growth; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 39-16-102(b), is amended by designating the existing language as subdivision (b)(1) and by adding the following language as new subdivision (b)(2):

(2) It is no defense to prosecution under this section that the person who sought to influence a public official took action on behalf of a public or private organization, corporation, union, agency, or other entity, for the purpose of organizing a campaign or for any other lawful purpose.

SECTION 2. Tennessee Code Annotated, Section 39-14-112(a), is amended by adding the following language as new subdivisions:

(3) Impair a business, a union, or the owners or employees of a business, from the free exercise or enjoyment of any right or privilege secured by the Constitution of Tennessee, the United States Constitution, or the laws of the state, in an effort to obtain something of value for a public or private organization, corporation, union, agency, person or other entity.

(4) For purposes of this section, "something of value" includes a neutrality agreement, card check agreement, recognition, or other objective of a corporate campaign.

(5) For purposes of this section, "corporate campaign" means any organized effort to unlawfully bring pressure on an entity, other than through collective bargaining, or any other activity protested by federal law, for the purpose of influencing a labor relation's goal or objective.

SECTION 3. Tennessee Code Annotated, Section 39-17-301(3), is amended by deleting the language "which," and by substituting instead the language "whether or not participating in any otherwise lawful activity, such as a union or employee organized event, which,".

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect July 1, 2014, the public welfare requiring it, and shall apply only to all offenses occurring on or after July 1, 2014.