

HOUSE BILL 1789

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 51, relative to adult oriented
establishments and cabarets.

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

SECTION 1. Tennessee Code Annotated, Section 7-51-1401, is amended by inserting the following definitions as new, appropriately designated subdivision:

"Employee" means a person who performs a service on the premises of an adult-oriented establishment on a full-time, part-time, or contract basis, regardless of whether the person is denominated an employee, independent contractor, agent, or other associate; provided, however, this does not include a person exclusively on the premises for the:

(A) Repair or maintenance of the premises or equipment on the premises;

(B) Delivery of goods to the premises; or

(C) Provision of accounting, legal, or similar financial or professional services, so long as the individual accountant, attorney, financial advisor, or other similar professional is not a manager, owner, operator, entertainer, or escort connected with the adult-oriented establishment.

SECTION 2. Tennessee Code Annotated, Section 7-51-1407, is amended by adding the following as a new subsection:

Notwithstanding subsection (b) or any other law to the contrary, no employee of an adult-oriented establishment shall reside on the premises of or in the same building as an adult-oriented establishment unless that employee is the owner or manager of the establishment. For purposes of this subsection (c), "building" includes areas reasonably construed to be an attic, basement, or garage attached to that building.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.