

SENATE BILL 74

By Norris

AN ACT to amend Tennessee Code Annotated, Section 37-5-106, relative to the creation of a system for reporting safety-related information.

WHEREAS, the department of children's services should create a system for reporting safety-related information; and

WHEREAS, the department should look to similar reporting systems developed in such high-risk industries as aviation, nuclear power, and medicine, to develop the reporting system and improve the provision of safe and effective services; and

WHEREAS, a reporting system facilitates voluntary reporting of safety-related information that otherwise would not exist; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 37-5-106(a), is amended by adding the following as a new, appropriately designated subdivision:

(22) Create a system for reporting safety-related information.

(A) The identity of any individual who reports to or participates in the reporting system shall:

(i) Be sealed from inspection by the public or any other entity or individual who is otherwise provided access to the department's confidential records under this title;

(ii) Not be subject to discovery or introduction into evidence in any civil proceeding; and

(iii) Be disclosed only as necessary to carry out the purposes of the reporting system.

(B) Any criminal act reported into the reporting system shall be disclosed by the department to the appropriate law enforcement agency or district attorney.

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