

SENATE BILL 527

By Dickerson

AN ACT to amend Tennessee Code Annotated, Title 35, Chapter 9, Part 1 and Title 48, relative to administration of private foundations.

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

SECTION 1. Tennessee Code Annotated, Title 35, Chapter 9, Part 1, is amended by adding the following language as a new section:

35-9-108.

(a) For the purposes of this section, "private foundation" has the same meaning ascribed to "private foundation" in § 509(a) of the Internal Revenue Code of 1986 as amended.

(b) No private foundation shall be required by a department, agency, board, or other entity of state or local government to:

(1) Disclose the race, religion, gender, national origin, socioeconomic status, age, ethnicity, disability, marital status, or sexual orientation of:

(A) The foundation's employees, officers, directors, trustees, or contributors, without the prior written consent of the individual or individuals in question; or

(B) Any individual, or of the employees, officers, directors, trustees, members, or owners of any entity, that has received monetary or in-kind contributions or grants from, or contracted with, the foundation, without the prior written consent of the individual or individuals in question;

(2) Hire, appoint, or elect an individual of any particular race, religion, gender, national origin, socioeconomic status, age, ethnicity, disability, marital

status, or sexual orientation as an employee, officer, director, or trustee of the foundation;

(3) Disqualify, remove, or prohibit service of an individual as an officer, director, or trustee of the foundation based upon such individual's familial relationship to other officers, directors, or trustees of the foundation or a contributor to the foundation;

(4) Hire, appoint, or elect an individual as an officer, director, or trustee of the foundation who does not share a familial relationship with the other officers, directors, or trustees of the foundation or with a contributor to the foundation; or

(5) Except as a lawful condition or requirement on the expenditure of particular funds imposed by the contributor or grantor of such funds, distribute the foundation's funds to, or contract with, any individual or entity based upon the:

(A) Race, religion, gender, national origin, socioeconomic status, age, ethnicity, disability, marital status, or sexual orientation of the individual or of the employees, officers, directors, trustees, members, or owners of the entity; or

(B) Populations, locales, or communities served by the individual or entity.

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