



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 222**

### **SENATE BILL NO. 743**

**By White**

Substituted for: House Bill No. 459

By Slater, Cepicky, Moody, Haston, Howell

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 5, relative to individuals prohibited from employment with an educational entity.

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

SECTION 1. Tennessee Code Annotated, Section 49-5-413(e), is amended by deleting subdivision (1) and substituting instead the following:

(1) The department of education, the state board of education, local boards of education, public charter schools, and LEAs shall not hire or retain, and the state board of education shall not grant a license, reactivate an expired license, restore a revoked license, or grant a temporary teaching permit to, an individual found by the department of children's services to have committed child abuse, severe child abuse, child sexual abuse, or child neglect pursuant to title 37. The department of children's services shall not report an individual or employee as a perpetrator unless the department of children's services has first determined that the due process rights of the individual or employee were either offered but not accepted or fully exhausted or concluded, pursuant to the department of children's services rules and pursuant to state and federal law.

SECTION 2. Tennessee Code Annotated, Section 49-5-413(e), is amended by adding the language "the state board of education," after the language "the department of education," wherever it appears in subdivisions (2)-(5) and by adding the language "public charter school," after the language "local board of education," wherever it appears in subdivisions (2)-(5).

SECTION 3. Tennessee Code Annotated, Section 49-5-413(e)(6), is amended by adding the language ", public charter schools," after the language "local boards of education" wherever it appears in the subdivision and by adding the language ", public charter school," after the language "local board of education" wherever it appears in the subdivision.

SECTION 4. Tennessee Code Annotated, Section 49-5-413(e), is amended by deleting subdivision (7) and substituting instead the following:

(7) The department of education, the state board of education, local boards of education, public charter schools, and LEAs shall not hire or retain, and the state board of education shall not grant a license, reactivate an expired license, restore a revoked license, or grant a temporary teaching permit to, an individual whose name has been placed on the state's vulnerable person's registry, the state's sex offender registry, or on registry similar to this state's vulnerable person's registry or this state's sex offender registry in another jurisdiction.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 743

PASSED: April 10, 2023

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 25<sup>th</sup> day of April 2023

  
BILL LEE, GOVERNOR