

SENATE BILL 1033

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 11; Title 39, Chapter 14; Title 39, Chapter 16 and Title 39, Chapter 17, relative to disruptive and illegal conduct.

WHEREAS, the state of Tennessee is a right to work state; and

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

WHEREAS, the state of Tennessee recognizes the importance and necessity of fostering economic development and job creation; and

WHEREAS, certain activities, that unions and employee organizations may engage in during a corporate campaign, such as bribery, coercion and intimidation can make the state an unwelcoming and dangerous place for new business; and

WHEREAS, activities such as bribery, intimidation and coercion are illegal and present a substantial public safety risk to the state's citizens and the state's businesses; and

WHEREAS, certain limited, and reasonable restrictions are deemed necessary to protect our citizens from these harms; 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 (1) and adding the following new subdivision (2):

(2) It is no defense to prosecution under this section that the person who sought to influence a public official did so on behalf of a union or employee organization's behalf, for purposes of an organizing campaign or any other lawful purpose.

SECTION 2. Tennessee Code Annotated, Section 39-17-309(b), is amended by adding the following new subdivision thereto:

(5) Damages, harms, injures or threatens to injure or coerce a business, or any employee or representative of the business with the intent to unlawfully intimidate the business or its employees from exercising their rights, which are protected by state and federal law, in an effort to obtain something of value for a union or employee organization, including but not limited to, a neutrality agreement, card check agreement, union recognition, or any other objective of a union or employee organization's corporate campaign.

SECTION 3. Tennessee Code Annotated, Section 39-14-112(a), is amended by adding the following new subdivision thereto:

(3) Restrict a business, or the owners or employees of a business, from exercising their rights, which are protected under state and federal law, in an effort to obtain something of value for a union or employee organization, including a neutrality agreement, card check agreement, union recognition, or any other objective of a union or employee organization's corporate campaign.

SECTION 4. Tennessee Code Annotated, Section 39-17-301(3), is amended by deleting the language "and" and substituting instead the language, "any otherwise lawful activity, such as the participation in a union or employee organized event, may constitute a riot if the public peace is disturbed by tumultuous or threatening conduct; and:"

SECTION 5. Tennessee Code Annotated, Section 39-17-305(a), is amended by adding the following new subdivision thereto:

(4) Engages in threatening and violent behavior that presents a public safety risk by creating a hazardous or offensive condition that may include picketing, mass picketing, or the targeted picketing of a residential structure.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.