

SENATE BILL 1112

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 3,
Chapter 4, relative to executive orders issued by
the President of the United States.

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

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 4, is amended by adding the following new section:

(a) The joint government operations committee of the general assembly may review an executive order issued by the president of the United States if the order has not been affirmed by a vote of the congress of the United States and signed into law as prescribed by the constitution of the United States.

(b) Upon review, the committee may recommend to the attorney general and reporter and the governor that the order be further examined by the attorney general and reporter to determine the constitutionality of the order and to determine whether this state should seek an exemption from the application of the order or seek to have the order declared to be an unconstitutional exercise of legislative authority by the president.

(c) Notwithstanding any law to the contrary, a state agency, political subdivision, or elected or appointed official or employee of this state or of a political subdivision shall not implement an executive order that restricts a person's rights or that is determined by the attorney general and reporter to be unconstitutional, as evidenced by a published opinion, if the order relates to:

- (1) A pandemic or other public health emergency;
- (2) The regulation of natural resources;
- (3) The regulation of the agricultural industry;

(4) The regulation of land use;

(5) The regulation of the financial sector through the imposition of environmental, social, or governance standards; or

(6) The regulation of the constitutional right to keep and bear arms.

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