

SENATE BILL 1310

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 9; Title 10; Title 50;
Title 64 and Title 67, relative to business.

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

SECTION 1. Tennessee Code Annotated, Section 50-1-602(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) Upon notifying affected employees of a reduction in operations, the employer shall then provide notification of the reduction, including the number of employees affected, to:

- (1) The local government where the employer is located;
- (2) The commissioner of labor and workforce development; and
- (3) The commissioner of economic and community development.

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 1, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Employer" means any person, corporation, or other entity that employs at least fifty (50) but not more than ninety-nine (99) full-time employees at a workplace located within this state, and that is not excluded or exempt from the requirements of the Employment Security Law, compiled in title 50, chapter 7;

(2) "Reduction in operations" means:

(A) The closure of a workplace, or a portion of the operations in the workplace, whereby the number of employees

working within the workplace is permanently or indefinitely reduced by fifty (50) or more during any three-month period;

(B) The modernization of a workplace, or a portion of the operations in the workplace, whereby the number of employees working within the workplace is permanently or indefinitely reduced by fifty (50) or more during any three-month period;

(C) The relocation of a workplace, or a portion of the operations in the workplace, to another site located more than fifty (50) miles from the workplace, whereby the number of employees working within the workplace is permanently or indefinitely reduced by fifty (50) or more during any three-month period; or

(D) The implementation or application of any management policy within a workplace, whereby the number of employees working within the workplace is permanently or indefinitely reduced by fifty (50) or more during any three-month period; and

(3) "Workplace" means a factory, plant, office, or other facility where employees produce goods or provide services.

(b) If an employer received any form of financial incentive from the state or a local government to locate to this state within five (5) years prior to the employer undergoing a reduction in operations, then all financial incentives paid, credited, or offered as an exemption shall be refunded by the employer to the state or local government. The state or local government must use any amounts refunded pursuant to this subsection (b) to assist employees negatively impacted by the reduction in operations.

SECTION 3. Tennessee Code Annotated, Section 67-1-1702(a), is amended by deleting the language "Notwithstanding any law to the contrary" and substituting instead the language "Notwithstanding any law to the contrary except subsection (d)".

SECTION 4. Tennessee Code Annotated, Section 67-1-1702, is amended by adding the following new subsection:

(d) Tax information and tax administration information shall be open for public inspection if the information is relative to a financial incentive offered to a business or industry.

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