

SENATE BILL 2237

By Norris

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 3, Part 20, relative to the Department of
Safety and Homeland Security.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 20, is amended by adding the following as a new, appropriately designated Section:

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(1) The Department of Safety and Homeland Security is authorized to enter into partnership agreements with nonprofit organizations for the purpose of promoting and supporting the goals and objectives of the agency including, but not limited to, law enforcement, safety education, motorist services, disaster preparedness and prevention, and marketing opportunities.

(2) This subsection shall not be interpreted to abridge any powers or duties delegated to the agency in this part.

(3) The nonprofit partners shall have their boards of directors elected by a process approved by the governor or the governor's designee.

(4) The nonprofit partners shall be properly incorporated under the laws of the State of Tennessee, and approved by the Internal Revenue Service as organizations that are exempt from federal income tax under § 501 (a) of the Internal Revenue Code, 26 U.S.C. § 501(a), by virtue of being organizations described in § 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3).

(5) The nonprofit partners shall annually submit to the governor, the Speakers of the Senate and the House of Representatives, within ninety (90)

days after the end of their fiscal year, a complete and detailed report setting forth their operation and accomplishments.

(6) The annual reports and all books of accounts and financial records of all funds received by grant, contract or otherwise from state, local or federal sources shall be subject to audit annually by the comptroller of the treasury. With prior approval of the comptroller of the treasury, the audit may be performed by a licensed independent public accountant selected by the nonprofit partner. If an independent public accountant is employed, the audit contract between the nonprofit partner and the independent accountant shall be on contract forms prescribed by the comptroller of the treasury. The cost of any audit shall be paid by the nonprofit partner. The comptroller of the treasury shall ensure that audits are prepared in accordance with generally accepted governmental auditing standards and determine if the audits meet minimum audit standards prescribed by the comptroller of the treasury. No audit may be accepted as meeting the requirements of this section until approved by the comptroller of the treasury.

(7) All full board meetings of a nonprofit organization concerning activities authorized by Section 2 of this act or pursuant to § 70-1-302(f) shall be open to the public, except for executive sessions that include, but are not limited to, any of the following matters: litigation; audits or investigations; human resource issues; gift acceptance deliberations; board training; governance; donor strategy sessions; and security measures.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.