

HOUSE BILL 174

By Russell

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 38, Chapter 6 and Title 68, Chapter 102,
relative to transferring certain functions to the
Tennessee bureau of investigation.

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

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) The fire investigations section within the fire prevention division of the department of commerce and insurance is transferred to the Tennessee bureau of investigation.

(b) It is the intention of the general assembly that personnel, equipment, funding, duties, authority, and property transferred on the effective date of this act be transferred no later than January 1, 2020.

(c) The director of the Tennessee bureau of investigation will develop and implement a transfer plan. The plan shall set forth the procedures under which transferred employees shall be incorporated into the bureau.

(d) The initial transfer of any preferred service employee pursuant to the transfer from the department of commerce and insurance to the Tennessee bureau of investigation shall not result in any impairment, interruption, or diminution of employee rights, salary, benefits, leave accumulation, or employment. The commissioner of human resources is authorized to determine if there has been any impairment of rights, salary, benefits, leave accumulation, or employment as a result of the initial transfer. Any preferred service employee may seek redress of any such determination through a

request for declaratory order by the commissioner of human resources pursuant to § 4-5-223.

SECTION 2. Tennessee Code Annotated, Section 68-102-102, is amended by deleting subdivision (6).

SECTION 3. Tennessee Code Annotated, Section 68-102-144, is amended by deleting the section in its entirety.

SECTION 4. Tennessee Code Annotated, Section 68-102-142, is amended by deleting the language "For the maintenance of the division of fire prevention and the payment of expenses incident thereto," and substituting instead the language "For the maintenance of the division of fire prevention and the payment of expenses incident thereto, and for the maintenance of the fire investigations section transferred to the Tennessee bureau of investigation pursuant to this act, and the payment of expenses incident to the duty of the fire investigations section to investigate destructive fires in this state,".

SECTION 5. Tennessee Code Annotated, Section 68-102-142, is amended by deleting the language "for the maintenance of the division of fire prevention, and the payment out of the fund for the expenses and maintenance of the division" and substituting instead the language "for the maintenance of the division of fire prevention and the fire investigations section, and for the payment out of the fund for the expenses and maintenance of the division and the fire investigations section,".

SECTION 6. All rules and regulations governing the fire investigations section promulgated by the department of commerce and insurance in effect on the effective date of this section shall be transferred to the Tennessee bureau of investigation, and assigned an appropriate new control number by the secretary of state, and shall remain in full force and effect until modified or repealed by the Tennessee bureau of investigation. The bureau may promulgate rules and regulations to effectuate the purposes of this act.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.