

HOUSE BILL 331

By Casada

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 51, relative to enacting the "Equal Access
to Local Government Contracts and Services Act".

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, is amended by adding the following language as a new part 17:

7-51-1701. This part shall be known and may be cited as the "Equal Access to Local Government Contracts and Services Act".

7-51-1702. As used in this part, the term:

(1) "County" includes any county having a metropolitan form of government;

(2) "Discriminatory practices" means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, creed, color, religion, sex, age or national origin;

(3) "Local government" means a municipality or county;

(4) "National origin" includes the national origin of an ancestor;

(5) "Person" includes one (1) or more individuals, governments, governmental agencies, public authorities, labor organizations, corporations, legal representatives, partnerships, associations, trustees, trustees in bankruptcy, receivers, mutual companies, joint stock companies, trusts, unincorporated organizations or other organized groups of persons; and

(6) "Sex" means and refers only to the designation of an individual as male or female as indicated on the individual's birth certificate.

7-51-1703.

(a)

(1) The only anti-discrimination employment practices or standards that may be legally enacted or enforced by ordinance, resolution or any other means by a local government with respect to any person contracting or doing business with the local government shall be limited to:

(A) Race, creed, color, religion, sex, age or national origin as such terms are used and defined in § 7-51-1702 as “discriminatory practices”; or

(B) Other types of discrimination recognized as discrimination by state law but only to the extent recognized by the state.

(2) With respect to any person contracting or doing business with a local government, no local government shall by ordinance, resolution or any other means impose on or make applicable an anti-discrimination employment practice, standard, definition or provision that deviates from, modifies, supplements, changes or varies any term used in the definition of “discriminatory practices” in § 7-51-1702 or any term used in such definition as such terms are further defined in such section.

(3) Any such anti-discrimination practice, standard, definition, or provision imposed or made applicable by a local government with respect to any person contracting or doing business with such local government prior to the effective date of this act shall be null and void.

(b) Subsection (a) shall not apply with respect to employees of a local government.

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