

HOUSE BILL 478

By Curtiss

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 8 and Title 12, relative to public contracts.

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

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 4, Part 1, is amended by adding the following language as a new section:

12-4-126.

(a) On and after the effective date of this act, in the case of any contract for services to be let by a department or agency of state government organized in title 4, chapter 3, to an outside entity, the commissioner or director of such department or agency shall certify to the comptroller of the treasury that:

(1) No state employee within that department or agency is capable of accomplishing the tasks sought to be contracted; and

(2) No vacant positions in such department or agency exist that can be filled by hiring an employee to perform the services in lieu of contracting for such services to an outside entity.

(b) The commissioner or director shall attach to the certification persuasive written reasons as to the inability of the department or agency's employees to perform the services required under the contract.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.