SENATE BILL 699
By Barnes

HOUSE BILL 828

By Jones S

AN ACT to amend Tennessee Code Annotated, Title 4; Title 50 and Title 71, relative to determinations of disability under the federal social security program.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 14, is amended by adding the following as a new section:

§ 4-3-1420.

(a) Notwithstanding any other law to the contrary, on and after July 1, 2009 or whenever approved by the social security administration, whichever is later, to the extent permitted by federal law, determinations of disability under federal social security law shall be performed by the department of labor and workforce development. Disability determinations that are in process by the department of human services on such date shall be transferred to the department of labor and workforce development. If approval of the social security administration is required in order for disability determinations to be transferred from the department of human services to the department of labor and workforce development, then the governor or the governor's designee shall promptly seek such approval and the July 1, 2009 deadline shall not apply. If such approval is required the transfer may not take effect until the approval is obtained.

(b) If the transfer of functions under subsection (a) takes effect, then at the same time the governor shall transfer the division of vocational rehabilitation from the department of human services to the department of labor and workforce development by executive order under § 4-4-102.

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