

HOUSE BILL 1250

By Maberry

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to school chaplains.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) A local board of education and public charter school governing body may employ or accept as a volunteer a school chaplain to provide support, services, and programs for students, school staff, and students' parents pursuant to this section.

(b) A school chaplain employed or accepted as a volunteer pursuant to this section is not required to be certified by the state board of education.

(c) A local board of education or public charter school governing body that employs or accepts as a volunteer a school chaplain shall ensure that the school chaplain undergoes the criminal history record check required in § 49-5-406 and the investigations required under § 49-5-413.

(d)

(1) A person does not have a cause of action against a school chaplain for an action taken or statement made by the school chaplain while the school chaplain is acting in accordance with this section.

(2) The immunity from liability provided for in this subsection (d) does not apply to an action or statement made by a school chaplain, if the action or statement was taken or made maliciously, willfully, and was deliberately intended

to cause harm or to harass or intimidate those seeking support, services, and programs from the school chaplain.

(e) As used in this section "school chaplain" means a member of the clergy who is credentialed by a religious organization to:

(1) Function in a pluralistic environment; and

(2) Support, directly or indirectly, the free exercise of religion by all individuals in schools.

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