

HOUSE BILL 1264

By Hulsey

AN ACT to amend Tennessee Code Annotated, Section 4-1-422, relative to property rights.

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

SECTION 1. Tennessee Code Annotated, Section 4-1-422, is amended by deleting the section and substituting:

(a) As used in this section, unless context otherwise requires:

(1) "International policymaking organization":

(A) Means a nongovernmental or an intergovernmental entity that issues model policies or guidelines or proposed laws or rules that pertain to a particular subject matter or range of subject matter areas of public policy, and which may be adopted in whole or in part by an instrument of government as the policy of that government; and

(B) Includes the World Health Organization, the United Nations, and the World Economic Forum; and

(2) "Political subdivision" means a local governmental entity, including a municipality, metropolitan government, county, utility district, school district, public building authority, and development district created and existing pursuant to the laws of this state, or any instrumentality of government created by any one (1) or more of the named local governmental entities.

(b) The state and its political subdivisions shall not adopt or implement policy recommendations that deliberately or inadvertently infringe upon or restrict private property rights without due process or an individual's constitutional rights, as may be

required by policy recommendations originating in or traceable to any international policymaking organization, including the United Nations or a subsidiary entity of the United Nations, including:

- (1) "Agenda 21," as adopted by the United Nations in 1992 at its Conference on Environment and Development;
- (2) The 2030 Agenda for Sustainable Development, introduced at a United Nations Summit in 2015;
- (3) The United Nations' proposal to reach net zero emissions by 2050; or
- (4) Another international law or ancillary plan of action that contravenes the United States Constitution or the Constitution of Tennessee.

(c)

(1) Since the United Nations has accredited and enlisted numerous nongovernmental and intergovernmental organizations to assist in the implementation of its policies relative to Agenda 21, The 2030 Agenda for Sustainable Development, net zero goals for 2050, and its related plans and initiatives, the state and its political subdivisions shall not enter into an agreement, spend any sum of money, or provide financial aid to a nongovernmental and intergovernmental organization described in or promoted by such plans and initiatives.

(2) This section also applies to international policymaking organizations that are not affiliated with the United Nations.

(d) As part of a political subdivision's annual audit, the executive of the political subdivision or the governing body of the political subdivision shall present a written attestation to the comptroller of the treasury certifying that the political subdivision has

not sought or received a grant in intentional pursuit of a policy described under subsection (b).

(e)

(1) An individual who believes that the state or a political subdivision has violated subsection (b) or (c) may bring a private cause of action in a court of competent jurisdiction.

(2) A court shall award court costs and fees, including reasonable attorneys' fees, to the prevailing party in an action brought pursuant to this subsection (e). In addition, the court may award the following remedies to a plaintiff who prevails in an action brought pursuant to this subsection (e):

(A) Actual damages; and

(B) Punitive damages.

(3) If the court finds the state, a political subdivision, or an official is in violation of this section, then the court shall issue a writ of mandamus against the entity or official ordering the entity or official to comply with this section, enjoin the entity or official from further interference, and take other action to ensure compliance as is within the jurisdiction of the court.

(4) The state, a political subdivision, or an official has not more than one hundred twenty (120) days from the date of the court's order to comply with the order. If, after one hundred twenty (120) days, the entity or official has not complied with the court's order, then the court may take whatever action the court finds necessary to enforce compliance.

(5) Upon finding that a policy, contract, or agreement violates this section, the court shall declare that such policy, contract, or agreement meets the

standard as described under this section, and is therefore void and unenforceable.

(f) An official or public servant violating this section commits the offense of official oppression, as provided in § 39-16-403. Failure to comply with a court order per subdivision (e)(3) within the timeframe specified in subdivision (e)(4) constitutes a separate violation of § 39-16-403. It is not a defense to criminal liability under this subsection (f) that no actual damage has yet to occur.

(g) A contract, policy, or agreement in violation of this section is null, void, and unenforceable.

(h) The attorney general may issue an official statement clarifying that a particular contract policy or agreement violates this section.

SECTION 2. This act takes effect July 1, 2025, the public welfare requiring it, and applies to contracts entered into, renewed, or amended on or after that date.