

HOUSE BILL 1978

By Smith

AN ACT to amend Tennessee Code Annotated, Title 3 and Title 4, relative to lobbying.

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

SECTION 1. Tennessee Code Annotated, Section 3-6-301(15)(D), is amended by deleting the language "or any department, agency or entity of state, county or municipal government" and substituting instead the language "or any department, agency, or entity of county or municipal government".

SECTION 2. Tennessee Code Annotated, Title 3, Chapter 6, Part 3, is amended by adding the following as a new section:

3-6-310.

(a) An executive agency, its employees, or authorized representatives or liaisons shall not use appropriated funds or funds under its control or engage in any activity in an attempt to influence legislative or administrative action.

(b)

(1) The ethics commission shall administratively assess civil penalties against an executive agency or an employee of an agency, or both, for a violation of this section to the extent prescribed in § 3-6-306(a)(4).

(2) In addition to the penalties prescribed in subdivision (b)(1), a violation of this section may result in:

(A) The dismissal of the employee; and

(B) The agency being compelled to appear, upon proper motion, before the government operations committee of the house of representatives and the government operations committee of the senate

for review in accordance with title 4, chapter 29, part 1. Upon review, either committee may make a recommendation to the general assembly to suspend the agency's rulemaking authority for a reasonable time period or with respect to a subject matter, by legislative enactment.

(c) This section does not prohibit an agency or agency employee from providing information pursuant to a request or communicating with others as employees of state government in pursuit of federal appropriations or in support for federal programs.

SECTION 3. Tennessee Code Annotated, Section 3-6-306(a), is amended by adding the following as a new subdivision:

(4) The ethics commission may administratively assess a civil penalty of not more than one hundred dollars (\$100) per day up to a maximum of three thousand dollars (\$3,000) for a knowing violation of § 3-6-310.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.