

HOUSE BILL 2313

By Parkinson

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 8 and Title 67, relative to investments in  
private prison companies.

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, is amended by adding the following language as a new part:

(a) As used in this part:

(1) "Commission" means the Tennessee ethics commission; and

(2) "Judge" means any general sessions and juvenile court judges, trial judge, judge of the court of criminal appeals, judge of the court of appeals, and supreme court judge.

(b) Beginning on and after January 1, 2017, no district public defender, district attorney general, attorney general and reporter of Tennessee, judge, or law enforcement officer shall:

(1) Own shares of stocks or hold investments in private prison companies; or

(2) Receive the dividends and proceeds from such stocks or other investments from private prison companies.

(c) A violation of subsection (b) is a Class C misdemeanor.

(d) On or before September 1, 2016, any district public defender, district attorney general, attorney general and reporter of Tennessee, judge, or law enforcement officer who owns or receives benefits from shares of stock or investments in private prison companies shall:

(1) Disclose in a written affidavit the existence of the stock or investment, including the name of the company, to the commission; and

(2) Have until January 1, 2017, to divest such stock or investments; and

(3) Provide written proof of divestment to the commission as proof of compliance with this section.

(e) Any person employed or newly hired on or after January 1, 2017, as:

(1) An assistant district public defender, shall provide a written disclosure of all stocks or investments subject to subsection (b) to the district public defender; or

(2) An assistant district attorney general, shall provide a written disclosure of all stocks or investments subject to subsection (b) to the district attorney general.

(f) The written disclosures required in subsection (e) shall be submitted annually to the commission prior to January 1.

(g) The commission may administratively assess a civil penalty of not more than twenty-five dollars (\$25.00) per day, up to a maximum seven hundred fifty dollars (\$750) for failure to comply with subsection (d).

SECTION 2. The commission is authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2016, the public welfare requiring it.