

HOUSE BILL 2922

By Sparks

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Section 8-21-401; Title 39;
Title 40 and Title 57, relative to drug offenses
committed by persons whom have been issued a
license, permit or certificate to operate by an
agency of the state or political subdivision.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by adding the following as a new, appropriately designated section:

39-17-4__.

(a) When any person holding a license or permit issued pursuant to § 57-5-103 is convicted of or pleads guilty to or enters a plea of nolo contendere to any violation of this part, all such licenses or permits shall be suspended or revoked by the local board or authority issuing the license or permit, pending appeal, as of the date of the entry of the judgment or plea agreement, and no such license or permit shall be reissued to such person for a period of at least sixty (60) days following the final action of the court. Enforcement of this section shall be the duty of all licensing or permitting officials of political subdivisions and other appropriate public agencies.

(b) Upon conviction for or entry of a plea of guilty or of nolo contendere to any violation of this part by a person holding a license or permit issued pursuant to § 57-5-103, it is the duty of the clerk of the court where such conviction or plea is entered to notify the appropriate public agencies, including the local licensing agency or board, authority or officials who issued the license or permit, or both, concerning the action of the court. The clerk may charge a fee as provided in §

8-21-401 for such notification. The local licensing agency or board so notified shall automatically suspend or revoke the license, permit or certificate in accordance with the notification received from the court for the period established by subsection (a).

SECTION 2. Tennessee Code Annotated, Section 57-5-108, is amended by adding the following as a new subsection:

(n) Any county, municipal or metropolitan beer board or committee shall, upon receiving notice pursuant to Section 1 of this act that a person holding a license or permit, issued by such county, municipal or metropolitan beer board or committee pursuant to this chapter, has been convicted of or pleaded guilty or nolo contendere to a violation of title 39, chapter 17, part 4, revoke the permit or certificate or suspend the permit or certificate for a period of not less than sixty (60) days.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.