

HOUSE BILL 2985

By Haynes

AN ACT to amend Tennessee Code Annotated, Section 57-3-210 and Title 57, Chapter 3, Part 7, relative to issuance of employee or server permits or licenses to certain persons currently prohibited based on ownership status, employment or public office.

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

SECTION 1. Tennessee Code Annotated, Section 57-3-210(b), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(1) No wholesaler's or retailer's license shall be issued to a person who is a holder of a public office, either appointive or elective, if the person holding the public office has a duty to vote for, overlook or in any manner superintend the sale of alcoholic beverages or who is a municipal, county, state or federal public employee if the public employee works in a department or agency that has a duty to regulate any portion of a business which sells alcoholic beverages.

(2) If a public official or employee is prohibited from being issued a wholesaler's or retailer's licenses in accordance with subdivision (1), it is unlawful for such public official or public employee to have any interest in such wholesale or retail business, directly or indirectly, either proprietary or by means of any loan, mortgage, or lien, or to participate in the profits of any such business.

SECTION 2. Tennessee Code Annotated, Section 57-3-703, is amended by deleting subdivision (5) in its entirety and by substituting instead the following language:

(5) The applicant has not had any ownership interest in any licensee or permittee, licensed or permitted pursuant to § 57-3-203, § 57-3-204, § 57-4-101 or § 57-

5-103 which has had its license or permit revoked by the issuing authority within the previous eight (8) years;

SECTION 3. Tennessee Code Annotated, Title 57, Chapter 3, Part 7, is amended by adding the following language as a new, appropriately designated section:

57-3-7___. Nothing in this part, or any rule or regulation promulgated pursuant to this part, shall prohibit any person from being issued an employee or server permit merely because the person holds an ownership interest in any licensee or permittee licensed or permitted pursuant to § 57-3-203, § 57-3-204, § 57-4-101 or § 57-5-103 unless, during the time of such person's ownership interest, the license or permit of such entity had been revoked by the issuing authority.

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