

SENATE BILL 361

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 8, Chapter 30; Title 9; Title 10 and Title 12,  
relative to proceedings against state employees.

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

SECTION 1. Tennessee Code Annotated, Section 8-30-318(h), is amended by adding the following new subdivision (4):

(4) In a Step I, Step II, and Step III proceeding under this subsection (h), the state agency bears the burden of proving by a preponderance of evidence that a state law, rule, or policy was violated with respect to a complainant. The appointing authority, commissioner, and board of appeals shall apply such evidentiary standard in issuing a decision and conducting a proceeding, as applicable, under this subsection (h).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.