

SENATE BILL 784

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 3;
Title 7 and Title 8, relative to certain payroll
deductions of public employees.

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

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

8-50-118.

(a) No person in the employment of the state of Tennessee, a county, a city, a local school board or any other governmental agency may arrange by payroll deduction or otherwise for any payments to a political action committee or arrange by payroll deduction or otherwise for any payments for the person's dues for any membership organization which engages, directly or indirectly, in political activity. For purposes of this subsection (a), political activity shall be construed in its broadest sense and shall include, but not be limited to, all of the following:

- (1) Lobbying as defined in § 3-6-301;
- (2) Making contributions to any entity which engages in any form of political communication, including communications which mention the name of a political candidate;
- (3) Engaging in or paying for public opinion polling;
- (4) Engaging in or paying for any form of political communication, including communications which mention the name of a political candidate;
- (5) Engaging in or paying for any type of political advertising in any medium;

(6) Telephone communication for any political purpose;
(7) Distributing political literature of any type; or
(8) Providing any type of in kind help or support to or for a political candidate.

(b) Any organization that requests the state of Tennessee, a county, a city, a local school board or any other governmental agency to arrange by payroll deduction or otherwise for the collection of membership dues shall certify to the appropriate governmental entity that none of the membership dues will be used for political activity. Thereafter, at the conclusion of each calendar year, each organization that has arranged for the collection of its membership dues shall provide the appropriate governmental entity a detailed breakdown of the expenditure of the membership dues collected by the governmental entity. Any organization that fails to provide the required certifications, that reports any expenditures for political activity or that files false information about political activity in any of its reports shall be permanently barred from arranging for the collection of its membership dues by any governmental entity. All reports required pursuant to this act shall be filed by the organization with the registry of election finance and the comptroller of the treasury. The organization shall certify the accuracy of such reports under penalty of perjury.

SECTION 2. This act shall take effect January 1, 2012, the public welfare requiring it, and shall apply to payroll deductions for the 2012 calendar year.