

SENATE BILL 1165

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 5; Title 6; Title 7; Title 8; Title 12 and Title 50,  
relative to employment.

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

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 3, Part 3, is amended by adding the following as a new section:

(a)

(1) No state or local governmental entity shall contract to acquire goods or services from any person who does not provide with the person's response for the contract evidence of the work status, by the means described in § 50-1-703, of each employee, non-employee, and individual to whom public money will be received pursuant to the contract.

(2) No person shall contract to supply goods or services to a state or local governmental entity unless the person submits with the person's response for the contract evidence of the work status, by the means described in § 50-1-703, of each employee, non-employee, and individual to whom public money will be received pursuant to the contract.

(3) No person shall submit false evidence under this section to a state or local governmental entity.

(b) If a person violates subdivision (a)(2) or (a)(3), then the chief procurement officer shall declare that person to be prohibited from contracting for or submitting a response for any contract to supply goods or services to a state or local governmental entity for a period of five (5) years from the date of discovery of the violation.

(c) Any person who is prevented from contracting for or submitting a response for a contract to supply goods or services to a state or local governmental entity pursuant to subsection (b) may appeal the imposition of the five-year prohibition by utilizing an appeals process to be established by the chief procurement officer and approved by the procurement commission.

(d) The chief procurement officer is authorized to promulgate rules to effectuate this section. The rules must be approved by the procurement commission and promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 50-1-703(b), is amended by deleting the subsection and substituting the following:

(b) Notwithstanding subdivision (a)(1)(B), private employers and governmental entities, on or after January 1, 2020, shall comply with the requirements in subdivision (a)(1)(B)(ii). Private employers and governmental entities are only required to use the E-Verify program to verify the work authorization status of employees hired on or after January 1, 2020.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.