

SENATE BILL 1346

By Tate

AN ACT to amend Tennessee Code Annotated, Title 7 and Title 57, relative to the employment of persons under the age of twenty-one by certain business establishments.

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

SECTION 1. Tennessee Code Annotated, Section 57-4-204(b), is amended by adding thereto the following new subdivision:

(5) To employ, contract with or use any person in the licensed premises of an establishment that is defined in § 7-51-1401(2) or (3) who is not at least twenty-one (21) years of age.

SECTION 2. Tennessee Code Annotated, Section 57-5-301, is amended by adding to that section the following new subsection:

(g) It is unlawful for any permit holder to employ any person, directly or indirectly, under the age of twenty-one (21) years unless the sale of meals is the principal business conducted by the permit holder. For purposes of this section, it shall be presumed that the sale of meals is the principal business conducted by a permit holder if at least fifty percent (50%) of gross revenues of all kinds is derived from the sale of food and beverages (other than beer or alcoholic beverages). It shall be presumed that the sale of meals is not the principal business conducted by a permit holder if less than twenty-five percent (25%) of gross revenues of all kinds is derived from the sale of food and beverages (other than beer or alcoholic beverages). In establishing a permit holder's right to employ a person under the age of twenty-one

(21) years, the burden of proof shall be upon the permit holder.

SECTION 3. This act shall take effect January 1, 2009, the public welfare requiring

it