

SENATE BILL 2280

By Dickerson

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 5, relative to the criminal history record of
applicants for teaching or child care positions.

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

SECTION 1. Tennessee Code Annotated, Section 49-5-413(d)(3), is amended by deleting the subdivision and by substituting the following language:

(3)

(A) No employer, or employee of the employer to whom this subsection (d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present until the criminal history records check has been conducted on the person.

(B) No employer, or employee of the employer to whom this subsection (d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present if the criminal history records check indicates that the employer or employee has ever been convicted of any of the following offenses, or the same or similar offense in any jurisdiction, including convictions for the solicitation of, attempt to commit, conspiracy, or acting as an accessory to:

- (i) A sexual offense or a violent sexual offense as defined in § 40-39-202;
- (ii) Any offense in title 39, chapter 13;
- (iii) §§39-14-301 and 39-14-302;

- (iv) §§ 39-14-401 – 39-14-404;
- (v) §§ 39-15-401 and 39-15-402;
- (vi) § 39-17-417;
- (vii) § 39-17-1320; or
- (viii) Any other offense in title 39, chapter 17, part 13.

(C)

(i) If an employee is convicted of any of the offenses in subdivision (d)(3)(B) after the employer has conducted a criminal history records check on the employee, the employee shall notify the employer of the conviction within seven (7) days from the date of conviction.

(ii) An employee commits a Class A misdemeanor, punishable by fine only, who knowingly fails to disclose to the employer within the required seven (7) days that the employee has been convicted of an offense specified in subdivision (d)(3)(C)(i).

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