

SENATE BILL 2298

By Pody

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 8; Title 49; Title 50;
Title 62; Title 63; Title 64 and Title 65, relative to
discrimination.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 21, is amended by adding the following as a new part:

(a) As used in this section, "person" means an individual, healthcare provider, sole proprietorship, corporation, limited liability company, partnership, trust, organization, association, nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code, 26 U.S.C. § 501(a), or any other private legal entity whether formed as a for-profit or not-for-profit entity that receives funding from this state.

(b) A person shall not require an individual, employee, or applicant for employment to complete or participate in training, orientation, or any other instructional or informational program that promotes any of the following concepts:

- (1) One (1) race or sex is inherently superior to another race or sex;
- (2) An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously;
- (3) An individual should be discriminated against or receive adverse treatment because of the individual's race or sex;
- (4) An individual's moral character is determined by the individual's race or sex;

(5) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(6) An individual should feel discomfort, guilt, anguish, or another form of psychological distress solely because of the individual's race or sex;

(7) A meritocracy is inherently racist or sexist, or designed by a particular race or sex to oppress members of another race or sex;

(8) Promoting division between, or resentment of, a race, sex, religion, creed, nonviolent political affiliation, social class, or class of people; or

(9) Ascribing character traits, values, moral or ethical codes, privileges, or beliefs to a race or sex, or to an individual because of the individual's race or sex.

(c) If person violates subsection (b), then the individual, employee, or applicant for employment may bring a civil action against the person. An individual, employee, or applicant for employment is entitled to recover compensatory damages for a violation of subsection (b) in an amount not to exceed the maximum statutory limitation for each respective category of compensatory damages pursuant to title 29, chapter 39. The individual, employee, or applicant for employment is also entitled to their reasonable costs and attorney fees if the individual, employee, or applicant for employment prevails.

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