

CHAPTER NO. 693

SENATE BILL NO. 2557

By Cooper

Substituted for: House Bill No. 2741

By Kisber, Bittle, Brenda Turner, Buttry

AN ACT To amend Tennessee Code Annotated, Title 5, Chapter 1, Part 1 and Title 6, Chapter 54, Part 1, relative to authorizing municipalities and counties to obtain certain information for applicants applying for employment.

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

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. (a) A municipality may require all persons prior to employment with such municipality to:

(1) Agree to the release of all investigative records to the municipality for the purpose of verifying the accuracy of criminal violation information contained on an employment application; and

(2) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee Bureau of Investigation. In addition, to the extent permitted by federal law, and at the discretion of the municipality, a check of such prints may be made against records maintained by the Federal Bureau of Investigation.

(b) Any costs incurred by the Tennessee Bureau of Investigation or the Federal Bureau of Investigation, as appropriate, in conducting such investigations of applicants shall be paid by the municipality requesting such investigation and information; provided, that the municipality may require an applicant to pay such costs if the applicant is offered and accepts a position with such municipality. Payment of such costs are to be made in accordance with the provisions of § 38-6-103.

(c) A municipality may establish the job titles or classifications to which the requirements of this section apply; provided, however, such classifications shall not supersede any mandatory fingerprint-based criminal history background requirements which may be applicable for any person who is seeking employment in a position in any program subject to licensure, approval or certification by any state agency.

SECTION 2. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. (a) A county may require all persons prior to employment with such county to:

(1) Agree to the release of all investigative records to the county for the purpose of verifying the accuracy of criminal violation information contained on an employment application; and

(2) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee Bureau of Investigation. In addition, to the extent permitted by federal law, and at the discretion of the county, a check of such prints may be made against records maintained by the Federal Bureau of Investigation.

(b) Any costs incurred by the Tennessee Bureau of Investigation or the Federal Bureau of Investigation, as appropriate, in conducting such investigations of applicants shall be paid by the county requesting such investigation and information; provided, that the county may require an applicant to pay such costs if the applicant is offered and accepts a position with such county. Payment of such costs are to be made in accordance with the provisions of § 38-6-103.

(c) A county may establish the job titles or classifications to which the requirements of this section apply; provided, however, such classifications shall not supersede any mandatory fingerprint-based criminal history background requirements which may be applicable for any person who is seeking employment in a position in any program subject to licensure, approval or certification by any state agency.

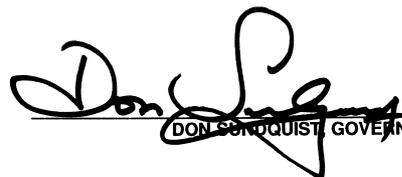
SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 4, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 9th day of May 2000


DON SUNDQUIST, GOVERNOR