

HOUSE BILL 2368

By Odom

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 50, relative to employment practices.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 21, Part 4, is amended by adding the following language as a new, appropriately designated section:

Section 4-21-4\_\_\_. It is a discriminatory practice for an employer to run a “name only” background check on a person filing an application for employment and to disqualify the applicant for employment based on such check if:

(1) The employer fails to disclose to such applicant that such a check will be or has been run;

(2) The decision to hire the person was based on the information received from such background check; and

(3) The information received by the employer from the background check was actually for a different person, other than the applicant, whose name was the same or similar to the applicant.

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