

HOUSE BILL 1046

By Pody

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9, relative to institutions of higher education.

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

SECTION 1. Tennessee Code Annotated, Section 49-7-118, is amended by adding the following language as a new subsection (a) and by redesignating subsequent subsections accordingly:

(a) The authority granted to institutions of higher education under this section may only be exercised and maintained by those institutions that meet all requirements of this section applicable to the institution and that:

(1) Do not discriminate against or deny recognition to a student organization, or deny to a student organization access to any programs, opportunities, channels of communication, or facilities otherwise available to any other student organization on the basis of:

(i) The religious content of the organization's speech; or

(ii) The organization's exercise of its rights pursuant to subdivision (a)(2); or

(2) Do not prohibit a religious student organization from determining that the organization's religious mission requires that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as members in good standing or leaders.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.