

HOUSE BILL 2884

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 34, Part 2; Title 37; Title 39 and Title 40, relative to nonprofit corporations.

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

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following as a new section:

(a) A charitable organization or an employee, volunteer, or independent contractor of a charitable organization is immune from civil liability for disclosing, in good faith, to an individual's current or prospective employer any information, reasonably believed to be true, regarding an allegation that a former employee, volunteer, or independent contractor for the charitable organization or its associated charitable organizations engaged in conduct constituting:

- (1) Sexual misconduct;
 - (2) Sexual harassment of another individual;
 - (3) An offense of human trafficking, under § 39-13-314;
 - (4) Any sexual offense as defined in title 39, chapter 13, part 5 or § 40-39-202;
 - (5) An act requiring mandatory reporting under § 37-1-403 or § 37-1-605;
- or
- (6) Child sexual abuse, under § 37-1-602.

(b) Immunity from civil liability under subsection (a) does not apply if a charitable organization or an employee, volunteer, or independent contractor of a charitable organization:

(1) Had a duty to report under § 37-1-403 or § 37-1-605 and failed to make the mandatory report; or

(2) Made a disclosure under subsection (a) in bad faith or with a malicious purpose.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.