

HOUSE CONSUMER AND EMPLOYEE AFFAIRS COMMITTEE

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2521*

House Bill No. 2569

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by adding the following new item (4) to Section 4 of the printed bill and by renumbering the subsequent items accordingly:

(4) Impose any fee for employing or training a person as a personnel consultant with such employment agency;

AND FURTHER AMEND by deleting Sections 6 through 10 of the printed bill and by substituting instead the following:

SECTION 6. The provisions of this part do not apply to:

(1) Employee trade associations engaged in the procurement of employment for public school teachers and administrators;

(2) Employment services established and operated by this state, any political subdivision of this state, or the United States;

(3) Labor union organizations;

(4) Musician booking agencies;

(5) Employee trade associations engaged in the procurement of employment for nurses;

(6) Any health care provider who provides health care services and who is licensed pursuant to title 63 or title 68, chapter 11; or

(7) Any public or private college or university in the state;

provided, that no recruiting fee is exacted from the salary or wages of the employee for services rendered.

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SECTION 7. Whenever the division has reason to believe that a person is engaging in, has engaged in, or may be about to engage a violation of this part or has reason to believe it to be in the public interest to conduct an investigation to ascertain whether any person is engaging in, or has engaged in, or is about to engage in such act or practice, the division may conduct an investigation in accordance with the provisions of Section 47-18-106.

SECTION 8. (a) Whenever it appears to the director of consumer affairs that a person has engaged in or is about to engage in any act or practice constituting a violation of this part or any rule or order hereunder, the director may, in the director's discretion, bring an action in the chancery court of any county in this state to enjoin the acts or practices and to enforce compliance with this part or any rule or order hereunder.

(b) Upon a proper showing, a permanent or temporary injunction, restraining order, writ of mandamus, discouragement, or other proper equitable relief shall be granted.

(c) The court shall not require the director to post a bond.

SECTION 9. (a) A violation of this act constitutes a violation of the Tennessee Consumer Protection Act, compiled in part 1 of this chapter.

(b) For the purpose of application of the Tennessee Consumer Protection Act, any violation of this part shall be construed to constitute an unfair or deceptive act or practice affecting the conduct of trade or commerce and subject to the penalties and remedies as provided by such act.

AND FURTHER AMEND by renumbering Sections 11 and 12 of the printed bill accordingly.

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