

SENATE BILL 705

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 10; Title 5; Title 6; Title 7; Title 8 and Title 50, Chapter 1, Part 5, relative to preventing abusive conduct in the workplace.

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

SECTION 1. Tennessee Code Annotated, Section 50-1-503(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a)

(1) The Tennessee advisory commission on intergovernmental relations (TACIR) shall create a model policy for employers to prevent abusive conduct in the workplace. The model policy shall be developed in consultation with the department of human resources and interested municipal and county organizations including, but not limited to, the Tennessee municipal league, the Tennessee county services association, the municipal technical advisory service (MTAS), and the county technical assistance service (CTAS).

(2) No later than March 16, 2017, TACIR shall submit the model policy to the general assembly for ratification by joint resolution.

SECTION 2. Tennessee Code Annotated, Section 50-1-503(c), is amended by deleting the language "created pursuant to subsection (a)" and substituting instead "ratified by the general assembly".

SECTION 3. Tennessee Code Annotated, Section 50-1-504, is amended by deleting the section in its entirety and substituting instead the following:

Notwithstanding § 29-20-205, if an employer adopts and reasonably enforces the model policy created by TACIR and ratified by the general assembly pursuant to § 50-1-



-503, then the employer shall be immune from suit for an employee's abusive conduct that results in negligent or intentional infliction of mental anguish. Nothing in this section shall be construed to create a private right of action against any employee in their personal capacity for negligent infliction of mental anguish.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.