

**PUBLIC CHAPTER NO. 784****HOUSE BILL NO. 3611****By Representatives Fitzhugh, Hardaway**

Substituted for: Senate Bill No. 3682

By Senators McNally, Marrero

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 4 and Title 8, Chapter 19, relative to the government fraud.

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

SECTION 1. Tennessee Code Annotated, Section 8-4-402, is amended by adding the following as a new appropriately designated subsection:

“Local agency” means any county, municipality, branch or agency of a county or municipality, public utility, utility district, entity created pursuant to any interlocal agreement, or any other political subdivision thereof;

SECTION 2. Tennessee Code Annotated, Section 8-4-404(a), is amended by deleting the language “a sign at least twelve inches (12”) in height and eighteen inches (18”) in width” and by substituting instead the following:

a sign at least eleven inches (11”) in height and seventeen inches (17”) in width

SECTION 3. Tennessee Code Annotated, Section 8-4-406(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

Upon receiving the information relating to a call, a state agency, local agency or community grant agency shall undertake adequate and appropriate measures to investigate and remedy any illegal, improper, or wasteful activity noted in the information. The state agency, local agency or community grant agency shall submit a written report to the office of the comptroller of the treasury, outlining the findings of the investigating entity's investigation, as well as any remedial action undertaken. A copy of the report shall be retained by the state agency, local agency or community grant agency, and if involving a community grant agency, the report shall be appropriately considered prior to the state entering into any other contractual relationship with the community grant agency. The detailed information received and generated shall be considered confidential in the same manner as if such investigation has been conducted by the office of the comptroller pursuant to section 8-4-407.

SECTION 4. Tennessee Code Annotated, Section 8-19-501, is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) Any official of any agency of the state having knowledge that a theft, forgery, credit card fraud, or any other act of unlawful or unauthorized taking, or abuse of, public money, property, or services, or other shortages of public funds has occurred shall report the information immediately to the office of the comptroller of the treasury.

(b) The comptroller of the treasury shall have the power to prescribe the method of making the reports.

SECTION 5. Tennessee Code Annotated, Section 8-4-502(4), is amended by deleting the subsection in its entirety and by substituting instead the following:

(4) "Unlawful conduct" means theft, forgery, credit card fraud, or any other act of unlawful taking, waste, or abuse of, or official misconduct, as defined in § 39-16-402, involving public money, property, or services.

SECTION 6. Tennessee Code Annotated, Section 8-4-503(a), is amending by deleting the subsection in its entirety and by substituting instead the following:

(a) A public official with knowledge based upon available information that reasonably causes the public official to believe that unlawful conduct has occurred shall report the information in a reasonable amount of time to the office of the comptroller of the treasury.

SECTION 7. This act shall take effect on becoming law, the public welfare requiring it.

**PASSED: March 31, 2010**

  
KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 16th day of April 2010**



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PHIL BREDESEN, GOVERNOR