

PUBLIC CHAPTER NO. 997

HOUSE BILL NO. 2617

By Representative Lynn

Substituted for: Senate Bill No. 2461

By Senators Watson, Crowe

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 18, relative to the massage licensure board.

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

SECTION 1. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (25) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding a new subdivision thereto, as follows:

() Massage licensure board, created by § 63-18-103;

SECTION 3. Tennessee Code Annotated, Section 63-18-103, is amended by deleting subdivision (d) in its entirety and by substituting instead the following:

(d) Except for two (2) members who shall be citizen members with no direct or indirect financial interest in massage, all board members shall be duly licensed or eligible to be licensed by the board.

SECTION 4. Tennessee Code Annotated, Section 63-18-103, is further amended by adding the following language as a new subsection (e) and by redesignating present subsection (e) and all subsequent subsections accordingly:

(e)

(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(A) Any person registered as a lobbyist pursuant to the registration requirements of title 3, chapter 6 who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(B) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to title 3, chapter 6 for any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the board as of July 1, 2010 and to persons appointed to the board subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in title 3, chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

SECTION 5. The provision in this act prohibiting citizens who have a direct or indirect financial interest in massage from serving on the board shall apply to all citizen member appointments made to the board after July 1, 2010.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 24, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 2nd day of June 2010



PHIL BREDESEN, GOVERNOR