

PUBLIC CHAPTER NO. 1011

HOUSE BILL NO. 2603

By Representative Lynn

Substituted for: Senate Bill No. 2457

By Senators Watson, Crowe

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 63, Chapter 29, relative to the council of certified professional midwifery.

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

SECTION 1. Tennessee Code Annotated, Section 4-29-231(a), is amended by deleting subdivision (24) in its entirety.

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

() Council of certified professional midwifery, created by § 63-29-103;

SECTION 3. Tennessee Code Annotated, Section 63-29-103, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) Members shall consist of three (3) certified professional midwives, one (1) consumer who has no direct or indirect affiliation with the midwifery profession or industry, one (1) certified nurse midwife, and one (1) physician.

SECTION 4. Tennessee Code Annotated, Section 63-29-103, is amended by adding the following language as a new subsection (e) and by redesignating present subsection (e) as subsection (f):

(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 council:

(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 council shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the council, prior to serving as a member of the council. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the council after July 1, 2010;

(B) No person who is a member of the council 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 council during such person's period of service as a member of the council. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the council after July 1, 2010, and to all persons serving on the council on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the council shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the council for one (1) year following the date such person's service on the council ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the council as of July 1, 2010 and to persons appointed to the council 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 a consumer who has a direct or indirect affiliation with the midwifery profession or industry from serving on the council shall apply to all consumer appointments made to the council 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 9th day of June 2010



PHIL BREDESEN, GOVERNOR