



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 281**

**SENATE BILL NO. 731**

**By Briggs, Yager, Haile, Jackson, Lundberg, Reeves**

Substituted for: House Bill No. 891

By Staples, Daniel, Whitson

AN ACT to amend Tennessee Code Annotated, Title 2; Title 8, Chapter 18; Title 39 and Title 40, relative to disqualification from holding public office.

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

SECTION 1. Tennessee Code Annotated, Section 8-18-101, is amended by deleting subdivision (1) and substituting instead the following:

(1) Those who have been convicted of offering or giving a bribe, or any other offense declared infamous under § 40-20-112, unless restored to citizenship under title 40, chapter 29; except those who have been convicted of an infamous crime if the offense was committed in the person's official capacity or involved the duties of the person's office, in which case the person shall forever be disqualified from holding office.

SECTION 2. Tennessee Code Annotated, Section 8-18-102, is amended by deleting the section and substituting instead the following:

(a) Any person taking on any office in this state, by election or appointment, under any of the disqualifications specified in § 8-18-101(2) through (5), commits a Class C misdemeanor.

(b) Any person taking on any office in this state, by election or appointment, under the disqualification specified in § 8-18-101(1), commits a Class A misdemeanor.

SECTION 3. Tennessee Code Annotated, Section 40-20-114, is amended by redesignating existing subsection (e) as subsection (f) and adding the following as a new subsection (e):

(e) A court shall not accept any plea agreement that allows an elected public official who is charged with an infamous crime involving an offense committed in the person's official capacity or involving the duties of the person's office, to qualify for, seek, or hold public office in this state or any political subdivision of this state at some point in the future. If an elected public official accepts a plea agreement for an offense committed in the person's official capacity or involving the duties of the person's office, the person is prohibited from qualifying for, seeking, or holding public office in this state or any political subdivision of this state at some point in the future after the plea agreement has been agreed to by all parties.

SECTION 4. This act shall take effect July 1, 2019, the public welfare requiring it.

SENATE BILL NO. 731

PASSED: April 22, 2019

  
\_\_\_\_\_  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
\_\_\_\_\_  
GLEN CASADA, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 2<sup>nd</sup> day of May 2019

  
\_\_\_\_\_  
BILL LEE, GOVERNOR