SENATE BILL 2480
By Hensley

HOUSE BILL 2620

By Holt

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 9, relative to legal proceedings involving a local education agency and its employees and the attorney general and reporter's duties with respect thereto.

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

SECTION 1. Tennessee Code Annotated Section 8-6-109(b), is amended by adding the following language as a new subdivision:

( ) To defend a local education agency (LEA) or an LEA's employees, in an employee's individual or official capacity, upon the LEA's or employee's formal request in writing, in any court or administrative tribunal arising out of an LEA's adoption of a policy or practice designed to protect the privacy of students from exposure to others of the opposite biological sex in situations where students may be in various states of undress by designating multi-person restrooms, locker rooms, or other facilities for use based only on one's biological sex. Such policy may, however, make other appropriate accommodations for those who do not wish to use those facilities designated on the basis of biological sex. In the event that the attorney general and reporter determines that the best interest of the state, or that of the LEA or employee, requires private counsel, the LEA or employee shall be notified and shall have the right to file for reimbursement of defense costs in accordance with chapter 42 of this title in the same manner as state employees. As used in this subdivision, "employee" or "employees" means an LEA's present or past director of schools, board members, teachers, or nonprofessional staff members.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.