



SENATE BILL 1915

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 1 and Title 4, Chapter 58, relative to public benefits.

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

SECTION 1. Tennessee Code Annotated, Section 4-58-102, is amended by adding the following as a new subdivision:

() "Local governmental entity" means a county, including a county with a metropolitan or charter form of government, and an incorporated city or town;

SECTION 2. Tennessee Code Annotated, Section 4-58-103(a)(1), is amended by deleting the subdivision and substituting instead:

(1) Except where prohibited by federal law, every state governmental entity, local governmental entity, and local health department shall verify, in the manner provided in this chapter, that each applicant who is eighteen (18) years of age or older and applies for a federal, state, or local public benefit from the state governmental entity, local governmental entity, or local health department is a United States citizen or lawfully present in the United States pursuant to the federal Immigration and Nationality Act (8 U.S.C. § 1101 et seq.).

SECTION 3. Tennessee Code Annotated, Section 4-58-103(b)(1), is amended by deleting the language "every state governmental entity or local health department" and substituting instead "every state governmental entity, local governmental entity, or local health department".

SECTION 4. Tennessee Code Annotated, Section 4-58-103(b), is amended by adding the following as a new subdivision:

(3) With respect to local governmental entity, subdivision (b)(1) must be implemented upon the local governmental entity's first reprinting of applicable forms or updating of the electronic or automated phone systems, described in subdivision (b)(1), after July 1, 2026.

SECTION 5. Tennessee Code Annotated, Section 4-58-103(c), is amended by deleting the language "entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 6. Tennessee Code Annotated, Section 4-58-103(d), is amended by deleting the language "entity or local health department" wherever it appears and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 7. Tennessee Code Annotated, Section 4-58-103, is amended by deleting subdivisions (e) and (f) and substituting instead:

(e) Each state governmental entity, local governmental entity, or local health department shall maintain a copy of all documentation submitted by an applicant for verification in a manner consistent with the state governmental entity's, local governmental entity's, or local health department's rules, regulations, or policies governing storage or preservation of such documentation.

(f)

(1) Any document submitted pursuant to subsection (c) or (d) is presumed to be proof of an individual's eligibility under this chapter until a final verification is received by the state governmental entity, local governmental entity, or local health department, and no state governmental entity, local governmental entity, or local health department shall delay the distribution of any federal, state, or local benefit based solely on the pendency of final verification.

(2) Upon receipt of a final verification that indicates that the applicant is not a United States citizen or qualified alien, the state governmental entity, local governmental entity, or local health department shall terminate any recurring benefit, and shall pursue any action applicable against the applicant pursuant to § 4-58-104 or § 4-58-105.

SECTION 8. Tennessee Code Annotated, Section 4-58-104, is amended by deleting subsections (b)-(d) and substituting instead:

(b) Any natural person who conspires to defraud a state governmental entity, local governmental entity, or any local health department by securing a false claim allowed or paid to another person in violation of this chapter is liable under § 4-18-103(a)(3).

(c) A state governmental entity, local governmental entity, or local health department shall file with the attorney general and reporter of this state a complaint alleging a violation of subsection (a) or (b), as applicable.

(d) Any moneys collected pursuant to this section must be deposited with and utilized by the applicable state governmental entity, local governmental entity, or local health department that filed a complaint pursuant to subsection (c). The applicable entity, local governmental entity, or local health department shall establish a fund for the deposit of such moneys, and shall use such moneys for the sole purpose of enforcing this chapter. Any interest accruing on investments and deposits of the fund must be credited to such fund, must not revert to any general fund, and must be carried forward into each subsequent fiscal year.

SECTION 9. Tennessee Code Annotated, Section 4-58-105, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 10. Tennessee Code Annotated, Section 4-58-106(a), is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 11. Tennessee Code Annotated, Section 4-58-106(b), is amended by deleting the subsection.

SECTION 12. Tennessee Code Annotated, Section 4-58-107, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 13. Tennessee Code Annotated, Section 4-58-109, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 14. Tennessee Code Annotated, Title 4, Chapter 58, is amended by adding the following as new sections:

4-58-111.

(a) The attorney general and reporter may investigate each credible allegation or complaint that a local governmental entity or local health department is in violation of this part.

(b) If the attorney general and reporter concludes that a local governmental entity or local health department has violated this part, the attorney general and reporter may proceed to enforce compliance with this part by taking action in accordance with § 4-1-429 to withhold all funds of this state allocated to the local governmental entity or local health department via grant, contract, or statute, including, but not limited to, state-shared taxes.

4-58-112.

(a) Each state governmental entity, local governmental entity, and local health department shall submit monthly reports to the general assembly, the department of finance and administration, and the centralized immigration enforcement division of the department of safety, created in § 4-3-2014, of:

(1) The number of individuals who applied for a public benefit and were determined upon receipt of a final verification not to be a United States citizen or qualified alien and all information about such applicants; and

(2) The number of individuals for whom a final verification was received indicating that the individual is not a United States citizen or qualified alien and for whom the entity or department terminates a recurring benefit.

(b)

(1) Each state governmental entity, local governmental entity, and local health department shall report individuals who are not United States citizens or qualified aliens and who receive public benefits from the state governmental entity, local governmental entity, or local health department to the centralized immigration enforcement division.

(2) An employee's or official's failure to report in violation of subdivision

(b)(1) is a Class A misdemeanor.

SECTION 15. This act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 1 to SB1915

Briggs

Signature of Sponsor

AMEND Senate Bill No. 1915

House Bill No. 1710*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-58-102, is amended by adding the following as a new subdivision:

() "Local governmental entity" means a county, including a county with a metropolitan or charter form of government, and an incorporated city or town;

SECTION 2. Tennessee Code Annotated, Section 4-58-103(a)(1), is amended by deleting the subdivision and substituting instead:

(1) Except where prohibited by federal law, every state governmental entity, local governmental entity, and local health department shall verify, in the manner provided in this chapter, that each applicant who is eighteen (18) years of age or older and applies for a federal, state, or local public benefit from the state governmental entity, local governmental entity, or local health department is a United States citizen or lawfully present in the United States pursuant to the federal Immigration and Nationality Act (8 U.S.C. § 1101 et seq.).

SECTION 3. Tennessee Code Annotated, Section 4-58-103(b)(1), is amended by deleting the language "every state governmental entity or local health department" and

substituting instead "every state governmental entity, local governmental entity, or local health department".

SECTION 4. Tennessee Code Annotated, Section 4-58-103(b), is amended by adding the following as a new subdivision:

(3) With respect to a local governmental entity, subdivision (b)(1) must be implemented upon the local governmental entity's first reprinting of applicable forms or updating of the electronic or automated phone systems, described in subdivision (b)(1), after July 1, 2026.

SECTION 5. Tennessee Code Annotated, Section 4-58-103(c), is amended by deleting the language "entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 6. Tennessee Code Annotated, Section 4-58-103(d), is amended by deleting the language "entity or local health department" wherever it appears and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 7. Tennessee Code Annotated, Section 4-58-103, is amended by deleting subsections (e) and (f) and substituting instead:

(e) Each state governmental entity, local governmental entity, or local health department shall maintain a copy of all documentation submitted by an applicant for verification in a manner consistent with the state governmental entity's, local governmental entity's, or local health department's rules, regulations, or policies governing storage or preservation of such documentation.

(f)

(1) Any document submitted pursuant to subsection (c) or (d) is presumed to be proof of an individual's eligibility under this chapter until a final verification is received by the state governmental entity, local governmental entity, or local health department, and a state governmental entity, local governmental entity, or local health department shall not delay the distribution of

any federal, state, or local benefit based solely on the pendency of final verification.

(2) Upon receipt of a final verification that indicates that the applicant is not a United States citizen or qualified alien, the state governmental entity, local governmental entity, or local health department shall terminate any recurring benefit, and shall pursue any action applicable against the applicant pursuant to § 4-58-104 or § 4-58-105.

SECTION 8. Tennessee Code Annotated, Section 4-58-104, is amended by deleting subsections (b)-(d) and substituting instead:

(b) Any natural person who conspires to defraud a state governmental entity, local governmental entity, or any local health department by securing a false claim allowed or paid to another person in violation of this chapter is liable under § 4-18-103(a)(3).

(c) A state governmental entity, local governmental entity, or local health department shall file with the attorney general and reporter of this state a complaint alleging a violation of subsection (a) or (b), as applicable.

(d) Any moneys collected pursuant to this section must be deposited with and utilized by the applicable state governmental entity, local governmental entity, or local health department that filed a complaint pursuant to subsection (c). The applicable state governmental entity, local governmental entity, or local health department shall establish a fund for the deposit of such moneys, and shall use such moneys for the sole purpose of enforcing this chapter. Any interest accruing on investments and deposits of the fund must be credited to such fund, must not revert to any general fund, and must be carried forward into each subsequent fiscal year.

SECTION 9. Tennessee Code Annotated, Section 4-58-105, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 10. Tennessee Code Annotated, Section 4-58-106(a), is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 11. Tennessee Code Annotated, Section 4-58-106(b), is amended by deleting the subsection.

SECTION 12. Tennessee Code Annotated, Section 4-58-107, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 13. Tennessee Code Annotated, Section 4-58-109, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 14. Tennessee Code Annotated, Title 4, Chapter 58, is amended by adding the following as new sections:

4-58-111.

(a) The attorney general and reporter may investigate each credible allegation or complaint that a local governmental entity or local health department is in violation of this chapter

(b) If the attorney general and reporter concludes that a local governmental entity or local health department has violated this part, then the attorney general and reporter may proceed to enforce compliance with this part by taking action in accordance with § 4-1-429 to withhold all funds of this state allocated to the local governmental entity or local health department via grant, contract, or statute, including, but not limited to, state-shared taxes.

4-58-112.

(a) Each state governmental entity, local governmental entity, and local health department shall report individuals who are not United States citizens or are not lawfully present in the United States pursuant to the federal Immigration and Nationality Act and

who receive federal, state, or local public benefits from the state governmental entity, local governmental entity, or local health department to the centralized immigration enforcement division within the department of safety, created in § 4-3-2014, unless the state governmental entity, local governmental entity, or local health department is required to report such individuals pursuant to 7 CFR § 273.4(b)(1).

(b)

(1) It is an offense for an employee or official to intentionally fail to report an individual who the employee or official knows is not a United States citizen or not lawfully present in the United States pursuant to the federal Immigration and Nationality Act as required pursuant to subsection (a).

(2) A violation of subsection (a) is a Class A misdemeanor.

4-58-113.

The department of children's services is exempt from providing any information under this chapter that would directly or indirectly identify a child or family receiving services from the department.

SECTION 15. For purposes of carrying out administrative duties necessary to effectuate this act, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 1 to HB1710

Crawford
Signature of Sponsor

AMEND Senate Bill No. 1915

House Bill No. 1710*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-58-102, is amended by adding the following as a new subdivision:

() "Local governmental entity" means a county, including a county with a metropolitan or charter form of government, and an incorporated city or town;

SECTION 2. Tennessee Code Annotated, Section 4-58-102(7), is amended by deleting subdivision (B) and substituting:

(B) Does not include:

(i) A benefit listed in 8 U.S.C. § 1621(b); or

(ii) A privilege to practice a profession or engage in an occupation in this state granted by a licensee's participation in an interstate portability licensure compact as long as the licensing agency in this state is not required to take any action to grant or allow the licensee to practice on this privilege.

SECTION 3. Tennessee Code Annotated, Section 4-58-103(a)(1), is amended by deleting the subdivision and substituting:

(1) Except where prohibited by federal law, every state governmental entity, local governmental entity, and local health department shall verify, in the manner provided in this chapter, that each applicant who is eighteen (18) years of age or older and applies for a federal, state, or local public benefit from the state governmental entity, local governmental entity, or local health department is a United States citizen or lawfully

present in the United States pursuant to the federal Immigration and Nationality Act (8 U.S.C. § 1101 et seq.).

SECTION 4. Tennessee Code Annotated, Section 4-58-103(b)(1), is amended by deleting the language "every state governmental entity or local health department" and substituting instead "every state governmental entity, local governmental entity, or local health department".

SECTION 5. Tennessee Code Annotated, Section 4-58-103(b), is amended by adding the following as a new subdivision:

(3) With respect to a local governmental entity, subdivision (b)(1) must be implemented upon the local governmental entity's first reprinting of applicable forms or updating of the electronic or automated phone systems, described in subdivision (b)(1), after July 1, 2026.

SECTION 6. Tennessee Code Annotated, Section 4-58-103(c), is amended by deleting the language "entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 7. Tennessee Code Annotated, Section 4-58-103(d), is amended by deleting the language "entity or local health department" wherever it appears and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 8. Tennessee Code Annotated, Section 4-58-103, is amended by deleting subsections (e) and (f) and substituting instead:

(e) Each state governmental entity, local governmental entity, or local health department shall maintain a copy of all documentation submitted by an applicant for verification in a manner consistent with the state governmental entity's, local governmental entity's, or local health department's rules, regulations, or policies governing storage or preservation of such documentation.

(f)

(1) Any document submitted pursuant to subsection (c) or (d) is presumed to be proof of an individual's eligibility under this chapter until a final verification is received by the state governmental entity, local governmental entity, or local health department, and a state governmental entity, local governmental entity, or local health department shall not delay the distribution of any federal, state, or local benefit based solely on the pendency of final verification.

(2) Upon receipt of a final verification that indicates that the applicant is not a United States citizen or qualified alien, the state governmental entity, local governmental entity, or local health department shall terminate any recurring benefit, and shall pursue any action applicable against the applicant pursuant to § 4-58-104 or § 4-58-105.

SECTION 9. Tennessee Code Annotated, Section 4-58-104, is amended by deleting subsections (b)-(d) and substituting instead:

(b) Any natural person who conspires to defraud a state governmental entity, local governmental entity, or any local health department by securing a false claim allowed or paid to another person in violation of this chapter is liable under § 4-18-103(a)(3).

(c) A state governmental entity, local governmental entity, or local health department shall file with the attorney general and reporter of this state a complaint alleging a violation of subsection (a) or (b), as applicable.

(d) Any moneys collected pursuant to this section must be deposited with and utilized by the applicable state governmental entity, local governmental entity, or local health department that filed a complaint pursuant to subsection (c). The applicable state governmental entity, local governmental entity, or local health department shall establish a fund for the deposit of such moneys, and shall use such moneys for the sole purpose of enforcing this chapter. Any interest accruing on investments and deposits of the fund

must be credited to such fund, must not revert to any general fund, and must be carried forward into each subsequent fiscal year.

SECTION 10. Tennessee Code Annotated, Section 4-58-105, is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

SECTION 11. Tennessee Code Annotated, Section 4-58-106(a), is amended by deleting the language "state governmental entity or local health department" and substituting instead "state governmental entity, local governmental entity, or local health department".

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4-58-111.

(a) The attorney general and reporter may investigate each credible allegation or complaint that a local governmental entity or local health department is in violation of this chapter.

(b) If the attorney general and reporter concludes that a local governmental entity or local health department has violated this part, then the attorney general and reporter may proceed to enforce compliance with this part by taking action in accordance with § 4-1-429 to withhold all funds of this state allocated to the local governmental entity

or local health department via grant, contract, or statute, including, but not limited to, state-shared taxes.

4-58-112.

(a) Except as prohibited by federal law, each state governmental entity, local governmental entity, and local health department shall report individuals and all identifying information about such individuals who are not lawfully present in the United States pursuant to the federal Immigration and Nationality Act and who receive federal, state, or local public benefits from the state governmental entity, local governmental entity, or local health department to the centralized immigration enforcement division within the department of safety, created in § 4-3-2014, unless the state governmental entity, local governmental entity, or local health department is required to report such individuals pursuant to 7 CFR § 273.4(b)(1).

(b)

(1) It is an offense for an employee or official to intentionally fail to report an individual who the employee or official knows is not lawfully present in the United States pursuant to the federal Immigration and Nationality Act as required pursuant to subsection (a).

(2) A violation of subsection (a) is a Class A misdemeanor.

4-58-113.

The department of children's services is exempt from providing any information under this chapter that would directly or indirectly identify a child or family receiving services from the department.

SECTION 16. For purposes of carrying out administrative duties necessary to effectuate this act, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2026, the public welfare requiring it.