

SENATE BILL 858

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 8; Title 56; Title 63; Title 68 and Title 71, relative to public health.

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

SECTION 1. Tennessee Code Annotated, Section 68-2-606, is amended by deleting the section and substituting:

Each private act enacted prior to the effective date of this act establishing a county health department or county board of health is repealed. Each county health department and board of health in this state must be governed by this part.

SECTION 2. Tennessee Code Annotated, Section 68-2-601(g), is amended by deleting the subsection.

SECTION 3. Tennessee Code Annotated, Section 68-5-104, is amended by deleting subdivision (a)(1) and substituting:

(1) As may be required by the rules of the state department of health, it is the duty of the local health authorities, on receipt of a report of a case, or suspected case, of a disease declared to be communicable, contagious, or one which has been declared by the commissioner of health to be subject to isolation or quarantine, to:

- (A) Confirm or establish the diagnosis;
- (B) Determine the source or cause of the disease;
- (C) Take such steps as may be necessary to isolate or quarantine the case or premise upon which the case, cause, or source may be found; and
- (D) Report the case to the state department of health as required by §

68-5-107.

SECTION 4. Tennessee Code Annotated, Section 68-5-107, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The commissioner of health shall, within one (1) business day of being notified by a local health authority of a quarantine of thirty (30) or more individuals not in the same family group for epidemic or disease control occurring in a period of fifteen (15) days or less, report such information by email or telephone to the joint government operations committee and the health and welfare committee of the senate and the health committee of the house of representatives. Monthly thereafter on the day of the first report, the commissioner must provide an additional tally of quarantined individuals to the joint government operations committee and the health and welfare committee of the senate and the health committee of the house of representatives until the number of quarantined individuals falls below thirty (30) or more individuals not in the same family group who are quarantined for epidemic or disease control for a period of fifteen (15) days or less.

SECTION 5. Tennessee Code Annotated, Section 68-2-609, is amended by designating the existing language as subsection (a) and adding the following new subsections:

(b) In the event of a disease outbreak, epidemic, or pandemic, the county health officer shall not order a quarantine of a healthy individual or of a place that is reasonably unknown to have contributed to the spread of the disease, epidemic, or pandemic.

(c) For the purposes of this section, "quarantine" means a state of strictly enforced isolation from other humans, animals, or the public if imposed to prevent the spread of disease.

SECTION 6. The cost of implementation of this act must be provided from within existing resources of the department.

SECTION 7. For purposes of carrying out any administrative or other duties necessary to effectuate the intent of this act and allow health departments or boards of health operating under private acts repealed by this act to come into compliance with title 68, chapter 2, part 6, Sections 1 and 2 of this act take effect upon becoming law, the public welfare requiring it. For all other purposes, Section 1 of this act takes effect October 1, 2021, and all other sections of this act take effect upon becoming law, the public welfare requiring it.

Bailey
Signature of Sponsor

AMEND Senate Bill No. 858

House Bill No. 575*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 68-2-601, is amended by deleting subdivisions (f)(2) and (f)(3) and substituting:

- (2) Advise the county mayor on the enforcement of such rules and regulations as may be prescribed by the commissioner essential to the control of preventable diseases and the promotion and maintenance of the general health of the county;
- (3) Advise the county mayor on the adoption of rules and regulations as may be necessary or appropriate to protect the general health and safety of the citizens of the county; and

SECTION 2. Tennessee Code Annotated, Section 68-2-603(a)(2), is amended by deleting the language "and the county board of health".

SECTION 3. Tennessee Code Annotated, Section 68-2-603(b), is amended by deleting the subsection and substituting:

- (b) It is the county health director's duty to enforce the regulations of the state department of health.

SECTION 4. Tennessee Code Annotated, Section 68-2-609, is amended by adding the following as a new subdivision:

- (4) Rules and regulations as are necessary or appropriate to protect the general health and safety of the county.

SECTION 5. Tennessee Code Annotated, Section 68-1-201, is amended by adding the following as a new subsection (c):

(c) As used in this part, "quarantine" means the limitation of a person's freedom of movement, isolation of a person, or preventing or restricting access to premises upon which the person or the cause or source of a disease may be found, for a period of time as may be necessary to confirm or establish a diagnosis, to determine the cause or source of a disease, or to prevent the spread of a disease.

SECTION 6. Tennessee Code Annotated, Title 68, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) A state or local governmental official, entity, department, or agency shall not require, or mandate that a private business require, proof of vaccination against COVID-19 as a condition of entering upon the premises of the business or utilizing services provided by the business.

(b) As used in this section:

(1) "Private business" means a person, proprietor, partnership, corporation, or other non-governmental entity, whether for profit or not for profit, engaged in business, commerce, or an activity in this state; and

(2) "Proof of vaccination" means physical documentation or digital storage of protected health information related to an individual's immunization or vaccination against COVID-19.

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.

Terry
Signature of Sponsor

AMEND Senate Bill No. 858

House Bill No. 575*

by deleting SECTION 6 and substituting:

SECTION 6. Tennessee Code Annotated, Title 68, Chapter 5, Part 1, is amended by adding the following as a new section:

- (a) A state or local governmental official, entity, department, or agency shall not:
 - (1) Require, or mandate that a private business require, proof of vaccination as a condition of entering upon the premises of the business or utilizing services provided by the business; or
 - (2) Require proof of vaccination as a condition of entering upon the premises of a state or local government entity, or utilizing services provided by a state or local government entity.
- (b) As used in this section:
 - (1) "Private business" means a person, proprietor, partnership, corporation, or other non-governmental entity, whether for profit or not for profit, engaged in business, commerce, or an activity in this state; and
 - (2) "Proof of vaccination" means physical documentation or digital storage of protected health information related to an individual's immunization or vaccination against COVID-19.