

SENATE BILL 2084

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 8 and Title 12, relative to proposed state
contracts for services with nongovernmental
vendors.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 56, is amended by
adding the following new section:

(a) Notwithstanding any law to the contrary, if a department or agency organized under title 4, chapter 3, proposes to procure a contract for services with a nongovernmental vendor on or after July 1, 2018, the commissioner or executive head of the department or agency shall certify to the comptroller of the treasury that no state employee or employees within the respective department or agency are qualified to perform the duties and obligations under the proposed contract. The commissioner or executive head of the department or agency shall include with the certification a written statement providing compelling reasons as to the inability of the commissioner or executive head to identify state employees within the department or agency, as applicable, who are qualified to perform the duties and obligations under the proposed contract.

(b) Each contract for services for which a certification is required under subsection (a) may be reviewed and commented upon by the fiscal review committee in the same manner as the committee reviews and comments upon noncompetitive contracts under § 4-56-107. For purposes of carrying out this subsection (b), the comptroller of the treasury shall forward each certification along with the written

statement provided under subsection (a) to the chair of the fiscal review committee as soon as practicable upon receipt.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.