

SENATE BILL 466

By Rose

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to student pronouns.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 51, is amended by adding the following as a new section:

(a) The general assembly finds that:

(1) Teachers and employees of public schools and LEAs do not shed their constitutional rights to freedom of speech or expression while at work;

(2) Protecting the right to free speech for teachers and employees of public schools and LEAs promotes important state interests;

(3) The use of pronouns by teachers and employees of public schools and LEAs in an educational setting is a matter of free speech or expression; and

(4) A teacher or employee of a public school or LEA should never be compelled to affirm a belief with which the teacher or employee disagrees.

(b) A teacher or other employee of a public school or LEA is not:

(1) Required to use a student's preferred pronoun when referring to the student if the preferred pronoun is not consistent with the student's biological sex;

(2) Civilly liable for using a pronoun that is consistent with the biological sex of the student to whom the teacher or employee is referring, even if the pronoun is not the student's preferred pronoun; and

(3) Subject to an adverse employment action for not using a student's preferred pronoun, if the student's preferred pronoun is inconsistent with the student's biological sex.

(c) A public school or LEA is not civilly liable if a teacher or employee of the public school or LEA refers to a student using a pronoun that is consistent with the biological sex of the student to whom the teacher or employee is referring, even if the pronoun is not the student's preferred pronoun.

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