

PUBLIC CHAPTER NO. 1107

HOUSE BILL NO. 3923

By Representative Hardaway

Substituted for: Senate Bill No. 3644

By Senators Jackson, Ford

AN ACT to amend Tennessee Code Annotated, Title 62, relative to locksmith licensing.

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

SECTION 1. Tennessee Code Annotated, Section 62-11-104, is amended by adding the following as a new, appropriately designated subsection:

() All persons or entities licensed pursuant to this chapter shall provide the department of commerce and insurance with a permanent, fixed business location, the failure to provide such shall cause such persons or entities to be in violation of the Consumer Protection Act, compiled in title 47, chapter 18.

SECTION 2. Tennessee Code Annotated, Section 62-11-106, is amended by deleting subdivision (7) in its entirety and by substituting instead the following:

(7) Promulgate rules to establish the minimum necessary standards for continuing education, with such minimum standards to include twelve (12) hours of continuing education, two (2) of which shall be dedicated to life safety.

SECTION 3. Tennessee Code Annotated, Section 62-11-110 (a), is amended by deleting the section in its entirety and by substituting instead the following:

Section 62-11-110.

(a) Any person, partnership, association or corporation who engages in or offers to engage in locksmithing services without a license, or who violates the terms and conditions of any licensure or license or renewal of any license granted by the commissioner pursuant to this chapter, shall be subject to a civil penalty of no more than two thousand five hundred dollars (\$2,500) per occurrence.

(b) Any person, partnership, association or corporation who engages in or offers to engage in locksmithing services without a license, as required by this chapter, shall be ineligible to apply for a license until twelve (12) months after the violation occurred.

(c) In addition to revocation or suspension of license, a civil penalty of no more than two thousand five hundred (\$2,500), may be assessed by the commissioner against any person, partnership,

association, or corporation who violates any provision of this chapter, or any rule of the commissioner promulgated pursuant to this chapter.

(d)

(1) It is an offense for a person to knowingly engage in or offer to engage in locksmithing services if:

(A) The services are rendered in exchange for compensation; and

(B) The person does not have a valid license to do so.

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

SECTION 4. Tennessee Code Annotated, Title 62, chapter 11, Part 1, is amended by adding the following language as a new section:

Section 62-11-1___. All sole proprietorships, partnerships, or corporations providing locksmith services in the state shall provide a current and valid locksmith license issued in this state when listing such license in directories, and for any other advertising purposes. Failure to list the license as required by this section is a violation of the Consumer Protection Act, compiled in title 47, chapter 18.

SECTION 5. This act shall take effect on July 1, 2010, the public welfare requiring it.

PASSED: June 4, 2010


KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 23rd day of June 2010



PHIL BREDESEN, GOVERNOR