

Amendment No. 4 to SB3597

Beavers
Signature of Sponsor

AMEND Senate Bill No. 3597

House Bill No. 3576*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

49-7-150.

(a) No state higher education institution that grants recognition to any student organization shall discriminate against or deny recognition to a student organization, or deny to a student organization access to programs, funding, or facilities otherwise available to another student organization, on the basis of:

(1) The religious content of the organization's speech including, but not limited to, worship; or

(2) The organization's exercise of its rights pursuant to subsection

(b).

(b) A religious student organization may determine that the organization's religious mission requires that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders.

(c) As used in this section, "state higher education institution" means:

(1) Any higher education institution governed by chapter 8 or 9 of this title; or

(2) Any private higher education institution that receives payments from state funds derived directly from state tax revenues that annually total more than twenty-four million dollars (\$24,000,000).

Amendment No. 4 to SB3597

Beavers
Signature of Sponsor

AMEND Senate Bill No. 3597

House Bill No. 3576*

(d) Any private higher education institution that receives payments from state funds derived directly from state tax revenues that annually total more than twenty-four million dollars (\$24,000,000) may adopt a policy that denies recognition to religious student organizations because they maintain leadership or membership criteria based on religious beliefs, but solely on the condition that:

(1) The institution requires every recognized student organization, including organizations described in 20 U.S.C. § 1681 (a)(6)(A) (also known as "Title IX"), to accept as members all students who apply to be members; and

(2) The institution does not allow any recognized student organization, including organizations described in 20 U.S.C. § 1681 (a)(6)(A) (also known as "Title IX"), to set a numerical limit on membership or to use subjective qualifications for choosing its members.

(e) This section does not apply to any religious school, college, university, or other educational institution or institution of learning described in 42 U.S.C. § 2000e-2(e)(2).

SECTION 2. Subdivision (c)(2) and subsections (d) and (e) of Section 1 of this act are repealed June 30, 2013.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.