

***SOUTH CENTRAL HUMAN RESOURCE AGENCY
VENDOR CONFLICT OF INTEREST
CERTIFICATION***

1. To your knowledge, does your organization have a business relationship with any private concerns or individuals which conflicts with, or appears to conflict with the interests of the Agency?
Yes ☐ No ☐
If "Yes" explain:
2. Are you aware of any South Central HRA employee, officer, or board member that has a direct or indirect relationship (i.e. family member, partner, etc.) with your organization/company?
Yes ☐ No ☐
If "Yes" explain:
3. Are you aware of any possible violations of state conflict-of-interest statutes (TCA 12-4-101; attached) as they relate to your organizations working relationship with South Central HRA?
Yes ☐ No ☐
If "Yes" explain:
4. Are you aware of any agency officials, directors, or employees involved in obtaining, approving, or overseeing contracts that have any personal interest (direct or indirect) in your organization/company?
Yes ☐ No ☐
If "Yes" explain:
5. Is your business one of the following:
- | | | |
|-------------------------|------------------------------|-----------------------------|
| Minority owned: | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Small Business: | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Women owned: | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Labor Surplus/HUD Zone: | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Veteran Owned: | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Authorized Signature

Date

□12-4-101. Personal interest of officers prohibited.

(a) (1) It is unlawful for any officer, committee member, director, or other person whose duty it is to vote for, let out, overlook, or in any manner to superintend any work or any contract in which any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall or may be interested, to be directly interested in any such contract. "Directly interested" means any contract with the official personally or with any business in which the official is the sole proprietor, a partner, or the person having the controlling interest. "Controlling interest" includes the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation. The provisions of this subdivision (a)(1) shall not be construed to prohibit any officer, committee person, director, or any person, other than a member of a local governing body of a county or municipality, from voting on the budget, appropriation resolution, or tax rate resolution, or amendments thereto, unless the vote is on a specific amendment to the budget or a specific appropriation or resolution in which such person is directly interested.

(2) (A) The provisions of subdivision (a)(1) shall also apply to a member of the board of directors of any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one (1) or more counties, cities, towns and local governments pursuant to the provisions of title 7, chapter 54 or 58.

(B) The provisions of subdivision (a)(2)(A) do not apply to any county with a metropolitan form of government and having a population of four hundred thousand (400,000) or more, according to the 1980 federal census or any subsequent federal census.

(b) It is unlawful for any officer, committee member, director, or other person whose duty it is to vote for, let out, overlook, or in any manner to superintend any work or any contract in which any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute shall or may be interested, to be indirectly interested in any such contract unless the officer publicly acknowledges such officer's interest. "Indirectly interested" means any contract in which the officer is interested but not directly so, but includes contracts where the officer is directly interested but is the sole supplier of goods or services in a municipality or county.

(c) (1) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality and whose employment predates the member's initial election or appointment to the governing body of the county or municipality may vote on matters in which the member has a conflict of interest if the member informs the governing body immediately prior to the vote as follows: "Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents." The vote of any such member having a conflict of interest who does not so inform the governing body of such conflict shall be void if challenged in a timely manner. As used in this subdivision (c)(1), "timely manner" means during the same meeting at which the vote was cast and prior to the transaction of any further business by the body.

(2) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality and whose employment began on or after the date on which the member was initially elected or appointed to serve on the governing body of the county or municipality shall not vote on matters in which the member has a conflict of interest.

(3) (A) In the event a member of a local governing body of a county or a municipality has a conflict of interest in a matter to be voted upon by the body, such member may abstain for cause by announcing such to the presiding officer.

(B) Any member of a local governing body of a municipality who abstains from voting for cause on any issue coming to a vote before the body shall not be counted for the purpose of determining a majority vote. The provisions of this subdivision (c)(3)(B) shall in no way be construed to apply to any county having a metropolitan form of government and having a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census.

(d) The provisions of this section shall apply to a member of the board of directors or officer of any nonprofit corporation required under § 8-44-102(b)(1)(E) to conduct all meetings of its governing body as open meetings.

[Acts 1869-1870, ch. 92, § 1; Shan., § 1133; Code 1932, § 1874; Acts 1977, ch. 102, § 1; T.C.A. (orig. ed.), § 12-401; Acts 1983, ch. 388, §§ 4, 6; 1984, ch. 831, § 1; 1986, ch. 765, §§ 1-3; 1988, ch. 908, §§ 4, 5; 1989, ch. 366, §§ 1-3; 1998, ch. 774, § 1; 2006, ch. 923, § 4.]