

# Navigating Tennessee's New Requirements for Server Training on Sexual Assault and Human Trafficking

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Tennessee's new application requirements for server permits went into effect January 1, 2025. The law requires servers applying for a server permit to have undergone training with a certified third-party entity on the role of alcohol in sexual assault and harassment, as well as training on recognizing and reporting signs of human trafficking. For restaurants, bars, and hotels who may be wondering what, if anything, that means for them, these new requirements may seem daunting. However, there are simple steps these businesses can take to establish best practices moving forward and ensure their employees comply with the new requirements.

The good news is that the new law does not directly impose any new training requirements on licensees like bars, restaurants, and hotels. Instead, as was the case before the law was passed, the third-party entities certified by the ABC to provide server training will have to incorporate the new topics into their training curriculum going forward. The training will be required for new and renewing applicants starting in 2025. Licensees do not need to create or implement their own training for servers requiring a permit. The server permit curriculum must now include the following training:

- Understanding the role of alcohol in sexual assault and harassment;
- Best practices to ensure patron safety and bystander intervention;
- Recognizing the role of drugs in assault;
- Strategies to prevent patron drugging in establishments;
- Recognizing and reporting signs of human trafficking.

The required curriculum must consist of three and a half hours of training. Applicants who have completed alcohol awareness training in another state within one year prior to submitting their application may already satisfy the training requirement so long as the ABC has deemed the other state's curriculum to be adequate.

For servers issued a license before January 1, 2025, there is no additional training required until their licenses expire and they must apply for a new license. Licenses issued before January 1, 2025, will remain valid for five years from the date of issuance. Licenses issued on or after January 1, 2025, will remain valid for two years from the date of issuance. E.g. a server issued a permit in December 2024 will not need to reapply for a license for five years, at which time they will undergo the additional training required by the new law. A server newly applying for a permit in January 2025 or later will need to undergo the newly required training and their permit will expire two years from the date of issuance. In order to maintain best practices, licensees should be aware of the expiration date of server permits and ensure no servers, bartenders, or managers are working without providing a new server permit by the expiration

While the law does not directly impose any new training requirements on licensees themselves, they should consider implementing policies in line with the newly-required training to ensure best practices are maintained. E.g. if a server or bartender believes a guest may be the victim of human trafficking, the policy could require mandatory reporting to management to ensure it is properly addressed and reported as necessary. Having state-mandated training on these topics may give rise to future litigation against licensees who fail to incorporate and enforce the training in daily practice. Having responsible policies in place can help prevent incidents from happening and can provide an important defense in the event a lawsuit is filed.

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