

Legislative Report
Tennessee Commission on Children and Youth
January 20, 2017

- HB4** **CORRECTIONS: Release of parolee after dismissal of charge for offense committed while on parole.**
Sponsors: Rep. Parkinson, Antonio
Summary: Requires the board of probation and parole to meet and order the release of a parolee whose parole has been revoked and who has been reincarcerated as the result of being charged with an offense committed while on parole if that charge is dismissed.
- HB8** **CRIMINAL LAW: Public employees - eligibility for pretrial diversion.**
Sponsors: Rep. Lamberth, William
Summary: Includes public employees on the list of those ineligible for suspended prosecution and pretrial diversion for a misdemeanor offense committed in the course of the person's employment, under the same provisions currently applicable to elected and appointed state and local officials so charged.
- HB13** **TAXES BUSINESS: Phases out the professional privilege tax over a four-year period.**
Sponsors: Rep. Reedy, Jay
Summary: Phases out the professional privilege tax over a four-year period, by reducing the amount of the tax by \$100 each year, for tax years that begin on and after June 1, 2017.
- HB22** **EDUCATION: Postsecondary credit courses for high school students.**
Sponsors: Rep. Brooks, Harry
Summary: Requires, beginning with the 2018-2019 school year, each LEA to offer students in each of its high schools the opportunity to take at least six early postsecondary credit courses, including Advanced Placement, International Baccalaureate, or dual credit courses. Specifies that these opportunities may be provided through traditional classroom instruction, online or virtual instruction, blended learning, or other educationally appropriate methods.
- HB40** **CRIMINAL LAW: Creation of the Open Carry Firearms Freedom Act.**
Sponsors: Rep. VanHuss, James
Summary: Enacts the Open Carry Firearms Freedom Act. Under this bill, no permit would be required for the open carrying of a handgun. The existing permit provisions would still apply to carrying a concealed handgun.
- HB42** **EDUCATION: Department of education bicycle safety curriculum.**
Sponsors: Rep. Butt, Sheila
Summary: Urges the department of education to include the proper use and positioning of bicycle helmets in its pilot bicycle safety curriculum. Broadly captioned.
- HB43** **WELFARE: Restrictions for welfare recipients.**
Sponsors: Rep. Butt, Sheila
Summary: Prohibits recipients of electronic benefits transfer (EBT) cards from using the card to purchase food that is high in calories, sugar, and fat, as recommended by the United States department of

agriculture. Bans people or businesses that take EBT cards from accepting the card if used to purchase food that is high in calories, sugar, and fat.

- HB45** **EDUCATION: Opportunity for physical activity for students in K-12.**
Sponsors: Rep. Dunn, Bill
Summary: Deletes the requirement for LEAs to provide students with certain periods of physical activity depending on grade level of student.
- HB46** **TAXES BUSINESS: Professional privilege tax.**
Sponsors: Rep. Clemmons, John
Summary: Exempts individuals from the professional privilege tax for the first year in which they are licensed or registered in a taxable profession.
- HB72** **EDUCATION: Standards review and development committees and advisory teams.**
Sponsors: Rep. Eldridge, Jimmy
Summary: Requires the standards review and development committees and advisory teams appointed by the state board of education to review the academic standards for English language arts, mathematics, science, and social studies every seven years, beginning in 2022.
- HB76** **EDUCATION: Assessments required for home school students.**
Sponsors: Rep. Kane, Roger
Summary: Requires home school students to take an assessment in grade 11 to graduate, which is the same as the current assessment requirement for traditional public high school students.
- HB80** **LABOR LAW: TN Minimum Wage Act.**
Sponsors: Rep. Hardaway, G.A.
Summary: Enacts the "Tennessee Minimum Wage Act." Establishes a minimum wage of \$15.00 as of July 1, 2017. Provides a minimum wage for employees in the service industry who receive tips and employees that are compensated solely by gratuities. Defines a "service or tipped employee" to mean any employee engaged in an occupation which the employee customarily and regularly receives more than \$30.00 a month in tips. Authorizes the department of labor and workforce development to promulgate rules in compliance with federal law.
- SB2** **EDUCATION: Annual school improvement plans - assessments included.**
Sponsors: Sen. Johnson, Jack ,
Summary: Specifies that for purposes of annual school improvement plans, each school and LEA may choose either the ACT scores or SAT test scores as one of the assessments for student proficiency.
- SB4** **EDUCATION: Board of education prohibited from adopting standards for character learning.**
Sponsors: Sen. Gresham, Dolores ,
Summary: Prohibits board of education from establishing standards or competencies regarding social or emotional learning in public schools.

- SB5/HB10 JUDICIARY: Periodical realignment of judicial districts to correspond to new state population centers.**
Sponsors: Sen. Stevens, John , Rep. Lamberth, William
Summary: Introduces a realignment of judicial districts to correlate with population shifts. The assessment will begin two years before the August 2022 trial judge election and will continue every eight years thereafter.
- SB6 CRIMINAL LAW: Classifies second degree murder of law enforcement officer as hate crime.**
Sponsors: Sen. Green, Mark ,
Summary: Classifies second degree murder and voluntary manslaughter of a law enforcement officer as hate crimes. Punishes these offenses one classification higher than the classification established in the statute, which created the offenses.
- SB7 GOVERNMENT REGULATION: Capping the total value of certain public assistance at the level of average household income in the state.**
Sponsors: Sen. Green, Mark ,
Summary: Places a cap on the total value of public assistance benefits a household can receive, that is not to exceed the median household income for the State of Tennessee. States that once a household reaches the median income level, the household is ineligible for further public assistance. The department of finance and administration shall develop a system for calculating the value of public assistance a household is receiving and monitor affected households.
- SB9/HB12 EDUCATION: Community service hours for blood donation for TN Promise Scholarship recipients.**
Sponsors: Sen. Green, Mark , Rep. Reedy, Jay
Summary: Gives one hour of community service credit to recipients of the Tennessee Promise Scholarship who make a blood donation. Requires TSAC to promulgate by rule the documentation required in order for a student to obtain community service credit for a blood donation.
- SB14 EDUCATION: Creates a list of rights and protections afforded to educators.**
Sponsors: Sen. Green, Mark ,
Summary: Creates a list of rights and protections afforded to educators. Specifies that an "educator" means any teacher, principal, supervisor or other individual required by law to hold a valid license of qualification for employment in the public schools.
- SB15/HB25 TAXES BUSINESS: Phases out the professional privilege tax over a four-year period.**
Sponsors: Sen. Green, Mark , Rep. Daniel, Martin
Summary: Phases out the professional privilege tax by reducing the amount of the tax by \$100 each year, starting with the tax year that begins on or after June 1, 2017.
- SB16 CRIMINAL LAW: Certificates of employability.**
Sponsors: Sen. Harris, Lee ,

Summary: Clarifies that a person petitioning for a certificate of employability does not have to be in the process of restoring the person's rights of citizenship.

SB18/HB24 CRIMINAL LAW: Citizen's Right to Fight Blight Act of 2017.

Sponsors: Sen. Harris, Lee , Rep. Deberry Jr., John

Summary: Exempts a property owner, lessee, or anyone acting under the direction of an owner or lessee, from criminal trespass for removal of trash or debris or maintenance of blighted property owned by the city or county. Specifies that such property must be situated immediately adjacent to the property owned by the city or county. Voids liability for city or county for any injury or damage to property.

SB31 GOVERNMENT ORGANIZATION: Appointment of delegates to a constitutional convention.

Sponsors: Sen. Kelsey, Brian ,

Summary: Removes limitation on the number of delegates that may be appointed to a constitutional convention and specifies that the individuals who are appointed have to equally represent the three grand divisions of the state.

SB34 EDUCATION: Eligibility for HOPE teacher's scholarship.

Sponsors: Sen. Harris, Lee ,

Summary: Decreases the amount of time that teachers are required to teach math or science in a public school in order to be eligible for a Tennessee HOPE teacher's scholarship from two years to one year.

SB41/HB3 JUDICIARY: Licensed clinical social workers exempt from subpoena to trial.

Sponsors: Sen. Southerland, Steve , Rep. Goins, Tilman

Summary: Makes licensed clinical social workers exempt from subpoena to trial but subject to subpoena to a deposition.

SB50 FAMILY LAW: Order of protection remains in effect until appropriate divorce court takes action.

Sponsors: Sen. Dickerson, Steven ,

Summary: Rewrites previous language and requires an order of protection, if one is in effect at the time a petitioner or respondent files for divorce, to remain in effect until the appropriate divorce court modifies, dissolves, or makes the order a part of the divorce decree. If the court modifies the order or makes the order of protection part of the divorce decree, the court shall issue a separate order of protection. Requires the clerk to immediately forward a copy of any order of protection issued and any subsequent modifications to the petitioner, respondent, and the local law enforcement agencies having jurisdiction in the area where the petitioner resides.

SB52 EDUCATION: Reporting on driver education courses in public schools.

Sponsors: Sen. Dickerson, Steven ,

Summary: Requires the department of education to annually report on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house. Broadly captioned.

- SB59** **GOVERNMENT ORGANIZATION: Sunset- Board of examiners in psychology.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the board of examiners in psychology four years to June 30, 2021.
- SB68** **GOVERNMENT ORGANIZATION: Sunset- department of children's services.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the department of children's services to June 30, 2021. Requires the department to report back to the government operations committee on the department's response to the findings in the performance audit report by December 31, 2017.
- SB72** **GOVERNMENT ORGANIZATION: Sunset- department of mental health and substance abuse services.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the department of mental health and substance abuse services four years to June 30, 2021.
- SB76** **GOVERNMENT ORGANIZATION: Sunset- health services and development agency.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the health services and development agency to June 30, 2019. Requires the agency to update sunset review committee of the agency's progress in complying with Chapter 1043 of the Public Acts of 2016.
- SB77** **GOVERNMENT ORGANIZATION: Sunset- human rights commission.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the human rights commission to June 30, 2021. Requires the division of state audit to perform a limited audit to address findings in the commission's 2016 performance audit report.
- SB82** **GOVERNMENT ORGANIZATION: Sunset - local government insurance committee.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the local government insurance committee to June 30, 2020.
- SB84** **GOVERNMENT ORGANIZATION: Sunset - second look commission.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the second look commission four years to June 30, 2021.
- SB92** **GOVERNMENT ORGANIZATION: Sunset - state textbook and instructional materials quality commission.**
Sponsors: Sen. Bell, Mike ,
Summary: Extends the state textbook and instructional materials quality commission to June 30, 2019. Requires the commission to appear before sunset review committee in 2017 to address issue of non-educators serving on textbook advisory committees.
- SB94** **GOVERNMENT ORGANIZATION: Sunset - statewide community services**

agency.

Sponsors:

Sen. Bell, Mike ,

Summary:

Extends the statewide community services agency to June 30, 2018. Requires the agency to appear before sunset review committee in 2017 to discuss progress made in addressing findings in its 2016 audit.

SB95

GOVERNMENT ORGANIZATION: Sunset - statewide planning and policy council for the department of intellectual and developmental disabilities.

Sponsors:

Sen. Bell, Mike ,

Summary:

Extends the statewide planning and policy council for the department of intellectual and developmental disabilities to June 30, 2022.

SB96

GOVERNMENT ORGANIZATION: Sunset - statewide planning and policy council for the department of mental health and substance abuse services.

Sponsors:

Sen. Bell, Mike ,

Summary:

Extends the statewide planning and policy council for the department of mental health and substance abuse services to June 30, 2021.

SB97

GOVERNMENT ORGANIZATION: Sunset - TACIR.

Sponsors:

Sen. Bell, Mike ,

Summary:

Extends the Tennessee advisory commission on intergovernmental relations four years to June 30, 2021.

SB105

GOVERNMENT ORGANIZATION: Sunset - Tennessee health information committee.

Sponsors:

Sen. Bell, Mike ,

Summary:

Extends the Tennessee health information committee to June 30, 2018.

SB113/HB44 CRIMINAL LAW: Creates the Help Find the Missing Act.

Sponsors:

Sen. Bailey, Paul , Rep. Windle, John

Summary:

Requires every county medical examiner and coroner to furnish the TBI and the National Missing and Unidentified Persons System with copies of fingerprints on standardized eight inch by eight inch fingerprint cards or the equivalent digital image, personal descriptions, and other identifying data, including date and place of death, of all deceased persons whose deaths are in a classification requiring inquiry by the medical examiner or coroner where the deceased is not identified. Requires TBI to make available personal descriptions and other identifying data, including date and place of death, of such deceased persons to all law enforcement agencies in the state, and upon request, to law enforcement agencies outside of the state. Also requires a dental examination of the deceased and requires those records to be forwarded to the TBI. Requires the TBI to compare the fingerprints and other descriptive data received from the county medical examiner to info that the TBI has on file in order to attempt to identify the deceased. Specifies other requirements for the TBI concerning missing persons.

SB116/HB9 EDUCATION: Smoking on campuses of public institutions of higher education.

Sponsors:

Sen. Briggs, Richard , Rep. Brooks, Harry

Summary: Allows the administrative head of each public institution of higher education to adopt policies prohibiting smoking on campuses, except for designated smoking locations. Clarifies that the administrative head is not required to provide an indoor smoking area in each student's dormitory or other facility.

SB129 CORRECTIONS: Ability for a sheriff to contract with a substance abuse treatment program.

Sponsors: Sen. Green, Mark ,

Summary: Permits the sheriff of any county or the chief administrator of any municipal jail to contract with any substance abuse treatment program licensed or certified by the department of mental health and substance abuse services to provide substance abuse treatment services to inmates housed in the county or municipal jail.

SB130 CORRECTIONS: Pilot program providing substance abuse treatment to inmates.

Sponsors: Sen. Green, Mark ,

Summary: Creates a pilot program under which a sheriff, in consultation with the department of mental health and substance abuse services, will create and administer a program of substance abuse treatment services for eligible inmates.

SB131 CRIMINAL LAW: Amends various firearms provisions.

Sponsors: Sen. Green, Mark ,

Summary: Allows a person who is not otherwise prohibited from possessing a firearm to possess a firearm either openly or concealed. Clarifies that a person commits an offense who possesses a firearm and has been convicted of a dangerous felony unless such individual has had his or her civil rights restored. Specifies that a person possessing a firearm who has been convicted of a dangerous felony commits a Class E felony offense. Removes privated educational institutions from the statute prohibiting the possession or carrying of firearms or weapons on school property. Clarifies that the board of directors or other managing body of a private school may elect to prohibit possession or carrying of weapons on campus by posting signage in conformity with the signage required for public schools. Adds additional language to the statute regarding affirmative defense to carrying weapons on school property to include a person demonstrating that the required signage was not posted in conformity with the requirements of state law. Deletes language prohibiting the carrying of weapons in public parks, playgrounds, civic centers and other public buildings. Amends various other firearms provisions. (16 pp.)

SB132/HB41 TAXES BUSINESS: Phases out professional privilege tax.

Sponsors: Sen. Bowling, Janice , Rep. VanHuss, James

Summary: Phases out the professional privilege tax over a five-year period for tax years that begin on and after June 1, 2017.

SB136 EDUCATION: Fire drills in public schools.

Sponsors: Sen. Jackson, Ed ,

Summary: Requires fire drills to occur during the first 14 full days of the school year instead of the first 30 days. Also, subsequently requires one every two months onward to maintain four fire drills a year.

SB137 EDUCATION: Age requirement for school bus endorsement on driver license.
Sponsors: Sen. Harris, Lee ,
Summary: Increases the age limit from 21 to 25 for a person's eligibility to receive the school bus endorsement on a driver license. Grandfathers in persons between the ages of 21 and 25 years who are seeking a renewal of an existing endorsement held by the applicant as of June 30, 2017.

SB144/HB81 GOVERNMENT REGULATION: Appropriation of funds for nonprofit organizations by local governments.
Sponsors: Sen. Lundberg, Jon , Rep. Crawford , John
Summary: Requires any nonprofit organization seeking financial assistance to file an annual report, detailing all receipts and expenditures in a form prescribed by the comptroller of the treasury. Also requires any nonprofit seeking financial assistance from a municipality to file with the city's clerk office, the entity's most recently completed annual audit or an annual report detailing all receipts and expenditures, description of the program that serves the residents of the municipality, and purpose for the financial assistance. Subjects the nonprofit's report to be audited by the department of audit.

HJR24 GOVERNMENT ORGANIZATION: Convention of the states to propose a balanced budget amendment.
Sponsors: Rep. Powers, Dennis
Summary: Calls for a convention of the states to plan for an Article V convention to propose a balanced budget amendment to the United States Constitution; creates a balanced budget amendment convention committee.

HJR32 FAMILY LAW: Child Abuse Prevention Month.
Sponsors: Rep. Williams, Ryan
Summary: Designates April 2017 as Child Abuse Prevention Month in Tennessee.

SJR9 GOVERNMENT ORGANIZATION: Constitutional convention of states regarding balanced budget amendment.
Sponsors: Sen. Kelsey, Brian ,
Summary: Calls for a convention of the states to plan for an Article V convention to propose a balanced budget amendment to the United States Constitution; creates a balanced budget amendment convention committee.