

# Legislation Passed in 113th General Assembly - 2024

## SB1/HB1 **HEALTH CARE: Prohibited medical procedures for minors.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Prohibits a healthcare provider from performing on a minor or administering to a minor a medical procedure if the performance or administration of the procedure is for the purpose of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (003624) revises some of the legislative findings that precede the substantive provisions of this bill and makes the following substantive changes: (1) Replaces this bill's provisions that generally prohibit prescribing, administering, or dispensing any drug or device to a minor for purposes of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex or treating purported discomfort or distress from a discordance between the minor's sex and asserted identity. This amendment instead specifically prohibits prescribing, administering, or dispensing a puberty blocker or hormone for such purposes, subject to the exceptions specified in this bill. This amendment also prohibits a person from knowingly providing a hormone or puberty blocker by any means to a minor if the provision of the hormone or puberty blocker is not in compliance with this bill; (2) Specifies that this bill's prohibitions against administering, performing, or offering to perform certain medical procedures on a minor, including medical procedures described in (1), apply to medical procedures that are performed or administered either in Tennessee or on a Tennessee resident via telehealth; (3) Adds that a healthcare provider must act knowingly in order to commit an offense under this bill; (4) Adds treatment of precocious puberty to the list of conditions the treatment of which are excepted from this bill's prohibition concerning medical procedures offered to, or administered or performed on a minor; (5) With regard to the exception for finishing a medical procedure that began prior to this bill's effective date, adds that such procedure must conclude by March 31, 2024, in order for the exemption to apply; (6) Revises the cause of action under this bill by replacing authorization for a minor to a parent of the minor who consented to the conduct that constituted a violation of this bill. This amendment instead authorizes a minor to sue any person alleged to have violated this amendment's prohibition against knowingly providing a hormone or puberty blocker by any means to a minor, described in (1); (7) For purposes of actions brought by the attorney general and reporter against a healthcare provider under this bill, this amendment specifies that each performance or administration of a medical procedure in violation of this bill is a separate violation for which profits may be disgorged and a \$25,000 civil penalty may be assessed. This amendment also broadens the class of persons against whom the attorney general and reporter will be authorized to bring an action for a violation of this bill to include any person instead of only a healthcare provider; (8) Specifies that this bill will not prohibit or restrict psychological practice, the practice of professional counseling, or the practice of social work; and (9) Makes this bill applicable to actions occurring on or after July 1, 2023. Senate amendment 3 (003880) revises Amendment #2, such that the prohibition against administering, performing, or offering to perform certain medical procedures on a minor, applies to medical procedures that are performed or administered either in Tennessee or on "a minor located in Tennessee via telehealth," not "a resident of Tennessee via telehealth." This amendment also changes a section header.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed with amendment 2 (003624) and amendment 3 (003880).

*House Status:* 02/23/23 - House passed.

*Executive Status:* 03/07/23 - Enacted as Public Chapter 0001 effective July 1, 2023.

## SB3/HB9 **ENTERTAINMENT: Adult cabaret performances - prohibitions.**

*Sponsors:* Sen. Johnson, Jack , Rep. Todd, Chris

*Summary:* Creates an offense for a person who engages in an adult cabaret performance on public property or in a location where the adult cabaret performance could be viewed by a person who is not an adult.

*Amendment Summary:* House amendment 1 (003810) creates a Class A misdemeanor offense for a person to perform adult cabaret entertainment on public property or in a location where the adult cabaret entertainment could be viewed by a person who is not an adult. Establishes that a second or subsequent such offense is a Class E felony. Effective April 1, 2023.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/02/23 - Senate concurred in House amendment 1 (003810).

*House Status:* 02/23/23 - House passed with amendment 1 (003810).

*Executive Status:* 03/07/23 - Enacted as Public Chapter 0002 effective April 1, 2023.

## SB4/HB435 **EDUCATION: Establishes a deaf mentor and parent advisor program.**

*Sponsors:* Sen. Massey, Becky , Rep. White, Mark

*Summary:* Establishes a deaf mentor and parent advisor program to assist families in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind at the Tennessee Schools for the Deaf and the West Tennessee School for the Deaf.

*Fiscal Note:* (Dated February 5, 2023) Increase State Expenditures - \$421,800/FY23-24 and Subsequent Years Other Fiscal Impact The current deaf mentor parent advisor program is funded in FY22-23 with a non-recurring appropriation of \$421,800.

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0327 effective July 1, 2023.

## SB11/HB2 **COVID-19: Makes permanent various provisions regarding COVID-19.**

*Sponsors:* Sen. Johnson, Jack , Rep. Zachary, Jason

*Summary:* Makes permanent various provisions regarding COVID-19.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0048 effective March 21, 2023.

## SB12/HB433 **EDUCATION: Eligibility criteria for education savings account expanded.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. White, Mark  
*Summary:* Expands eligibility criteria for education savings accounts to include students zoned within local education agencies with at least five schools that are identified as priority schools in the 2015, 2018, and 2021 cycles, and among the bottom 10% of schools identified in 2017.  
*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/20/23 - Senate non-concurred in House amendment 1 (005095).  
*House Status:* 04/21/23 - House repassed bill.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0328 effective May 5, 2023.

**SB13/HB26 CRIMINAL LAW: Court issued criminal proceedings fees prohibited from being due within 180 days of imprisonment release.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Faison, Jeremy  
*Summary:* Prohibits the court from requiring an individual to pay court issued fees, costs, or taxes from a criminal proceeding within 180 days of following the individual's release from imprisonment for a felony offense. Does not apply to restitution owed to a victim.  
*Amendment Summary:* Senate amendment 1 (006346) makes the 180-day forbearance period conditional upon the debtor: (1) Having been released from one year or more in prison for a felony. The debtor may be required to provide their release date with a request submitted pursuant to (3); (2) Being on a payment or installment plan; and (3) Requesting such forbearance from the court clerk. This amendment exempts from the 180-day forbearance period any fines, fees, taxes, or costs that have been sent to a collection agency pursuant to present law.  
*Fiscal Note:* (Dated March 16, 2023) Other Fiscal Impact - There will be a decrease in state and local revenue by an unknown amount in FY23-24. A such decrease will equal approximately 50 percent of the total amount that, under current law, would be collected by state and local courts in FY23-24 from fines, fees, taxes, and costs arising from criminal proceedings that are paid by felons following their release from prison.  
*Senate Status:* 04/20/23 - Senate passed with amendment 1 (006346).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0329 effective May 5, 2023.

**SB14/HB24 CRIMINAL LAW: Sexual assault evidence collection kit analysis requirements.**

*Sponsors:* Sen. Lamar, London , Rep. Freeman, Bob  
*Summary:* Requires the TBI to perform a serology or DNA analysis on a sexual assault evidence collection kit within 30 days of its receipt of a kit from a law enforcement agency. Requires that kits not analyzed within this time frame be flagged in the electronic tracking system and stipulates that a written explanation for the delay be provided to the submitting law enforcement agency. Clarifies that delays in analysis does not affect a kit's admissibility in court or as a reason for challenging the validity of any analysis. States that the new requirement would take effect on July 1, 2023, and would apply to kits received on or after that date. Defines relevant terms.  
*Amendment Summary:* Senate amendment 2 (004918) changes the effective date of this bill to upon becoming a law, and removes the provisions relative to sexual assault evidence collection kits, including the provision requiring the TBI to perform serology or DNA analysis on the kit within 30 days of the bureau's receipt of the kit from a law enforcement agency, and rewrites this bill to, instead, require the bureau to do the following: (1) Until January 1, 2025, provide quarterly updates on the bureau's efforts to hire and train employees within the forensic services division and the average amount of time taken to perform forensic analysis on evidence in cases involving sexual offenses to the judiciary committee of the senate and the criminal justice committee of the house of representatives; and (2) By January 1, 2025, submit a report to the judiciary and finance, ways and means committees of the senate and the criminal justice and finance, ways, and means committees of the house of representatives detailing any additional resources and personnel that would be required in order to perform forensic analysis on evidence in cases involving sexual offenses within 60 days of the bureau's receipt of the evidence from a law enforcement agency.  
*Fiscal Note:* (Dated February 12, 2023) Increase State Expenditures \$5,299,000/FY23-24 \$3,537,000/FY24-25 and Subsequent Years Other Fiscal Impact The Tennessee Bureau of Investigation will require significant funding for the purpose of acquiring or constructing new laboratory space in order to accommodate additional forensic personnel. The timing and amount of such funding is unknown at this time and cannot be reasonably estimated. Full compliance with a 30-day turnaround time for sexual assault collection kits could jeopardize annual federal funding received by the Tennessee Bureau of Investigation under the Federal Capacity Enhancement and Backlog Reduction grant in the amount of approximately \$1,800,000. The timing of any such decrease is unknown.  
*Senate Status:* 03/20/23 - Senate passed with amendment 2 (004918).  
*House Status:* 04/13/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0249 effective April 28, 2023.

**SB18/HB5 CRIMINAL LAW: Sentencing for especially aggravated kidnapping, aggravated rape, or rape.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Requires a person sentenced for especially aggravated kidnapping, aggravated rape, or rape to be sentenced at a minimum of Range II for the offense and up to Range III. Expands the requirement to register as a sexual offender to all defendants convicted of kidnapping instead of only defendants convicted of kidnapping minors.  
*Amendment Summary:* House amendment 1 (003917) requires the sentence for a person convicted of especially aggravated kidnapping, aggravated rape, or rape be no less than a sentence imposed for a Range II offender.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/06/23 - Senate passed.  
*House Status:* 03/13/23 - House passed with amendment 1 (003917).  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0155 effective July 1, 2023.

**SB19/HB1359 CRIMINAL LAW: Expunction of records - charges abated by death.**

*Sponsors:* Sen. Massey, Becky , Rep. Farmer, Andrew  
*Summary:* Authorizes a personal representative of the decedent to file a petition for the expunction of public records of a person who has been charged with a felony or misdemeanor if the charge has been abated by death.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed.  
*House Status:* 04/19/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0330 effective May 5, 2023.

**SB22/HB415 CRIMINAL LAW: Sexual Assault Response Team Act.**

*Sponsors:* Sen. Massey, Becky , Rep. Davis, Elaine

*Summary:* Enacts the "Sexual Assault Response Team Act," which requires each local law enforcement agency to create a sexual assault response team to assist in responding to incidents of sexual assault with adult victims that occur within the agency's jurisdiction. Requires the team to be comprised of members with expertise in various disciplines. Creation of the response teams must be done by January 1, 2024.

*Amendment Summary:* Senate amendment 1 (006416) renames the response teams as sexual assault response teams (SARTs). Instead of requiring law enforcement agencies to assemble, by January 1, 2024, a response team to assist in responding to incidents of sexual assault with adult victims that occur within the agency's jurisdiction, this amendment requires law enforcement agencies to begin, by January 1, 2024, collaboration between existing law enforcement agency resources and available community resources as a SART, to assist in identifying gaps in service and improving response systems for sexual assault involving adult victims that occur within the agency's jurisdiction. This amendment authorizes a SART to meet, in person or by telephone or virtual means, periodically as needed. This amendment removes the requirement that chief law enforcement officers report the establishment of response teams and the name and areas of expertise of each team member to the TBI.

*Fiscal Note:* (Dated March 3, 2023) Increase Local Expenditures Exceeds \$20,527,700/FY23-24\* Exceeds \$19,460,200/FY24-25 and Subsequent Years\* Other Fiscal Impact There will be an unknown increase in state expenditures related to training of local law enforcement personnel through the Tennessee Law Enforcement Training Academy.

*Senate Status:* 04/05/23 - Senate passed with amendment 1 (006416).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0212 effective April 25, 2023.

**SB23/HB17 MISCELLANEOUS: Silver Alert Awareness Month.**

*Sponsors:* Sen. Massey, Becky , Rep. Faison, Jeremy

*Summary:* Designates the month of May as "Silver Alert Awareness Month.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 02/27/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0036 effective March 14, 2023.

**SB27/HB23 PUBLIC EMPLOYEES: Meeting agendas and documents to be made available to public 48 hours prior.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Moon, Jerome

*Summary:* Requires a governing body to make available to the public upcoming meeting agendas and supplemental meeting documents in an accessible location for a minimum of 48 hours prior to a meeting. Stipulates that maintained websites are considered "accessible" locations for meeting documents but requires copies be available at the meeting and upon request. Requires public meeting agendas to be detailed regarding matters to be discussed but allows governing bodies to take action on matters not on the agenda under certain circumstances provided its bylaws or rules and procedures are in compliance with state law. Defines supplemental meeting documents and specifies that the provision does not apply to documents or parts of documents deemed confidential under state or federal law. Requires public meeting agendas and supplemental meeting documents be provided at no cost.

*Amendment Summary:* Senate amendment 1 (005885) rewrites this bill to require that a legislative body for a municipal, metropolitan, or county government make available to the public, at no charge and at least 48 hours prior to a meeting, the agenda for the upcoming meeting in a place accessible to the public. Publication on a legislative body's website is not required, but will satisfy this amendment's notice requirement. This amendment specifies that a local government legislative body may deliberate or act upon matters not listed on the agenda if the body follows its bylaws or rules and procedures and complies with all other applicable state laws. This amendment prohibits a local government legislative body from circumventing the spirit or requirements of this amendment's notice requirement by withholding items from an agenda for the purpose of avoiding public disclosure of business to be considered by the legislative body.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed with amendment 1 (005885).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0213 effective April 25, 2023.

**SB29/HB195 GOVERNMENT ORGANIZATION: Sunset - Board for professional counselors, marital and family therapists and clinical pastoral therapists extension.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the board for professional counselors, marital and family therapists, and clinical pastoral therapists to June 30, 2027.

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0070 effective March 31, 2023.

**SB30/HB196 GOVERNMENT ORGANIZATION: Sunset - board of appeals for the department of human resources.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the board of appeals for the department of human resources to June 30, 2027.

*Fiscal Note:* (Dated January 5, 2023) NOT SIGNIFICANT

*Senate Status:* 02/06/23 - Senate passed.

*House Status:* 02/13/23 - House passed.

*Executive Status:* 03/13/23 - Enacted as Public Chapter 0002 effective March 6, 2023.

**SB31/HB197 GOVERNMENT ORGANIZATION: Sunset - board of boiler rules.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the board of boiler rules to June 30, 2028.

*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0004 effective March 6, 2023.

**SB32/HB198 GOVERNMENT ORGANIZATION: Sunset - board of medical examiners.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of medical examiners to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0071 effective March 31, 2023.

**SB33/HB199 GOVERNMENT ORGANIZATION: Sunset - board of nursing.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of nursing to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0031 effective March 14, 2023.

**SB34/HB200 GOVERNMENT ORGANIZATION: Sunset - board of pharmacy.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of pharmacy to June 30, 2027.  
*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0032 effective March 14, 2023.

**SB35/HB201 GOVERNMENT ORGANIZATION: Sunset - College savings trust fund program trustees.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of trustees of the college savings trust fund program to June 30, 2029.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0005 effective March 6, 2023.

**SB36/HB202 GOVERNMENT ORGANIZATION: Sunset - controlled substance database committee.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the controlled substance database committee to June 30, 2027.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0029 effective March 10, 2023.

**SB37/HB203 GOVERNMENT ORGANIZATION: Sunset - department of children's services extension and performance audit reporting.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of children's services to June 30, 2024. Requires the department to submit quarterly reports to the chairs of the government operations committees to provide updates on the department's progress in addressing performance audit findings. Requires the department to appear before the education, health, and general welfare joint evaluation committee no later than June 30, 2023, to present information included in the department's six-month follow-up report submitted to the comptroller of the treasury.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 04/19/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0331 effective May 5, 2023.

**SB38/HB204 GOVERNMENT ORGANIZATION: Sunset - department of commerce and insurance.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of commerce and insurance to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0072 effective March 31, 2023.

**SB39/HB205 GOVERNMENT ORGANIZATION: Sunset - department of environment and conservation.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of environment and conservation to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0073 effective March 31, 2023.

**SB40/HB206 GOVERNMENT ORGANIZATION: Sunset - department of health.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of health to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0156 effective April 17, 2023.

**SB41/HB207 GOVERNMENT ORGANIZATION: Sunset - department of human resources.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of human resources to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0074 effective March 31, 2023.

**SB42/HB208 GOVERNMENT ORGANIZATION: Sunset - department of intellectual and developmental disabilities extension.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of intellectual and developmental disabilities to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0075 effective March 31, 2023.

**SB43/HB209 GOVERNMENT ORGANIZATION: Sunset - department of safety.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of safety to June 30, 2027.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/16/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0105 effective April 4, 2023.

**SB44/HB210 GOVERNMENT ORGANIZATION: Sunset - Doe Mountain recreation authority.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Doe Mountain recreation authority to June 30, 2029.  
*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0030 effective March 10, 2023.

**SB45/HB211 GOVERNMENT ORGANIZATION: Sunset - Elevator and amusement device safety board extension.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the elevator and amusement device safety board to June 30, 2028.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0006 effective March 6, 2023.

**SB46/HB212 GOVERNMENT ORGANIZATION: Sunset - Employee suggestion award board extension.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the employee suggestion award board to June 30, 2027.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0076 effective March 31, 2023.

**SB47/HB213 GOVERNMENT ORGANIZATION: Sunset - energy efficient schools council.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the energy efficient schools council to June 30, 2027.  
*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0007 effective March 6, 2023.

**SB48/HB214 GOVERNMENT ORGANIZATION: Sunset - medical cannabis commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the medical cannabis commission to June 30, 2025.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0033 effective March 14, 2023.

**SB49/HB215 GOVERNMENT ORGANIZATION: Sunset - Megasite Authority of West Tennessee extension.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Megasite Authority of West Tennessee to June 30, 2025.  
*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0077 effective March 31, 2023.

**SB50/HB216 GOVERNMENT ORGANIZATION: Sunset - Prevailing wage commission extension.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the prevailing wage commission to June 30, 2028.  
*Fiscal Note:* (Dated January 22, 2022) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0008 effective March 6, 2023.

**SB51/HB217 GOVERNMENT ORGANIZATION: Sunset - professional art therapist advisory committee of the board of examiners in psychology.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the professional art therapist advisory committee of the board of examiners in psychology to June 30, 2024.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0009 effective March 6, 2023.

**SB52/HB218 GOVERNMENT ORGANIZATION: Sunset - Psychology Interjurisdictional Compact Act.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Psychology Interjurisdictional Compact Act to June 30, 2031.  
*Fiscal Note:* (Dated January 26, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0010 effective March 6, 2023.

**SB53/HB219 GOVERNMENT ORGANIZATION: Sunset - Sam Davis memorial association, board of trustees.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Sam Davis memorial association, board of trustees to June 30, 2029.  
*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/16/23 - Senate passed.  
*House Status:* 02/16/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0011 effective March 6, 2023.

**SB54/HB220 GOVERNMENT ORGANIZATION: Sunset - selection panel for TennCare reviewers.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the selection panel for TennCare reviewers to June 30, 2028.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0078 effective March 31, 2023.

**SB55/HB221 GOVERNMENT ORGANIZATION: Sunset - state textbook and instructional materials quality commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state textbook and instructional materials quality commission to June 30, 2027.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0136 effective April 6, 2023.

**SB56/HB222 GOVERNMENT ORGANIZATION: Sunset - state unemployment compensation advisory council.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the state unemployment compensation advisory council to June 30, 2028.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0034 effective March 14, 2023.

**SB57/HB223 GOVERNMENT ORGANIZATION: Sunset - statewide community services agency.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the statewide community services agency to June 30, 2027.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0012 effective March 6, 2023.

**SB58/HB224 GOVERNMENT ORGANIZATION: Sunset - Tennessee board of water quality, oil, and gas.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee board of water quality, oil, and gas to June 30, 2028.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0013 effective March 6, 2023.

**SB59/HB225 GOVERNMENT ORGANIZATION: Sunset - Tennessee consolidated retirement system, board of trustees.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee consolidated retirement system, board of trustees to June 30, 2029.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0014 effective March 6, 2023.

**SB60/HB226 GOVERNMENT ORGANIZATION: Sunset - Tennessee corn promotion board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee corn promotion board to June 30, 2028.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0015 effective March 6, 2023.

**SB61/HB227 GOVERNMENT ORGANIZATION: Sunset - Tennessee heritage conservation trust fund board of trustees.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee heritage conservation trust fund board of trustees to June 30, 2028.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0016 effective March 6, 2023.

**SB62/HB228 GOVERNMENT ORGANIZATION: Sunset - Tennessee interagency cash flow committee.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee interagency cash flow committee to June 30, 2029.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/06/23 - Senate passed.  
*House Status:* 02/13/23 - House passed.  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0017 effective March 6, 2023.

**SB63/HB229 GOVERNMENT ORGANIZATION: Sunset - Tennessee opioid abatement council.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee opioid abatement council to June 30, 2025.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0079 effective March 31, 2023.

**SB64/HB230 GOVERNMENT ORGANIZATION: Sunset - Tennessee public charter school commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee public charter school commission to June 30, 2026.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 03/16/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0106 effective April 4, 2023.

**SB65/HB231 GOVERNMENT ORGANIZATION: Sunset - Tennessee state veterans' homes board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the Tennessee state veterans' homes board to June 30, 2026. Requires the board to report back to the education, health, and general welfare joint evaluation committee by December 31, 2023, to update the committee on its progress in addressing the findings set forth in the November 2022 performance audit report.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0080 effective March 31, 2023.

**SB66/HB232 GOVERNMENT ORGANIZATION: Sunset - underground storage tanks and solid waste disposal control board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the underground storage tanks and solid waste disposal control board to June 30, 2027. Establishes minimum attendance requirement for board members and requires removal of members who do not meet the requirement.

*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0081 effective March 31, 2023.

**SB67/HB233 GOVERNMENT ORGANIZATION: Sunset - underground utility damage enforcement board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the underground utility damage enforcement board to June 30, 2028.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 02/13/23 - House passed.

*Executive Status:* 03/13/23 - Enacted as Public Chapter 0018 effective March 6, 2023.

**SB68/HB234 GOVERNMENT REGULATION: UAPA - continuation of permanent rules filed with secretary of state.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Continues permanent rules filed with the secretary of state between January 1, 2022, and December 31, 2022, that are in effect on the effective date of this act until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

*Fiscal Note:* (Dated January 10, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0332 effective May 5, 2023.

**SB72/HB1195 HEALTH CARE: Practice of physical therapy.**

*Sponsors:* Sen. Watson, Bo , Rep. Williams, Ryan

*Summary:* Allows the practice of physical therapy to be under the written or oral referral of a nurse practitioner or physician assistant. Allows a licensed physical therapist to treat a patient without a referral when certain conditions are met.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0107 effective April 4, 2023.

**SB73/HB1181 COMMERCIAL LAW: Tennessee Information Protection Act.**

*Sponsors:* Sen. Watson, Bo , Rep. Garrett, Johnny

*Summary:* Enacts the "Tennessee Information Protection Act," which establishes personal information rights for consumers and responsibilities for data controllers. Defines "controller" to mean the natural or legal person that, alone or jointly with others, determines the purpose and means of processing personal information. Requires controllers to limit the collection of personal information to what is adequate, relevant, and reasonably necessary in relation to the purposes for which the data is processed, as disclosed to the consumer. Requires controllers to establish, implement, and maintain reasonable data security practices to protect the confidentiality, integrity, and accessibility of personal information. Prohibits a controller from processing sensitive data concerning a consumer without obtaining the consumer's consent. Requires controller to conduct and document a data protection assessment of certain processing activities involving personal information, including the processing of personal information for purposes of targeted advertising and the sale of personal information. Requires data protection assessments conducted to identify and weigh the benefits that may flow, directly and indirectly, from the processing to the controller, the consumer, other stakeholders, and the public against the potential risks to the rights of the consumer associated with the processing, as mitigated by safeguards that can be employed by the controller to reduce the risks. Specifies for requirements of processing de-identified data by controllers. Requires a controller or processor to create, maintain, and comply with a written privacy program that reasonably conforms to the National Institute of Standards and Technology (NIST) privacy framework entitled "A Tool for Improving Privacy through Enterprise Risk Management Version 1.0." Gives the attorney general investigative authority over this part and exclusive authority for enforcement of provisions (32 pp.).



*Amendment  
Summary:*

House amendment 1 (006458) requires a company that controls, processes or sells personal information to adhere to outlined requirements. Establishes personal information rights for consumers and requires applicable controllers to comply with consumer requests regarding personal information rights. Applies to a company that exceeds \$25,000,000 in revenue and that controls or processes personal information of at least 25,000 consumers and derives more than 50 percent of gross revenue from the sale of personal information or controls or processes personal information of at least 175,000 consumers during a calendar year. Provides exemptions to various organizations, agencies, institutions, and entities. Establishes that the Attorney General and Reporter (AG) has exclusive authority to bring actions for an alleged violation. Authorizes the court to impose a civil penalty up to \$7,500 per violation as well as other relief the court determines appropriate. Establishes that a controller or processor that complies with a privacy program that reasonably conforms to the National Institute of Standards of Technology (NIST) or other documented policies, standards, and procedures designed to safeguard consumer privacy, has an affirmative defense to a cause of action for a violation of this part. Establishes a violation of such is an unfair and deceptive act or practice under the Consumer Protection Act of 1977. Establishes that a consumer is not entitled to a private right of action upon such violation. Effective July 1, 2025. House amendment 1 (006596) makes various technical changes and additions to this bill, along with the following significant modifications: (1) Clarifies that consent under this bill may include, rather than shall include, a written statement or an unambiguous affirmative action; (2) Specifies that a natural person acting in a commercial or employment context is not a consumer for purposes of this bill; (3) Defines "decisions that produce legal or similarly significant effects concerning the consumer" to mean decisions made by a controller that result in the provision or denial by the controller of financial or lending services, housing, insurance, education enrollment or opportunity, criminal justice, employment opportunities, healthcare services, or access to basic necessities. This amendment requires a controller to comply with a consumer request to exercise the right to opt out of a controller's processing of personal information for purposes of selling personal information about the consumer, targeted advertising, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning the consumer. Such compliance requirement replaces provisions of this bill that would require disclosure of certain information concerning that a controller sold or disclosed for a business purpose; (4) Specifies that an entity owned or controlled by a nonprofit organization is exempt from this bill as a nonprofit organization; (5) Replaces this bill's definition of "personal information". This bill specifies various classes of information that are personal information. This amendment instead defines personal information to mean information that is linked or reasonably linkable to an identified or identifiable natural person; (6) Changes the threshold for this bill to apply to a person conducting business in Tennessee to persons producing products or services that target residents of Tennessee and that: (A) Exceed \$25,000,000 in revenue; and (B) Either control or process personal information of at least 25,000 consumers and derive more than 50 percent of gross revenue from the sale of personal information or, during a calendar year, control or process personal information of at least 175,000 consumers; (7) Adds courses of conduct by which a controller that obtained personal information about a consumer from a source other than the consumer complies with the consumer's request to delete such information; (8) Makes various changes concerning the information that a controller must include in consumer disclosure statements and privacy notices; (9) Exempts from this bill information that is included in a limited data set to the extent that the information is used, disclosed, and maintained in the manner specified in federal regulations promulgated under HIPAA and the American Recovery and Reinvestment Act of 2009; (10) Reduces the maximum civil penalty for a violation of this bill from \$15,000 to \$7,500 and removes the list of criteria for assessing and calculating a penalty; (11) Removes the requirement that a controller's privacy program must disclose the commercial purposes for which the controller collects, controls, or processes personal information; (12) Preempts conflicting local regulation; (13) Specifies that the Tennessee Information Protection Act does not apply to personal information maintained or used for purposes of compliance with the regulation of listed chemicals under the federal Controlled Substances Act; and (14) Changes the effective date from July 1, 2024, to July 1, 2025.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (006596).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0408 effective July 1, 2025.

**SB74/HB27 EDUCATION: HOPE scholarship eligibility after earning first baccalaureate degree.**

*Sponsors:* Sen. Watson, Bo , Rep. Lamberth, William

*Summary:* Permits a student who earns the student's first baccalaureate degree in less than the projected completion time to continue to receive the Tennessee HOPE scholarship in pursuit of an advanced degree under certain conditions. Stipulates that the student must continue to meet all applicable eligibility and academic requirements for the scholarship and be enrolled in coursework for a program of study in pursuit of a master's degree, doctorate or other advanced degree at eligible public postsecondary institution within three months of receiving the first degree. Provides that the scholarship be disbursed in the same amount received during the last semester in which the student was making satisfactory progress towards the awarded first degree. Prohibits a student to receive a HOPE scholarship if five years have passed from the initial enrollment except under certain circumstances. Allows the Tennessee student assistance corporation, upon the act becoming law, to promulgate rules in accordance with the Uniform Administrative Procedures Act and sets July 1, 2023, as the effective date for all other purposes.

*Amendment  
Summary:* House amendment 1 (004053) authorizes an eligible Tennessee HOPE scholarship student to continue to receive the HOPE scholarship until the student has earned an advanced degree or for up to five years from initial enrollment, whichever is first. House amendment 2 (004114) authorizes an eligible Tennessee HOPE scholarship student who has earned their first baccalaureate degree to continue to receive the HOPE scholarship if the student has earned their degree in less time than the projected completion time. Establishes that the scholarship is to be in the amount received by the student for the last semester in which the student was making satisfactory progress in the course of study that culminated with the student earning the student's first baccalaureate degree. Requires such students to be admitted to and enrolled in coursework for a program of study in pursuit of an advanced degree within three months of the student receiving the first baccalaureate degree. Specifies that the student is only eligible to continue to receive the HOPE scholarship for the number of semesters that the student would have been eligible to receive the scholarship had the student not completed their program of study earlier than the projected time and within five years of initial enrollment.

*Fiscal Note:* (Dated January 29, 2023) Increase State Expenditures \$4,763,600/FY23-24/Lottery for Education Account Exceeds \$4,763,600/FY24-25 and Subsequent Years/ Lottery for Education Account Other Fiscal Impact Funding in the amount of \$4,763,600 in FY23-24 and an amount exceeding \$4,763,600 in FY24-25 and each subsequent year will not be available for transfer from the Lottery for Education Account to the Tennessee Promise Scholarship Special Reserve Account.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/21/23 - House passed with amendment 1 (004053) and amendment 2 (004114).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0368 effective May 11, 2023.

**SB79/HB142 TRANSPORTATION VEHICLES: Motor vehicle titling or registration - notice of change of address.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan  
*Summary:* Authorizes a person who, after applying for or receiving a motor vehicle title or registration, moves from the address named in the application or title or registration, or changes names, to submit the required notice to the department in writing or electronically. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (003596) rewrites the bill to revise present law provisions concerning hazardous materials endorsements applicable to temporary permits and licenses. Under present law, the department of safety is prohibited from issuing or renewing a hazardous materials endorsement until a determination of no security threat has been issued in accordance with federal law. The department is required to revoke a current hazardous materials endorsement upon receipt of an initial or final determination of a security threat. This amendment adds that a commercial driver license issued with such an endorsement expires on the date the endorsement authorization expires.  
*Fiscal Note:* (Dated January 19, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed with amendment 1 (003596).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0333 effective January 1, 2024.

**SB86/HB734 MEDIA & PUBLISHING: Persons requesting access to public records.**

*Sponsors:* Sen. Walley, Page , Rep. Rudd, Tim  
*Summary:* Clarifies that a person requesting public records is not entitled to special or more expeditious access to records under this part due to the person's occupation or association with a specific profession.  
*Fiscal Note:* (Dated January 20, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0157 effective April 17, 2023.

**SB87/HB48 LOCAL GOVERNMENT: Elected members of governing body of a metropolitan or municipal government capped.**

*Sponsors:* Sen. Watson, Bo , Rep. Lamberth, William  
*Summary:* Caps the number of members that may be elected to the governing body of a metropolitan or municipal government to 20 members.  
*Amendment Summary:* House amendment 2 (004259) caps at 20 the number of members that may be elected to the governing body of a metropolitan or municipal government following the next general election for the governing body and applies the same cap to any metropolitan or municipal government formed after the effective date of the act. Requires such entities to establish district boundaries using the most recent federal census to ensure that a reapportionment maintains substantially equal representation based on population and complies with state and federal law. Provides that the 20-member cap takes effect as of the next general metropolitan election after the effective date of this act. If the council fails to take the necessary legislative action to effectuate the act prior to the qualifying date for the next general election after the effective date of this act, then the terms of the current council members are extended for one year and the county election commission shall set a special election to be held on the first Thursday of August of 2024, with council members assuming office on September 1, 2024. Council members elected on the first Thursday in August of 2024 will have three-year terms and thereafter, will serve four-year terms. Empowers the governing body of a metropolitan or municipal government to take any legislative action required to effectuate this act, regardless of any provision of a charter or private act to the contrary. Authorizes a newly formed metropolitan government to provide for the initial election of council members on a date as set by the charter, as long as the initial terms do not exceed four years and expire on August 31, after the next subsequent general election held.  
*Fiscal Note:* (Dated January 27, 2023) Decrease Local Expenditures \$424,900/FY24-25/Nashville Davidson County \$509,800/FY25-26 and Subsequent Years/ Nashville Davidson County Other Fiscal Impact The extent and timing of any permissive increase in local expenditures relative to raising councilmember salaries cannot be reasonably forecasted. Additionally, in the event that a referendum for a charter amendment is necessary, there will be an estimated one-time, mandatory local expenditure of \$2,500.\* HB 48 - SB 87  
*Senate Status:* 03/09/23 - Senate passed.  
*House Status:* 03/06/23 - House passed with amendment 2 (004259).  
*Executive Status:* 03/13/23 - Enacted as Public Chapter 0021 effective March 9, 2023.

**SB89/HB29 EDUCATION: Developmental instruction in higher education.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott  
*Summary:* Allows a public institution of higher education to offer remedial or developmental courses or coursework to address student remedial needs. Current law prohibits four-year institutions governed by the board of regents and the University of Tennessee board of trustees from offering such courses.  
*Amendment Summary:* House amendment 1 (003805) revises this bill to authorize a state university and the University of Tennessee system to coordinate with a two-year institution governed by the board of regents for the two-year institution to provide remedial or developmental courses or coursework, regardless of whether the university offers remedial or developmental courses or coursework at present.  
*Fiscal Note:* (Dated January 12, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/05/23 - Senate passed.  
*House Status:* 02/23/23 - House passed with amendment 1 (003805).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0289 effective July 1, 2023.

**SB93/HB103 PROFESSIONS & LICENSURE: Creates an eyelash specialist license.**

*Sponsors:* Sen. Lamar, London , Rep. Parkinson, Antonio  
*Summary:* Creates an eyelash specialist license. Defines "eyelash services" to mean applying and removing a semi-permanent, threadlike, natural, or synthetic single fiber to an eyelash, including cleansing of the eye area and lashes prior to applying and after removing extensions. Authorizes the establishment of eyelash services shops in accordance with requirements for other licensed shops. Authorizes schools to offer courses of instruction that consist of 50 percent of the hours needed for an eyelash specialist license to be obtained from apprenticeship. Allows the board of cosmetology and barber examiners to promulgate rules to effectuate this act.

*Fiscal Note:* (Dated February 12, 2023) Increase State Revenue \$7,000/FY23-24/Strategic Technology Solutions \$16,000/FY23-24/Board of Cosmetology and Barber Examiners \$8,000/FY24-25/Board of Cosmetology and Barber Examiners \$14,100/FY25-26 and Subsequent Years/ Board of Cosmetology and Barber Examiners Increase State Expenditures \$7,000/FY22-23/Board of Cosmetology and Barber Examiners Other Fiscal Impact Pursuant to Tenn. Code Ann. 4-29-121, all regulatory boards are required to be self-sufficient over any two-year period. The BCBE experienced a surplus of \$93,420 in FY20-21, a surplus of \$151,905 in FY21-22, and had a cumulative reserve balance of \$1,299,621 on June 30, 2022.

*Senate Status:* 03/20/23 - Senate passed.

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0214 effective April 25, 2023.

#### **SB94/HB50 GOVERNMENT ORGANIZATION: Codifies the Acts of the 2022 regular session.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Codifies the Acts of the 2022 regular session.

*Fiscal Note:* (Dated January 12, 2023) NOT SIGNIFICANT

*Senate Status:* 02/06/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0049 effective March 21, 2023.

#### **SB97/HB396 WORKERS COMPENSATION: Maximum weekly death benefit through workers' compensation.**

*Sponsors:* Sen. Walley, Page , Rep. Gant, Ron

*Summary:* Specifies that the maximum weekly death benefit available through workers' compensation for a deceased employee who leaves dependents is 75 percent of the employee's average weekly wage up to 100 percent of the state's average weekly wage for injuries occurring on or after July 1, 2023. Removes language that dependent children of the deceased employee have the status of orphan upon the surviving spouse's remarriage. Permits dependents who are employed or enrolled in an apprenticeship program to be paid benefits until 22 years of age.

*Amendment Summary:* Senate amendment 1 (004512) rewrites this bill to make changes to death benefits in workers' compensation claims, as described below.  
**REMARRIAGE OF A SURVIVING SPOUSE** Under present law, upon the remarriage of a surviving spouse, if there is no child of the deceased employee, the compensation terminates; but if there is a child or children under the 18, or over 18 if physically or mentally incapacitated from earning, from the time of the remarriage, the child or children must have status of orphans, and draw compensation accordingly, not, however, to exceed 66 and 2/3 percent of the average weekly wages of the deceased. This amendment adds that, upon the remarriage of a surviving spouse, if there is no child of the deceased employee, then the surviving spouse is entitled to one lump sum payment equal to 100 weeks based on 25 percent of the average weekly wages of the deceased employee, subject to the maximum total benefit. This amendment provides that any benefit payable for compensation in death cases that is currently 50 percent is increased 66 and 2/3 percent. Under present law, in computing and paying compensation to orphans or other children, in all cases, only those under 18, or those over 18 who are physically or mentally incapacitated from earning, must be included, the former to receive compensation only during the time they are 18, the latter only for the time they are so incapacitated. However, if the dependent is attending a recognized educational institution, benefits must be paid until 22. This amendment expands the requirement that benefits be paid until 22 for dependents attending a recognized educational institution to include if the dependent is completing secondary education or a program leading to an equivalent credential, or enrolled in a recognized institution that provides postsecondary or career or technical education. This amendment adds to the present law pertaining to dependents for compensation payments that if a dependent, as established by order, judgment, or decree, is determined to be entitled to benefits under the Workers' Compensation Law, then the employer or insurer may periodically require the dependent to provide information relevant to whether the dependent continues to qualify for benefits. After receipt of the request for information, the dependent must provide the requested information relevant to dependency within 15 days of the date of the request. If the dependent fails to provide the requested information relevant to dependency, then the employer or insurer may suspend benefits. If benefits are suspended, then the employer or insurer must notify the department by filing a notice of change or termination of benefits within 15 days of the first omitted payment of compensation. If the dependent provides the requested information relevant to dependency within any period of suspension of benefits and the employer or insurer does not dispute the dependent's eligibility for benefits, then within 15 days of the receipt of such information, the employer or insurer must restore periodic benefits and must remit to the dependent any periodic benefits that were withheld during any period of suspension of benefits. If the dependent provides information indicating the dependent no longer qualifies for benefits under this chapter based on changes in the dependent's circumstances that have occurred since the time of the initial order, judgment, or decree, then the employer or insurer may terminate benefits. If benefits are terminated, then the employer or insurer must notify the department by filing a notice of change or termination of benefits within 15 days of the first omitted payment of compensation. If benefits are suspended or terminated, then the dependent may file a petition for benefit determination. This amendment establishes that a person who provides false or misleading information in response to a request for information relevant to dependency commits a fraudulent insurance act, which is punishable as theft. Senate amendment 2 (004767) names this bill the "Garrison-Jordan Survivor Benefits Act."

*Fiscal Note:* (Dated February 21, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004512) and amendment 2 (004767).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0158 effective July 1, 2023.

#### **SB102/HB158 EDUCATION: Implicit bias training in education.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Zachary, Jason

*Summary:* Prohibits a local education agency, public charter school, public institution of higher education, the state board of education, and the department of education from requiring an educator, employee of an LEA or charter school, faculty member, or employee of a public institution of higher education to complete or participate in implicit bias training. Defines "implicit bias training"; prohibits adverse licensure and employment actions from being taken against such an individual for the individual's failure or refusal to participate in implicit bias training.

*Fiscal Note:* (Dated February 20, 2023) Increase State Expenditures \$94,300/FY23-24 and Subsequent Years

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0438 effective May 17, 2023.

**SB103/HB611 PUBLIC EMPLOYEES: Clarification of compensation.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Hawk, David

*Summary:* Clarifies that employees of state governmental entities who are compensated through funding sources other than this state are subject to the Tennessee State Employees Uniform Nepotism Policy Act of 1980. Creates criminal and civil penalties for a state employee who violates the Act. Authorizes the attorney general and reporter to investigate violations of the Act.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0050 effective July 1, 2023.

**SB105/HB88 TRANSPORTATION VEHICLES: Military waivers for commercial driver licenses.**

*Sponsors:* Sen. Watson, Bo , Rep. Marsh, Pat

*Summary:* Requires the department of safety to waive the knowledge test and accept alternative requirements for active duty and honorably discharged service members applying for temporary commercial learner's permits. Requires the applicant to certify that the applicant has not had a driver license suspended, revoked, or canceled in this state or another state during the one year preceding the application. Requires the application to be accompanied by documentation establishing the applicant's military occupational specialty and driving experience, including military orders or other documentation acceptable to the department establishing the applicant's military occupational specialty and current duty station assignment and a valid military identification card, if the applicant is on active duty. Requires an applicant who obtains the knowledge test waiver to successfully complete any applicable vision and skills tests, and pay the appropriate fees, other than the skills testing fee.

*Amendment Summary:* Senate amendment 1 (003622) revises the bill to include a member of the national guard or the armed forces reserves as those eligible for the waiver of the knowledge test. This amendment clarifies that if the applicant has been honorably discharged, they must provide, with their application, their certificate of release or discharge, including, but not limited to a department of defense form 214, that shows date of service and that the applicant received an honorable discharge or release. This amendment removes the provision that makes the bill inapplicable to a United States reserve technician. This amendment changes the effective date of this bill from July 1, 2023, to January 1, 2024.

*Fiscal Note:* (Dated February 3, 2023) Other Fiscal Impact To the extent that the required modifications to the Department of Safety's A-List system can be accomplished within available resources provided under the current vendor contract, the proposed legislation will not result in a significant increase in state expenditures. Otherwise, those modifications could result in a one-time increase in state expenditures of up to \$20,000 in FY23-24.

*Senate Status:* 03/02/23 - Senate passed with amendment 1 (003622).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0422 effective May 11, 2023.

**SB107/HB257 TRANSPORTATION VEHICLES: Clarification of motor vehicle ownership.**

*Sponsors:* Sen. Powers, Bill , Rep. Bulso, Gino

*Summary:* Clarifies that an owner or lessee of a motor vehicle who is the parent, legal guardian, or conservator of a person who has an intellectual or developmental disability or medical condition, who may be operating the owner's or lessee's vehicle, and who needs assistance in communicating specific needs to law enforcement and first responders, may apply for a designation of such person's need in the Tennessee Vehicle Title and Registration System (VTRS) database.

*Amendment Summary:* Senate amendment 1 (004573) clarifies that if the applicant for the designation of need for assistance in the Tennessee Vehicle Title and Registration System (VTRS) database is a conservator, then the conservator must also verify that a court in this state granted, through the issuance of an order, the authority to release health-related information and submit with the application a copy of the conservatorship appointment order or letters of conservatorship or both, with the right granted to the conservator listed in the order or letters, as applicable. Only upon the receipt of the written statement and a copy of the conservatorship appointment order or letters of conservatorship required by a conservator must the department cause the operator's status to be ordered into the VTRS database. House amendment 2 (012535) changes effective date to January 1, 2025.

*Fiscal Note:* (Dated February 23, 2023) NOT SIGNIFICANT

*Senate Status:* 02/17/24 - Signed by Senate speaker.

*House Status:* 02/20/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0521 effective January 1, 2025.

**SB122/HB40 PROPERTY & HOUSING: Prohibits foreign ownership of real property in state by nonresident aliens under certain conditions.**

*Sponsors:* Sen. Niceley, Frank , Rep. Reedy, Jay

*Summary:* Prohibits a nonresident alien, foreign business, or foreign government, or an agent, trustee, or fiduciary thereof, from purchasing or otherwise acquiring real property in this state if the laws of the country where the nonresident alien resides, the foreign business is located, or the official foreign government representing the country, or agents, trustees, or fiduciaries thereof, prohibit citizens of the United States or its territories or possessions from purchasing real property located within that country. Specifies instances in which such restriction does not apply, including property acquired by devise or descent. Broadly captioned.

*Amendment Summary:* House amendment 1 (004608) prohibits sanctioned nonresidential aliens, sanctioned foreign businesses, sanctioned foreign governments, or their agents, trustees, or fiduciaries, from acquiring real property in Tennessee if their respective country is on the office of foreign assets control of the U.S. Department of the Treasury's sanctions programs and country information list. Requires all of the prohibited parties to divest all rights, titles, and interests in property acquired by devise or descent within two years. Requires any sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or their agent, trustee, or fiduciary, to register their property with the Secretary of State (SOS) within 60 days after July 1, 2023 or within 60 days after acquiring the real property or the interest in real property. Requires the SOS to report to the Attorney General and Reporter (AG) if it finds any party in violation of this requirement. Requires the AG to initiate action in the circuit court for the county in which the real property is located. Exempts from liability any attorney licensed in this state or title insurance company and agent licensed in this state in the performance of the transfer of real property. Senate amendment 1 (005183) prohibits sanctioned nonresidential aliens, sanctioned foreign businesses, sanctioned foreign governments, or their agents, trustees, or fiduciaries, from acquiring real property in Tennessee if their respective country is on the office of foreign assets control of the U.S. Department of the Treasury's sanctions programs and country information list. Requires all of the prohibited parties to divest all rights, titles, and interests in property acquired by devise or descent within two years. Requires any sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or their agent, trustee, or fiduciary, to register their property with the Secretary of State (SOS) within 60 days after July 1, 2023 or within 60 days after acquiring the real property or the interest in real property. Requires the SOS to report to the Attorney General and Reporter (AG) if it finds any party in violation of this requirement. Requires the AG to initiate action in the circuit court for the county in which the real property is located. Exempts from liability any attorney licensed in this state or title insurance company and agent licensed in this state involved in applicable real estate transactions.

*Fiscal Note:* (Dated February 3, 2023) Increase State Expenditures \$80,000/FY23-24 \$2,000/FY24-25 and Subsequent Years

*Senate Status:* 04/21/23 - Senate passed with amendment 1 (005183).

*House Status:* 04/21/23 - House concurred in Senate amendment 1 (005183).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0369 effective July 1, 2023.

### SB123/HB394 **AGRICULTURE: Tennessee Meat and Meat Products Act.**

*Sponsors:* Sen. Niceley, Frank , Rep. Reedy, Jay

*Summary:* Enacts the "Tennessee Meat and Meat Products Act" to establish a state meat inspection program. Limits application of the present "Tennessee Meat and Poultry Inspection Act" to poultry. Sets specific requirements for meat and poultry inspection, describes violations of the acts, and sets punishments for violations of the acts. (54pp.) Broadly captioned.

*Amendment Summary:* House amendment 1 (006157) designates the Commissioner of the Department of Agriculture as the state official responsible for cooperating with the United States Secretary of Agriculture (USDA) under the Federal Meat Inspection Act. Requires the Commissioner of the Department of Agriculture (DOA) to cooperate with the USDA to develop and administer a meat inspection program with requirements at least equal to those imposed by the federal Meat Inspection Act. Authorizes the Commissioner to spend the public funds of this state, subject to appropriation, to pay for the state's cost for such an inspection program. Authorizes the Commissioner to accept advisory assistance from the USDA in planning and developing the state program, including technical and laboratory assistance and training, and financial and other aid for the administration of the program. Requires the Commissioner to hire one state meat inspection program administrator, one administrative assistant to assist the program administrator, and sufficient staff to inspect livestock; livestock carcasses and carcass parts; and sanitary conditions of establishments in which meat and meat food products are prepared. Establishes that the jurisdiction of the Commissioner within the scope of this meat inspection program is exclusive, and no county or municipal board of health or other county or municipal agency has the power or jurisdiction to regulate the inspection, slaughtering, processing, or transportation of any livestock, carcasses, or parts thereof or the meat and meat food products of such animals. Authorizes the Commissioner to cooperate with all other branches of government to effectuate the provisions of this act, including entering into contracts. This legislation will become effective immediately upon thirty days following receipt from the federal Food Safety and Inspection Service of the United States Department of Agriculture (USDA) that Tennessee has met the requirements under the Federal Meat Inspection Act (21 U.S.C. § 601 et seq.) to enter into a cooperative agreement with FSIS for a state meat inspection program.

*Fiscal Note:* (Dated February 20, 2023) Increase State Revenue \$1,217,900/FY23-24/General Fund \$892,200/FY24-25 and Subsequent Years/General Fund Increase State Expenditures \$1,217,900/FY23-24/Agricultural Regulatory Fund \$892,200/FY24-25 and Subsequent Years/Agricultural Regulatory Fund Other Fiscal Impact - This legislation states that the Department of Agriculture may spend public funds of this state appropriated for the administration of these inspections, equal to 50 percent of the states estimated costs of the cooperative program administered jointly by the department and the USDA; however, any responsibility of the USDA cannot be dictated nor assumed by this legislation; therefore, all estimated expenditures are assumed to be incurred at the state level.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 1 (006157).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0380 effective May 11, 2023.

### SB125/HB126 **LOCAL GOVERNMENT: Public acts changing county lines forwarded to the state board of equalization.**

*Sponsors:* Sen. Walley, Page , Rep. Leatherwood, Tom

*Summary:* Requires the secretary of state to forward a copy of all public acts that changes the county lines to the state board of equalization.

*Amendment Summary:* Senate amendment 1 (004212) alters the boundary line between Shelby County and Fayette County, effective January 1, 2024.

*Fiscal Note:* (Dated January 19, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed with amendment 1 (004212).

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0183 effective January 1, 2024.

### SB126/HB111 **ENVIRONMENT & NATURE: Penalties and interest on unpaid solid waste disposal fees.**

*Sponsors:* Sen. Walley, Page , Rep. Capley, Kip

*Summary:* Removes population thresholds for the purposes of solid waste disposal fee requirements. Provides that the authorized solid waste disposal fee is subject to the same penalty and interest as delinquent property taxes if not paid within 30 days after a notice is mailed. Stipulates that the act takes effect upon becoming law.

*Amendment Summary:* Senate amendment 1 (004094) establishes that any unpaid solid waste disposal fee payable to a solid waste disposal facility in Wayne County, which has a delinquency extending beyond 30 days, is subject to the same penalty and interest as delinquent property taxes.

*Fiscal Note:* (Dated February 2, 2023) Increase Local Revenue Exceeds \$10,000/FY23-24 and Subsequent Years  
*Senate Status:* 02/23/23 - Senate passed with amendment 1 (004094).  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0082 effective March 31, 2023.

**SB127/HB150 ENVIRONMENT & NATURE: North Chickamauga Creek designations.**

*Sponsors:* Sen. Watson, Bo , Rep. Hazlewood, Patsy  
*Summary:* Designates certain segments of the North Chickamauga Creek as Class I natural river areas.  
*Amendment Summary:* House amendment 1 (003673) clarifies that the segment of Chickamauga Creek designated by this bill as a Class I Natural River Area is the segment of North Chickamauga Creek in Hamilton County from a point approximately at the confluence of Hixson Branch continuing to a point 8.3 miles downstream to the North Chickamauga Creek Gorge visitor access on Montlake Road in Hamilton County, and that 1.5 mile segment of its tributary Cain Creek from the department of environment and conservation property line to the confluence with North Chickamauga Creek.  
*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/19/23 - Senate passed.  
*House Status:* 03/16/23 - House passed with amendment 1 (003673).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0371 effective May 11, 2023.

**SB129/HB526 UTILITIES: Removal of requirements for water treatment project fees and rates.**

*Sponsors:* Sen. Walley, Page , Rep. Haston, Kirk  
*Summary:* Removes requirement for receipt of certain grants and loans for water and wastewater treatment infrastructure projects that a municipality includes depreciation in its calculation of fees or rates.  
*Amendment Summary:* Senate Amendment 2 (018370) specifies that the comptroller of the treasury, when assessing the financial distress of a utility system, should not include the straight-line depreciation of an asset acquired or completed within the past twelve months, as long as the depreciation is calculated according to generally accepted accounting principles. Applies only to determining financial distress and does not exempt utility systems from completing their financial statements according to accounting principles. Goes into effect on July 1, 2024.  
*Fiscal Note:* (Dated March 3, 2023) Other Fiscal Impact Any increase in revenue and expenditures for the State Revolving Fund and local governments cannot be quantified with reasonable certainty. Any impact on local governments is considered permissive.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1004, effective July 1, 2024.

**SB130/HB406 BANKING & CREDIT: Requirements for statements mailed or emailed by finance companies.**

*Sponsors:* Sen. Walley, Page , Rep. Reedy, Jay  
*Summary:* Requires a financing company doing business in this state to provide on its mailed or emailed statements to a consumer a conspicuously displayed telephone number that a consumer may contact for service. Specifies that failure to provide a conspicuously displayed telephone number as required is an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977.  
*Amendment Summary:* House amendment 1 (005567) redefines a "financing company," for purposes of this bill, as an entity that provides loans, loan extensions, or lines of credit to finance the purchase of a good or service. This amendment also clarifies that a "financing company" does not include a financial institution subject to federal law relative to electronic fund transfers. House amendment 2 (004612) makes a technical correction to this bill.  
*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/10/23 - Senate concurred in House amendment 1 (005670) and House amendment 2 (004612).  
*House Status:* 03/30/23 - House passed with amendment 1 (005670) and amendment 2 (004612).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0215 effective July 1, 2023.

**SB135/HB1191 EDUCATION: Font size on transferability of credits disclosure given to students.**

*Sponsors:* Sen. Stevens, John , Rep. Williams, Ryan  
*Summary:* Increases from 16 to 20 point font the minimum font size that a postsecondary educational institution must use for the required transferability of credits disclosure given to a student prior to the student signing an enrollment contract. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (012326) rewrites the bill to change definitions under the Tennessee Public Charter Schools Act of 2002 ("Act"), as well as add new provisions to that Act. Under present law, an "underutilized or vacant property" means an entire property or portion thereof, with or without improvements, which is not used or is used irregularly or intermittently by the LEA for instructional or program purposes, and does not include real property on which no building or permanent structure has been erected. This amendment provides for separate definitions for "underutilized property" and "vacant property." Under this amendment, "underutilized property" means a building or portion thereof, with or without improvements, which is not used or is used irregularly or intermittently, as defined by the state board of education, by an LEA for instructional or program purposes, including spaces suitable for classroom use that are currently being used for storage of any kind; and does not include real property on which a building or permanent structure has not been erected or vacant property. Under this amendment, "vacant property" means a building, with or without improvements, which is closed or no longer used for direct academic instruction for students in grades pre-K-12, or any combination thereof, including spaces suitable for classroom use that are currently being used for storage of any kind; and does not include real property on which a building or permanent structure has not been erected. No later than October 1 of each year, in any LEA in which one or more charter schools operates, present law requires the LEA to catalog each year all underutilized or vacant properties owned or operated by the LEA and all underutilized or vacant properties within any educational facility owned or operated by the LEA. The LEA must submit a comprehensive listing of all such properties to the department of education and the comptroller of the treasury, and the department must make an LEA's list available to any charter school operating in the LEA or to any sponsor seeking to establish a public charter school in the LEA. Present law also requires an LEA having underutilized or vacant properties to make the underutilized or vacant properties available for use by charter schools operating in the LEA. Any lease agreement executed between a charter school and an LEA must not reflect any outstanding bonded debt on the underutilized or vacant property, except as agreed upon to reflect any necessary costs associated with the occupation or remodeling of the facility. Moreover, on or before October 11, 2011, present law requires the department to have adopted uniform guidelines to be used to determine what constitutes the irregular or intermittent use of property by an LEA. In any LEA in which one or more charter schools operates, the LEA must use such guidelines to catalog all underutilized or vacant properties owned or operated by the LEA. This amendment removes and replaces the above provisions to require, instead, that by May 1, 2025, and by each May 1 thereafter, an LEA in which one or more public charter schools operate is required to publish the following information on the LEA's website for each building operated by the LEA, including buildings owned by the LEA that are currently being used by a public charter school: (1) The address or location of each building and the total square footage of, and the number of classrooms in, each school building; (2) The portion of the total square footage of a building that is used by the LEA for direct instruction to students in grades pre-K-12, or any combination thereof; (3) The enrollment capacity of each building and the number of students in grades pre-K-12, or any combination thereof, receiving academic instruction in the building; and (4) If a building is not used by the LEA for direct academic instruction for students in grades pre-K-12, or any combination thereof, the manner in which the school building is used, including whether the building is vacant or is being used for administration, storage, or professional development. This amendment also requires an LEA in which one or more public charter schools operate to submit a comprehensive listing of all underutilized property or vacant property to the department of education and the comptroller of the treasury. The department must make an LEA's list available to a public charter school operating in the LEA or to a sponsor seeking to establish a public charter school in the LEA. Further, this amendment provides that a public charter school may petition the comptroller of the treasury for an audit of the list of all underutilized property or vacant property submitted by the LEA in which the public charter school is, or will be, geographically located. The comptroller of the treasury is authorized to promulgate rules for the administration of these provisions. This amendment further provides that a public charter school operating within the geographic boundaries of an LEA, excluding public charter schools in the achievement school district, has a right of first refusal to (i) purchase vacant property listed by the LEA under this amendment at or below fair market value for educational purposes, or (ii) lease underutilized property or vacant property listed by the LEA under this amendment at or below fair market value for educational purposes. A lease agreement executed between a public charter school and an LEA must not reflect any outstanding bonded debt on the underutilized property or vacant property, except as agreed upon to reflect any necessary costs associated with the occupation or remodeling of the facility. For purposes of this amendment, "fair market value for educational purposes" is determined by taking the average of two separate appraisals conducted by two independent, qualified appraisers, one selected by the LEA and one selected by the public charter school. This amendment provides that, upon the execution of a lease agreement pursuant to this amendment, a public charter school has unrestricted use of the property. The public charter school is required to provide for routine maintenance and repair so that the leased property is maintained in as good of order as when the lease was executed, and is responsible for paying all utilities used by the public charter school at the leased property. Extensive repairs to buildings or facilities considered capital expenses are the responsibility of the LEA funding body and not the public charter school. If the public charter school makes extensive repairs to buildings or facilities considered capital expenses, then the capital expenses must be credited against the cost of the lease. Further, any fixtures, improvements, or tangible assets added to leased property by the public charter school pursuant to this amendment must remain at the leased property upon the public charter school's return of the leased property to the LEA. Under this amendment, if the LEA decides to sell the school building that the public charter school is leasing, then the public charter school must be provided the right of first refusal to purchase the school building at or below fair market value for educational purposes, less the value of all rental payments made to the LEA during the term of the lease. If, during the term of the lease, the charter school closes or ceases using the building, then the building must be placed on the LEA's vacant or underutilized property list pursuant to this amendment. The state board of education is authorized to promulgate rules for the administration of these provisions. This amendment provides that the property tax exemptions under present law regarding government property and religious, charitable, scientific, and educational institutions ("Assessment Act") apply to public charter school property, including any facility, or portion thereof, used to house a public charter school. House amendment 2 (015984) provides that if, after the purchase of vacant or underutilized property from an LEA pursuant to the bill, the public charter school closes or ceases using the property, then the LEA has the right of first refusal to purchase the property from the public charter school at or below fair market value for educational purposes. However, this provision does not require a public charter school to sell property owned by the public charter school or charter management organization.

*Fiscal Note:* (Dated January 12, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0923, effective July 1, 2024.

**SB137/HB835 CAMPAIGNS & LOBBYING: Purging of records from statewide voter registration database.**

*Sponsors:* Sen. Hensley, Joey , Rep. Richey, Bryan

*Summary:* Requires the coordinator of elections to compare the statewide voter registration database with those of other relevant state agencies and county records when compiling information to distribute to the county elections commissions for purposes of purging voters who have moved. Requires the coordinator of elections to compare the statewide voter registration database with the department of safety database to ensure non-United States citizens are not registered to vote in this state.

*Amendment Summary:* House amendment 2 (017221) requires the Coordinator of Elections to compare the statewide voter registration database with the Department of Safety database to ensure non-United States citizens are not registered to vote.

*Fiscal Note:* (Dated March 18, 2023) Increase State Expenditures \$63,300/FY23-24 and Subsequent Years

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0900, effective May 3, 2024.

**SB142/HB137 TRANSPORTATION VEHICLES: Provisions regarding new specialty earmarked license plates.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan

*Summary:* Reorganizes provisions regarding new specialty earmarked license plates; removes outdated provisions, including the obsolete street rod specialty plate. (73 pp.)

*Amendment Summary:* House amendment 5 (007431) incorporates the changes made by Senate Amendments 1, 3, 4 and 5, clarifies that a "Honoring the Fallen" (rather than "Honor the Fallen") new specialty license plate is authorized, and authorizes a Bristol Motor Speedway new specialty license plate. Reorganizes provisions regarding specialty earmarked and new specialty earmarked license plates. Eliminates outdated provisions referring to the obsolete Street Rod specialty earmarked license plate. Extends, by one year, the time frame for seven specialty earmarked license plates to meet the required threshold. Creates 27 new specialty earmarked license plates. Creates two new specialty earmarked motorcycle license plates. Creates two new collegiate license plates. Creates one new military cultural license plate. Creates one new cultural license plate. Requires the Department of Revenue (DOR), beginning January 1, 2024 or upon depletion of existing inventory to replace the term "www.tnaction.com" with "In God We Trust" (term) on all newly issued registration plates. Authorizes an owner or lessee to be issued an alternative plate without the term, if elected. Requires a county clerk to inquire as to which plate the owner or lessee would like to be issued, and if no preference is indicated, to issue a plate with the term. Authorizes an owner or lessee to request and be issued a replacement registration plate with or without the term before the scheduled issuance of a new plate, under certain conditions.

*Fiscal Note:* (Dated March 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate concurred in House amendment 5 (007431).

*House Status:* 04/13/23 - House passed with amendment 5 (007431).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0250 effective July 1, 2023 (40 pages).

**SB144/HB138 TRANSPORTATION GENERAL: Redesignates two bridges in state.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan

*Summary:* Redesignates the SGT Michael P. Oliver Memorial Bridge to span Doe River in Carter County instead of a location in Franklin County. Redesignates the PFC Forrest Wells Memorial Bridge to span Hurricane Creek in Bedford County instead of Little Hurricane Creek. Broadly captioned.

*Amendment Summary:* House amendment 2 (006615) designates a segment of State Route 96 as the Carter Boys Memorial Highway and directs TDOT to erect suitable signage.

*Fiscal Note:* (Dated March 5, 2023) Increase State Expenditures - \$200/FY23-24/Highway Fund

*Senate Status:* 04/17/23 - Senate concurred in House amendment 2 (006615).

*House Status:* 04/13/23 - House passed with amendment 2 (006615).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0251 effective April 28, 2023.

**SB145/HB133 CAMPAIGNS & LOBBYING: Election day time off for employees.**

*Sponsors:* Sen. Walley, Page , Rep. Lamberth, William

*Summary:* Increases the time allowed off for an employee to vote on election day from three hours to four hours.

*Amendment Summary:* Senate amendment 1 (016044) rewrites the bill to, instead, make the changes described below regarding elections, with such changes taking effect November 6, 2024. Present law requires independent and primary candidates for any office to be filled at the regular November election for which a primary is required to be held at the regular August election to qualify by filing such candidates' nominating petitions no later than 12:00 noon, prevailing time, on the first Thursday in April. This amendment revises the present law by, instead, requiring such candidates to qualify by filing nominating petitions no later than 12:00 noon, prevailing time, on the second Tuesday in March. Present law provides that in the event no May primary authorized under the law regarding methods of nomination for other offices for which candidates are not required to be chosen in primary elections is called for any office to be filled in the regular August general election, then the candidates must qualify by filing their petitions no later than 12:00 noon, prevailing time, on the first Thursday in April. This amendment revises the present law by, instead, requiring such candidates to qualify by filing their petitions no later than 12:00 noon, prevailing time, on the second Tuesday in March. Present law requires candidates in municipal elections held in conjunction with the regular August election to file their nominating petitions no later than 12:00 noon, prevailing time, on the first Thursday in April. This amendment revises the present law by, instead, requiring such candidates to file their nominating petitions no later than 12:00 noon, prevailing time, on the second Tuesday in March. Present law requires the name of any candidate nominated by any political party by any method other than a primary election, for any office to be filled in a regular August election for which a March or May primary has been called to be certified by the party executive committee to the county election commission or county administrator of elections by the qualifying deadline for the respective primary as provided for elsewhere in existing law. If no primary is held, party nominees must be certified no later than 12:00 noon, prevailing time, on the first Thursday in April. This amendment revises the present law by, instead, requiring that if no primary is held, party nominees must be certified no later than 12:00 noon, prevailing time, on the second Tuesday in March.

*Fiscal Note:* (Dated January 20, 2023) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0822 effective November 6, 2024.

**SB146/HB129 PUBLIC FINANCE: Collateral on government deposits.**



*Sponsors:* Sen. Taylor, Brent , Rep. Capley, Kip  
*Summary:* Deauthorizes the use of a promissory note secured by a first mortgage or a first deed of trust upon residential real property located in Tennessee from being used as collateral.  
*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0083 effective July 1, 2023.

**SB147/HB128 CRIMINAL LAW: Official misconduct and destruction of governmental records.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny  
*Summary:* Increases the statute of limitations up to six years for the prosecution of an offense of destruction and tampering with governmental records.  
*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/23/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0022 effective July 1, 2023.

**SB148/HB130 TAXES PROPERTY: Appeals before the state board of equalization.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Johnson, Curtis  
*Summary:* Removes the authority of the state board of equalization to create an assessment appeals commission to hear and act upon complaints and appeals regarding the assessment, classification, and value of property for purposes of taxation.  
*Amendment Summary:* House amendment 1 (005554) clarifies that the state board of equalization may direct that its review is not confined to the record. This amendment also clarifies that there will be no presumption of correctness of the state board's decision in a judicial review of such decision.  
*Fiscal Note:* (Dated February 2, 2023) Decrease State Expenditures \$4,500/FY23-24/Comptroller of the Treasury \$9,100/FY24-25 and Subsequent Years/Comptroller of the Treasury  
*Senate Status:* 04/05/23 - Senate concurred in House amendment 1 (005554).  
*House Status:* 03/30/23 - House passed with amendment 1 (005554).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0184 effective July 1, 2023.

**SB158/HB182 CAMPAIGNS & LOBBYING: Tennessee ethics commission - reporting, jurisdiction.**

*Sponsors:* Sen. Briggs, Richard , Rep. Whitson, Sam  
*Summary:* Changes the date by which the Tennessee ethics commission must report to the governor and general assembly on the administration and enforcement of laws within its jurisdiction. Specifies the scope of the Tennessee ethics commission's jurisdiction. Revises provisions governing the issuance of advisory opinions by the commission. requires certain entities to notify the commission of the primary person responsible for administering and enforcing the entity's ethical standards. Requires such entities to notify the commission of any change in such responsibility within 30 calendar days of such change and shall provide the name and contact information for an interim official serving in this capacity until such time as a permanent successor can be identified.  
*Amendment Summary:* Senate amendment 1 (003723) revises when disclosures of contracts, fees, commissions, or any other forms of compensation for consulting services or campaign services must be reported to the Tennessee Ethics Commission (Commission), and when annual reports to the Governor and Tennessee General Assembly (TGA) must be made regarding the administration and enforcement of laws by the Commission. Expands the disclosure requirements to apply to contracts for the provision of campaign services to a political campaign committee attempting to influence the result of a state election. Removes the requirement that certain disclosures are sent by the Commission to the Registry of Election Finance (Registry). Requires disclosures to be updated within five days of the initial contract date in each subsequent year if services continue to be provided under a contract for consulting or campaign services beyond 12 months. Authorizes the Commission to request opinions from the Attorney General and Reporter on legal issues that may be presented in a request for a formal advisory opinion. Revises multiple provisions regarding the Commission's authority to issue formal advisory opinions and the issuance of informal opinions. Requires all public offices to notify the Commission of the primary person responsible for administering and enforcing the ethical standards by January 1, 2024. Requires the Commission to notify both of the Speakers of the TGA and the Comptroller of any entity that is not in compliance by January 31 each year.  
*Fiscal Note:* Dated January 26, 2023. FISCAL IMPACT: NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed with amendment 1 (003723).  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0037 effective March 14, 2023.

**SB159/HB184 CAMPAIGNS & LOBBYING: Bureau of ethics and campaign finance - employment of assistant director and general counsel.**

*Sponsors:* Sen. Briggs, Richard , Rep. Whitson, Sam  
*Summary:* Requires the board of directors of the bureau of ethics and campaign finance to appoint a full-time executive director. Provides that the executive director recommend the employment of an assistant director and general counsel with the board's approval, while all other employees of the bureau are employed by the executive director. Makes provisions for uncollected civil penalties levied against an individual or political action committee Requires persons and entities required to register with the registry of election finance or the Tennessee ethics commission to provide an email address, or a mailing address if no email address is available, for the purpose of serving notice upon the registrant. Describes the required style for registration forms and letters and requires that information must be published online.  
*Amendment Summary:* Senate amendment 1 (003470) requires the Assistant Director and General Counsel of the Bureau of Ethics and Campaign Finance (Bureau) be employed on recommendations of the Executive Director, with approval of the Board of Directors of the Bureau. Requires uncollected civil penalties assessed by either the Registry of Election Finance (Registry) or the Tennessee Ethics Commission (Commission) be marked as unable to be collected upon determination that such penalties cannot reasonably be collected. An individual or political campaign committee receiving such determination is ineligible to qualify for election or subject to limitations until the civil penalty is paid. Authorizes the Registry and the Commission to require individuals and organizations to provide a valid email address if available, or a mailing address, in order to receive notices.  
*Fiscal Note:* Dated January 26, 2023. FISCAL IMPACT: NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed with amendment 1 (003470).  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0038 effective March 14, 2023.

**SB160/HB183 CAMPAIGNS & LOBBYING: Political action committees.**

*Sponsors:* Sen. Briggs, Richard , Rep. Whitson, Sam  
*Summary:* Broadens the term "political action committee" to include "political campaign committees" and "multicandidate political campaign committees," which include clubs, corporations, associations or others groups that receive contributions and make expenditures, which, in the aggregate exceed \$2000, to support of oppose two or more candidates in a calendar year. Outlines expenditure reporting requirements for political action committees and updates candidate obligations regarding contributions and reporting. Provides that all sworn complaints on a report of a candidate for state public office, a political action committee contributing to such a candidate, or a political action committee registered with the registry of election finance must be filed in that office. Directs that office to conduct a preliminary review to determine if further action is warranted. Outlines requirements of a district attorney investigating sworn complaints. Changes from July 1 to January 15 the date by which the registry must provide an annual report to the govern and the general assembly. Broadly captioned.

*Amendment Summary:* House amendment 1 (004425) incorporates the change made by Senate Amendment 1 and revises the provision of this bill prohibiting transfers of funds or assets from a candidate's campaign account or a political action committee controlled by a candidate for a federal election to a candidate's campaign account or a political campaign committee controlled by the candidate for the candidate in an election for a state or local public office in this state, such that only such transfers from a candidate's campaign account or a political action committee of or for such candidate, instead of controlled by a candidate, are prohibited.

*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate concurred in House amendment 1 (004425).  
*House Status:* 03/13/23 - House passed with amendment 1 (004425).  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0108 effective April 4, 2023.

**SB161/HB160 ALCOHOLIC BEVERAGES: Changes to the requirements for applicants for server permits.**

*Sponsors:* Sen. Briggs, Richard , Rep. Marsh, Pat  
*Summary:* Makes changes to the requirements for applicants for server permits, including specifying that an applicant must not have been convicted of a felony offense involving the use or threat of violence to a human being with the previous four years.

*Amendment Summary:* House amendment 1 (002008) makes the following changes to this bill: (1) Requires an applicant to not have been convicted of a felony offense involving theft, fraud, deceit, or intoxication within the previous four years; (2) Requires an applicant to not have been convicted of a sex-related crime within the previous four years; and (3) Revises the provision that requires an applicant to not have had an ownership interest in any licensee or permittee, licensed or permitted pursuant to state law, that has had its license or permit revoked by the issuing authority within the previous eight years by lowering that time period to within the previous four years. Senate amendment 1 (006737) makes conviction of a felony offense involving the use or threat of violence to a human being or any sex-related crime within the previous eight years a disqualifying conviction for issuance of a server permit.

*Fiscal Note:* (Dated January 22, 2023) Increase State Revenue Exceeds \$400/FY23-24 and Subsequent Years/ABC Fund  
*Senate Status:* 04/13/23 - Senate passed with amendment 1 (006737).  
*House Status:* 04/19/23 - House concurred in Senate amendment 1 (006737).  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0355 effective July 1, 2023.

**SB163/HB441 WELFARE: Powers of district attorney general pursuant to TN Adult Protection Act.**

*Sponsors:* Sen. Walley, Page , Rep. Shaw, Johnny  
*Summary:* Authorizes a district attorney general investigating a report of abuse, neglect, or exploitation made pursuant to the Tennessee Adult Protection Act to seek all remedies made available under the Act or another criminal provision. Also authorizes a district attorney general to convene a special grand jury to review a death or allegation of sexual abuse of, or felony theft from, an adult who is protected under the Act.

*Amendment Summary:* Senate amendment 2 (013858) rewrites the bill to make the changes described below to the present law regarding adult protection relevant to confidentiality of information, reports, and proceedings. Present law requires adult protective services to do the following: (1) Provide to the district attorney general a complete and unredacted copy of adult protective services' entire investigative file upon the commencement of a criminal prosecution for alleged conduct involving an elderly or vulnerable adult victim obtained in the course of an investigation. However, the identity of the person who reported the alleged conduct must only be provided pursuant to (2) below and when there is a duty to disclose evidence under the rules of discovery in a criminal prosecution; (2) Provide to the district attorney general the identity of the person reporting alleged conduct involving an elderly or vulnerable adult victim upon the return of a criminal indictment or presentment arising from the report and pursuant to written request by the district attorney and entry of a protective order preventing further release of the identity of the person reporting for any purpose other than criminal prosecution; and (3) Provide to the district attorney general, upon request, the names of individuals obtained in the course of an adult protective services investigation that have information relevant to a criminal investigation of alleged conduct involving an elderly or vulnerable adult victim. However, if the name of the person that reported the alleged conduct is included, then the individual must not be identified as the reporter of the alleged conduct. This bill deletes the provisions above and, instead, requires adult protective services to provide to the district attorney general a complete and unredacted copy of adult protective services' entire investigative file, including the identity of the person who reported the alleged conduct, upon the commencement of a criminal prosecution for alleged conduct involving an elderly or vulnerable adult victim obtained in the course of an investigation. However, the identity of the person who reported the alleged conduct must remain confidential, must be exempt from other provisions of law, must not be a public record, and must not be disclosed for any other purpose other than criminal investigation or criminal prosecution. Upon the return of a criminal indictment or presentment arising from a report of alleged conduct involving an elderly or vulnerable adult victim where the identity of the person reporting the conduct has been provided to the district attorney general, this amendment requires the district attorney general to request and the court must enter a protective order preventing further release of the identity of the person reporting for any purpose other than criminal prosecution.

*Fiscal Note:* (Dated February 25, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/01/24 - Signed by Senate speaker.  
*House Status:* 04/02/24 - Signed by House speaker.  
*Executive Status:* 04/18/24 - Enacted as Public Chapter 0655 effective July 1, 2024.

**SB170/HB145 LOTTERY: TN Nonprofit Gaming Law - annual even application requirements.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Holsclaw, Jr., John  
*Summary:* Extends the period of reduced fees payable to the secretary of state relating to nonprofit charitable gaming and the solicitation of charitable funds.  
*Fiscal Note:* (Dated February 7, 2023) Decrease State Revenue \$1,969,500/FY23-24/Division of Charitable Solicitations and Gaming  
*Senate Status:* 03/30/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0231 effective July 1, 2023.

**SB172/HB159 CRIMINAL LAW: Possession of pocketknives on school property by nonstudents while voting.**

*Sponsors:* Sen. Hensley, Joey , Rep. Capley, Kip  
*Summary:* Permits a nonstudent adult to possess, without being subject to criminal penalties, a pocketknife while the adult is on school property for the sole purpose of voting in an election. Requires that the pocketknife is concealed on the adult's person and is not handled by the adult, or by any other person acting with the expressed or implied consent of the adult. Maintains Class E felony penalty for violation. Defines pocketknife.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed.  
*House Status:* 03/23/23 - House passed.  
*Executive Status:* 04/17/23 - Enacted as Public Chapter 0142 effective July 1, 2023.

**SB181/HB1384 CRIMINAL LAW: Aggravated prostitution changes.**

*Sponsors:* Sen. Walley, Page , Rep. Ragan, John  
*Summary:* Deletes the criminal offense of aggravated prostitution and permits a person to have a prior conviction for aggravated prostitution that was the result of the person's status as a human trafficking victim expunged if the person meets certain conditions. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (011929) makes the following changes to the bill: (1) Retains the offense of aggravated prostitution in law; (2) Adds that convictions for such offense are eligible for expunction if certain requirements listed in present law are met; (3) Removes such offense as a sexual offense for which a person is required to register on the sexual offender registry pursuant to present law; (4) Removes such offense as a violent sexual offense for which a person is required to register on the violent sexual offender registry pursuant to present law; (5) Authorizes an offender who is required to register pursuant to present law because the offender was convicted of such offense and the offense was committed prior to July 1, 2024, to file a request for termination of registration requirements with the Tennessee bureau of investigation headquarters in Nashville; and (6) Changes the effective date of the bill to July 1, 2024.  
*Fiscal Note:* (Dated February 25, 2023) Decrease State Expenditures \$48,500/FY23-24 Incarceration \$91,300/FY24-25 Incarceration \$92,300/FY25-26 Incarceration  
*Senate Status:* 02/26/24 - Signed by Senate speaker.  
*House Status:* 02/27/24 - Signed by House speaker.  
*Executive Status:* 03/18/24 - Enacted as Public Chapter 0545 effective July 1, 2024.

**SB183/HB398 CRIMINAL LAW: Abuse of animals by juveniles - mental health evaluation and treatment required.**

*Sponsors:* Sen. Walley, Page , Rep. Littleton, Mary  
*Summary:* Requires mental health evaluation and treatment for juveniles who commit aggravated animal cruelty when the child is adjudicated delinquent for conduct involving the intentional torturing, mutilating, maiming, burning, starving to death, crushing, disfiguring, drowning, suffocating, or impaling of a domesticated dog or cat.  
*Fiscal Note:* (Dated March 9, 2023) Other Fiscal Impact Passage of the proposed legislation may result in a mandatory increase in local expenditures associated with mental health evaluations for juveniles. The extent and timing of any such increase cannot be determined with reasonable certainty.  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0334 effective July 1, 2023.

**SB184/HB444 ALCOHOLIC BEVERAGES: Authorization of package stores and liquor-by-the-drink in certain municipalities.**

*Sponsors:* Sen. Walley, Page , Rep. Shaw, Johnny  
*Summary:* Authorizes the city of Moscow and other municipalities with a population between 570 and 699 persons that employ a full-time police department to hold a referendum on the question of whether to authorize package stores and liquor-by-the-drink in their respective jurisdictions.  
*Amendment Summary:* Senate amendment 1 (004587) clarifies that a "municipality," for purposes of this bill, means either an incorporated town or city having a population of 700 or more, or an incorporated town or city having a population not less than 570 nor more than 690 that employees a full-time police department.  
*Fiscal Note:* (Dated February 23, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed with amendment 1 (004587).  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0109 effective April 4, 2023.

**SB190/HB340 EDUCATION: OREA report on the formation and operation of community schools.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Cepicky, Scott  
*Summary:* Deletes a provision of code that required the office of research and education accountability (OREA) in the office of the comptroller of the treasury to, by November 1, 2018, study and file a report on the formation and operation of community schools. Broadly captioned.

*Amendment Summary:* House amendment 1 (004052) rewrites this bill to revise the present law requirement that a student must be considered in violation of a zero tolerance offense and be expelled for not less than one calendar year, except that a director of schools may modify such expulsion on a case-by-case basis, for the following conduct: (1) A student brings to school or is in unauthorized possession on school property of a firearm; (2) A student commits aggravated assault or commits an assault that results in bodily injury upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer; or (3) A student is in unlawful possession of any drug, including any controlled substance, controlled substance analogue, or legend drug, on school grounds or at a school-sponsored event. This amendment adds to the above list a student who threatens mass violence, meaning an act which a reasonable person could conclude would lead to serious bodily injury or death of two or more persons, on school property or at a school-related activity.

*Fiscal Note:* (Dated January 19, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 03/13/23 - House passed with amendment 1 (004052).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0299 effective July 1, 2023.

#### **SB191/HB390 EDUCATION: Requirements for teaching supervisors.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Cepicky, Scott

*Summary:* Deletes a provision authorizing the state board of education to, in its discretion, waive the requirement that a person employed as a supervisor for the supervision of teaching grades 1-12 have a license of qualification issued by the board if the supervisor was employed and serving in that capacity in a nonequalizing local school district as of January 1, 1957. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013432) removes "bullet-resistant" as a specification for entry-resistant film that is required on the glass panel of each exterior entry or basement level window and door for schools constructed or remodeled after July 1, 2023. Prohibits a local education agency (LEA) from creating a local grading policy or procedure that establishes a minimum grade above zero that a student may earn for coursework. House amendment 1 (018124) removes "bullet-resistant" as a specification for entry-resistant film that is required on the glass panel of each exterior entry or basement level window and door for schools constructed or remodeled after July 1, 2023. Prohibits a local education agency (LEA) from creating a local grading policy or procedure that establishes a minimum grade above zero that a student may earn for coursework. Authorizes LEAs and public charter schools to provide tutoring services to meet intervention requirements in Tennessee's response to instruction and intervention (RTI) framework manual. Removes chronic absenteeism from performance measures and authorizes the consideration of adopted intervention policies. Further excludes certain performance data for students who enroll or transfer to an LEA on or after December 31 of any given school year from the school's letter grade assignment.

*Fiscal Note:* (Dated January 19, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1005, effective May 28, 2024 & July 1, 2024.

#### **SB193/HB702 CRIMINAL LAW: Increased penalties for fentanyl derivative drugs.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Doggett, Clay

*Summary:* Increases the penalty to a Class B felony with a fine of up to \$100,000 for drug offenses involving 0.5 grams or more of fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue.

*Amendment Summary:* House amendment 2 (004701) removes references to fentanyl derivatives and analogues and names this act the "One Pill Will Kill Act."

*Fiscal Note:* (Dated February 14, 2023) Increase State Expenditures Net Impact \$1,109,900 Incarceration

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 2 (004701).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0386 effective July 1, 2023.

#### **SB195/HB472 ANIMALS & ANIMAL HUSBANDRY: Shelter requirements for outdoor dogs.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Crawford, John

*Summary:* Provides that a person commits an offense against animals if that person knowingly or intentionally fails to provide necessary food water, care or suitable shelter for an animal in the person's custody. Requires shelter structures be waterproof, constructed of a durable material and be sufficient to protect the dog from inclement weather. Stipulates that the shelter structure must be of a size appropriate dog's age, breed and physical condition in order to facilitate normal positioning and movement. Makes other provisions for the structure with regard to flooring, ventilation and insulation.

*Amendment Summary:* Senate amendment 1 (005579) revises the offense of cruelty to animals to establish standards for access to necessary shelter required to be provided to dogs that primarily reside outdoors.

*Fiscal Note:* (Dated March 8, 2023) Increase Local Expenditures \$1,100/FY23-24 and Subsequent Years\*

*Senate Status:* 04/18/23 - Senate passed with amendment 1 (005579).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0335 effective July 1, 2023.

#### **SB198/HB250 EDUCATION: Nationally recognized assessments for high school seniors.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Haston, Kirk

*Summary:* Requires, beyond the 2022-2023 school year, each LEA and public charter school to provide each high school senior, instead of students generally, the opportunity to take nationally recognized assessments provided that the assessments are standardized, criterion-referenced tests designed to measure a broad range of foundational workplace skills. Specifies other requirements for such assessments.

*Amendment Summary:* Senate amendment 2 (007264) requires local education agencies (LEAs) and public charter schools to provide each high school senior, instead of students in general, the opportunity to take nationally recognized assessments in the 2023-24 school year. Establishes certain criteria that the assessments must meet in order to be used pursuant to this section. Deletes language that stipulates that the section is subject to available federal funds.

*Fiscal Note:* (Dated February 21, 2023) Increase Local Expenditures - \$976,800/FY23-24 and Subsequent Years\*

*Senate Status:* 04/21/23 - Senate refused to recede from its actions in Senate amendment 2 (007264).

*House Status:* 04/21/23 - House repassed bill after reconsidering actions and withdrawing House amendment 3 (008003).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0439 effective May 17, 2023.

**SB201/HB92 TRANSPORTATION VEHICLES: Actions required when approaching a stationary vehicle with activated flashing hazard lights.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John

*Summary:* Requires a driver who is approaching a vehicle with activated flashing hazard lights to change lanes or reduce speed. Increases fines for drivers who fail to change lanes or reduce speed upon approaching a stationary emergency, recovery, highway maintenance, solid waste, utility service, or other vehicle that has flashing lights on.

*Amendment Summary:* Senate amendment 1 (003531) renames the bill as the "Jabari Bailey Highway Safety Act." Revises the fines for failing to reduce speed, exercise due caution, or yield the right-of-way as required when encountering an authorized emergency vehicle making use of emergency signals or a stationary vehicle flashing hazard lights as follows: o From a minimum of \$100 to a minimum of \$250 for a first offense; o From a minimum of \$500 and a maximum of \$1,000 to a flat fine of \$1,000 for a second offense; and o From a minimum of \$1,000 to a flat fine of \$2,500 for a third or subsequent offense.

*Fiscal Note:* (Dated February 12, 2023) Increase Local Revenue Exceeds \$190,200/FY23-24 and Subsequent Years

*Senate Status:* 04/13/23 - Senate passed with amendment 1 (003531).

*House Status:* 04/19/23 - House concurred in Senate amendment 1 (003531).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0354 effective July 1, 2023.

**SB210/HB180 TRANSPORTATION VEHICLES: Exceeding vehicle weight limits - vehicles operated by electric motors.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan

*Summary:* Adds weight limit exception criteria for vehicles operated by electric motors similar to the criteria for vehicles operated by an engine fueled primarily by natural gas. Stipulates that, to the extent required by federal law, a vehicle operated by electric motors may exceed vehicle weight limits, up to a maximum gross vehicle weight of 82,000 pounds, by an amount that is equal to the difference between the batteries used to power the electric motors.

*Amendment Summary:* Senate amendment 1 (003467) rewrites the bill such that a vehicle operated by an engine powered primarily by means of electric battery power can exceed the vehicle weight limits, up to a maximum gross vehicle weight of 82,000 pounds, by an amount that is equal to the difference between the electric batteries used to power the vehicle and the weight of a comparable diesel tank and fueling system.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed with amendment 1 (003467).

*House Status:* 02/27/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0039 effective July 1, 2023.

**SB212/HB675 TRANSPORTATION VEHICLES: Businesses that register at least 15,000 motor vehicles annually.**

*Sponsors:* Sen. Johnson, Jack , Rep. Whitson, Sam

*Summary:* Increases from 24 months to 36 months the period for which vehicle registrations by businesses that register at least 15,000 vehicles annually and that are engaged in the rental of motor vehicles, trucks, and trailers may be issued. Specifies that the fees must be in an amount to offset the revenue that would otherwise be generated by 12-month registration fees.

*Fiscal Note:* (Dated February 12, 2023) Increase State Revenue \$145,400/FY23-24, FY24-25, FY26-27, and FY27-28/Highway Fund \$3,000/FY23-24, FY24-25, FY26-27, and FY27-28/General Fund Decrease State Revenue \$290,800/FY25-26 and FY28-29/Highway Fund \$5,900/FY25-26 and FY28-29/General Fund

*Senate Status:* 03/09/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0110 effective July 1, 2023.

**SB213/HB248 CRIMINAL LAW: Mandatory minimum sentence for domestic assault involving strangulation.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Requires a defendant convicted of domestic assault involving strangulation to serve a mandatory minimum sentence of 30 days incarceration. Specifies that a defendant who commits aggravated assault in which the victim of the offense loses consciousness due to strangulation may be prosecuted for attempted second degree murder. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (005821) makes the following changes to this bill: (1) Adds a requirement that the sentence for a person convicted of domestic assault involving strangulation or attempted strangulation include participation in programming that is evidence-based for domestic violence; (2) Adds that an aggravated assault involving strangulation or attempted strangulation, in which the victim of the offense lost consciousness due to strangulation, may be prosecuted as attempted second-degree murder or attempted first-degree murder; (3) Under present law, aggravated assault that involves strangulation or attempted strangulation is a Class C felony. This amendment enhances such offense to a Class B felony, if the victim is pregnant at the time of the offense; and (4) Prohibits the release of a person charged with aggravated assault or assault against a first responder or nurse, involving strangulation, on the person's own recognizance or upon execution of an unsecured bond. This amendment requires a magistrate to require a person charged with such offense to post bail.

*Fiscal Note:* (Dated February 2, 2023) Increase State Expenditures Net Impact \$1,900 Incarceration

*Senate Status:* 04/03/23 - Senate passed with amendment 1 (005821).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0440 effective July 1, 2023.

**SB214/HB1452 GOVERNMENT REGULATION: Inspection requirements for steam boilers - exemptions.**

*Sponsors:* Sen. Johnson, Jack , Rep. Faison, Jeremy

*Summary:* Expands the exemption of certain steam boilers used for heating purposes located in private residences or in apartment houses of less than six families from certain inspection requirements from boilers carrying a pressure of not more than 15 pounds per square inch gauge to not more than 16 pounds per square inch gauge.

*Amendment Summary:* Senate amendment 1 (003692) rewrites this bill to make various changes to the present law relative to the board of boiler rules ("board") formulating definitions, rules, and regulations for the safe and proper construction, installation, repair, use and operation of boilers within this state, as described below. Present law provides enumerated exemptions to the rules and regulations promulgated by the board. This amendment specifically exempts unfired pressure vessels contained within an autoclave and miniature boilers that are integrated as components of medical devices regulated by the United States food and drug administration. This amendment defines a miniature boiler as a boiler designed and constructed not to exceed 16" inside diameter of shell; if a non-electric boiler, 20 square feet of heating surface; five cubic feet of gross volume, exclusive of the casing and insulation; and 100 lbs. per square inch gauge maximum allowable working pressure. Present law provides that an autoclave is exempt from statutory clearance requirements and board rules related to clearance. However, present law clarifies that this does not prohibit the enforcement of other requirements that are unrelated to clearance requirements. The board may, at its discretion, waive or exempt a requirement of the rules promulgated for an autoclave, pursuant to the enumerated exemptions. For the purposes of present law, autoclave refers to a device that sterilizes reusable medical or dental equipment used by a licensed individual or entity; is installed in accordance with the manufacturer's recommendations; contains a boiler; and is regulated by the federal food and drug administration. This amendment deletes these provisions and redefines an autoclave to mean a device that sterilizes reusable medical or dental equipment used by a licensed individual or entity; consists of an unfired pressure vessel with or without an integrated miniature boiler; and is regulated by the United States food and drug administration.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed with amendment 1 (003692).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0441 effective May 17, 2023.

#### **SB217/HB563 FAMILY LAW: Public officers who charge a fee or demand compensation for solemnizing a marriage.**

*Sponsors:* Sen. Jackson, Ed , Rep. Todd, Chris

*Summary:* Creates a class C misdemeanor for certain local public officers, including a county mayor, county clerk, or a municipal mayor, who charge a fee or demand compensation for solemnizing a marriage.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0185 effective April 24, 2023.

#### **SB218/HB374 GOVERNMENT ORGANIZATION: Moves administrative regulation of the Fantasy Sports Act.**

*Sponsors:* Sen. Taylor, Brent , Rep. Marsh, Pat

*Summary:* Moves administrative regulation of the Fantasy Sports Act from the office of the secretary of state to the sports wagering advisory council. Broadly captioned.

*Fiscal Note:* (Dated February 12, 2023) Other Fiscal Impact Transferring regulatory oversight of the Fantasy Sports Act from the Secretary of State to the Sports Wagering Advisory Council will eliminate the need for the Fantasy Sports Compliance Analyst position, currently funded at \$90,100 from the Fantasy Sports Fund, within the Secretary of States office. Funding dedicated to the Fantasy Sports Fund will be sufficient to fund any expenditures incurred by the council in the administration of the act. Revenue to the fund totaled \$183,800 in FY22-23 and the fund had a balance of \$58,100 as of June 30, 2022.

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0143 effective April 13, 2023.

#### **SB219/HB271 HEALTH CARE: Chronic disease prevention taskforce removed.**

*Sponsors:* Sen. Jackson, Ed , Rep. Hicks, Tim

*Summary:* Removes language from the Chronic Disease Prevention Act that created a taskforce to study methods on how to prevent cardiovascular disease, hypertension, and diabetes to ceased to exist on December 15, 2020.

*Amendment Summary:* Senate amendment 1 (004877) establishes certified psychological testing technician as a new level of psychological practice. Prohibits a person from practicing as a certified psychological testing technician without a proper certificate issued by the Board of Examiners in Psychology (Board). Establishes minimum education and training requirements for certified psychological testing technicians. Authorizes such individuals to administer and score standardized psychological and neuropsychological tests and to observe and describe a client's test behavior and test responses. Requires all work performed by a certified psychological testing technician to be supervised by a psychologist or senior psychological examiner, as determined by the Board. House amendment 1 (006330) makes grammatical clarifications, clarifies that applications to practice as a certified psychological testing technician must be made to the board (but not specifically through the chair), adds that a senior psychological examiner may supervise a certified psychological testing technician in the same manner as a psychologist, authorizes the board of examiners in psychology to promulgate rules (including emergency rules) to effectuate this bill, and changes this bill's effective date for purposes other than rulemaking from upon becoming a law to January 1, 2024. House amendment 2 (007218) clarifies that a candidate for certification must furnish the board with satisfactory evidence that the candidate is either a citizen or legal resident of the United States.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate concurred in House amendment 1 (006330) and amendment 2 (007218).

*House Status:* 04/20/23 - House passed with amendment 1 (006330) and amendment 2 (007218).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0442 effective May 17, 2023.

#### **SB221/HB273 HEALTH CARE: Removes provision of a review of remote use of the special supplemental food program for women, infants, and children.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Terry, Bryan

*Summary:* Removes a provision that required the department, no later than December 15, 2022, to conduct a review of remote use of the special supplemental food program for women, infants, and children and deliver a report to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives. Broadly captioned.

*Amendment Summary:* House amendment 1 (006763) requires the Division of Health-Related Boards to consult the Board of Medical Examiners (BME) in the hiring of a medical consultant. Establishes that a licensed physician designated and authorized by the BME as a consultant is vested with the authority to review applications for licensure, assist in investigations, and consult in disciplinary actions and settlement agreements. Requires the Department of Health (DOH) to provide biannual surveys to the BME for feedback and review by a medical consultant.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate concurred in House amendment 1 (006763).

*House Status:* 04/13/23 - House passed with amendment 1 (006763).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0252 effective April 28, 2023.

**SB225/HB588 EDUCATION: Remote instruction to students enrolled in LEA who have been suspended or expelled.**

*Sponsors:* Sen. Walley, Page , Rep. Gant, Ron

*Summary:* Specifies that an LEA that has established a virtual school to enter into an agreement with an LEA that has not established a virtual school for the LEA's virtual school to provide remote instruction to students enrolled in either LEA who have been suspended or expelled from the regular school program.

*Fiscal Note:* (Dated February 12, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0111 effective July 1, 2023.

**SB233/HB379 PROFESSIONS & LICENSURE: Time allowed for an unarmed security guard to complete general training.**

*Sponsors:* Sen. Yarbro, Jeff ,

*Summary:* Decreases the amount of time an unarmed security guard applicant has from the date of employment to complete general training and pass an examination from 15 days to 10 days. Broadly captioned.

*Amendment Summary:* House amendment 1 (006434) rewrites this bill to make changes to present law relative to security guards/officers, as described below. CARRYING A WEAPON Present law prohibits an unarmed security guard/officer employed by a propriety security organization from carrying a weapon of any kind. This amendment removes this prohibition. UNLAWFUL EMPLOYMENTS, PUBLICATIONS, AND ACTIVITIES Present law: (1) Makes it unlawful for a person to knowingly employ as a security guard/officer an individual who does not hold a valid registration card of the appropriate type, except as provided in present law; (2) Makes a violation of (1) a Class A misdemeanor, punishable by fine only; and (3) Requires the alcoholic beverage commission or a beer board to suspend a license or permit for on-premises consumption of a person for a violation of (1) for a period of one month per violation. However, this does not limit the alcoholic beverage commission's or a beer board's ability to seek to revoke or summarily suspend the license or permit. This amendment makes the following revisions to (1)-(3) above: (A) Revises (1) above to remove the reference to exemptions; and (B) Clarifies that (3) above does not apply when the improperly registered or unregistered security guard/officer was employed by a contract security company that was contracted with to provide security services at the establishment that holds the license or permit to serve alcohol for on-premises consumption. EXEMPTIONS This amendment provides that an employee of a restaurant or hotel, whose primary responsibilities do not involve the provision of security guard and patrol services, is exempt from the Private Protective Services Licensing and Regulatory Act.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 04/13/23 - House passed with amendment 1 (006434).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0357 effective July 1, 2023.

**SB235/HB174 PUBLIC EMPLOYEES: Distributions from optional retirement program for higher education institutions.**

*Sponsors:* Sen. Walley, Page , Rep. Alexander, Rebecca

*Summary:* Allows a person returning to work on other than a full-time basis in a position covered by the optional retirement program or the Tennessee consolidated retirement system to continue receiving their distributions through the optional retirement program while reemployed.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0135 effective April 6, 2023.

**SB236/HB297 ENVIRONMENT & NATURE: Filing of game and fish proclamations.**

*Sponsors:* Sen. Walley, Page , Rep. Carr, Dale

*Summary:* Removes requirement that the Tennessee Fish and Wildlife Commission file proclamations establishing hunting and fishing seasons with the county clerks for the counties affected and instead requires such proclamations be made available on the Tennessee wildlife resources agency website.

*Fiscal Note:* (Dated January 31, 2023) Decrease State Expenditures \$900/FY23-24 and Subsequent Years/Wildlife Resources Fund

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0186 effective April 24, 2023.

**SB237/HB53 GOVERNMENT ORGANIZATION: Tennessee Association of Fairs representation in the state fair and exposition commission.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Substitutes a representative of the Tennessee Association of Fairs for the executive director as a member of the state fair and exposition commission. Part of Administration Package.

*Fiscal Note:* Dated January 20, 2023. FISCAL IMPACT: NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 02/13/23 - House passed.

*Executive Status:* 03/13/23 - Enacted as Public Chapter 0019 effective March 6, 2023.

**SB238/HB54 BANKING & CREDIT: Regulation of financial services.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Allows the commissioner of the department of commerce and insurance to require the submission of fingerprints by investment adviser representative applicants and allows the commission to require applicants to submit to a criminal background check from the Tennessee bureau of investigation or the federal bureau of investigation. Defines investment adviser as a financial planner or other person who provides investment advice to others for compensation. Increases from \$1 million dollars to \$5 million dollars, the amount of consolidated net income for purposes of securities exemptions. Makes various other regulatory changes. Part of Administration Package.  
*Amendment Summary:* House amendment 2 (004538) deletes the word "compliant" in SECTION 16 and substitutes instead the word "complaint."  
*Fiscal Note:* (Dated February 12, 2023) Increase State Expenditures - \$70,900/FY23-24 \$69,200/FY24-25 and Subsequent Years Decrease State Revenue - \$50,000/FY23-24 and Subsequent Years The Governors proposed budget for FY23-24 recognizes, on page B-308, a recurring increase in state expenditures of \$73,800, and a recurring decrease in revenue of \$50,000 on page A-33. HB 54 SB 238  
*Senate Status:* 03/20/23 - Senate concurred in House amendment 2 (004538).  
*House Status:* 03/13/23 - House passed with amendment 2 (004538).  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0112 effective April 4, 2023.

**SB239/HB57 INSURANCE GENERAL: Revises the Insurance Holding Company System Act.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Makes various changes to the "Insurance Holding Company System Act," including a requirement to file an annual group capital calculation, requirements regarding the use and filing of results of a liquidity stress test, and other related changes. Adds definitions for "group capital calculation instructions," "NAIC liquidity stress test framework," and "scope criteria" to the Act. Part of Administration Package.  
*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/23/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0023 effective July 1, 2023.

**SB244/HB62 FAMILY LAW: Compensation provisions for teachers in a special school district removed.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Removes provisions requiring teachers in the special school district to be compensated at a rate of one tenth times twelve of the annual compensation in effect in the county in which the respective youth development center and other facilities deemed appropriate by the commissioner out of the state appropriations made to the youth development centers. Part of Administration Package.  
*Amendment Summary:* Senate amendment 1 (003698) requires each teacher in the special school district to: 1) receive an annual compensation rate at the start of the teacher's employment in the special school district that is no less than the average annual compensation rate for teachers in the county in which the respective youth development center is located; 2) be eligible for merit pay, salary increases, bonuses, and other benefits implemented after July 1, 2023, in the same manner as other preferred service employees if the teacher in has completed an annual performance review cycle on or before July 1, 2023; and (3) be eligible for longevity pay. Establishes that this section is not to be construed to reduce the compensation currently paid to a teacher in the special school district.  
*Fiscal Note:* (Dated February 5, 2023) Increase State Expenditures - \$59,600/FY23-24 and Subsequent Years  
*Senate Status:* 02/27/23 - Senate passed with amendment 1 (003698).  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0084 effective July 1, 2023.

**SB246/HB64 WELFARE: Distribution of TANF funds.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Increases, from three to four years, the length of pilot programs for which TANF program funds must be dedicated. Increases from 12 to 18 months, the length of time following the end of each federal fiscal year by which the department must spend all unobligated TANF program funds. Part of Administration Package.  
*Fiscal Note:* (Dated January 30, 2023) Increase State Expenditures \$31,900/FY25-26/TANF Reserve Funds \$32,800/FY26-27/TANF Reserve Funds Other Fiscal Impact It is estimated that these expenditures can currently be absorbed within DHS existing TANF block grant reserve funds. As of January 30, 2023, the balance of the TANF reserve funds budgeted for the Tennessee Opportunity Pilot are approximately \$174,900,000.  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 03/06/23 - House passed.  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0051 effective March 21, 2023.

**SB247/HB65 FAMILY LAW: Periodic review of child support guidelines.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Changes the department's periodic review of the child support guidelines from every three years from the date of promulgation to every four years. Part of Administration Package.  
*Fiscal Note:* (Dated January 12, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/02/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0040 effective March 14, 2023.

**SB248/HB66 HEALTH CARE: Department of intellectual and developmental disabilities to provide home health services to outpatients.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Authorizes the department of intellectual and developmental disabilities to provide home health services to outpatients through the Tennessee Early Intervention System. Part of Administration Package.



*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/23/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0024 effective March 10, 2023.

#### SB249/HB68 **EDUCATION: Learning loss remediation by use of summer learning camps.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Requires LEAs to conduct summer learning camps and after-school learning mini-camps for priority students annually rather than summers only. Updates the definition of "priority student" to include additional "at-risk" children and students entering certain grade levels to participate in after-school learning mini-camps, learning loss bridge camps, and summer learning camps. Provides that an "at-risk" student is a student who will be entering first, second, or third grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent state-approved screenings or certain other assessments. For purposes of a learning loss bridge camp, an at-risk student is defined as a student who will be entering the fourth, fifth, sixth, seventh, eighth, or ninth grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent TCAP test or state-adopted benchmark assessment. For summer learning camps, an at-risk student is one who will be entering kindergarten, first, second or third grade and who attends a public school or public charter school in with fewer than 50 percent of students in grades three through five scored proficient in math or English language arts on the most recently administered TCAP test. An "at-risk" student is further defined as one who will be entering kindergarten through third grade and who is eligible for TANF. Provides guidelines for determining program requirements. Part of Administration Package.  
*Amendment Summary:* Senate amendment 1 (003486) changes the effective date of the bill from October 1, 2023, to upon becoming a law.  
*Fiscal Note:* (Dated February 5, 2023) Increase State Expenditures \$21,433,500/FY23-24 and Subsequent Years/General Fund \$5,760,000/FY23-24 and Subsequent Years/LEAP Other Fiscal Impact The state receives approximately \$182,200,000 in TANF block grant funding each year and the states TANF balance as of September 30, 2022 was \$753,890,600. The proposed legislation will draw upon existing federal TANF dollars in the amount of \$13,698,900 in FY23-24 and subsequent years. General  
*Senate Status:* 03/06/23 - Senate passed with amendment 1 (003486).  
*House Status:* 03/23/23 - House passed.  
*Executive Status:* 04/17/23 - Enacted as Public Chapter 0144 effective April 13, 2023.

#### SB252/HB71 **GOVERNMENT CONTRACTS: Requirements for public contracts.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Prohibits a party from protesting a solicitation for a public contract if the party cancels the solicitation. Revises bonding requirements for submitting a protest or an appeal of a decision to a protest to the chief procurement officer or protest committee. Establishes certain restrictions on the contractual terms of public contracts, including prohibiting a state governmental entity from entering into a contract that requires the state or the state governmental entity to defend, indemnify, or hold harmless another person, or assume liability for an act or omission against a person. Part of Administration Package.  
*Amendment Summary:* Senate amendment 1 (004115) revises the provision in the bill that prohibits a state government from entering into a contract that contains a term or condition that establishes the venue for an action or dispute with this state or a state governmental entity in a jurisdiction other than the Tennessee claims commission, the chancery courts of Davidson County, and federal courts of the state. This amendment provides, instead, that a term or condition is prohibited if it establishes venue in a jurisdiction other than the Tennessee claims commission, the chancery courts of Williamson County, and federal courts of the state.  
*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004115).  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0113 effective April 4, 2023.

#### SB253/HB72 **MEDIA & PUBLISHING: Preservation of leases on appropriate electronic or storage media.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Removes a requirement to preserve leases to which the state is a party on microfilm and instead requires preservation of such leases on appropriate electronic or other storage media. Part of Administration Package.  
*Fiscal Note:* (Dated January 19, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 02/23/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0025 effective March 10, 2023.

#### SB255/HB74 **EDUCATION: High school equivalency credentials.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Replaces the terms "general education development credential," "GED(R)," "high school equivalency test," "HiSET(R)," and variations of the terms wherever they appear in the code, with the term "high school equivalency credential." Also replaces any reference to GED(R) or HiSET(R) classes, coursework, testing, or services with the phrase "adult education programming to include preparation and testing toward obtaining a high school equivalency credential." Part of Administration Package.  
*Amendment Summary:* Senate amendment 1 (003768) revises present law provisions relative to the department of labor and workforce development being authorized to make recommendations relative to assessments that lead to the award of a high school equivalency credential. Such law requires the state board of education to review the recommendations of the department, and provides that any recommendation approved by the board must be considered a high school equivalency assessment and that the successful completion of such assessment must lead to the award of a high school equivalency credential. This amendment clarifies that the board is authorized to promulgate rules to effectuate these provisions. This amendment also changes the effective date from upon becoming a law to July 1, 2023.  
*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed with amendment 1 (003768).  
*House Status:* 03/16/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0114 effective July 1, 2023.

**SB256/HB75 HEALTH CARE: Criminal immunity to persons who are experiencing a drug overdose.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Extends criminal immunity to person who are experiencing a drug overdose and are seeking medical assistance, regardless of prior overdose history. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (003309) rewrites this bill, such that the immunity from being arrested, charged, or prosecuted may be applied for a person who experiences subsequent drug overdoses at the discretion of the responding law enforcement officer or the district attorney general's office.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed with amendment 1 (003309).

*House Status:* 02/27/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0041 effective July 1, 2023.

**SB257/HB76 TRANSPORTATION VEHICLES: Eliminates the disabled license plate fee for eligible parents or guardians.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Exempts the disabled license plate fees for a parent or guardian of an individual that is permanently confined to a wheelchair and does not own or operate a vehicle. Part of Administration Package.

*Fiscal Note:* (Dated January 27, 2023) Decrease State Revenue \$27,700/FY23-24/Highway Fund \$600/FY23-24/General Fund \$55,300/FY24-25 and Subsequent Years/Highway Fund \$1,100/FY24-25 and Subsequent Years/General Fund

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0052 effective January 1, 2024.

**SB258/HB77 TRANSPORTATION VEHICLES: Ignition interlock devices to include GPS systems.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires any ignition interlock device installed on or after January 1, 2024, to include a global positioning system that will geotag the motor vehicle's location whenever a startup test, random retest, skipped test, or circumvention of the device occurs. Prohibits the GPS system from being used for continuous tracking of the vehicle. Part of Administration Package.

*Fiscal Note:* Dated January 26, 2023. FISCAL IMPACT: NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 02/13/23 - House passed.

*Executive Status:* 03/13/23 - Enacted as Public Chapter 0020 effective January 1, 2024.

**SB259/HB78 TRANSPORTATION VEHICLES: Proof of financial responsibility to be maintained during suspension of license.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires proof of financial responsibility be maintained for the period of a driver license's suspension or revocation rather than for a period of three years in order for a person's registration to not be suspended or revoked when the commissioner of safety suspends or revokes the person's license by reason of a conviction. Makes other revisions related to compliance with proof of financial responsibility requirements, including revisions to the revocation or suspension of a nonresident's operating privileges in the state. Part of Administration Package.

*Fiscal Note:* (Dated January 30, 2023) Other Fiscal Impact To the extent that the required modifications to the Department of Safety's A-List system can be accomplished within available resources provided under the current vendor contract, the proposed legislation will not result in a significant increase in state expenditures. Otherwise, those modifications could result in a one-time increase in state expenditures of up to \$51,000 in FY23-24.

*Senate Status:* 02/16/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0336 effective May 5, 2023.

**SB261/HB80 GOVERNMENT REGULATION: Underground injection activities permit term limits.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Allows underground injection activities authorized by rule to not be subject to the general five-year term limit under the Water Quality Control Act of 1977. Part of Administration Package.

*Fiscal Note:* (Dated January 30, 2023) Decrease State Revenue \$1,000/FY23-24 and Subsequent Years/Environmental Protection Fund Other Fiscal Impact The FY21-22 collections into the Environmental Protection Fund through the Division of Water Resources totaled \$24,948,600.

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 03/09/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0085 effective March 31, 2023.

**SB262/HB81 TRANSPORTATION VEHICLES: Motor vehicle accident reports disclosure.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Allows the Department of Environment and Conservation to disclose motor vehicle accident reports relating to a guest's use of state parks. Part of Administration Package.

*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 02/23/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0026 effective March 10, 2023.

**SB263/HB82 WORKERS COMPENSATION: Changes to Worker's Compensation Law.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Makes various changes to the Workers' Compensation Law including award timeframes, attorney's fees, payment of medical expenses, and benefits of settlements. Broadly captioned. Part of Administration Package.

*Amendment Summary:* House amendment 1 (003993) makes various changes to workers' compensation statutes. Clarifies that a judge of a court of workers' compensation may review and approve an injured employee's attorney's fee as to reasonableness up to the statutory maximum allowed for attorney's fees. Extends the timeline, from June 30, 2023 to June 30, 2025, in which injuries occur and an employer wrongfully denies an employee's claim or fails to provide certain entitled benefits, the Court of Workers' Compensation Claims may subsequently award reasonable attorneys' fees and reasonable costs, including, but not limited to, reasonable and necessary court reporter expenses and expert witness fees for depositions and trials. Authorizes the Bureau of Workers' Compensation (BWC) to utilize funds in the Uninsured Employers Fund (UEF) to provide death benefits to eligible employees who suffered an injury arising primarily within the course and scope of the employee's employment with an employer who failed to provide workers' compensation coverage at the time of the eligible employee's death. Authorizes a death benefit award of \$20,000 to an eligible employee claimant, payable from the UEF, when the employer has failed to provide workers' compensation coverage. Increases the maximum amount, from \$40,000 to \$60,000, that may be awarded from the UEF to an eligible, injured employee or the employees' dependent, having won a workers' compensation claim and subsequently requested benefits from the BWC. Clarifies that total temporary and medical benefits payable by the BWC to an injured employee cannot exceed \$40,000, exclusive of death benefits. Authorizes the Commissioner of Labor and Workforce Development (DLWD) to establish by rule a voluntary physician education program which provides additional reimbursement under the comprehensive medical fee schedule set by the BWC. Requires the Commissioner to determine in rule the education and quality improvement requirements to receive this additional reimbursement.

*Fiscal Note:* (Dated February 5, 2023) Increase State Expenditures \$20,000/FY23-24 and Subsequent Years/Uninsured Employers Fund

*Senate Status:* 03/16/23 - Senate concurred in House amendment 1 (003993).

*House Status:* 03/13/23 - House passed with amendment 1 (003993).

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0145 effective April 13, 2023.

### **SB264/HB312 FAMILY LAW: Documents related to parental rights proceedings.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Makes various changes in regard to maintaining and securing documents in certain parental rights proceedings and the grounds for termination of parental rights. Includes documents from the court where the adoption was filed, the offices of a licensed child-placing agency, the offices of a licensed clinical social worker, the department of health, and the department of children's services. Part of Administration Package.

*Fiscal Note:* (Dated February 11, 2023) Decrease State Expenditures \$10,300/FY23-24 and Subsequent Years

*Senate Status:* 03/23/23 - Senate passed.

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0253 effective July 1, 2023.

### **SB265/HB313 CRIMINAL LAW: Law enforcement officer qualifications - persons certified in another state.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires the POST commission to evaluate the qualifications of a person certified as a law enforcement officer in another state by reviewing the person's training, experience, and education. Prohibits the commission from issuing a certification to a person who has been decertified in another state from the result of criminal or other misconduct. Requires an employing agency to complete a check of the National Decertification Index or other similar databases before requesting certification for a person. Part of Administration Package.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 02/23/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0027 effective March 10, 2023.

### **SB266/HB314 INSURANCE HEALTH: Assignment of benefits to a healthcare provider.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Removes language outlining benefits and billing statement requirements by healthcare providers. Part of Administration Package.

*Amendment  
Summary:*

Senate amendment 1 (003567) deletes the present law regarding the collection of out-of-network charges by healthcare facilities, as described below. Present law prohibits healthcare facilities, which includes licensed hospitals and ambulatory surgical treatment centers, from collecting out-of-network charges from an insured, or the insurer on behalf of the insured, in excess of the cost sharing amount required in accordance with the insured's health benefits coverage for the items and services, unless the healthcare facility provides written notice to the insured or the insured's personal representative, prior to medical services being provided, that contains the following: (1) A statement that the insured agrees to receive medical services by the out-of-network facility and will receive a bill for the amount unpaid by the insured's insurer; (2) A statement that the nonparticipating out-of-network facility-based physician may not have a current contract provider agreement with the insured's insurer and is an out-of-network provider; (3) A statement that the insured agrees to receive medical services by an out-of-network provider and will receive a bill for the amount unpaid by the insured's insurer; (4) If the healthcare facility is out of network or otherwise a nonparticipating provider, the estimated amount that the facility will charge the insured for items and services; (5) A listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility has contracted, including the healthcare provider or group name, phone number, and website, along with including the statement: The physicians and other healthcare providers that may treat the patient at this facility may not be employed by this facility and may not participate in the patient's insurance network. Anesthesiologists, radiologists, emergency room physicians, and pathologists are not employed by this facility. Services provided by those specialists, among others, will be billed separately. Before receiving services, the patient should check with his or her insurance carrier to find out if the patient's providers are in-network. Otherwise, the patient may be at risk of higher out-of-network charges; and (6) The written notice must also provide information about the possibility of a transfer to an in-network facility if the in-network facility has similar treatment available and will not risk the insured's health. The insured or the insured's personal representative must then sign the written notice, acknowledging agreement to receive medical services by an out-of-network provider or, should the insured or insured's personal representative refuse to sign the written notice, the healthcare facility must document in the patient's medical record that it provided the notice and that the patient refused to sign the notice. Present law also requires that this written notice be provided to the insured or the insured's personal representative at the time of admission. If the insured is receiving medical services through a hospital emergency department and is incapacitated or unconscious at the time of receiving those services, the notice will not be required at that time. If that is the case, the written notice must be provided after receiving medical services and within 12 hours following stabilization. Information about a transfer to an in-network facility must accompany the written notice. Present law provides that a stabilized condition means, with respect to an emergency medical condition, where no material deterioration of the condition is likely, within a reasonable medical probability to result from or occur during transfer of the individual from a facility. Present law further requires that when treated at an out-of-network facility, the insured or the insured's personal representative must receive the written notice from the facility before being transferred by an ambulance to another facility for treatment of medical services unless the insured would be at risk of bodily injury by the facility giving the insured the notice. Prior to admission for a scheduled medical procedure, a healthcare facility must provide the insured with informational materials that include the following: (1) The estimated amount of copay, deductible, or coinsurance, or range of estimates, that the facility will charge the insured for scheduled items and/or services provided by the facility in accordance with the insured's health benefit coverage for the items and services or as estimated by the insurance company on its website for its insured or through the available information to the facility at the time of the prior authorization; (2) A listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility is contracted, including the healthcare provider or group name, phone number, and website; and (3) The following statement: The patient will be billed for additional charges, including out-of-network charges, if the patient is provided medical services by a healthcare provider that is not in-network. In particular, the patient should ask the facility if he or she will be provided any medical services by anesthesiologists, radiologists, emergency room physicians, or pathologists who are not in the patient's network. A bill to an insured from a healthcare provider or healthcare facility is required to contain a telephone number for the department and a clear and concise statement that the insured may call the department to complain about any out-of-network charges. Present law provides that the failure of the healthcare facility to provide both the notice and information enumerated above does not give rise to any right of indemnification or private cause of action against the healthcare facility by an out-of-network facility-based physician for an insurer's disregard of an insured's assignment of benefit. An in-network healthcare facility does not need to provide an insured with the written notice if the healthcare facility employs all facility-based physicians or requires all facility-based physicians to participate in all of the insurance networks in which the healthcare facility is a participating provider or if the healthcare facility contractually prohibits all facility-based physicians from balance billing patients in excess of the cost sharing amount required in accordance with the insured's health benefits coverage of the items and services provided.

*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed with amendment 1 (003567).  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0042 effective March 14, 2023.

**SB267/HB315 HEALTH CARE: Intermediate care facilities for individuals with intellectual disabilities - allowable number of beds.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804. Allows for private for-profit and private not-for-profit to be transferred from one location to another. Requires that an available private bed be filled only upon completion of a community-informed choice process established by the department of intellectual and developmental disabilities to ensure the most cost-effective placement with consideration for the individual's freedom of choice. Allows a facility to refuse persons based on the facility's compatibility needs. Part of Administration Package.

*Amendment Summary:* House amendment 1 (006424) incorporates the changes made by Senate Amendment 2 but requires the department of intellectual and developmental disabilities to use the data from cost reports submitted by providers to the comptroller of the treasury in order to determine the statewide available occupancy, instead of requiring the comptroller to make the determination.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/13/23 - Senate concurred in House amendment 1 (006424).  
*House Status:* 04/10/23 - House passed with amendment 1 (006424).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0254 effective April 28, 2023.

**SB268/HB316 BANKING & CREDIT: Money Transmission Modernization Act.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Enacts the "Money Transmission Modernization Act" in order to promote coordination among the states in all areas of regulation, licensing, and supervision to reduce regulatory burden and more effectively utilize regulator resources. Standardizes the types of activities that are subject to licensing or otherwise exempt from licensing. Allows the commissioner of financial institutions to enter into agreements or relationships with other government officials or federal and state regulatory agencies and regulatory associations in order to improve efficiencies and reduce regulatory burdens by standardizing methods or procedures, and sharing resources, records, or related information. Allows the commissioner to conduct an examination or investigation of a licensee or authorized delegate, or otherwise take independent action to administer and enforce this chapter. Defines "authorized delegate" to mean a person that a licensee designates to engage in money transmission on behalf of the licensee. Establishes licensure requirements for persons engaging in the business of money transmission and specifies exemptions. Specifies suspension and penalties for violations (60 pp.). Part of Administration Package.

*Fiscal Note:* (Dated February 14, 2023) Other Fiscal Impact Shifting money transmitter licensees from paying a separate fee for examinations and for applications or renewals, to paying an annual supervision fee that is prorated across the DFIs Compliance Divisions annual budget will create a minimal, unquantifiable, decrease in state revenue to DFI in FY23-24 and subsequent years. The Governors proposed budget for FY23-24, on page A-33, includes a recurring decrease in revenue to the Department of Financial Institutions in the amount of \$18,000. SB 268 - HB 316

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0115 effective January 1, 2024 (28 pages).

**SB269/HB317 MISCELLANEOUS: Juneteenth as a legal holiday.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Designates June 19 of each year as a legal holiday known as Juneteenth. Part of Administration Package.

*Fiscal Note:* (Dated February 6, 2023) Increase State Expenditures Up to \$691,890/FY23-24 and Subsequent Years Other Fiscal Impact - To the extent local governments opt to observe the holiday, there will be an unquantifiable permissive recurring increase in local expenditures.

*Senate Status:* 03/23/23 - Senate passed.

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0337 effective May 5, 2023.

**SB270/HB318 FAMILY LAW: Services from other states and agencies to be included in foster care services.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires the department of children's services to include a list of services available from other state programs or agencies for a child in foster care. Part of Administration Package.

*Amendment  
Summary:*

Senate amendment 2 (006190) changes this bill's effective date to July 1, 2023, and adds new sections to this bill that revise present law provisions governing adoption and foster care, as described below. **ILLEGAL PAYMENTS IN CONNECTION WITH PLACEMENT OF CHILD** Under present law, it is unlawful for a person, corporation, agency, or other entity other than the department of children's services or any of its divisions or units ("department") or a licensed child-placing agency or licensed clinical social worker that is subject to regulation by the department, to charge or receive from or on behalf of any person or persons legally adopting or accepting a child for adoption any remuneration, fee, contribution, or thing of value whatsoever, for rendering any service in connection with the placement of such child for adoption or in connection with the placement of such child for foster care or adoption with one other than the child's parent or parents other than allowed by law. Present law further provides that: (1) The above provision does not prohibit the payment by any interested person of reasonable charges or fees for hospital or medical services for the birth of the child, or for medical care and other reasonable birth-related expenses for the mother or child incident thereto, for reasonable counseling fees for the parents or prospective adoptive parents or child, for reasonable legal services or the reasonable costs of legal proceedings related to the adoption of any child or for reasonable, actual expenses for housing, food, maternity clothing, child's clothing, utilities or transportation for a reasonable period not to exceed 90 days prior to or 45 days after the birth or surrender or parental consent to the adoption of the child, unless a court with jurisdiction for the surrender or adoption of a child, based upon detailed affidavits of a birth mother and the prospective adoptive parents and such other evidence as the court may require, specifically approves in a written order, based upon a motion filed by the prospective adoptive parents for that purpose, any expenses specifically allowed in this provision for a period prior to or after the periods noted above; and (2) Such expenses must be incurred directly in connection with the maternity, birth, or placement of the child for adoption, or for legal services or for costs of legal proceedings directly related to the adoption of the child, or for counseling for a period of up to one year for the parent who surrenders the child or consents to the adoption of the child; This amendment revises (1) above by changing the reasonable period to the duration of the pregnancy and 90 days after the birth or surrender or parental consent to the adoption of the child; and revises (2) by increasing the counseling period from up to one year, to up to two years. **SURRENDER OF CHILD** Present law requires all surrenders to be made in chambers before a judge of the chancery, circuit, or juvenile court except as provided in law, and requires the court to advise the person surrendering the child of the right of revocation of the surrender and time for the revocation and the procedure for such revocation. This amendment revises this provision to authorize, at the court's discretion, a surrender to be made in chambers or over a virtual video platform on which the court sees the person surrendering the child. Under present law, a Tennessee surrender form must contain statements by the surrendering party, acknowledging that the person knows: (1) That the person should only sign the form if the person wants the person's parental rights terminated; (2) That, if the person wants to talk to the person's lawyer before signing the form, then the person should tell the judge or other officiant, and the surrender process will stop; and (3) That the person can talk to the person's lawyer and then decide if the person still wants to end the person's parental rights. This amendment adds to the above list, that a Tennessee surrender form must also contain a statement by the surrendering party acknowledging the following: (1) That the person understands, if the person does not have a lawyer, that the person is free to go obtain a lawyer and the surrender process will stop until the person has done so; and (2) That the judge or other officiant has also advised the person that once their child is born, the person is still free to obtain their own lawyer, who the person can consult with prior to and during any reaffirmation of this surrender. Present law prohibits any surrender or parental consent that is made prior to the birth of a child from being valid, except in certain cases where the person executing the surrender resides in another state or territory of the United States. This amendment revises the above provision to instead: (1) Authorize a surrender or parental consent to be made at any time prior to birth, but a surrender or parental consent made prior to the birth of a child must not be filed with the clerk of court until after the birth of the child and until the surrendering party or parties have filed a written reaffirmation of their desire to surrender the child, except in certain cases where the person executing the surrender resides in another state or territory of the United States; (2) Require, at the time of taking a parental consent prior to the birth of the child, the judge to explain to the consenting parent the legal effect of signing the document, the time limit for withdrawal of the consent, and the procedures for withdrawal of the consent; and (3) Require any surrender or parental consent made prior to the birth of a child to be reaffirmed within three calendar days of the birth of the child, except in certain cases where the person executing the surrender resides in another state or territory of the United States. Present law generally prohibits from being valid, any surrender or parental consent that is made within three calendar days subsequent to the date of the child's birth, such period to begin on the day following the child's birth. This amendment revises this provision to, instead, prohibit any surrender or parental consent from being valid, unless made after the earlier of discharge from a hospital or other birthing facility or 48 hours following the child's birth. **FINAL ORDER OF ADOPTION** Unless the child is related to the petitioners, present law prohibits a final order of adoption from being entered before the home study has been filed with the court and before the petition has been on file at least six months and before a final court report is filed with the court, except when the order is based upon a petition for readoption. This amendment adds to this provision that the court is authorized, considering the petition as a whole, to deem it in the best interest of the child to reduce the waiting period to three months. Under present law, if the child has already resided in the home of the petitioners for six months, the court has received the final court report concerning the circumstances of the child and the petitioners, and is satisfied that the adoption will be in the best interest of the child, then the court is authorized to waive the six-month waiting period after the filing of the adoption petition and may enter an order of adoption. This amendment revises this provision by lowering six months to three months. **AVAILABILITY OF RECORDS TO ADOPTED AND CERTAIN OTHER PERSONS FOR ADOPTIONS FINALIZED OR ATTEMPTED PRIOR TO CERTAIN DATES** This amendment: (1) Prohibits any identifying information from the sealed records, sealed adoption records, or post-adoption records from being released if: (A) The biological parent of the adopted person has executed a request for redaction of identifying information; and (B) The adopted person was less than six months old at the time the request was executed; (2) Requires such request for redaction to be made on a form created by the department of children's services, and (3) Provides that such request may only be rescinded by submission of a sworn, notarized statement requesting such rescission, and that the rescission is effective upon the department's acknowledgment of receipt of the rescission. **FOSTER CARE** This amendment requires: (1) The department of children's services: (A) To strive to identify and finalize a safe, stable, and permanent home for children in the custody of the department; and (B) To permit the foster parent or parents a period of respite for up to six months, free from placement of foster children in the family's home with follow-up contacts by the agency occurring at a minimum of every three months, without threat of reprisal; and (2) The foster parent or parents to provide reasonable notice, as determined by the department, to the department for respite.

*Fiscal Note:*

(Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:*

04/06/23 - Senate passed with amendment 2 (006190).

*House Status:*

04/06/23 - House passed.

*Executive Status:*

05/02/23 - Enacted as Public Chapter 0187 effective July 1, 2023.

**SB271/HB319 ENVIRONMENT & NATURE: Establishes a brownfield redevelopment area fund.**

*Sponsors:*

Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Establishes a brownfield redevelopment area fund to be used by the department of environment and conservation to administer a brownfield redevelopment area grant program. Requires the department to establish criteria and guidelines for the brownfield redevelopment area grant program and to publish the criteria and guidelines on its website. Creates a franchise and excise tax credit equal to the remediation costs for a brownfield property for a qualified development project in a tier 3 or tier 4 enhancement county. Makes other related revisions. Part of Administration Package.

*Fiscal Note:* (Dated February 7, 2023) Increase State Revenue - \$5,000,000/FY23-24 and Subsequent Years/ Brownfield Redevelopment Area Fund Forgone State Revenue Exceeds \$100,000/FY23-24 and Subsequent Years/ General Fund Increase State Expenditures \$5,278,200/FY23-24/General Fund \$5,274,600/FY24-25 and Subsequent Years/General Fund \$5,000,000/FY23-24 and Subsequent Years/ Brownfield Redevelopment Area Fund Increase Local Revenue \$5,000,000/FY23-24 and Subsequent Years Increase Local Expenditures \$5,000,000/FY23-24 and Subsequent Years Other Fiscal Impact This legislation may result in additional grant monies, gifts, and donations being allocated to the Brownfield Redevelopment Fund. The amount of any such increase is based on numerous unknown variables and cannot be quantified at this time. In addition, the proposed legislation may result in state and local sales tax increases and reallocation of future, currently unassessed, property taxes. Due to multiple unknown variables, the timing and extent of any such impacts cannot be determined with reasonable certainty. The Governors proposed budget for FY23-24, on page A-33, includes a recurring increase in state expenditures of \$5,335,800.

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/09/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0086 effective July 1, 2023.

#### **SB272/HB320 TAXES SALES: Definition of industrial machinery - Megasite Authority of West TN.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Clarifies that machinery, equipment, and associated parts used by the department of general services or a contracted entity for the Megasite Authority of West Tennessee is included in the definition of "industrial machinery" for purposes of sales and use taxes. Part of Administration Package.

*Fiscal Note:* (Dated February 4, 2023) Decrease State Revenue \$724,300/FY23-24 Decrease Local Revenue \$295,600/FY23-24

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0053 effective July 1, 2023.

#### **SB273/HB321 TRANSPORTATION GENERAL: Composition of selection committee awarding construction manager/general contractor services contracts.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Decreases from eight to five, the number of members appointed by the commissioner of transportation to the selection committee that evaluates and scores requests for proposal when selecting and awarding a construction manager/general contractor services contract. Part of Administration Package.

*Amendment Summary:* Senate amendment 2 (005545) rewrites this bill to establish the "Transportation Modernization Act of 2023," makes numerous changes to existing law governing "design-build contracts," and adds "performance-based asset maintenance contracts" to authorize the Tennessee department of transportation to solicit proposals and award contracts. DESIGN-BUILD AND PERFORMANCE-BASED ASSET MAINTENANCE CONTRACTS. Under present law, selection criteria for a design-build contract must include the cost of the project and may include design-build firm qualifications, time of completion, innovation, design and construction quality, design innovation, or other technical or quality related criteria, as determined by the department. The department is authorized to award a stipulated fee to design-build firms that submit responsive proposals but are not awarded the design-build contract. The department must not be required to award a stipulated fee, but if it elects to award the fee, the amount of the stipend and the terms under which stipends are to be paid must be stated in the request for proposals. The department's authority to use design-build contracting procedures as provided in this section is subject to the following limitations: (1) The department may initiate up to 15 design-build contracts in any one fiscal year, if the contract has a total estimated contract amount of less than \$1 million; (2) The department may not initiate more than five design-build contracts in any one fiscal year, if the contract has a total estimated contract amount in excess \$1 million; and (3) If the proposed design-build contract has a total estimated contract amount in excess of \$70 million, the department must specifically identify the project as a proposed design-build project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations. The department is required to prepare a report on the effectiveness of design-build contracts and submit it to the chairs of the transportation and safety committee of the senate and transportation committee of the house of representatives upon the completion of three design-build contracts that have a total contract amount in excess of \$1 million. The department may establish agency policy, or the department may promulgate rules in furtherance of these provisions. This amendment authorizes the department to award performance-based asset maintenance contracts in addition to design-build contracts. A performance-based asset maintenance contract is defined as an agreement, typically long-term, that provides for managing and performing the inspection and reconstruction, repair, or maintenance of multiple highway facility components for specific roadway corridors or within a geographic area, where the contract sets specific performance standards, rather than prescriptive work tasks and deadlines, and may include incentive or disincentive provisions to promote achievement of the desired outcomes. Such contracts may also include third-party damage repair and claim management services, and may also provide for design, right-of-way acquisition, regulatory permit review and approvals, or utility relocation activities. Types of projects not suited for performance-based asset maintenance contracts include, but are not limited to, resurfacing and bridge repair projects. This amendment deletes the limitations to the department's authority to use design-build contracting procedures, and instead requires that prior to executing a design-built contract, the commissioner must send written notice to the chair of the transportation and safety committee of the senate and the chair of the transportation committee of the house of representatives. This amendment deletes the requirement that the department prepare a report on the effectiveness of design-build contracts upon the completion of three design-build contracts that have a total contract amount of more than \$1,000,000. This amendment requires instead that if a proposed design-build contract has a total estimated contract amount in excess of \$100,000,000, then the department must specifically identify the project as a design-build project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations. USE OF CONSTRUCTION MANAGER/GENERAL CONTRACTOR AND PROGRESSIVE DESIGN-BUILD SERVICES. Under present law, the department of transportation is authorized to use the project delivery method of construction manager/general contractor services (CM/GC). This method allows the department to engage a construction manager during the design process to provide input on the design. During the design phase, the construction manager provides advice, including, but not limited to, constructability review, scheduling, pricing, and phasing to assist the department in designing a more

efficient and well-designed project. The construction manager/general contractor may subsequently construct the project if the department and the CM/GC reach agreement on a guaranteed maximum price for construction. The department will select CM/GC projects based upon generally accepted industry criteria that include factors such as fostering innovation, mitigating risk, improving design quality, improving cost control, and optimizing construction schedules. Projects suited for the CM/GC process include instances where the department needs feedback during the design phase due to complex components that require innovation. Other projects that are suited for CM/GC are projects that have public involvement, third-party considerations such as acquisition of right-of-way or utility relocation issues, or other factors that impact the overall schedule. Projects not suited for the CM/GC process include routine maintenance and resurfacing projects or other construction projects that present a low level of technical complexity, a low level of risk management, and simple traffic phasing, and that do not have any compelling need for project acceleration. Before using the CM/GC method of project delivery, the commissioner must send written notice to the chair of the transportation and safety committee of the senate and the chair of the transportation committee of the house of representatives. The written notice must identify the project and the reasons for deciding to use the CM/GC method. This amendment further authorizes the department to use the progressive design-build (PDB) method as a delivery method for procuring transportation project services. Progressive design-build method is defined as a transportation project delivery method in which the department procures a design-builder to provide pre-construction services and may subsequently complete the final design and construct the project, or part of the project, if the department and the design-builder reach agreement on a guaranteed maximum price. This amendment deletes the requirement that before using the CM/GC method the commissioner must send written notice to the chair of the transportation and safety committee of the senate and the chair of the transportation committee of the house of representatives. Under present law, the department's authority to use the CM/GC method is subject to the following limitations: (1) If a proposed CM/GC contract has a total estimated contract amount in excess of \$70 million, then the department must specifically identify the project as a proposed CM/GC project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations; and (2) The cumulative cost of the CM/GC projects awarded in any single fiscal year must not exceed 25 percent of the total amount of construction contract awards made in the previous fiscal year, except as the general assembly may otherwise approve in accordance with the annual appropriations act. This amendment deletes these provisions, instead requiring that prior to executing a contract, the commissioner must send written notice to the chair of the transportation and safety committee of the senate and of the chair of the transportation committee of the house of representatives. If a proposed CM/GC or PDB contract has a total estimated contract amount in excess of \$100 million, the department must identify the project as a CM/GC or PDB project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations. Under present law, if the commissioner determines that the CM/GC method of procurement is appropriate for the project, the commission must establish a multi-phase process to select the CM/GC that is the most responsive and responsible proposer. Phase 1 of the process is the appointment of the selection committee. Phase 2 is the development and issuance of the request for proposals. Phase 3 is the CM/GC "Selection-Design Phase." Phase 4 is the "CM/GC Selection-Construction phase. The selection committee, for Phase 1, must have eight members. The commissioner must appoint five department employees to the selection committee based on their qualifications and experience, including at least one employee who is a licensed professional engineer in this state. The commissioner must also appoint three members who are not employees of the department, all of whom are residents of this state, with one member appointed from and residing in each grand division of the state. At least two of these three must have a minimum of ten years of construction or highway engineering design experience, and at least one of these two members must have a valid professional engineering license. The other one of these three members must have either a minimum of ten years of construction or highway engineering design experience or a minimum of five years of employment experience in a banking, finance, accounting, surety, or insurance position. This amendment renames Phase 3 to the evaluation and selection phase. This amendment also adds "PDB" after any reference to "CM/GC" in the four phases. This amendment also deletes the requirements for the selection committee under Phase 1. Instead, this amendment requires that the selection committee consists of five members to be appointed by the commissioner as follows: (1) Three department employees, including at least one employee who is a licensed professional engineer in this state; and (2) Two members who are not employees of the department, each of whom must be a resident of this state. At least one of the members must have a minimum of ten years of construction or highway engineering design experience, and at least one of the members must be a licensed professional engineer in this state. Under present law, Phase 3 requires that upon completion of the evaluation process, each member of the selection committee must independently review and score the proposals. Each member must score the proposals pursuant to the scoring matrix that the department provides in the RFP and based on the RFP's evaluation criteria. The scores will be tallied and averaged according to the procedure established in the RFP; provided, however, that the scores of the two selection committee members giving the highest and lowest scores on a proposal must be excluded when computing the average score for each proposal. Upon completion of the scoring, the proposals will be ranked in order of the highest aggregate score to the lowest aggregate score. The proposer whose proposal receives the highest aggregate score will be considered the best-evaluated proposer. The proposals must be submitted in rank order to the commissioner. The commissioner may either accept the selection committee's recommendation of the best-evaluated proposer, or the commissioner may reject all proposals and proceed with construction of the project through any lawful method for procuring a construction services contract. The department must send all proposers a written notice of award to the best-evaluated proposer, or a written notice that all proposals have been rejected. If the department issues a written notice of award, the notice must include a copy of the scores from each member of the selection committee for each RFP proposal. This amendment deletes the present law requirements for scoring and ranking the proposals after completion of the evaluation process under Phase 3. Instead, this amendment requires that upon completion of the evaluation process, each member of the selection committee must independently review and score the proposals. Each member must score the proposals pursuant to the scoring matrix that the department provides in the RFP and based on the RFP's evaluation criteria. The scores must be tallied and averaged according to the procedure established in the RFP. Upon completion of the scoring, the proposals must be ranked in order of the highest aggregate score to the lowest aggregate score. The proposer whose proposal receives the highest aggregate score must be identified as a first-tier proposer. In addition, another proposer whose proposal receives an aggregate score within five percent of the proposal with the highest aggregate score, where five percent is measured as a percentage of the highest aggregate score, must also be identified as a first-tier proposer. The proposals of the first-tier proposers must be submitted in alphabetical order to the commissioner without an evaluation ranking. The commissioner may select a first-tier proposer, or the commissioner may reject all proposals and proceed with construction of the project through a lawful method for procuring a construction services contract. The department must send all proposers a written notice of award to the selected proposer, or a written notice that all proposals have been rejected. If the department issues a written notice of award, then the notice must include a copy of the scores from each member of the selection committee for each RFP proposal. Under present law, Phase 4 requires that once the design has been completed, or has been sufficiently developed to allow the CM/GC to prepare a proposed guaranteed maximum price for the construction of the project, or part of the project, the department must conduct the following steps before proceeding with any construction on the project: (1) Prepare and compile the contract plans, specifications, special provisions, and other requirements which will comprise the contract for construction of the project; (2) Prepare a detailed construction cost estimate to evaluate the appropriate price for construction of the project as designed; and (3) If directed by the commissioner, have an independent third-party estimator prepare a detailed construction cost estimate to confirm the



appropriate price for construction of the project as designed. The department's detailed construction cost estimate, and any construction cost estimate prepared by an independent third-party estimator, must not be disclosed to the CM/GC, and must remain confidential and not subject to public disclosure until after award of the contract for construction of the project. The contract must require the CM/GC to self-perform a portion of the construction work comprising at least 30 percent of the total cost for construction, excluding specialty items. The cost for pre-construction services must not be considered part of the 30 percent but may be considered a specialty item. Based on the contract plans, specifications, special provisions, and other contract terms and conditions compiled by the department, the CM/GC must prepare a guaranteed maximum price (GMP), including any authorized contingency, for construction of the project. When completed, the CM/GC's proposed GMP must be submitted to the department for review. The CM/GC's proposed GMP must otherwise remain confidential and not subject to public disclosure until after award of the contract for construction of the project. The department is required to compare the CM/GC's proposed GMP with its own confidential construction estimate, and with any construction estimate prepared by an independent third-party estimator. If the GMP does not exceed the department's estimate, or the independent third-party estimate, by more than 10 percent, the commissioner may, but is not required to, award the contract for construction of the project to the CM/GC. If the commissioner rejects the proposed GMP, the department may continue to conduct contract discussions with the CM/GC to develop an acceptable GMP for the project as designed. Alternatively, the department may direct the CM/GC to provide additional pre-construction services as needed to assist in the further development of contract plans, terms, or specifications for the purpose of repeating the Phase 4 process steps. If the CM/GC and the commissioner are unable to reach agreement on the GMP, the commissioner may proceed with construction of the project through the low bid procurement process. This amendment adds to what occurs if an agreement on the GMP cannot be met, requiring that if an agreement on the GMP is unable to be reached for a PDB, then the PDB must relinquish and assign ownership of its design work product to the department, the department must take ownership of an assume liability for the design work product, and the commissioner may: (1) Employ the PDB's design consultant or another design consultant to complete the final design and proceed with construction of the project through the low bid procurement process; or (2) Use the PDB's design consultant's work product, or a part of it, to proceed with construction of the project through a design-build procurement process and, if another design consultant or design-builder completes the final design, the other design consultant to design-builder must assume responsibility for the final design. TENNESSEE MODERNIZATION ACT. FUNDING AND REPORTING. This amendment establishes a fund to be known as the "transportation modernization fund" that is a segregated account within the state treasury. Subject to appropriation in the general appropriations act, the fund is to be composed of: (1) A sum of \$3 billion to be divided into sums of \$750 million for projects within each region of the department; (2) A sum of \$300 million to be distributed to local governments as grants, as determined by the commissioner, provided, that a local government must not use grants distributed from the sum to supplant other state or local moneys appropriated or allotted for building, maintaining, or improving county roads or bridges; (3) Other revenues or moneys that the general assembly may appropriate to the fund; and (4) Other moneys received by the department for the purposes of the fund that are not otherwise allocated to the department by law. This amendment requires that the fund be administered by the department of transportation and be kept separate and apart from all other funds, including the state highway fund. Amounts remaining in the fund at the end of each fiscal year do not revert to the general fund. This amendment authorizes that the fund can be used for the following purposes: (1) To fund strategic transportation initiatives, including, but not limited to, congestion mitigation, rural interstate widening, and the accelerated delivery of strategic transportation improvements over and above the transportation improvements program generally supported by the state highway fund; (2) To respond to a transportation system failure, an imminent threat of a failure, or other emergency, which use may be eligible for reimbursement from the federal government; and (3) Another purpose for which the state highway fund may be lawfully used. This amendment requires that prior to January 1, 2024, and prior to each January 1 after, the department of transportation must submit a report to the speakers of the senate and the house of representatives, the chair of the transportation and safety committee of the senate, and the chair of the transportation committee of the house of representatives, on the status of projects funded by the transportation modernization fund. The report must include for each project: (1) The date on which engineering activities began, or are anticipated to begin, if known; (2) The date on which right-of-way acquisition activities began, or are anticipated to begin, if known; (3) The date on which construction activities began, or are anticipated to begin, if known; and (4) The date on which construction was completed, as applicable. REPLACING TOLLWAY ACT WITH USER FEE. This amendment replaces the "Tennessee Tollway Act," which authorizes tolling as an additional and alternative method for funding or financing the development and operation of highways and appurtenant facilities or other transportation-related facilities. Instead, this amendment authorizes user fees as an additional and alternative method for funding or financing the development and operation of highways and appurtenant facilities or other transportation-related facilities. The operation of user fee facilities is limited to new facilities opened and to existing facilities where one or more new vehicle lanes is added on the facility, on or after July 1, 2023. To further effectuate this change, this amendment deletes "state tollway fund," wherever it may appear, and replaces it with "state user fund"; deletes "toll revenues," wherever it may appear, and replaces it with "user fee revenues"; deletes "tollway projects and toll facility projects" and replaces it with "user fee facility projects"; and deletes "tollway or toll facility," wherever it may appear, and replaces it with "user fee facilities." DEVELOPMENT AND OPERATION OF USER FEE FACILITY PROJECTS. This amendment authorizes the department to develop user fee facility projects and operate such user fee facilities. The department is further authorized to expend funds from the state user fee fund, the transportation modernization fund, and other funds, grants, or loans received from or made available by the federal government or another government agency that may be lawfully applied to a user fee facility project. This amendment requires that the development of a user fee facility project must be in accordance with the department's long-range statewide transportation plan. The development of a project must consider the alternatives to the project; the economic, social, and environmental effects of the user fee facility project; and the findings of the environmental evaluation process and public comments, including comments from a metropolitan planning organization or rural planning organization, or both, in which the project is located, before developing final construction plans for the user fee facility. The department must hold the public meetings at a convenient location during the environmental evaluation of the project and prior to plans for the user fee facility project being finally adopted. If the proposed project involves federal aid funding or constitutes a major federal action, then the department's environmental evaluation process is subject, as applicable, to the federal National Environmental Policy Act of 1969. If the proposed project does not involve federal aid funding and does not otherwise constitute a major federal action, then it is subject to environmental evaluation and documentation in accordance with such policies and procedures as the department may establish. This amendment requires that to establish a new user fee facility or to add a user fee facility on an existing facility, the department must submit a proposal to the board. The proposal must include plans, feasibility analyses, and other such information as may be available to describe the proposed project and the need for such project, including: (1) Projected traffic on the user fee facility; (2) The anticipated amount of the user fee to be charged, or the method for setting variable user fees; (3) Projected user fee revenue; and (4) If applicable, the proposed use of a franchise agreement, concession agreement, or a combination of those agreements, to design, construct, finance, operate, or maintain the user fee facility. Further development of the user fee facility project must not occur until it has been approved by the board, and, if applicable, the general assembly. Prior to the board approving the proposal, the board must provide written notice of the proposed user fee facility project to the speakers of the senate and the house of representatives, the chairs of the finance, ways and means committees of the senate and the house of representatives, the chair of the transportation and safety committee of the senate, and the chair of the transportation committee of the house of representatives. If any state

agency proposes to assist in funding the user fee facility project with state or federal-aid funds, then the project is subject to the approval of the general assembly pursuant to the express provisions of the general appropriations act in which the funds must be specifically appropriated by reference to the project. With board approval, the department may designate one or more lanes of a highway, or portion of a highway, within the state as a user fee facility; provided, however, that such designation must not reduce the existing number of general purpose lanes and lanes available for use without payment of a user fee. In making such designations, the department must specify the high occupancy requirement or other conditions for use of the lanes, which may include restricting vehicle types and implementing access controls. New transportation facilities constructed on or after July 1, 2023, are required to include at least one lane for use without payment of a user fee, and at least one lane for use without payment of the user fee must be operational in order to assess a user fee on any user fee lane within the transportation facility. The department is authorized, with board approval, to set user fees or establish the method for setting variable user fees for the use of managed lanes, subject to resolutions or indentures authorizing bonds. Upon or prior to the issuance of any bonds, and until such time as the bonds are no longer outstanding under the resolution or indenture providing for the issuance of the bonds, the department must collect, or cause to be collected, such user fees and must revise the user fees from time to time whenever necessary, to produce revenue, together with other moneys that may be available, sufficient to: (1) Provide for all costs of the development and operation of the user fee facility project, including reasonable reserves; and (2) Pay when due all bonds and interest on the bonds, obligations under hedging agreements and ancillary agreements, and other indebtedness incurred by the state for the payment of which the user fees have been pledged, charged, or otherwise encumbered, and interest thereon, including reasonable reserves. A user fee, allowable increases, or the method for setting variable user fees on managed lanes, imposed or collected on a user fee facility on a state highway that is the subject of a user fee development agreement must be set in the user fee facility development agreement. The board is required to obtain further approval by the board to later modify the user fee conditions set forth in the user fee facility development agreement. The department must then specifically identify a proposed user fee facility or user fee facility project in the transportation improvement program furnished to the general assembly in support of the commissioner's annual funding recommendations. The department is required, by July 1, 2024, and by every July 1 after, to submit a report to the chairs of the finance, ways, and means committees of the house of representatives and the senate and the chairs of the transportation and safety committee of the senate and transportation committee of the house of representatives on the activities of the department involving any of the above.

**DEPARTMENT CONTRACTING AUTHORITY.** This amendment authorizes the department to enter into user fee facility development agreements with private entities, the federal government, or other government agencies for the purpose of developing or operating a user fee facility, or any part of, including, but not limited to: (1) Contracts with private entities using a project delivery method available to the department by law, pursuant to which all or part of the design, right-of-way acquisition, relocation of utilities, and construction of a user fee facility is accomplished by a private entity or entities on behalf of the department; (2) Service agreements for the operation, or the operation and maintenance, of a user fee facility, or appurtenant facility, which may be procured on the basis of competitive sealed bids or the competitive selection of proposals, including the evaluation of qualifications and cost; (3) Franchise agreements, concession agreements, or a combination of, in accordance with the following conditions: (A) The department may procure such agreements in a manner consistent with law, except, that the department may, but is not required to, accept or evaluate unsolicited proposals for projects; (B) The confidentiality provisions provided by this amendment apply to both solicited and unsolicited proposals received by the department for such agreements; provided, however, that a proposer submitting an unsolicited proposal must include an executive summary covering the major elements of the proposal and must exclude information from the executive summary that the proposer intends to be kept confidential as proprietary information, as the executive summary is a public record under, that may be used to solicit competing proposals; and (4) Agreements with the federal government or other governmental agencies for the purpose of undertaking all or part of a user fee facility project. This amendment prohibits a contract or agreement being entered into with a person or entity appearing on a sanctions list published by the United States department of the treasury, office of foreign assets control. This amendment authorizes a user facility development agreement entered into by the department and a private entity to allow the private entity to lease a lane or lanes on the state highway system; provided, that, the private entity is not allowed to own a lane or lanes on the state highway system.

**USER FEES AND RESTRICTIONS.** This amendment authorizes the commissioner, subject to approval of the board, to establish user fees, vehicle restrictions, and other fees or restrictions applicable to the operation of the user fee facilities. The commissioner may also enforce these fees and restrictions. This amendment requires that the operator of a vehicle that is driven through a user fee facility must pay the established user fee. The following vehicles are exempt from payment of the user fee: (1) Law enforcement or other authorized emergency vehicles, regardless of whether the vehicle is responding to an emergency or displaying a flashing light; (2) Multiple-passenger vehicles operated by a public transit authority; and (3) On a high occupancy user fee lane, vehicles that have been authorized to use an HOV lane free of charge during the time period specified for HOV use. This amendment authorizes the department, with approval of the board, to prohibit certain classes of vehicles from operating in a user fee facility through the posting of appropriate signage, wherever the department determines, on the basis of an engineering and traffic investigation that the presence of those vehicles impair the safe or efficient operation of the user fee facility. A person who operates a prohibited vehicle on a user fee facility, commits an offense, classified as a Class C misdemeanor. The punishment for a violation is a fine not to exceed \$50.

**TRANSPORTATION MODERNIZATION BOARD.** This amendment establishes the transportation modernization board to consist of five voting members as follows: (1) One member to be appointed by the governor, whose initial term will be six years; (2) One member to be appointed by the speaker of the house of representatives, whose initial term will be five years; (3) One member to be appointed by the speaker of the senate, whose initial term will be three years; (4) The governor, ex officio, or the governor's designee; and (5) The commissioner of transportation, ex officio, or the commissioner's designee. Following the initial terms, the term for a board member who does not serve ex officio is four years. A board member who does not serve ex officio is eligible for reappointment and may serve a maximum of two full terms; provided, however, that an appointment to fill an unexpired term as a result of a vacancy does not count toward the term limit. At the expiration of a board member's term, the member may continue to serve until a successor is appointed or until the member is reappointed. This amendment provides that three board members constitute a quorum for the transaction of business. If a quorum is present, a vacancy on the board does not prevent the board from transacting business or otherwise taking an action authorized. The commissioner of transportation or the commissioner's designee must serve as chair. The board must meet at the call of the chair. The board may elect other officers as the board deems appropriate. The department is required to provide administrative support to the board. The board may exercise the powers and duties necessary to implement the Act.

**ENFORCEMENT OF NONPAYMENT.** This amendment provides that the operator of a vehicle that is driven through a user fee facility without payment of the user fee commits a violation, classified as a Class C misdemeanor, punishable by a fine not to exceed \$50. Each event of nonpayment is a separate violation. This amendment authorizes the department, or its contractor, to use an open road user fee system to monitor use of a user fee facility and collect payment. The state is authorized to enter into reciprocity agreements with other government entities or toll authorities for the purpose of collecting user fees and any applicable administrative fees from non-Tennessee residents for violation. The department, or department's contractor, is required to place signs on, or in advance of, a user fee facility that provide drivers with the following information: (1) Notice that the driver is approaching a facility for which a user fee is required, with signs providing this information placed in advance of the location where the user fee is required; (2) The methods by which the user fee may be paid; and (3) If applicable, directions to the nearby user fee collection facility that accepts cash payment of the user fee. This amendment

requires the department to establish administrative fees for the collection of unpaid user fees as well as procedures for the collection of these fees. In the event of nonpayment of the user fee required, and of the issuance of a written notice of nonpayment by the department or its contractor, the registered owner of the vehicle is liable for the payment of the required user fee and any applicable administrative fee established. This amendment establishes an exception to the violation of driving through a user fee facility without payment of the fees if the registered owner of the vehicle was a lessor of the vehicle at the time the user fee was incurred or if the registered owner of the vehicle transferred ownership of the vehicle to another person before the event of nonpayment. Within 30 days of the department or contractor mailing notice of nonpayment to the registered owner, the registered owner provides to the department or its contractor a copy of the rental, lease, or other contract, with the name and address of the lessee at the time the user fee was incurred clearly legible; or the name and address of the person to whom the vehicle was transferred. If the lessor or former owner provides the required information, the department or the department's contractor may send a notice of nonpayment to the lessee or new owner at the address provided within 30 days of receipt of the required information from the lessor and must follow the procedures established for collection of unpaid fees and administrative fees. A lessee or subsequent owner who is mailed a written notice of nonpayment is liable for payment of the user fee and any applicable administrative fee. This amendment provides that the department has sufficient proof of nonpayment upon: (1) Proof that a vehicle was driven through a user fee collection facility without payment of the user fee, which may include, but is not limited to, testimony of a law enforcement officer, or evidence obtained through the use of an open road user fee system installed by the department or its contractor; and (2) Proof that the person was the registered owner, lessee, or subsequent owner, which may include, but is not limited to, records of the department of revenue or the analogous department of another state or country, or information provided by a lessor or previous owner. It is also an exception to a violation if the vehicle was stolen before the event of nonpayment occurred; provided, however, that the theft was reported to the appropriate law enforcement authority before the earlier of the occurrence of nonpayment, or eight hours after the discovery of the theft. This amendment authorizes a registered owner who commits three or more violations within the same 12-month period to be determined to be a habitual violator and to be subject to suspension or non-renewal of the register owner's vehicle registration. It is required that no later than January 1, 2025, the department must establish: (1) The criteria for a determination by the department or the department's contractor that a registered owner is a habitual violator; and (2) The process for the department or the department's contractor to notify the department of revenue of the determination that a registered owner is a habitual violator. The department must then notify the department of revenue upon establishment of the criteria and process. No later than 18 months following this notification, the department of revenue is required to promulgate rules to establish a process for suspending or non-renewing a habitual violator's vehicle registration. The rules must include, but are not limited to, a process for providing at least 60 days' written notice to the registered owner of the department of revenue's intention to suspend or non-renew the registered owner's vehicle registration, which notice must include the reason for the proposed suspension or non-renewal, an explanation of the process for a registered owner to challenge the suspension or non-renewal, which must include an opportunity for a hearing, the process by which the registered owner can avoid the suspension or non-renewal of the registered owner's vehicle registration through the payment of unpaid user fees and any applicable administrative fee, and the imposition of any administrative fees necessary to cover the department of revenue's cost in administering enforcement of nonpayment.

**PPRIORITY RECORDS.** This amendment establishes that personal information or highly restricted personal information obtained in connection with a motor vehicle record, and thereafter obtained by the department or the department's contractor in connection with the collection of and enforcement of user fees on a user fee facility, is subject to disclosure limitations established in the federal Driver's Privacy Protection Act and the Uniform Motor Vehicle Records Disclosure Act and must remain confidential as required by such federal and state laws and not be open for public inspection under state law, nor discoverable in legal proceedings. However, financial information, transaction history, and information generated by an open road user fee system on a user fee facility related to the collection of a user fee from a person, and which has been obtained by the department or the department's contractor for the purposes of collecting and enforcing user fees on a user fee facility must remain confidential and not be open for public inspection or another law. The department or the department's contractor may use the account information only for purposes of collecting and enforcing user fees. Notwithstanding another law to the contrary, this information is not open to public inspection or another law; provided, however, that the user fee facility account holder may examine the account holder's own account information, and a third party by authority of a proper court order may inspect and examine confidential account information. This amendment establishes that proposals received by the department for franchise agreements, concession agreements, or some combination of those agreements, related to the design, construction, financing, operation, or maintenance of user fee facilities, and documents used by the department to evaluate and accept or reject such proposals, must remain confidential, not be subject to disclosure to another proposer, and not be open for public inspection or another law until after the department has selected a proposal and awarded a contract. Proprietary information contained in a proposal for such an agreement, whether a solicited or unsolicited proposal, must remain confidential, not be subject to disclosure to another proposer, and not be open for public inspection pursuant to or another law.

**ALTERNATE DELIVERY CONTRACTS AND LIMITATIONS.** This amendment prohibits the department from procuring more than 28 alternative delivery contracts per fiscal year. An alternative delivery contract is defined a design-build contract, contracts using the construction manager/general contractor method, and contracts using the progressive design-build method. This limit only applies to projects funded by the state highway fund and does not apply to projects funded by the transportation modernization fund, discretionary funds, or federal grant program funds.

**ELECTRIC VEHICLES.** Under present law, in addition to all other motor vehicle registration fees, for an electric vehicle, it is required that an additional registration fee of \$100 be paid to the department at the time the vehicle is registered or renewed. This amendment deletes this provision. Instead, it requires that beginning January 1, 2024, in addition to all other vehicle registration fees, there must be paid to the department at the time the vehicle registration is renewed an additional fee according to the following schedule: (1) For all-electric vehicles: (A) On or after January 1, 2024, and prior to January 1, 2027, \$200; (B) On or after January 1, 2027, and prior to January 1, 2028, \$274; and (C) On or after January 1, 2028, and each subsequent year, the fee described in (B) adjusted by an amount each year to reflect the effect of annual inflation or deflation; (2) For hybrid electric vehicles and plug-in hybrid electric vehicles: (A) On or after January 1, 2024, and prior to January 1, 2028, \$100; and (B) On or after January 1, 2028, and each subsequent year, \$100, adjusted by an amount to reflect the annual inflation or deflation. The department is required, on January 1, 2028, and every January 1 after, for the registration fees assessed to adjust the amount of the fee to reflect the effect of annual inflation or deflation for the cost of living that consumers in this state experienced on average during the immediately preceding fiscal year, as follows: (1) If, based upon the chained consumer price index for all urban consumers rate published by the United States department of labor, bureau of labor statistics or another similar index established by the federal government for June of the previous year, the department determines that this federal index reflects the effect of inflation and deflation for the cost of living that consumers in this state experienced on average during the preceding fiscal year, and if the rate is less than three percent, then the department must adjust the amount of the fee by that rate; and (2) If, based upon the chained consumer price index for all urban consumers rate published by the United States department of labor, bureau of labor statistics or another similar index established by the federal government for June of the previous year, the department determines that this federal index reflects the effect of inflation and deflation for the cost of living that consumers in this state experienced on average during the preceding fiscal year, and the rate is equal to or more than 3 percent, then the department must adjust the amount of the fee by 3 percent. The adjustment made must be rounded to the nearest whole dollar figure and the department is required to publish each adjusted registration fee on its

website. This amendment requires that the proceeds of these additional fees established must be appropriated as follows: (1) 63.4 percent to the state highway fund; (2) 11.8 percent to municipalities, in proportion as the population of each municipality bears on the aggregate population of all municipalities according the federal census; (3) 22 percent to counties, on the basis of the distribution of the county aid funds which is distributed equally among the 95 counties of the state, with 50 percent of the balance being distributed among the 95 counties based on area, and 50 percent distributed among the 95 counties based on population; and (4) 2.8 percent to the general fund. This amendment requires that, beginning January 1, 2027, if the federal government implements any taxes or fees on all-electric vehicles and allocates those taxes or fees to the federal highway trust fund, then the additional registration fee for all-electric vehicles must be adjusted so as to account for the tax or fee assessed by the federal government. The department must adjust the additional registration fee on all-electric vehicles by subtracting the sum of federal tax or fee from the sum of the additional registration fee at the time of the adjustment. An adjustment in the additional registration fee will become effective beginning January 1 of the calendar year following the implementation of the federal tax or fee on all-electric vehicle. Notwithstanding the sum of the taxes or fees imposed by the federal government, the department's adjustment of the additional registration fee must not result in an additional registration fee for all-electric vehicles of less than \$200, adjusted for inflation, on or after January 1, 2028. If the federal government subsequently elects to decrease any or all taxes or fees on all-electric vehicles after implementation, then the additional registration fee must be increased by an amount equal to the amount of the decrease by the federal government. HOV. This amendment rewrites the present law on high occupancy vehicles and lanes. This amendment requires drivers to obey the directions of every official traffic control device that is erected or placed to restrict usage of a lane designed for high-occupancy vehicles. Operation of a vehicle other than a high occupancy vehicle in an HOV lane is an offense. A violation of this section is a Class C misdemeanor, subject only to imposition of a fine, not to exceed \$50.00, and court costs, not to exceed \$10 including, but not limited to, any statutory fees of officers. State or local litigation taxes are not applicable to a case prosecuted for a violation. Drivers of emergency vehicles are exempt from the HOV provisions. ADMINISTRATION AND DISPOSITION OF STATE PROPERTY. Under present law, the commissioner of general services, with the approval of the governor and attorney general and reporter, may sell, lease or otherwise convey any interest in surplus state real property according to the following provisions: (1) If the property was acquired by or for the use of the department of transportation for right-of-way, if its fair market value does not exceed \$75,000 or such amounts in excess of \$75,000 as may be approved by the state building commission, and if any adjoining property owner or the former owner of that property wishes to purchase the property, or if a legal governmental body wishes to acquire the property for a public use purpose, or if a legal governmental body wishes to acquire the property for fair market value, then this subdivision must apply, notwithstanding any other provision of this section. Instead, the commissioner of transportation is authorized to declare the property surplus if the commissioner determines that the purpose of its acquisition has been completed and that the property is no longer needed by the department of transportation or another state agency, and may sell it to any adjoining property owner or the former owner of that property, for an amount representing not less than the fair market value, together with costs; provided, however, that the department of transportation may convey the property or any interest in the property by negotiated sale or disposal to any legal governmental body for a public use purpose, subject to reversion to the department of transportation for failure to continue public ownership and use. If approved by the department of transportation, and the federal highway administration where required by federal law, the department of transportation may accept real property in exchange for the surplus real property conveyed if the replacement property is at least equal in fair market value to the surplus property being replaced. The fair market value of the replacement property must be determined in accordance with the procedures for determining the fair market value of the surplus property. The commissioner of general services must concur in the fair market value amount or in the negotiated sale or disposal of the property to a legal governmental body for a public use purpose. If in the judgment of the department of transportation a survey of the property is required, the prospective purchaser must pay the department of transportation in advance for the cost of the survey; (2) The former property owner's right terminates 10 years after the date of acquisition by the department of transportation by conveyance or date of taking in condemnation of the subject property by the department. The former property owner's right must not transfer to the owner's heirs. The former property owner must have first right of refusal to purchase the right-of-way; provided, however, that the department may convey the property or any interest in the property to a legal governmental body for a public use purpose, subject to reversion to the department of transportation for failure to continue public ownership and use, without offering the former owner a first right of refusal to purchase the property. If the former property owner relinquishes the owner's right or the right has expired, the property may be conveyed to a legal governmental body or to an adjoining property owner. If more than one adjoining property owner is interested in purchasing the right-of-way, the interested adjoining property owners must submit sealed bids to the department of transportation, with the minimum bid price being the fair market value determined by appraisal, and the property may be conveyed to the adjoining property owner offering the highest responsive bid. The successful bidder must reimburse any unsuccessful prospective purchaser for survey and appraisal costs incurred; (3) The fair market value of surplus right-of-way property must be determined in accordance with the following procedures: (A) The department of transportation must make a preliminary planning estimate of the fair market value of the property in accordance with procedures that the department may establish; (B) If the department of transportation's preliminary planning estimate of the fair market value of the property is \$10,000 or less, the property must be appraised by an appraiser on staff with the department of transportation at no cost to the prospective purchaser; (C) If the department of transportation's preliminary planning estimate or subsequent staff appraisal of the fair market value of the property is greater than \$10,000, the property must be appraised by an independent appraiser whose services must be procured by the department of transportation in accordance with state law. The independent appraiser must be licensed and certified by the Tennessee real estate appraiser commission and must be selected from a list of prequalified appraisers approved by the department of transportation. The prospective purchaser must pay the department of transportation in advance for the cost of the independent appraisal; (D) The initial appraisal must be subject to review and approval by the department of transportation in accordance with procedures that the department of transportation may establish. The appraisal review must be conducted, at the department of transportation's expense, by a review appraiser who is licensed and certified by the Tennessee real estate appraiser commission and who is either employed by or under contract with the department of transportation. The review appraiser must either approve the initial appraisal or reject the initial appraisal and reappraise the property to determine the fair market value of the property, subject to the approval of the director of the right-of-way division of the department of transportation or the director's designee. If approved by the director or the director's designee, the review appraiser's determination must be presented to a prospective purchaser as the fair market value of the property; (E) If a prospective purchaser does not accept the appraised fair market value of the property as determined by the review appraiser, the prospective purchaser may request a final review and reconsideration by the commissioner of transportation or the commissioner's designee. The commissioner or the commissioner's designee must obtain a final review of the appraisal by a review appraiser who is licensed and certified by the Tennessee real estate appraiser commission and who is either employed by or under contract with the department of transportation; provided, however, that the final review appraiser must not be the same person who previously reviewed the initial appraisal. The prospective purchaser must be given the opportunity to present information concerning the value of the property for the consideration of the final review appraiser. The final review appraiser must consider all relevant information, including any appraisal previously performed by or for the department of transportation, and must have the authority to reappraise or make adjustments in the appraised fair market value, in accordance with generally accepted professional standards and guidelines. The final review appraiser's determination of the fair market value of the

property must be subject to the approval of the commissioner or the commissioner's designee; and (F) The department's final determination of the fair market value of the property is subject to the concurrence of the commissioner of general services. This amendment replaces "\$75,000," wherever it may appear, with "\$250,000," and "\$10,000," wherever it may appear, with "\$25,000."

*Fiscal Note:* (Dated February 5, 2023) - NOT SIGNIFICANT.  
*Senate Status:* 03/20/23 - Senate passed with amendment 2 (005545).  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0159 effective April 17, 2023.

## SB274/HB322 EDUCATION: Threat assessment team to coordinate with state agencies.

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires threat assessment teams from each local education agency to coordinate with state agencies to provide support services and technical assistance to the local teams. Part of Administration Package.

*Amendment Summary:* House amendment 2 (006917) rewrites this bill to revise various provisions of present law pertaining to elementary and secondary education and the Schools Against Violence in Education Act. STATE-LEVEL SAFETY TEAM Under present law, the commissioner of education must establish a state-level safety team to assist LEAs and schools with compliance with the requirements of the SAVE Act. As part of the assistance, the state-level safety team must publish a template for use by districts in preparing their district-level safety plans and building-level emergency response plans, which template must outline the responsibilities of the LEAs and individual schools in complying. The state-level safety team must regularly review and update the template. The commissioner must appoint the members of the safety team, including a representative of each of the following: (1) The department of safety; (2) TBI; (3) Homeland security; (4) The department of mental health and substance abuse services; (5) The emergency medical services of the department of health; (6) The state board of education; (7) The Tennessee association of school resource officers; and (8) The department of intellectual and developmental disabilities. Present law authorizes, but does not require, the commissioner to appoint representatives of additional groups and cohorts to the state-level safety team. This amendment requires the commissioner of safety, instead of the commissioner of education, to establish a state-level safety team. This amendment changes the member described in (1) to be a representative of the department of education. This amendment adds that the commissioner must appoint a representative of the Tennessee Sheriffs' Association, and a representative of the Tennessee Association of Chiefs of Police to the team. This amendment transfers responsibility for directing the state-level safety team from the director of the Tennessee school safety center to the commissioner of safety. ADOPTION OF COMPREHENSIVE PLANS Under present law, each LEA must adopt a comprehensive district-wide school safety plan and building-level school safety plans regarding crisis intervention, emergency response and emergency management. The plans must be developed by a district-wide school safety team and a building-level school safety team and must follow the template developed by the state-level safety team. An LEA having only one school building must develop a single building-level school safety plan, which must also fulfill all requirements for development of a district-wide plan. Any meeting concerning school security, the district-wide school safety plans or the building-level school safety plans is not subject to the open meetings laws. Though closed to the general public, reasonable notice must be provided to the general public prior to such a meeting. The board must not discuss or deliberate on any other issues or subjects during such a meeting. Each LEA must provide to the local law enforcement agency with jurisdiction the LEA's plans regarding school security, district-wide school safety plans and building-level school safety plans, as well as information, records, and plans that are related to school security. This amendment extends the planning requirements to public charter schools and requires each LEA and public charter school to review each of the plans it adopts annually. This amendment revises the provisions pertaining to the requirement that LEAs provide their plans to the local law enforcement agency to require that by July 1, 2023, and every July after, each LEA and public charter school provide the following to each local law enforcement agency with jurisdiction, the department of education, and the department of safety: (1) The LEA's, and to the extent applicable, the public charter school's, district-wide school safety plan; (2) The building-level school safety plan for each school in the LEA or each public charter school; and (3) The floor plans for all school buildings within the LEA or used by the public charter school. This amendment further requires that each LEA and public charter school provide the school safety plans to a law enforcement agency or other emergency response organization participating in an armed intruder drill. Upon the request of a local law enforcement agency with jurisdiction, the department of education, or the department of safety, the LEA or public charter school must provide any other plans, information, or records regarding school security. Present law requires each LEA to file a copy of its district-wide comprehensive safety plan with the commissioner. This amendment adds that LEAs must also file copies of each building-level school safety plan with the commissioner. This amendment requires that during a drill or an emergency, each LEA of public charter school, to the extent possible, must provide a responding law enforcement agency with access to security systems that may be required for the agency's response. This amendment also extends the requirements for plan adoption, annual plan review, and submission of plans to local law enforcement agencies, as well as law enforcement agencies and other emergency response organizations participating in an armed intruder drill, to private schools and church-related schools. This amendment does not require private and church-related schools to follow the state-level safety team's template when developing a plan, or to make the disclosures described in (1)-(3). TEMPLATE MINIMUM REQUIREMENTS Present law specifies nine components that the state-level safety team must include in its template. This amendment adds that the template must include policies and procedures to ensure that all individuals providing direct services to students or school staff in response to a school crisis have received the appropriate background checks in compliance with state law. ANNUAL DRILLS Present law requires each school safety team to conduct at least one armed intruder drill annually. The drill must be conducted in coordination with the appropriate local law enforcement agency. The results of the drill must be maintained by each school for a minimum of five years and must be made available to the department of education upon request. This amendment replaces present law to require that each school safety team, private school, and church related school annually conduct at least one: (1) Armed intruder drill, conducted in coordination with the appropriate local law enforcement agency; (2) Incident command drill without students present to prepare school staff and law enforcement agencies on what to expect in the event of an emergency situation in the school; and (3) Emergency safety bus drill without students present to prepare school staff and law enforcement agencies on what to expect in the event of an emergency situation on a school bus. This amendment requires that the results of a drill conducted must be maintained by the school for a minimum of five years and must be made available to a local law enforcement agency with jurisdiction, the department of education, or the department of safety upon request. SCHOOL BUILDING ENTRANCES This amendment requires that each LEA, public charter school, private school, and church-related school must ensure that all exterior doors leading into a school building are locked at all times and access to school buildings is limited to the school's primary entrance, unless otherwise determined by school policy, to prevent unauthorized entry into the school building while students are present during the school day as well as when students are present outside of regular school hours for school-related purposes or activities. Outside of regular school hours, an LEA, public charter school, private school, or church-related school may allow a school to unlock the door to the school building's primary entrance during a school-related event or activity if the door is continuously monitored by a school or LEA employee who is physically present at the door to ensure access is limited to only authorized persons and to alert others if an unauthorized person enters, or attempts to enter, the school building. This amendment authorizes state and local law enforcement personnel to inspect a door serving as an entrance to, or exit from, an LEA or public charter school building to determine whether the door is locked as required. There is no limit on the number of inspections law

LEA or public charter school building to determine whether the door is locked as required. There is no limit on the number of inspections law enforcement personnel may conduct. Except as provided by the exception described above for events and activities occurring outside of regular hours, if law enforcement personnel find that the door to an entrance or exit from a school building is unlocked, then the school must immediately lock the door and the law enforcement agency that found the unlocked door must, within 24 hours, send written notification to: (1) The LEA's director of schools or the leader of the public charter school; (2) The chair of the local board of education or public charter school governing body; (3) The head of the parent-teacher organization for the LEA or public charter school, if any; (4) The school principal; (5) The department of safety; (6) The department of education; and (7) Each local law enforcement agency with jurisdiction. This amendment requires that within 48 hours of receiving notification from the law enforcement agency, the LEA's director of schools, the leader of the public charter school, or their respective designees must send written confirmation to the notifying law enforcement agency that the door was immediately locked as required and that processes are in place to ensure that the door remains locked as required. The director, leader, or designee must send a copy of the director's, leader's, or designee's written confirmation to the recipients identified in (2) - (7). The director's, leader's, or designee's written confirmation must state whether the LEA or public charter school has a full-time school resource officer whose primary location is the school found to be in violation of the door locking requirement. This amendment provides that if a school is found to have violated the requirement that doors are locked at all times and access is limited on two or more occasions in one school year, then: (1) (A) If the LEA or public charter school does not currently have a school resource officer whose primary location is the school found to have violated on two or more occasions in one school year, the LEA or public charter school must cause a full-time school resource officer or armed school security officer (collectively referred to as "officer") to be posted at the school. The LEA or public charter school must bear the cost of posting the officer. The officer must be posted at the school within 30 days from the date on which the LEA or public charter school received notification of the school's second violation. The LEA or public charter school must notify the commissioner of education that the required officer is posted. If the LEA or public charter school fails to have an officer posted within 30 days, then the LEA or public charter school must submit a letter to the commissioner of education every 30 days that an officer is not posted explaining why the LEA or public charter school has not had an officer posted; and (B) If the department of education receives notice of a subsequent violation by the school in one school year, the commissioner will be required to withhold state funds from the LEA or public charter school, in either the current or upcoming school year, based on a sliding scale that ranges from two percent of the annual state funds generated by the school in the TISA for a third violation committed by a school in one school year to 10 percent of the annual state funds generated by the school in the TISA for a seventh violation committed by a school in one school year; or (2) If the LEA or public charter school currently has a full-time officer whose primary location is the school found to have violated the door locking requirements on two or more occasions, this amendment requires the commissioner to withhold state funds from the LEA or public charter school, in either the current or upcoming school year, based on a sliding scale that ranges from two percent of the annual state funds generated by the school in the TISA for a second violation committed by a school in one school year to 10 percent of the annual state funds generated by the school in the TISA for a sixth violation committed by a school in one school year. This amendment requires that if funds are withheld for a violation, then the funds must be withheld until: (1) The LEA or public charter school has the required officer posted at the school; and (2) The LEA or public charter school submits to the department of education, and receives the department's approval of, a corrective action plan. The full text of this amendment specifies components that a corrective action plan must include. This amendment requires that the percentage of any funds withheld for a violation must be calculated by the department of education based on the amount of state funds generated by the school in the TISA for the previous school year. If a public charter school did not generate funds in the previous school year, then the percentage withheld must be based on the average amount of state funds generated in the LEA in which the public charter school is located. ANNUAL REPORT Present law requires the commissioner of education to annually report to the governor and the general assembly on the SAVE Act. This amendment requires the commissioner of education and commissioner safety to jointly make the annual report. NEWLY CONSTRUCTED SCHOOL BUILDING This amendment requires that a public school building constructed or remodeled after July 1, 2023, must: (1) Include a door-locking mechanism on each classroom door that allows the classroom door to be locked from the inside; and (2) At least one secure vestibule that serves as the primary entrance to the school building and that contains two separate sets of doors that are each capable of being locked separately to prevent a person from entering the school building until an LEA or school employee authorizes a person to enter. This amendment clarifies that if a school building is being remodeled, (1) and (2) only apply to the portions of the building that are remodeled. This amendment provides that the date on which a public school building is constructed is the date on which the plans for the school building were approved by the agency having jurisdiction to approve construction of the building or the date on which the construction permit was issued for the building, whichever occurs first. THREAT ASSESSMENT TEAM This amendment makes mandatory the present law authorization for each LEA to adopt a policy to establish a threat assessment team within the LEA. Present law specifies nine duties of a threat assessment team. This amendment adds that a threat assessment team must coordinate with state agencies providing support services and technical assistance to local threat assessment teams. Under present law, a threat assessment team must report threat assessment team activities to the local board of education and the director of schools on a regular basis. The report must include quantitative data on threat assessment team activities, including post-incident assessments, and must provide information on the effectiveness of the team's response to incidents deemed to pose a risk to school safety. The report must comply with the FERPA and all other relevant state and federal privacy laws. This amendment requires the team to also report threat assessment team activities to the department of safety, the Tennessee school safety center, and the members of the state-level safety team. TENNESSEE SCHOOL SAFETY CENTER Present law requires the department of education to establish a Tennessee school safety center to develop and evaluate training materials and guidelines on school safety issues, including behavior, discipline and violence prevention. This amendment requires that the department of education collaborate with the department of safety in the establishment of the center. Present law requires the department of safety, in collaboration with the department of education, to develop a school security assessment for use in Tennessee public schools. The departments must provide training to local law enforcement agencies and school administrators on the use of the school security assessment to identify school security vulnerabilities. The department of safety is authorized to conduct periodic audits of Tennessee public schools as necessary to verify the effective implementation and use of such assessments to enhance school security. This amendment adds a requirement that each LEA and public charter school submit to the department of safety an annual school security self-assessment for each school that uses the school security assessment. CONFIDENTIAL RECORDS Under present law, information, records, and plans that are related to school security, the district-wide school safety plans or the building-level school safety plans are not open to public inspection. This must not be interpreted to prevent school administrators of an LEA from discussing or distributing information to parents or legal guardians of children attending the school regarding procedures for contacting or obtaining a child following a natural disaster. This amendment adds that all school security reports, memoranda, plans, notes, threats, and procedures, including drafts that are incorporated in reports created or received by the department of safety, must be treated as confidential and are not open for inspection by members of the general public. However, this does not limit access to those records by law enforcement agencies, courts, or other governmental agencies performing official functions. This amendment specifies that school building floor plans provided by LEAs to the commissioner pursuant to the SAVE Act are not public records. PRIVATE PROTECTIVE SERVICES LICENSING AND REGULATORY ACT TRAINING AND EXAMINATION OF APPLICANTS Under present law, a government officer or employee performing official duties is exempt from the licensure, registration, and regulatory requirements for security companies and guards. This amendment limits the exemption by

from the licensure, registration, and regulatory requirements for security companies and guards. This amendment limits the exemption by making the exemption inapplicable to a security guard or security officer who is providing security or patrol services at or in a public school. Under present law, within 15 days of employment, an unarmed security guard/officer applicant must complete general training and pass an examination and an armed security guard/officer applicant must complete general training, pass an examination, and complete firearms training within 60 days of employment. This amendment adds that an individual must not be posted as an unarmed security guard at or in a public school, public charter school, private school, or church-related school, or act as an unarmed security guard in any such school unless they first complete the general training and pass an examination. An individual must not be posted as an armed security guard in or at a public school, public charter school, private school, or church-related school unless they have completed all of the present law requirements above and has completed an active-shooter training. The active-shooter training must be no less than eight hours in duration and must be completed by each armed guard or officer providing security or patrol in a public school, public charter school, private school, or church-related school, regardless of whether the armed security guard or officer is employed by the public school or a contract security company. REFRESHER TRAINING AND REGISTRATION CARD RENEWAL This amendment requires that an armed guard or officer providing security or patrol services at or in a public school, public charter school, private school, or church-related school must complete an active shooter refresher training approved by the commissioner before the individual's registration card may be renewed. UNLAWFUL EMPLOYMENT Under present law, it is a Class A misdemeanor offense, punishable by fine only, for a person to knowingly employ as a security guard or officer an individual who does not hold a valid registration card of the appropriate type. This amendment makes it unlawful for any person, contract security company, or proprietary security organization to post a security guard or officer at or in a public school if the guard or officer is not properly registered, working on a pending application, or otherwise trained as required by law. House amendment 3 (007265) requires each district-wide school safety team and building-level school safety team to consider including in the district-wide school safety plan or building-level school safety plan the implementation of a mobile panic alert system that is capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responder agencies and that integrates with local public safety answering point infrastructure to transmit 911 calls and mobile activation. Senate amendment 2 (007274) requires a public school building, including a public charter school building, constructed or remodeled after July 1, 2023, must, at a minimum: include a door-locking mechanism on each classroom door that allows the classroom door to be locked from the inside; have installed a clear, bullet-resistant or entry-resistant film on the glass panel of each exterior entry or basement level window and door to prevent individuals from entering the school building without authorization by breaking the glass in an exterior entry or basement level window or door; include a camera system that continuously monitors each entrance, hallway, and communal area in the school building during regular school hours and during school-related events and activities conducted on school grounds that is accessible by a local law enforcement agency in an emergency situation; and include at least one (1) secure vestibule that serves as the primary entrance to the school building that contains two (2) separate sets of doors through which a person must pass to gain entrance into the school building that are each capable of being locked separately to prevent a person from entering the school building until an LEA or school employee authorizes a person to enter. Senate amendment 3 (007361) requires each local education agency and each private school to adopt a building-level school safety plan regarding crisis intervention, emergency response, and emergency management. Each LEA and private school should provide their floor plans and school safety plans to each local law enforcement agency, department of education, and department of safety by July 1 annually. Outlines required annual drills that each school must conduct. Senate amendment 4 (007265) requires each district-wide safety team and building-level school safety team to consider including the implementation of a mobile panic alert system that is capable of connecting emergency services to ensure real-time coordination between first responder agencies.

*Fiscal Note:* (Dated March 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed with amendment 2 (007274), amendment 3 (007361), and amendment 4 (007265).

*House Status:* 04/19/23 - House concurred in Senate amendment 2 (007274), amendment 3 (007361), and amendment 4 (007265).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0367 effective May 10, 2023.

### SB275/HB323 TAXES BUSINESS: Report concerning the review of credits allowed for certain taxes submitted by ECD.

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes the commissioner of economic and community development to submit electronically the report concerning the review of credits allowed for certain taxes that is conducted every four years to the governor, the speaker of the house of representatives, the speaker of the senate, the finance, ways and means committees of both chambers, and the office of legislative budget analysis. Broadly captioned. Part of Administration Package.

*Amendment Summary:* House amendment 1 (004955) rewrites this bill to make various changes to present tax law, as described below. TAX RATES UNDER THE BUSINESS TAX ACT Under present law, tax Classification 4 is for each person engaged in the business of contracting or performing a contract or engaging in any of the activities, or similar activities, listed below for a price, commission, fee, or wage: (1) Persons receiving compensation from rendering exterminating services, from installing personal property, from constructing, building, erecting, repairing, grading, excavating, drilling, exploring, testing, or adding to a building, highway, street, sidewalk, bridge, culvert, sewer, irrigation or water system, drainage, or dredging system, levee or levee system or any part thereof, railway, reservoir, dam, power plant, electrical system, air conditioning system, heating system, transmission line, pipeline, tower, dock, storage tank, wharf, excavation, grading, water well, or any other improvement or structure or any part thereof; and (2) Persons engaged in the business of selling livestock, poultry, or other farm products not exempted by other law. Present law provides that, during any taxable period, persons receiving more than \$50,000 of compensation from contracts under Classification 4 in a county or incorporated municipality, or both, other than the county or incorporated municipality where domiciled or located, are deemed to have a location in the county or municipality, or both, where the work was performed and a business tax return must be filed for that location for the period in question. This amendment revises this provision to apply, instead, to a person who, during any taxable period, receives more than \$100,000 of such compensation. Present law provides that an industrial loan and thrift company required by law to obtain a certificate and a license is subject to tax at the rate of three-tenths of one percent of the gross income of the business. This amendment changes that rate to one-tenth of one percent. EXEMPTIONS TO THE BUSINESS TAX ACT Present law provides that the Business Tax Act does not apply to a person primarily engaged in the manufacture of goods, wares, merchandise, or other articles of value from a location or outlet subject to ad valorem taxation. This amendment revises this provision to provide, instead, that the Business Tax Act does not apply to a person primarily engaged in the fabrication or processing of tangible personal property for resale and consumption off the premises with respect to the sales of such property made from the manufacturing location or from a storage or warehouse facility that is situated within a ten-mile radius of the manufacturing location. Present law provides that a person having less than \$10,000 within a county or incorporated municipality is exempt from the tax and licensing provisions, or the tax imposed for persons with a substantial nexus in the state, for the privilege of making sales and engaging in a vocation, occupation, business, or business activity. This amendment revises these exemptions to apply, instead, to such a person having less than \$100,000. DISTRIBUTIONS OF TAXES UNDER THE BUSINESS TAX ACT. Present law provides that, after distributions are made to the county clerk, forty-three percent of

the remaining proceeds of the tax must be earmarked and allocated specifically and exclusively to the state's general fund. This amendment lowers the forty-three percent to forty-two and sixty-two hundredths percent. NET EARNINGS UNDER THE EXCISE TAX LAW OF 1999. This amendment adds to present law that for assets purchased on or after January 1, 2023, for purposes of computing "net earnings" or "net loss," § 168 of the Internal Revenue Code of 1986, relative to the accelerated cost recovery system, must be applied as it exists and applies under the federal Tax Cuts and Jobs Act of 2017. Present law provides that there are certain items added to a taxpayer's net earnings or net losses. This amendment revises the current list in the following way: (1) Revises the provision that adds any depreciation that the taxpayer deducted in computing its federal taxable income in excess of that which the taxpayer could have deducted in computing such income, if the taxpayer had computed its depreciation under § 168 of the Internal Revenue Code as it existed and applied immediately prior to the passage of the Job Creation and Worker Assistance Act of 2002 to, instead, provide that such provision applies to assets purchased on or before December 31, 2022; and (2) Adds to the current list that, for tax years ending on or after December 31, 2023, but before December 31, 2025, any amount deducted under a provision relative to any gross premiums tax being deducted in determining net earnings, but taken as a credit against the excise tax, relating to the federal employer tax credit in Section 45S of the Internal Revenue Code of 1986 and earned as a credit against the excise tax must be added. Present law provides that there are certain items subtracted from a taxpayer's net earnings or net losses. This amendment revises the current list in the following way: (1) Revises the provision that subtracts any depreciation in excess of that which the taxpayer deducted in computing its federal taxable income that could have been deducted in computing such income if the taxpayer had computed its depreciation under § 168 of the Internal Revenue Code as it existed and applied immediately prior to the passage the Job Creation and Worker Assistance Act of 2002; to, instead, provide that such provision applies to assets purchased on or before December 31, 2022; and (2) Adds to the current list that an amount equal to the lesser of net earnings or \$50,000 must be subtracted. However, this amount must not create or increase a net loss. CREDITS UNDER THE EXCISE TAX LAW OF 1999. Present law provides that the tax imposed by the Excise Tax Law of 1999 is in addition to all other taxes and there is no credit allowed upon it except as provided in law. This amendment adds to the list of current exceptions that, for tax years ending on or after December 31, 2023, but before December 31, 2025, there is allowed against the sum total of the taxes imposed by the Franchise Tax Law of 1999, and by the Excise Tax Law of 1999, a credit equal to the federal employer tax credit in Section 45S of the Internal Revenue Code of 1986, as a result of compensation paid in this state during the tax period by the taxpayer. However, such credit taken on a franchise and excise tax return must not exceed fifty percent of the combined franchise and excise tax liability shown by the return before the credit is taken. Such a credit that is unused may be carried forward in a tax period until the credit is taken. However, the credit may not be carried forward for more than 15 years. APPORTIONMENT FORMULA UNDER THE EXCISE TAX LAW OF 1999. Under present law, for tax years beginning prior to July 1, 2016, generally all net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which must be the property factor plus the payroll factor plus twice the receipts factor, and the denominator of the fraction must be four. Additionally, for tax years beginning on or after July 1, 2016, generally all net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which must be the property factor plus the payroll factor plus three times the receipts factor, and the denominator of the fraction must be five. This amendment adds the following new apportionments: (1) For tax years ending on or after December 31, 2023, but before December 31, 2024, generally net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which is the property factor plus the payroll factor plus five times the receipts factor, and the denominator of the fraction is seven; (2) For tax years ending on or after December 31, 2024, but before December 31, 2025, generally net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which is the property factor plus the payroll factor plus 11 times the receipts factor, and the denominator of the fraction is 13; and (3) For tax years ending on or after December 31, 2025, generally net earnings must be apportioned to this state by multiplying the earnings by the receipts factor only. This amendment provides that, if the application of (1)-(3) above to a tax year results in a lower apportionment ratio than under the current application of the apportionment method as it applied to tax years ending before December 31, 2023, then a taxpayer may annually elect to apply the current apportionment method as it applied to tax years ending before December 31, 2023. However, the election must result in a higher apportionment factor for the tax year, and the taxpayer must have net earnings, rather than a net loss, for that tax year. Under present law, a taxpayer whose principal business in Tennessee is manufacturing may elect to apportion net earnings to this state by multiplying the earnings by a fraction, the numerator of which is the total receipts of the taxpayer in Tennessee during the taxable year and the denominator of which is the total receipts of the taxpayer from any location within or outside of the state during the taxable year. A taxpayer's principal business in Tennessee is manufacturing if more than 50 percent of the revenue derived from its activities in this state, excluding passive income, is from fabricating or processing tangible personal property for resale and consumption off the premises. Present law provides that a financial asset management company may elect to apportion net earnings by multiplying such earnings by a fraction, the numerator of which is the total receipts of the taxpayer in Tennessee during the taxable year as determined under this section and the denominator of which is the total receipts of the taxpayer everywhere during the taxable year. To elect either method of apportionment, the taxpayer must notify the department of the election, in writing, on its return for the taxable year to which the election applies. Once a taxpayer elects the method of apportionment, such election must remain in effect for a minimum of five tax years and thereafter until revoked. The taxpayer may revoke the election after the minimum period by notifying the department of the revocation, in writing, on its return for the first taxable year to which the revocation applies. A taxpayer that revokes the election must not be permitted to newly elect the method of apportionment for a period of five tax years, beginning with the tax year in which the taxpayer revoked the previous election. This amendment repeals the above methods of apportionment for tax years ending on or after December 31, 2025 for both the Excise Tax Law and Franchise Tax Law apportionments. CERTIFIED DISTRIBUTIONS. Present law provides that a taxpayer that makes an election for application based on meeting certain gross sales and receipts factor thresholds must, so long as such election is in effect, apportion net earnings and net worth in the manner prescribed elsewhere in the Excise Tax Law and Franchise Tax Law. The gross sales threshold must exceed one billion dollars of sales of tangible personal property made in this state during the tax period. This amendment adds that the gross sales threshold can also be met if the taxpayer has sales of alcoholic beverages made in this state to an affiliate that continues the manufacturing process that exceeds one billion dollars. However, the total amount derived from certified distribution sales must be excluded from the numerator of the receipts factor. A taxpayer that has made such an election, so long as such election is in effect, pay to the commissioner, annually, an excise tax on the total amount of certified distribution sales excluded from the numerator of the taxpayer's receipts factor. "Certified distribution sales" is defined as sales of tangible personal property made in this state by the taxpayer to any distributor, whether or not affiliated with the taxpayer, that is resold for ultimate use or consumption outside the state; provided, that the distributor has certified that such property has been resold for ultimate use or consumption outside this state. This amendment adds that "certified distribution sales" also includes sales of alcoholic beverages when such sales are made in this state by the taxpayer to an affiliate that continues the manufacturing process, prior to the manufactured beverage being sold for ultimate use or consumption outside this state, as long as the affiliate has certified that such property has been sold for ultimate use or consumption outside this state. FRANCHISE TAX LAW OF 1999. Under present law, the measure of the tax levied by the Franchise Tax Law of 1999 must in no case be less than the actual value of the real or tangible property owned or used in Tennessee, excluding exempt inventory and exempt required capital investments. However, this amendment provides that for tax years ending on or after December 31, 2023, the measure of the tax levied applies to the actual value of the taxpayer's aggregate real or tangible property in excess of \$500,000. This



amendment extends this provision out to tax years ending on or after December 31, 2024. Under present law, for tax years beginning prior to July 1, 2016, generally the net worth of a taxpayer doing business both in and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which must be the property factor plus the payroll factor plus twice the receipts factor, and the denominator of the fraction must be four. Additionally, for tax years beginning on or after July 1, 2016, generally the net worth of a taxpayer doing business both in and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which must be the property factor plus the payroll factor plus three times the receipts factor, and the denominator of the fraction must be five. This amendment adds the following new apportionments: (1) For tax years ending on or after December 31, 2023, but before December 31, 2024, generally the net worth of a taxpayer doing business both inside and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which is the property factor plus the payroll factor plus five times the receipts factor, and the denominator of the fraction is seven; (2) For tax years ending on or after December 31, 2024, but before December 31, 2025, generally the net worth of a taxpayer doing business both inside and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which is the property factor plus the payroll factor plus 11 times the receipts factor, and the denominator of the fraction is 13; and (3) For tax years ending on or after December 31, 2025, generally the net worth of a taxpayer doing business both inside and outside this state must be apportioned to this state by multiplying such values by the receipts factor only. This amendment provides that, if the application of (1)-(3) above to a tax year results in a lower apportionment ratio than under the application of the current apportionment method as it applied to tax years ending before December 31, 2023, then a taxpayer may annually elect to apply the current apportionment method as it applied to tax years ending before December 31, 2023. However, the election must result in a higher apportionment factor for the tax year, and the taxpayer must have net earnings, rather than a net loss, for that tax year.

**SALE AND USE TAXES, GENERALLY.** This amendment levies a tax at the rate of the tax levied on the sale of personal tangible property at retail on the repairing of tangible personal property or computer software, the laundering or dry cleaning of tangible personal property, the installing of tangible personal property that remains tangible personal property after installation, and the installing of computer software, when such repair, cleaning, or installation occurs at a place of business outside this state and the serviced tangible personal property or computer software is delivered by the seller to the purchaser or the purchaser's designee within the physical limits of this state or to a carrier for delivery to a place inside the physical limits of this state for use or consumption in this state. Under present law, the sale at retail, the use, the consumption, and the distribution and storage for use or consumption in the state of magazines and books that are distributed and sold to consumers by United States mail or common carrier, where the only activities of the seller or distributor in this state are those activities having to do with the printing, storage, labeling and/or delivery to the United States mail or common carrier of the magazines or books, or the maintenance of raw materials with respect to those activities, notwithstanding that the seller or distributor maintains employees in the state solely in connection with the production and quality control of the printing, storage, labeling and/or delivery, or in connection with news gathering and reporting is exempt from the sales and use taxes. Additionally, sales and use taxes do not apply to the sale or use of direct mail advertising materials that are distributed in Tennessee from outside the state by a person engaged solely and exclusively in the business of providing cooperative direct mail advertising. This amendment deletes these exemptions. This amendment establishes a sales tax holiday, exempting the retail sale of food and food ingredients, if sold between 12:01 a.m. on August 1, 2023 and 11:59 p.m. on October 2023 from the sales and use taxes. However, this provision does not exempt sales for an unattended food establishment or vending machine or device.

**TRANSACTIONS SUBJECT TO THE SALES AND USE TAXES.** This amendment expands on the present law regarding transactions subject to the sales and use taxes. This amendment clarifies that these provisions apply in determining whether a transaction is sourced to this state, apply regardless of the characterization of a product as tangible personal property, a digital good, a service, or other taxable product and applies only to determine a seller's obligation to pay or collect and remit a sale and use tax with respect to the seller's retail sale of a product. However, these provisions do not impose tax on a transaction if that tax is prohibited by the United States Constitution or Constitution of Tennessee. The retail sale of a product from out of state into this state is sourced as follows: (1) When the product is received by the purchaser at a business location of the seller, the sale is sourced to that business location; (2) When the product is not received by the purchaser at a business location of the seller, the sale is sourced to the location where receipt by the purchaser or the purchaser's donee as designated by the purchaser occurs, including the location indicated by instructions for delivery to the purchaser or the purchaser's donee, known to the seller; (3) When subdivisions (1) and (2) do not apply, the sale is sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of that address does not constitute bad faith; (4) When subdivisions (1)-(3) do not apply, the sale is sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of that address does not constitute bad faith; and (5) When subdivisions (1)-(4) do not apply, or in the circumstance in which the seller is without sufficient information to determine which sourcing requirement applies, then the location is determined by the address from which tangible personal property was shipped, from which the digital good or the computer software delivered electronically was first available for transmission by the seller, or from which the service was provided. The lease or rental of tangible personal property imported into this state is sourced as follows: (1) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale described above; (2)(A) For a lease or rental that requires recurring periodic payments, generally the first periodic payment is sourced the same as a retail sale in accordance with the provisions for the sale of a product from out of state into this state. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment; (B) The primary property location is as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of that address does not constitute bad faith; and (C) The property location must not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and services calls; (3) For the lease or rental of motor vehicles, trailers, semi-trailers, or aircraft that do not qualify as transportation equipment and watercraft with a displacement of under 50 tons, that requires recurring periodic payments, the first and each subsequent periodic payment is sourced to the primary property location. The primary property location is determined in accordance with (2); and (4) Notwithstanding the primary property location covered by a recurring periodic payment, the lease or rental of transportation equipment is sourced the same as a retail sale in accordance with the provisions described above for the sale from out of this state into this state. This amendment provides that the sale, including the lease or rental, or a product made from a place of business within the physical limits of this state where delivery is made by the seller or lessor to a purchaser or a lessee within the physical limits of this state or to a carrier or United States postal service location for delivery to a place within the physical limits of this state, is sourced to the seller's or lessor's place of business in this state. The location of where the purchaser may take or use the product is not determinative of where the sale is sourced. For the sale of a product made from a place of business within the physical limits of this state that is delivered by the seller to the purchaser or the purchaser's designee outside the physical limits of this state or to a carrier for delivery to a place outside the physical limits of this state, the sale is not sourced to this state. For a lease or rental of property, excluding transportation equipment, delivered to the lessee or renter in this state that requires recurring periodic payments, the periodic payments made subsequent to the first payment that cover periods where the primary property location is no longer within the physical limits of this state are not sourced to this state. The lessor is not liable for sales and use taxes on the periodic payments

that cover periods where the primary property location is no longer in this state. The primary property location is determined in accordance with the rules governing the lease or rental of tangible personal property imported into this state. For the sale of repairing of tangible personal property or computer software; laundering or dry cleaning of tangible personal property; and installing of tangible personal property that remains tangible personal property after installation; and installing of computer software, made from a place of business within the physical limits of this state where the serviced tangible personal property or computer software is delivered by the seller to the purchaser or the purchaser's designee outside the physical limits of this state or to a carrier for delivery to a place outside the physical limits of this state, the sale is not sourced to this state. This amendment provides that the sale of direct mail is sourced as follows: (1) For the sale of advertising and promotional direct mail and other direct mail made from a place of business in this state to a purchaser where delivery is made by the seller to a carrier or United States postal service location for distribution or delivery to direct mail recipients within the physical limits of this state, the sale is sourced to the seller's place of business; (2) To the extent the seller knows based on information provided by the purchaser showing the jurisdictions to which the direct mail will be delivered to recipients in another state, the portion of the sales price that equals the percentage of direct mail delivered to recipients in another state is not sourced to this state; (3) In lieu of providing the delivery information, a purchaser may provide the streamlined certificate of exemption to claim the direct mail exemption for the portion of the sales price that equals the percentage of direct mail delivered to recipients in another state; and (4) In the absence of bad faith, where the seller sourced the sale according to the delivery information provided by the purchaser in accordance with this section, the seller is not liable for tax if it is determined the purchaser provided incorrect delivery information. A sale of a prepaid calling service, or a sale of a prepaid wireless calling service, is sourced in accordance with the following: (1) The sale of a product made from a place of business within the state and delivered to a purchaser within the state, when sold from a place of business within the physical limits of this state; and (2) The retail sale of a product from out of this state into this state, when sold from out of state into this state. However, in the case of a sale of prepaid wireless calling service, the rule provided when a seller is without sufficient information to determine which sourcing requirement applies includes as an option the location associated with the mobile telephone number. House amendment 2 (006162) makes the following changes: (1) Provides that there must be allocated and distributed to the counties and municipalities an amount substantially equal to the amount that would have been allocated to the counties and municipalities but for the temporary exemption from sales tax applicable to the retail sale of food and food ingredients between 12:01 a.m. on August 1, 2023, and 11:59 p.m. on October 31, 2023. This allocation must be based on the reporting of exempt sales of food and food ingredients during the exemption period and any other data or information the commissioner deems relevant; and (2) Changes the effective date for Sections 26, 27, 28, 30, 31, and 32 of this bill to July 1, 2024. House amendment 3 (006724) clarifies that in addition to a taxpayer that meets certain gross sales threshold and receipts factor threshold being authorized to make an election concerning the apportionment of net earnings and net worth, and tax liability associated with certain certified distribution sales, under the Excise Tax Law of 1999, a taxpayer that is an affiliate of such taxpayer may also make such election. Currently, a taxpayer meets the receipts factor threshold if the taxpayer's receipts factor exceeds 10 percent. This amendment revises that provision to provide, instead, that a taxpayer meets the receipts factor threshold if the taxpayer's receipts factor exceeds 7.5 percent and more than 50 percent of the taxpayer's sales in this state are certified distribution sales. Under present law, a taxpayer making an election must annually pay the commissioner of revenue an excise tax on the total amount of certified distribution sales excluded from the numerator of the taxpayer's receipts factor. This amendment changes that to a gross receipts tax. NOTE: This amendment adds four new undesignated Sections to this bill. This amendment assigns one undesignated Section an effective date of January 1, 2025, and one or more other undesignated Sections an effective date of January 1, 2024. Senate amendment 4 (007182) renumbers the effective date section by deleting the language "qualifies for the application of this section" and substituting "and any taxpayers that are affiliates of such taxpayer shall each qualify for the application of this section." Provides that a taxpayer meets the receipts factor threshold if the taxpayer's receipts factor exceeds 7.5 percent and more than 50 percent of the taxpayer's sales in this state are certified distribution sales. Makes other provisions based on tax years ending on certain dates.

*Fiscal Note:*

(Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:*

04/19/23 - Senate passed with amendment 4 (007182).

*House Status:*

04/20/23 - House concurred in Senate amendment 4 (007182).

*Executive Status:*

05/15/23 - Enacted as Public Chapter 0377 effective May 11, 2023.

## **SB276/HB324 PUBLIC EMPLOYEES: Benefits for retired local government employees.**

*Sponsors:*

Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:*

Authorizes the local government insurance committee to establish voluntary benefits, in addition to health plan benefits, for retired local government employees. Requires retired local government employees to be drawing retirement benefits through TCRS in order to participate in the health benefits. Part of Administration Package.

*Amendment*

*Summary:*

Senate amendment 1 (005808) rewrites this bill to make various changes to present law pertaining to leave for state employees. Under present law, each officer and employee of the several departments and agencies of the state government, who is scheduled to work 1,600 hours or more in a fiscal year, accrues one day of sick leave for each month worked and a varying amount of annual leave, based on length of service, for each month worked. Present law authorizes state employees to use annual leave and sick leave for up to 12 weeks of maternity, paternity, or adoptive parent leave. This amendment adds that an eligible employee will be granted absence from work with 100 percent pay of the employee's salary for a period of time equal to 12 workweeks because of the birth of the employee's child or the placement of a child with the employee for adoption. This amendment requires an employee to give 30 days' notice to the appropriate appointing authority, and if the eligible employee learns of the birth or adoption less than 30 days in advance, then the employee must give notice as soon as reasonably possible. This amendment prohibits leave used by an eligible employee for the birth or adoption of child from being charged to sick, annual, or other leave the employee may have accumulated. An eligible employee is prohibited from being granted more than 12 workweeks of paid leave for these purposes during a 12-month period, even if more than one qualifying birth or adoption occurs, but the workweeks do not have to be taken consecutively. This amendment defines eligible employee as an employee who has been employed full time with the state for at least 12 consecutive months, except for an employee of an administrative board or commission that is attached to an entity. This amendment provides that if an eligible employee experienced a birth or adoption prior to the effective date of the amendment and has not used all of the federal Family Medical Leave Act leave to which the employee was entitled, then the employee is entitled to the leave provided by the amendment for the remainder of the federal family leave that the employee uses, not to exceed the 12 workweek cap. Under present law, an eligible employee accrues annual leave based on the total creditable service as follows: (1) Any officer or employee who has less than five years of full-time service and was not in the active employment of the state of Tennessee on July 1, 1969, accrues annual leave at the rate of one day for each month of service or major fraction thereof, and may accumulate a maximum of 30 work days; (2) Any officer or employee who has less than five years of full-time service and was an active employee of the state of Tennessee on July 1, 1969, and has had continuous employment since July 1, 1969, accrues annual leave at the rate of one and one-half days for each month of service or major fraction thereof, and may accumulate a maximum of 36 work days; (3) Any officer or employee who has five years and less than ten years of full-time service accrues annual leave at the rate of one and one-half days for each month of service or major fraction thereof and may

accumulate a maximum of 36 work days; (4) Any officer or employee who has ten years and less than 20 years of full-time service accrues annual leave at the rate of one and three-quarters days for each month of service or major fraction thereof and may accumulate a maximum of 39 work days; and (5) Any officer or employee who has 20 years or more of full-time service accrues annual leave at the rate of two days for each month of service or major fraction thereof and may accumulate a maximum of 42 work days. This amendment adds to (1) that an officer or employee other than as already described by present law who has less than five years of full-time service and was not in the active employment of the state of Tennessee on July 1, 1969, accrues annual leave at the rate of 12 days per year on the date the employee is hired and on each service anniversary date for the employee, and may accumulate a maximum of 30 work days; This amendment deletes (2). This amendment adds to (3) that an officer or employee other than as described in (1) who has five years and less than ten (10) years of full-time service accrues annual leave at the rate of 18 days per year on each service anniversary date for the employee, and may accumulate a maximum of 36 days. This amendment adds to (4) that an officer or employee other than as described in (1) who has 10 years and less than 20 years of full-time service accrues annual leave at the rate of 21 days per year on each service anniversary date for the employee, and may accumulate a maximum of 39 work days. Finally, this amendment adds to (5) that an officer or employee other than as described in (1) who has 20 years or more of full-time service accrues annual leave at the rate of 24 days per year on each service anniversary date for the employee, and may accumulate a maximum of 42 work days. This amendment requires that for purposes of calculating (1) - (5), service anniversary dates must be adjusted to account for gaps in paid employment as a state employment. For individuals holding full-time positions in the department of education that require three years' experience as a certified professional employee in the Tennessee public school system, prior teaching or administrative experience in Tennessee public schools is creditable for purposes of (1) - (5), not to exceed three years. Under present law, Saturdays, Sundays, and official holidays are not counted in computing the period of time to which an officer or employee is entitled, unless such days are considered as work days for the employee in the employee's particular assignment. For purposes of determining accrual rates and maximum accrual limits, 1,950 hours constitute a full-time work year. Any month, which was part of a 1,600 hour or greater annual schedule, in which an eligible employee is scheduled to work a full month, and actually works one tenth of one hour more than one half the scheduled hours, is creditable. For individuals holding full-time positions in the department of education that require three years' experience as a certified professional employee in a Tennessee public school system, prior teaching or administrative experience in Tennessee public schools is creditable, not to exceed three years. This amendment deletes these provisions and instead provides that annual leave requested by an employee is subject to supervisory approval. Under present law, sick leave may be granted to each officer and employee who is scheduled to work 1,600 hours or more in a fiscal year, whether compensated on an hourly, daily, monthly, or piecework basis, at the rate of one day for each month of service or major fraction thereof, at the discretion of the head of the department or agency and with the approval of the commissioner of human resources. This amendment adds that sick leave may be granted to each officer or employee, other than as described above, who is scheduled to work 1,600 hours or more in a fiscal year, whether compensated on an hourly, daily, monthly, or piecework basis, at the rate of 12 days per year on the date the employee is hired and on each service anniversary date for the employee, at the discretion of the head of the department or agency and with the approval of the commissioner of human resources. Under present law, each officer and employee entitled to annual leave must be compensated upon termination for the officer's or employee's unused accrued annual leave. Annual and sick leave do not accrue during a terminal leave period. This amendment deletes these provisions and instead requires that each officer and employee entitled to annual leave be compensated upon termination for their unused accrued annual leave based upon the number of months the employee worked beyond their service anniversary date. If the termination date is prior to the service anniversary date, then the officer or employee's final paycheck must be reduced to account for the number of annual days used that exceed the number of months in which the employee worked. If the separated employee is rehired by the state within one year of the date of separation, then the state must reinstate any accrued, unused annual leave from the previous period of employment for which the employee was not compensated at separation. Present law defines voluntary benefits as those benefits for which the premium is fully paid by enrolled members. The committees must establish voluntary benefits as the committees deem necessary and reasonable to afford coverage beyond the basic health plan and, where applicable, any employer-paid basic term life and basic accidental death and dismemberment insurance benefit offered by the committees. "Voluntary benefits" may include, but are not limited to, dental, vision, long-term care, and disability insurance benefits. This amendment deletes this definition and instead provides that "voluntary benefits" are those benefits the committees deem necessary and reasonable to afford coverage in addition to the basic health plan or plans, and any fully employer-paid benefits offered by the committee. Under present law, the state insurance committee must approve for eligible state employees a group insurance plan, which must consist of: (1) One or more basic health plans as the state insurance committee deems necessary and reasonable; (2) A basic term life insurance benefit and basic accidental death and dismemberment benefit, with defined coverage amounts paid for by the employer. These benefits must be available to eligible employees who have not enrolled in the health insurance plans offered by the state insurance committee; and (3) Voluntary benefit plans as may be necessary and reasonable. These benefits include optional life insurance coverage in excess of that offered under (2). The state insurance committee may provide for voluntary benefits as part of the basic health plans or as separate plans. This amendment removes (2) and (3), instead providing that the plan consists of: (2) All benefits with defined coverage fully paid for by the employer. These benefits must be available to eligible employees who have not enrolled in the health insurance plans offered by the state insurance committee; and (3) Voluntary benefit plans as may be necessary and reasonable. Under present law, the basic health, term life, and accidental death and dismemberment plans must be the only basic group insurance plans offered to state employees. This amendment changes this provision to require that the basic health and all plans fully paid by the employer be the only basic insurance plans offered by the state. Under present law, from the appropriations made each year in the general appropriations act, the various departments, agencies, boards, and commissions of state government must pay, on behalf of each participating employee within the respective departments, agencies, boards, and commissions, defined coverage amounts for the basic term life insurance benefit and basic accidental death and dismemberment benefit. This amendment deletes reference to the basic term life insurance benefit and basic accidental and dismemberment benefits and instead requires the commissions of state government to pay all fully employer-funded benefits and all partially employer-funded voluntary benefits. The premium for voluntary benefit plans as the state insurance committee may adopt must be fully paid by the enrolled members. The additional costs for participating dependents must be fully paid by the enrolled members. This amendment deletes the present law requirement that payment of the premium for voluntary benefits be fully paid by enrolled members and instead requires that it be paid in full or in part by the employee. Under present law, the state insurance committee may establish a health benefit, as the state insurance committee deems necessary and reasonable, for state employees who are retired. The health benefit may be made available to retired state employees who are drawing retirement benefits through the consolidated retirement system and to retired state employees of the University of Tennessee and the state university and community college system who are drawing retirement benefits through the consolidated retirement system or any other retirement plan as a result of their employment with the University of Tennessee or the state university and community college system. This amendment authorizes the state to also establish voluntary benefits. Under present law, the state insurance committee, in cooperation with the local education insurance committee and local government insurance committee, must provide supplemental medical insurance as the state insurance committee deems necessary and reasonable for retired state employees and teachers who are covered by Medicare benefits. The state insurance committee may also establish provisions for participation in Medicare health maintenance

organizations certified by the centers for Medicare and Medicaid services for retired state employees and may establish optional coverages as the state insurance committee deems necessary and reasonable. This amendment deletes these provisions, instead providing that the state insurance committee is authorized, but not required, to provide a supplemental medical insurance benefit as the committee deems necessary and reasonable for retired state employees, who are covered by Medicare benefits, and may establish eligibility for criteria for the benefit. The supplemental medical insurance benefit may be made available to: (1) Eligible retired state employees, eligible retired employees of the University of Tennessee, and eligible retired employees of the state university and community college system who are drawing retirement benefits through the Tennessee consolidated retirement system (TCRS); and (2) Eligible retired employees of the University of Tennessee and the state university and community college system who are participants in any other retirement plan offered through their employment with the University of Tennessee or the state university and community college system, regardless of whether such retired employee is drawing a retirement benefit. Under present law, the local education insurance committee must establish a health benefit, as the local education insurance committee deems necessary and reasonable, for retired local education employees. The health benefit may be made available to retired employees who are drawing retirement benefits either through the consolidated retirement system or through a non-TCRS retirement program sponsored by a participating local education agency. This amendment deletes these provisions, instead authorizing the local education insurance committee to establish basic health plans and voluntary benefits, as the local education committee deems necessary and reasonable, for retired local education employees. The benefits may be made available to all eligible retired local education employees; provided, that an eligible retired local education employee who is vested in TCRS must be drawing retirement benefits through that system to be able to also participate in the health benefits authorized. This amendment adds that subject to the approval of the state insurance committee and the local education insurance committee, all retired local education employees participating in TCRS may participate in the supplemental medical program described above; provided, that retired employees are covered by Medicare and are also drawing a monthly retirement allowance from TCRS. If, pursuant to a contract authorized the provider or administrator returns or refunds any amounts by which premiums or fees exceed expenses, the amounts must be used only for the supplemental medical insurance program for retired employees. The returns or refunds must not be used to reduce the amount of state funding that would otherwise be required. This amendment provides that from the appropriations made in the general appropriations act each year for that purpose, the state insurance committee may pay an amount on behalf of each participating retiree toward the cost of supplemental medical insurance at the same level and on the same terms as established by the state insurance committee. However, former local education employees, other than those specified above, who elect to participate in the program must pay the total cost of such coverage. The chief governing body of a local education employer may pass a resolution to make contributions toward the expense of such coverages; provided, that the amount, terms, and conditions of contributions must be, at all times, the same as that established by the state insurance committee. For determining the employer's contribution level, years of service is defined as only those years of service rendered by the retired employee to the resolving employer and upon which the retired employee's monthly retirement allowance is based. The resolution to make contributions on behalf of retired employees must remain in effect until revoked by the chief governing body. The budget of an employer electing to make contributions must include an amount sufficient to pay contributions on behalf of its retired employees covered by the supplemental insurance program. The employer must pay the contributions to the insurer in a manner directed by the state insurance committee. The supplemental medical insurance benefit authorized by this amendment is not available to a person otherwise qualified whose initial employment with a participating local education agency or other qualifying employer commenced on or after July 1, 2015. The rights of election, transfer, and enrollment conferred by this section is not available to a person whose initial employment with a participating local education agency, the state, or other governmental agency qualifying the person for plan membership commenced on or after July 1, 2015. Under present law, the local government insurance committee may establish a health benefit, as the local government insurance committee deems necessary and reasonable, for retired local government employees. The health benefit may be made available to retired employees who are drawing retirement benefits either through TCRS or through a non-TCRS retirement program sponsored by a participating local government agency. This amendment deletes the present law provisions and instead authorizes the local government insurance committee to establish basic health plan benefits and voluntary benefits, as the local government insurance committee deems necessary and reasonable, for retired local government employees. The health benefits may be made available to all eligible retired local government employees as long as an eligible retired local government employee who is vested in TCRS must be drawing retirement benefits through that system to receive the health benefits authorized. Under present law, subject to the approval of the state insurance committee, retired county judges, county officials, and employees of employers participating in TCRS may participate in the supplemental medical insurance program established by law as long as retired employees are covered by Medicare benefits and are drawing a monthly retirement allowance from TCRS. The state must not assume any cost nor provide any funding toward the payment of premiums. This amendment adds that participation is also subject to the approval of the local government insurance committee. House amendment 2 (006962) incorporates the changes made by Senate Amendment #1, but reduces the amount of paid leave required from 12 to six weeks.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate concurred in House amendment 2 (006962).

*House Status:* 04/03/23 - House passed with amendment 2 (006962).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0216 effective July 1, 2023.

### **SB277/HB325 HEALTH CARE: Opioid prescription limitations.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Permanently extends the present law, which is set to terminate on July 1, 2023, that establishes limitations on the prescription of opioids and authorizes the promulgation of rules related to the calculation of those limitations. Part of Administration Package.

*Amendment Summary:* House amendment 1 (006206) adds to this bill and changes present law as follows: (1) Provides that after issuing an initial prescription to a patient for an opioid in a manner that complies with present law, the healthcare practitioner who issued the initial prescription is not required to obtain and document informed consent if the subsequent prescription is for the same opioid and for the same episode of treatment. Informed consent must be updated periodically during any course of treatment; (2) Expects the treatment of patients who have undergone recent cancer treatment from restrictions and limitations on treating patients with opioids to same extent as such exemption applies under present law to the treatment of patients who are undergoing active cancer treatment, undergoing palliative care treatment, or are receiving hospice care. This amendment defines "recent cancer treatment" to mean six months following the end of an active cancer treatment; and (3) Replaces an obsolete reporting requirement with a requirement that the commissioner of health, in consultation with the healthcare professional regulatory boards, provide a letter no later than November 1 of each even-numbered year to the governor, the speaker of the senate, the speaker of the house of representatives, the health and welfare committee of the senate, and the health committee of the house of representatives that includes updated information on the impact and effects of the restrictions set forth in this bill.

*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate concurred in House amendment 1 (006206).

*House Status:* 03/30/23 - House passed with amendment 1 (006206).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0188 effective April 24, 2023.

**SB279/HB327 GOVERNMENT REGULATION: Financial activities of the governor's office of faith-based and community initiatives.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Removes the requirement that the nonprofit partner of the governor's office of faith-based and community initiatives use its own revenues to cover the cost of the nonprofit partner's activities. Removes the prohibition on a state employee benefitting from the nonprofit partner's activities. Removes the statement of the general assembly's intent that the state not realize any increased cost as a result of the governor's office of faith-based and community initiatives. Part of Administration Package.  
*Amendment Summary:* Senate amendment 1 (005109) prohibits a state employee from receiving compensation from funds received by the nonprofit partner.  
*Fiscal Note:* (Dated February 7, 2023) Other Fiscal Impact It is unknown the exact impact the proposed legislation will have on state expenditures and liabilities in FY23-24 and subsequent years. The Governors proposed FY23-24 budget on page B-27 includes \$1,200,000 in recurring funding for the Office of Faith-Based and Community Initiatives to provide a sustainable funding source.  
*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005109).  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/17/23 - Enacted as Public Chapter 0146 effective April 13, 2023.

**SB280/HB328 PUBLIC FINANCE: Biennial reports from designated state agencies regarding federal financial assistance.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Authorizes biennial reports from designated state agencies regarding federal financial assistance to be filed electronically with the general assembly. Broadly captioned. Part of Administration Package.  
*Amendment Summary:* House amendment 1 (006794) enacts the Tennessee Local Development Authority Public Safety Protection Act of 2023 (Act), which authorizes the Tennessee Local Development Authority (Authority) to issue its revenue bonds and make the bond proceeds or state appropriations available for loans to counties or volunteer fire departments for the purchase of equipment for public safety officers.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/20/23 - House passed with amendment 1 (006794).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0378 effective May 11, 2023.

**SB281/HB329 EDUCATION: Publishing the annual state salary schedule on the department of education's website.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Requires the commissioner of education to publish the annual state salary schedule on the department's website. Effective July 1, 2023. Part of Administration Package.  
*Amendment Summary:* House amendment 1 (005368) rewrites this bill to revise law relative to teachers' wages, as described below. STATE SALARY SCHEDULE FOR TEACHERS. Under present law, the commissioner, as approved by the state board of education, must annually formulate a table of training and experience factors and a state salary schedule to be effective for each school year, which must be applicable to all licensed personnel in every LEA, and which must include an established base salary per school year consisting of a term of 200 days for beginning licensed personnel with a bachelor's degree and zero years of experience. Licensed personnel having more training and experience must receive more than the established base per school year. Certified personnel having less training and experience must receive less than the established base per school year. The salary schedule must not be applicable to substitute personnel. This amendment requires that the state salary schedule for teachers formulated by the commissioner must establish a base salary that is no less than the following: (1) \$42,000 for the 2023-2024 school year; (2) \$44,500 for the 2024-2025 school year; (3) \$47,000 for the 2025-2026 school year; and (4) \$50,000 for the 2026-2027 school year. PROHIBITED DEDUCTIONS FROM WAGES. This amendment prohibits an LEA from deducting dues from the wages of the LEA's employees for a professional employees' organization, including, but not limited to, a professional employees' organization that is affiliated with a labor organization under federal law. However, an employee of an LEA is not prohibited from personally and voluntarily remitting dues to a professional employees' organization. House amendment 2 (006529) removes Section 2 from the bill that prohibits an LEA from deducting dues from the wages of and LEA employee for a professional employees' organization.  
*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/20/23 - Senate concurred in House amendment 2 (006529) and House amendment 1 (005368).  
*House Status:* 04/19/23 - House passed with amendment 2 (006529) and amendment 1 (005368).  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0437 effective July 1, 2023.

**SB284/HB612 CRIMINAL LAW: Determination of intellectual disability of those sentenced to death.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Hawk, David  
*Summary:* Establishes the procedure for the administrative office of the courts to issue payment to an expert who makes a court-ordered determination of intellectual disability in a person who has been sentenced to death prior to May 11, 2021.  
*Fiscal Note:* (Dated February 10, 2023) Increase State Expenditures \$1,800/FY23-24 and Subsequent Years/Indigent Defense Fund  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 04/17/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0255 effective April 28, 2023.

**SB287/HB701 CRIMINAL LAW: Offense of solicitation of a minor.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Doggett, Clay  
*Summary:* Adds statutory rape by an authority figure to the conduct included in the offense of solicitation of a minor. Requires a person convicted of continuous sexual abuse of a minor for offenses committed on or after July 1, 2023, to be sentenced to community supervision for life in addition to any other punishment.

*Amendment Summary:* House amendment 1 (013381) rewrites the bill to add offenses of continuous sexual abuse of a child committed on or after July 1, 2024, to the list of qualifying criminal misconduct that is sentenced to community supervision for life in addition to any other statutorily imposed punishment.

*Fiscal Note:* (Dated February 2, 2023) Increase State Expenditures \$181,600 Incarceration Decrease Local Expenditures \$5,100/FY23-24 and Subsequent Years

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0525 effective July 1, 2024.

### SB289/HB152 **TENNCARE: Annual Coverage Assessment Act of 2023.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Hazlewood, Patsy

*Summary:* Enacts the "Annual Coverage Assessment Act of 2023" which updates the year of coverage from FY2022-2023 to FY2023-2024. Establishes the annual coverage assessment for FY2023-2024 of 4.87% of a covered hospital's annual coverage assessment base.

*Amendment Summary:* House amendment 1 (003793) rewrites this bill to make the following changes to the present law relative to the annual coverage assessment act: (1) Changes the name of the present law to the "Annual Coverage Assessment Act of 2023"; and (2) Revises the present law provision that provides that monies credited or deposited to the maintenance of coverage trust fund, together with all federal matching funds, must be available to and used by the bureau only for expenditures in the TennCare program and include, amongst other purposes: (A) Expenditure for benefits and services under the TennCare program, including those that would have been subject to reduction or elimination from TennCare funding for FY 2023-2024, except for the availability of one-time funding for that year for, amongst others in present law: (i) Maintenance of payments for graduate medical education of at least \$48 million, instead of \$50 million, or a successor program as approved by CMS; (ii) An amount of \$579,438, instead of \$568,022, to maintain reimbursement at the same emergency care rate as in FY 2022-2023 for nonemergent care to children 12 to 24 months old; (iii) An amount of \$70,900, instead of \$2,030,1000, to the bureau to offset the elimination of the provision in the TennCare managed care contractor risk agreements for hospitals as follows: CRA 2.12.9.60-Specify in applicable provider agreements that all providers who participate in the federal 340B program give TennCare MCOs the benefit of 340B pricing; and (iv) An amount of \$1,426,700, instead of \$750,000, to provide funding for stipends for physicians and other healthcare providers who commit to work in designated medically underserved areas in this state; (B) The amount of payment to covered hospitals to be no less than forty and eight tenths percent, instead of thirty-eight and four tenths percent, of unreimbursed TennCare costs for all hospitals licensed by the state that reported TennCare charges and revenue and total expenses on the 2021 JAR, excluding state-owned hospitals; (C) Other programs and initiatives developed by the bureau, in consultation with the Tennessee Hospital Association, to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency. This amendment adds that the state portion of the funding for programs and initiatives developed under this provision must be used to obtain federal matching funds to raise funds up to \$350,000,000; and (D) Other programs and initiatives developed by the bureau in consultation with the Tennessee Hospital Association to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency. The state portion must be provided to obtain federal matching funds to produce up to a maximum payment of \$337,040,000 in hospital assistance.

*Fiscal Note:* (Dated February 10, 2023) Increase State Revenue \$603,171,200/FY23-24/ Maintenance Coverage Trust Fund The Governors proposed budget for FY23-24, on page A-32, recognizes revenue in the amount of \$622,396,700 in state funds and \$1,161,923,100 in federal funds.

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/16/23 - House passed with amendment 1 (003793).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0232 effective April 25, 2023.

### SB292/HB275 **HEALTH CARE: Exchange programs for needles and hypodermic syringes.**

*Sponsors:* Sen. Briggs, Richard , Rep. Hazlewood, Patsy

*Summary:* Applies on a statewide basis, rather than only in Nashville, Chattanooga, Knoxville, and Memphis, the distance parameter for the prohibition on needle and hypodermic syringe exchange programs being operated within 1,000 feet of a school or public park. Removes the distance parameter of 2,000 feet that presently applies on a statewide basis outside those four cities.

*Amendment Summary:* Senate amendment 1 (005845) provides that such a program established in Kingsport shall not conduct an exchange within 2,000 feet of a school or public park.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005845).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0256 effective July 1, 2023.

### SB293/HB191 **ALCOHOLIC BEVERAGES: Grace period given to licensee to file a tax return.**

*Sponsors:* Sen. Briggs, Richard , Rep. Holsclaw, Jr., John

*Summary:* Extends the grace period the commissioner of the alcoholic beverage commission may grant a licensee to file a tax return from 30 days to 45 days. Broadly captioned.

*Amendment  
Summary:*

House amendment 2 (007223) rewrites this bill to do the following: (1) Classifies the following as premier type tourist resorts for purposes of the sale of alcoholic beverages for on-premises consumption: (A) Americano Steakhouse in Carter County; (B) Ober Gatlinburg Ski Resort in Sevier County; (C) Southshore Resort in Obion County; (D) The Enclave Resort in Hamilton County; (E) Roamstead Smoky Mountains Resort in Cocke County; (F) Lakewind RV Resort in Pickett County; (G) Linita's Deli and Market in Hickman County; (H) 4 The Win Cigar Shop & Lounge in Coffee County; (I) TN Valley Railroad Museum in Hamilton County; (J) Woodhaven in Van Buren County; (K) Smoky Mountain Lakeside Resort and Marina in Jefferson County; (L) Farms at Bailey Station in Shelby County; (M) Amazon BNA 12 Office Towers in Nashville/Davidson County; (N) Nashville Yards in Nashville/Davidson County; (O) The Factory at Franklin in Williamson County; (P) Friends in Low Places in Nashville/Davidson County; (Q) Kirby Pines Estates in Shelby County; (R) The Beeches in Robertson County; (S) TriState Exhibition Center in Bradley County; (T) Chief's in Nashville/Davidson County; (U) Cascade Inn in Van Buren County; (V) Del PizzaRio in Cocke County (W) Fox Den Restaurant in Cocke County; (X) Sevierville Golf Club in Sevier County; (Y) Sequoyah Marina in Anderson County; and (Z) A commercially operated facility that has at least one structure with 30 or more residential dwelling units, and that is located within the Merrit Mansion Historic District; (2) Classifies the following as a community theater for purposes of the sale of alcoholic beverages for on-premises consumption: (A) Mountain Arts Community Center in Hamilton County; (B) Staar Theatre at Antoinette Hall in Giles County; and (C) Central Cinema in Knox County; (3) Classifies The Signal in Hamilton County as an urban park center for purposes of the sale of alcoholic beverages for on-premises consumption; (4) Classifies the Merrit Mansion Historic District as a special historic district for purposes of the sale of alcoholic beverages for on-premises consumption; (5) Authorizes restaurants located within the Merrit Mansion Historic District to sell alcoholic beverages for on-premises consumption; and (6) Classifies certain retail food stores that have a license to sell wine as caterers for purposes of the sale of alcoholic beverages for on-premises consumption. Senate amendment 3 (007434) authorizes Americano Steakhouse in Carter County to sell alcoholic beverages for on-premises consumption. Authorizes Ober Gatlinburg Ski Resort in Sevier County to sell alcoholic beverages for on-premises consumption. Authorizes Southshore Resort in Obion County to sell alcoholic beverages for on-premises consumption. Authorizes Council Fire Golf Club in Hamilton County to sell alcoholic beverages for on-premises consumption. Authorizes Roamstead Smoky Mountains Resort in Cocke County to sell alcoholic beverages for on-premises consumption. Authorizes Lakewind RV Resort in Pickett County to sell alcoholic beverages for on-premises consumption. Authorizes Linita's Deli and Market in Hickman County to sell alcoholic beverages for on-premises consumption. Authorizes Mountain Arts Community Center in Hamilton County to sell alcoholic beverages for on-premises consumption. Authorizes 4 The Win Cigar Shop & Lounge in Coffee County to sell alcoholic beverages for on-premises consumption. Authorizes TN Valley Railroad Museum in Hamilton County to sell alcoholic beverages for on-premises consumption. Authorizes Woodhaven in Van Buren County to sell alcoholic beverages for on-premises consumption. Authorizes Smoky Mountain Lakeside Resort and Marina in Jefferson County to sell alcoholic beverages for on-premises consumption. Authorizes Farms at Bailey Station in Shelby County to sell alcoholic beverages for on-premises consumption. Authorizes Staar Theatre at Antoinette Hall in Giles County to sell alcoholic beverages for on-premises consumption. Authorizes Amazon BNA 12 Office Towers in Davidson County to sell alcoholic beverages for on-premises consumption. Authorizes Nashville Yards in Davidson County to sell alcoholic beverages for on-premises consumption. Authorizes the Factory at Franklin in Williamson County to sell alcoholic beverages for on-premises consumption. Authorizes Friends in Low Places in Davidson County to sell alcoholic beverages for on-premises consumption. Authorizes Kirby Pines Estate in Shelby County to sell alcoholic beverages for on-premises consumption. Authorizes Central Cinema in Knox County to sell alcoholic beverages for on-premises consumption. Authorizes The Beeches in Robertson County to sell alcoholic beverages for on-premises consumption. Authorizes TriState Exhibition Center in Bradley County to sell alcoholic beverages for on-premises consumption. Authorizes Chief's / Merrit Mansion Historic District in Davidson County to sell alcoholic beverages for on-premises consumption. Authorizes Cascade Inn in Van Buren County to sell alcoholic beverages for on-premises consumption. Authorizes Fox Den Restaurant in Cocke County to sell alcoholic beverages for on-premises consumption. Authorizes Del PizzaRio in Cocke County to sell alcoholic beverages for on-premises consumption. Authorizes the City of Sevierville and the Sevierville Golf Club in Sevier County to sell alcoholic beverages for on-premises consumption. Authorizes The Crown Center in Sullivan County to sell alcoholic beverages for on-premises consumption. Authorizes the Jackson Baseball Stadium in Madison County to sell alcoholic beverages for on-premises consumption. Authorizes Sequoyah Marina on Norris Lake in Anderson County to sell alcoholic beverages for on-premises consumption.

*Fiscal Note:* (Dated January 20, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/21/23 - Senate adopted conference committee report (008077).  
*House Status:* 04/21/23 - House adopted conference committee report (008077).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0374 effective May 11, 2023.

**SB296/HB779 HEALTH CARE: Licensure decisions on applications of persons licensed in another state.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Helton-Haynes, Esther

*Summary:* Requires the board of medical examiners, board of osteopathic examination, board of nursing, and board of physician assistants to, within 45 days of receiving an application for Tennessee licensure from a person who is licensed in another jurisdiction, render a decision on the application and either issue the license or inform the applicant of its decision to deny licensure and the reasons for the denial.

*Amendment  
Summary:* Senate amendment 1 (004362) rewrites this bill to provide that when the board of medical examiners, board of osteopathic examination, board of nursing, or board of physician assistants receives an application that satisfies all statutory and board rule requirements ("completed application") for licensure from an applicant who is licensed in another state or territory of the United States or in the District of Columbia, then the respective board must, within 45 days from the date of receipt of the completed application: (1) Render a decision on the application; and (2) Inform the applicant of the need to appear before the board. Senate amendment 2 (005570) requires the board of alcohol and drug abuse counselors to do the following within 60 days from the date the board receives a completed application for initial licensure or a completed application for licensure from an applicant who is licensed in another state or territory of the United States or in the District of Columbia: (1) Render a decision on the application; or (2) Inform the applicant of the need to appear before the board. House amendment 1 (006544) rewrites this bill to provide that, when the board of medical examiners, the board of osteopathic examination, board of nursing, board of physician assistants, or board of alcohol and drug abuse counselors receives a completed application for licensure from an applicant who is licensed in another state or territory of the United States or in the District of Columbia, then the board must, within 45 days from the date the board receives the completed application, render a decision on the application or inform the applicant of the need to appear before the board.

*Fiscal Note:* (Dated February 14, 2023) Increase State Expenditures \$33,300/FY23-24 and Subsequent Years/ Division of Health-Related Boards Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Division of Health-Related Boards had a surplus of \$2,931,602 in FY20-21, a surplus of \$2,687,730 in FY21- 22, and a cumulative reserve balance of \$37,100,641 on June 30, 2022.

*Senate Status:* 04/21/23 - Senate concurred in House amendment 1 (006544).  
*House Status:* 04/21/23 - House passed with amendment 1 (006544).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0443 effective May 17, 2023.

**SB300/HB437 EDUCATION: Explanation of appeals process to be posted on website for student who is identified for retention.**

*Sponsors:* Sen. Lundberg, Jon , Rep. White, Mark

*Summary:* Requires the department to post on the department's website an explanation of the appeals process, administered by the department, for a student who is identified for retention in third grade, based on the student's performance level rating on the ELA portion of the student's most recent TCAP test.

*Amendment Summary:* Senate amendment 2 (007359) rewrites this bill to revise various provisions of present law pertaining to the promotion of students from third grade, as described below. **PROMOTION TO NEXT GRADE LEVEL** Under present law, beginning with the 2022-2023 school year, a student in the third grade must not be promoted to the next grade level unless the student is determined to be proficient in English language arts (ELA) based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test. However: (1) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted if: (A) The student is an English language learner and has received less than two years of ELA instruction; (B) The student was previously retained in any of the grades K-3; (C) The student is retested before the beginning the next school year and scores proficient in ELA; (D) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a 90 percent attendance rate at the camp, and the student's performance on the post-test administered to the student at the end of the learning loss bridge camp demonstrates adequate growth, as determined by the department; or (E) The student is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department; and (2) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "below" on the ELA portion of the student's most recent TCAP test may be promoted if: (A) The student is an English language learner and has received less than two years of ELA instruction; (B) The student was previously retained in any of the grades K-3; (C) The student retested before the beginning the next school year and scores proficient in ELA; or (D) The student attends a learning loss bridge camp before the beginning of the upcoming school year and maintains a 90 percent attendance rate at the camp, and is assigned a tutor through the TALLC to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. This amendment adds another option under (1), providing that, beginning with the 2023-2024 school year, a student may be promoted if the student demonstrates proficiency in ELA standards based on the student's scoring within the 50th percentile on the most recently administered state-provided benchmark assessment, if the benchmark assessment is administered to the student in a test environment, as determined by the department, and the student's LEA or public charter school agrees to provide tutoring services to the student for the entirety of the student's fourth-grade year based on tutoring requirements established by the department. If a student is promoted to the fourth grade pursuant to this, then the student's LEA or public charter school must notify the student's parent or guardian, in writing, of the benefits of enrolling their student in a learning loss bridge camp and encouraging the parent or guardian to do so. **RULES BY STATE BOARD OF EDUCATION** Under present law, the state board of education must promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test. The rules must provide that if an appeal is filed, the filing must be made by the student's parent or guardian. This amendment revises this present law provision to require that the rules provide, for the 2023-2024 school year and every school year thereafter: (1) That if an appeal is filed, the filing must be made by the student's parent or guardian unless the student's parent or guardian consents, in writing, to a principal, guidance counselor, teacher, or other administrator of the student's school filing the appeal, in which case the appeal may be filed by such individual; and (2) The process by which a principal, guidance counselor, teacher, or other administrator of the student's school must obtain the written consent of a student's parent or guardian for purposes of filing an appeal on behalf of the student's parent or guardian. **REPORT BY DEPARTMENT** This amendment requires that the department must report, to the education committees of the senate and house of representatives, for each LEA: (1) The number of students identified for mandatory retention who were promoted to the fourth grade pursuant to the new option for promotion under (1); (2) The provider, format, and frequency of tutoring services provided to students in the fourth grade who were promoted pursuant the new option for promotion under (1); (3) The percentage of students promoted pursuant to the new option under (1) that demonstrated growth or proficiency in ELA after receiving tutoring services in the fourth grade; (4) The number of students promoted pursuant to the new option under (1) that enrolled in a learning loss bridge camp; and (5) The percentage of students promoted pursuant to the new option under (1) and who enrolled in a learning loss bridge camp, that demonstrated growth or proficiency in ELA at the conclusion of the camp. The information in (1) must be reported no later than December 1, 2024, and each December 1 thereafter. The other information must be provided no later than December 1, 2025, and then each December 1 thereafter. **TUTORING SERVICES** This amendment requires that, beginning with the 2023-2024 school year, a student who is retained in any of the grades K-3 must be assigned a tutor to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. The department may procure up to three online tutoring providers for LEAs and public charter schools to use to provide online tutoring services to students. The chief procurement officer is authorized to approve an emergency purchase of online tutoring providers using procurement methods authorized by law and the rules of the department of general services' central procurement office.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/18/23 - Senate passed with amendment 2 (007359).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0338 effective May 5, 2023.

**SB301/HB961 EDUCATION: Allows adjunct faculty to participate in the Brian Byrge Act.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hicks, Gary

*Summary:* Allows adjunct faculty to participate in the Brian Byrge Act by allowing them to enroll in one course consisting of no more than four credit hours or 120 clock hours, per term at the community college or Tennessee college of applied technology at which they are employed, without paying tuition charges or maintenance fees.

*Fiscal Note:* (Dated March 3, 2023) Decrease State Revenue - \$19,200/FY23-24 and Subsequent Years/ Tennessee Board of Regents Forgone State Revenue - \$19,200/FY23-24 and Subsequent Years/ Tennessee Board of Regents

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0339 effective July 1, 2023.



**SB315/HB1456 EDUCATION: School resource officers provided to private schools.**

*Sponsors:* Sen. Niceley, Frank , Rep. Faison, Jeremy

*Summary:* Authorizes a private school and a local government to execute a contract or memorandum of understanding to allow the law enforcement agency of the local government to provide school resource officers to the private school. Broadly captioned.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/09/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0087 effective March 31, 2023.

**SB316/HB776 TAXES SALES: Project costs restrictions for certified border region and regional retail tourist development districts.**

*Sponsors:* Sen. Watson, Bo , Rep. Helton-Haynes, Esther

*Summary:* Restricts the types of costs of a project within a certified border region retail tourism development district or regional retail tourism development district that can be covered by an apportionment of state sales and use taxes to a municipality or industrial development corporation. Makes other revisions to the Border Region Tourism Development District Act and the Regional Retail Tourism Development District Act including funding and discounts on rent.

*Amendment Summary:* Senate amendment 1 (006062) rewrites this bill to provide that, with respect to a summary of costs that is submitted by the chief financial officer of the municipality on behalf of a developer that has incurred costs relative to an economic development project within either a border region retail tourism development district or a regional retail tourism development district in excess of \$3,000,000, the costs must be compiled and certified by an independent certified public accountant licensed in this state prior to submission to the commissioner of revenue. This amendment clarifies that "cost" does not include expenses for travel, advertising, meals, entertainment, and insurance; motor vehicle expenses; meeting expenses; office expenses; developer salaries; or taxes. House amendment 1, Senate Finance Committee amendment 2 (017376) rewrites the bill to, instead, make changes to the "Border Region Retail Tourism Development District Act" and the "Regional Retail Tourism Development District Act," as follows: (1) With respect to a summary of costs that is submitted by the chief financial officer of the municipality on behalf of a developer that has incurred total project costs relative to an economic development project within the district in excess of \$3 million, requires the costs to be compiled and certified by an independent certified public accountant licensed in this state prior to submission to the commissioner of revenue ("commissioner"); (2) Requires tax revenue distributed to the municipality pursuant to the act to be for the exclusive use of the municipality or the industrial development corporation formally designated by the municipality for payment of the cost of the economic development project, including principal and interest on indebtedness, including refunding indebtedness of the municipality or industrial development corporation related to the development of the project. The apportionment and payment must be made by the department of revenue to the municipality within 90 days of the end of each fiscal year for which the municipality is entitled to receive an allocation and payment pursuant to the act. If the commissioner determines that any cost included in a certification of a municipality submitted is not a qualifying cost, requires the commissioner to give notice of the determination to the municipality within one 120 days of the end of each fiscal year for which the municipality is entitled to receive an allocation and payment pursuant to the act, and if the notice is not provided within this one-hundred-twenty-day period, then the cost must be approved, is nonreviewable for reversal by any tribunal, and it is conclusive that the cost thereafter is reimbursable under the act. With respect to any cost included in a certification of a municipality that has been submitted prior to June 30, 2024, the commissioner must give notice of any determination to the municipality as to the qualification of such cost within 120 days of June 30, 2024, or within 120 days after receiving a summary of costs that is compiled and certified by an independent certified public accountant, whichever is later, and if the notice is not provided within the applicable timeframe, then the cost must be approved, is nonreviewable for reversal by any tribunal, and it is conclusive that the cost is reimbursable under the act; (3) Requires the act to only apply to border region retail tourism development districts for which a certified copy of the ordinance, along with the request for certification, has been filed with the commissioner before January 1, 2012. It is the legislative intent that modifications made to the act on or after July 1, 2024, do not apply to a project or extraordinary retail or tourism facility initiated prior to July 1, 2024; (4) Establishes that for purposes of the act, "cost" does not include (i) expenses for travel, meals, entertainment, motor vehicle expenses, meeting expenses, office expenses, developer salaries, or taxes; or (ii) commissions, fees, or other costs paid to or received from an affiliated entity that otherwise receives an incentive under this act. For purposes of this (4), "affiliated" means that one entity has a direct or indirect ownership interest in the other entity, or the two entities share one or more common owners; (5) Establishes that for purposes of the act, "direct or indirect assistance" or "direct or indirect financial assistance" includes, with respect to all costs submitted for reimbursement on or after July 1, 2011, the following: (A) Location assistance to a tenant for purposes of incentivizing a tenant to locate a project within a border region retail tourism development district; and (B) Discounts on rent that (i) are provided to a tenant pursuant to a lease agreement that was executed before the expiration of the investment period; (ii) accrue annually based on the amount of rent discounted during each respective year; (iii) equal the difference between the actual rent paid and the fair market value of rent at the time the lease was executed using generally accepted valuation practices; and (iv) accrue through the 35-year period established in state law, or the termination of the original lease, whichever occurs first; (6) Establishes that for purposes of the act, "cost" does not include (i) expenses for travel, meals, entertainment, motor vehicle expenses, meeting expenses, office expenses, developer salaries, or taxes; or (ii) commissions, fees, or other costs paid to or received from an affiliated entity that otherwise receives an incentive under the act. For purposes of this (6), "affiliated" means that one entity has a direct or indirect ownership interest in the other entity, or the two entities share one or more common owners; (7) Establishes that "direct or indirect assistance" or "direct or indirect financial assistance" includes, with respect to all costs submitted for reimbursement on or after July 1, 2019, the following: (A) Location assistance to a tenant for purposes of incentivizing a tenant to locate a project within a border region retail tourism development district; and (B) Discounts on rent that (i) are provided to a tenant pursuant to a lease agreement that was executed before the expiration of the investment period; (ii) accrue annually based on the amount of rent discounted during each respective year; (iii) equal the difference between the actual rent paid and the fair market value of rent at the time the lease was executed using generally accepted valuation practices; and (iv) accrue through the thirty-five-year period established under state law or the termination of the original lease, whichever occurs first; and (8) With respect to a summary of costs that is submitted by the chief financial officer of the municipality on behalf of a developer that has incurred costs relative to an economic development project within the district in excess of \$3 million, requires that the costs be compiled and certified by an independent certified public accountant licensed in this state prior to submission to the commissioner.

*Fiscal Note:* (Dated March 5, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1006, effective May 28, 2024.

**SB317/HB1416 EDUCATION: Extension of benefits to children of military families.**

*Sponsors:* Sen. Powers, Bill , Rep. Ragan, John

*Summary:* Extends the benefits and opportunities provided to children of active duty members of the uniformed services in the Interstate Compact on Educational Opportunity for Military Children to school-aged children in the household of a member of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard who are enrolled in any of the grades kindergarten through 12.

*Fiscal Note:* (Dated March 14, 2023) Increase State Expenditures \$55,500/FY23-24 and Subsequent Years

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0257 effective April 28, 2023.

**SB328/HB144 CRIMINAL LAW: Second offense DUI - participation in substance abuse program.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Lamberth, William

*Summary:* Changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program. Requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety.

*Amendment Summary:* Senate amendment 1 (003437) corrects the typo "tamper events" in Section 2 to "tampering events". Senate amendment 2 (004232) revises present law provisions governing penalties for violations of the offense of DUI, by adding that a person convicted for a third or subsequent DUI is required to pay all costs associated with an ignition interlock device, transdermal monitoring device, global positioning monitoring system, or any other monitoring device and is not eligible for electronic monitoring indigency fund assistance, regardless of whether the person is indigent.

*Fiscal Note:* (Dated January 30, 2023) Increase State Expenditures \$165,000/FY23-24 and Subsequent Years/ Electronic Monitoring Indigency Fund Increase Local Expenditures \$332,000/FY23-24 and Subsequent Years\* Decrease Local Expenditures \$572,300/FY23-24 and Subsequent Years/Permissive

*Senate Status:* 03/16/23 - Senate passed with amendment 1 (003437) and amendment 2 (004232).

*House Status:* 03/16/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0116 effective July 1, 2023.

**SB329/HB514 HEALTH CARE: Annual report by medical cannabis commission.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Terry, Bryan

*Summary:* Changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual findings and recommendations to the general assembly. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004642) rewrites this bill to add to the present law provision requiring the governor to appoint three members to the medical cannabis commission, that at least one member must be a patient who has been diagnosed with a qualifying medical disease or condition and who can establish the diagnosis for purposes of appointment to and service on the commission with a valid letter of attestation.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004642).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0258 effective July 1, 2023.

**SB331/HB253 CRIMINAL LAW: Establishes misdemeanor offense of parentage fraud.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Parkinson, Antonio

*Summary:* Establishes the Class A misdemeanor of parentage fraud when a person fraudulently claims that the victim is the biological parent of a child or fraudulently seeks to be legally established as a child's parent based on the person's status as a biological parent of the child.

*Amendment Summary:* Senate amendment 1 (005171) clarifies that parentage fraud occurs when the individual that a person seeks to legally establish as the biological parent of a child in the person's custody with intent to deprive the individual of property and the person knows or reasonably should know that the individual is not the child's biological parent is "another individual". This amendment also reduces the classification of parentage fraud from a Class A misdemeanor to a Class B misdemeanor.

*Fiscal Note:* (Dated February 25, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed with amendment 1 (005171).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0189 effective July 1, 2023.

**SB332/HB91 FAMILY LAW: Child or family receiving services from DCS - confidentiality of records.**

*Sponsors:* Sen. Lowe, Adam , Rep. Russell, Lowell

*Summary:* Allows the department of children's services to disclose information about a case to the public if all parties involved in the case, including the child, are deceased and all identifying personal information of the parties is redacted.

*Amendment Summary:* House amendment 1 (003760) authorizes the Department of Children's Services (DCS) to disclose to the public information about a case, so long as parties are deceased and identifying information is redacted.

*Fiscal Note:* (Dated January 23, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 02/27/23 - House passed with amendment 1 (003760).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0292 effective April 28, 2023.

**SB333/HB705 CRIMINAL LAW: Expunction of a person's public records of a criminal offense.**

*Sponsors:* Sen. Jackson, Ed , Rep. Doggett, Clay

*Summary:* Requires a court ordering the expunction of a person's public records of a criminal offense as a result of successful completion of a diversion program to include the person's state control number in the expunction order submitted to the Tennessee bureau of investigation.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 02/27/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0043 effective July 1, 2023.

**SB334/HB704 WELFARE: Medicaid fraud unit duties expanded.**

*Sponsors:* Sen. Jackson, Ed , Rep. Doggett, Clay

*Summary:* Authorizes the Tennessee bureau of investigation's medicaid fraud control unit to investigate and refer for prosecution laws pertaining to provider or vender fraud and abuse related to the administration of the medicaid program. Provides that the unit is also authorized to investigate medicare fraud, abuse, neglect and misappropriation of funds or property in healthcare facilities receiving payments under the state medicaid plan and complains of abuse, neglect and financial exploitation of medicaid recipients. Requires a summary of the unit's work be included in an annual report submitted to the governor, the senate judiciary committee and the criminal justice committee of the house of representatives. Creates three new divisions of the TBI: the criminal investigation division, the forensic services division and the narcotics investigation division.

*Fiscal Note:* (Dated January 25, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0088 effective March 31, 2023.

**SB346/HB933 CAMPAIGNS & LOBBYING: Notice to high school seniors about eligibility to vote.**

*Sponsors:* Sen. Campbell, Heidi , Rep. McKenzie, Sam

*Summary:* Requires each high school to inform each high school senior that upon reaching the age of 18 the student may be eligible to vote and to provide information from the secretary of state about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Broadly captioned.

*Amendment Summary:* House amendment 1 (007296) requires every high school in Tennessee to inform all high school seniors, upon reaching the age of 18, that they may be eligible to vote and provide them with information about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Prohibits any punitive measure from being taken against the person tasked by the high school to provide the information.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/20/23 - Senate concurred in House amendment 1 (007296).

*House Status:* 04/19/23 - House passed with amendment 1 (007296).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0444 effective May 17, 2023.

**SB350/HB294 EDUCATION: Student ID cards to include contact info for certain crisis and suicide prevention lifelines.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Freeman, Bob

*Summary:* Expands the Save Tennessee Students Act to require public institutions of higher education that issue new student identification cards to students enrolled in the institution to include the telephone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines on the cards. Requires the institutions to post the phone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines in a noticeable place on each campus.

*Amendment Summary:* House amendment 1 (006012) expands the Save Tennessee Students Act to include public institutions of higher education, requiring such institutions when issuing new student identification (ID) cards purchased by the institutions on or after July 1, 2023 to include on the ID card the telephone number for the 988 Suicide and Crisis Lifeline and the social media handle, telephone number, or text number for at least one additional crisis resource selected by the institution. Clarifies that the crisis resource information does not apply to digital ID cards. Requires such institutions to also post such information in a conspicuous place on each campus operated by the institution. Requires each institution to create and feature a webpage on the institution's website or a mobile application that contains information dedicated solely to the mental health resources available to the institution's students. Further requires each institution to include a strategy to raise awareness of the mental health and crisis support services and resources, that are available to students, faculty, and staff as part of the institution's suicide prevention plan. Requires any Local Education Agency (LEA) that serves grades 6th-12th to update any newly issued ID cards to include the telephone number for the 988 Suicide and Crisis Lifeline rather than the National Suicide Prevention Lifeline.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate concurred in House amendment 1 (006012).

*House Status:* 03/23/23 - House passed with amendment 1 (006012).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0190 effective July 1, 2023.

**SB355/HB1150 EDUCATION: Form for reporting student allergy to school.**

*Sponsors:* Sen. Haile, Ferrell , Rep. White, Mark

*Summary:* Requires the department of education to make the standardized form on which a student with an allergy may report the allergy to the school in which the student is enrolled available to all LEAs on the department's website. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (006281) requires the Department of Education (DOE) to conduct a statewide needs analysis of preschool education in Tennessee and to report the results on the department's website by March 31, 2024. Requires DOE to establish the Tennessee Preschool Task Force (Task Force). Requires the Task Force to develop a strategic plan for preschool education in the state with recommendations on how to expand preschool opportunities by June 1, 2024. Requires the Task Force to submit the strategic plan and recommendations to the education committees of the Senate and House of Representatives. Requires DOE to implement a pilot program to award grant funds to five local education agencies (LEAs) to implement innovative and high-quality preschool programs in the 2023-24 school year.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/19/23 - Senate passed with amendment 2 (006281).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0340 effective May 5, 2023.

**SB358/HB572 PUBLIC FINANCE: Liquidation of a security obtained by the state treasurer.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele

*Summary:* Allows the state treasurer to sell or liquidate a security valued under \$500 if the records of the holder do not reflect the identity of the person entitled to the security.

*Fiscal Note:* (Dated February 20, 2023) Decrease State Expenditures \$62,500/FY23-24 Exceeds \$15,600/FY24-25 and Subsequent Years Other Fiscal Impact There will an increase in state revenue in FY23-24 as a result of securities with a value of less than \$500 being sold earlier than under current law. However, the amount of such increase is currently unknown.

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0191 effective April 24, 2023.

**SB360/HB1307 CRIMINAL LAW: Voucher program to offset costs of person taking a first time handgun safety course.**

*Sponsors:* Sen. Massey, Becky , Rep. Kumar, Sabi

*Summary:* Authorizes the department of safety to create a voucher program for the purpose of offsetting the cost of persons taking a handgun safety course for the first time. Requires the department to report the number of courses taken using vouchers to the senate judiciary committee and house criminal justice committee. Broadly captioned.

*Fiscal Note:* (Dated February 11, 2023) Increase State Expenditures \$547,100/FY23-24/Handgun Permit Reserve \$547,100/FY24-25/Handgun Permit Reserve

*Senate Status:* 04/18/23 - Senate passed.

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0445 effective January 1, 2024.

**SB361/HB942 HEALTH CARE: Renewal fees paid by licensed dental hygienists.**

*Sponsors:* Sen. Massey, Becky , Rep. Alexander, Rebecca

*Summary:* Changes, from December 31 to November 1, the date that each licensed dental hygienist must pay an annual renewal fee and each registered dental hygienist must pay a biennial renewal fee to the board of dentistry, as well as the date prior to which the secretary of the board must notify each dental hygienist that the fees are due.

*Amendment Summary:* Senate amendment 1 (004164) enacts the "Dentist and Dental Hygienist Compact," as described below. **PURPOSES** The purposes of this compact are to facilitate the interstate practice of dentistry and dental hygiene and improve public access to dentistry and dental hygiene services by providing dentists and dental hygienists licensed in a participating state the ability to practice in participating states in which they are not licensed. This compact does this by establishing a pathway for dentists and dental hygienists licensed in a participating state to obtain a compact privilege that authorizes them to practice in another participating state in which they are not licensed. This compact enables participating states to protect the public health and safety with respect to the practice of such dentists and dental hygienists through the state's authority to regulate the practice of dentistry and dental hygiene in the state. **COMPACT PRIVILEGE** In order to obtain and exercise the authorization granted by a remote state to allow a licensee from a participating state to practice as a dentist or dental hygienist in a remote state ("compact privilege"), this compact requires a licensee to meet the following criteria: (1) Have a qualifying license as a dentist or dental hygienist in a participating state; (2) Be eligible for a compact privilege in a participating state where a licensee who is not licensed as a dentist or dental hygienist is exercising or seeking to exercising the compact privilege ("remote state") in accordance with other provisions of this compact; (3) Submit to an application process when seeking a compact privilege; (4) Pay an applicable commission and remote state fees for a compact privilege in the remote state; (5) Meet the assessment of an individual's knowledge of the laws and rules governing the practice of dentistry or dental hygiene, as applicable, in a state established by a remote state in which the licensee is seeking a compact privilege; (6) Have passed a national board examination of the joint commission on national dental examinations or another examination accepted by commission rule; (7) For a dentist, have graduated from a predoctoral dental education program accredited by the commission on dental accreditation, or another accrediting agency recognized by the United States Department of Education for the accreditation of dentistry and dental hygiene education programs, leading to the Doctor of Dental Surgery (D.D.S.) or Doctor of Dental Medicine (D.M.D.) degree; (8) For a dental hygienist, have graduated from a dental hygiene education program accredited by the Commission on Dental Accreditation or another accrediting agency recognized by the United States Department of education for the accreditation of dentistry and dental hygiene education programs; (9) Have successfully completed an examination or process, required for licensure as a dentist or dental hygienist as applicable, that provides evidence of clinical competence in dentistry or dental hygiene; (10) Report to the commission a disciplinary action or encumbrance imposed on a license or compact privilege by a state licensing authority ("adverse action") taken by any non-participating state when applying for a compact privilege and, otherwise, within 30 days from the date the adverse action is taken; (11) Report to the commission when applying for a compact privilege the address of the licensee's primary residence and thereafter immediately report to the commission any change in the address; and (12) Consent to accept service of process by mail at the licensee's primary residence on record with the commission with respect to any action brought against the licensee by the commission or a participating state, and consent to accept service of a subpoena by mail at such residence with respect to any action brought to investigation conducted by the commission or a participating state. This compact provides that, if the requirements in (1)-(12) above are met, then the compact privilege continues as long as the licensee maintains a qualifying license, which is not encumbered and is issued by a participating state to practice dentistry or dental hygiene, in the state through which the licensee applied for the compact privilege and pays any applicable renewal fees. A licensee providing dentistry or dental hygiene in a remote state under the compact privilege must function within the scope of practice authorized by the remote state for a dentist or dental hygienist licensed in that state as well as be subject to that state's regulatory authority. The amendment authorizes the remote state to revoke or remove a licensee's compact privilege in the remote state for a specific period of time and impose fines or take any other necessary actions to protect the health and safety of its citizens in accordance with due process and that state's laws. If a remote state imposes an adverse action against a compact privilege that limits the compact privilege, then that adverse action applies to all compact privileges in all remote states. A licensee whose compact privilege in a remote state is removed for a specified period of time is not eligible for a compact privilege in any other remote state until the specific time for removal of the compact privilege has passed and all encumbrance requirements are satisfied. **ACTIVE-DUTY MILITARY PERSONNEL OR THEIR SPOUSES** An individual in full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve ("active-duty military"), and their spouse are not required to pay for a compact privilege the fee otherwise charged by the commission. If a remote state chooses to do so, it may choose to charge a reduced fee or no fee to an active-duty military individual and their spouse. **ADVERSE ACTIONS** This compact provides that a participating state in which a licensee is licensed has exclusive authority to impose an adverse action against the qualifying license issued by

that participating state. A participating state may bring an adverse action based on the significant investigative information of a remote state so long as the participating state follows its own procedures for imposing an adverse action. However, this compact does not override a participating state's decision that participation in an alternative program may be used in lieu of an adverse action and that such participation must remain non-public if required by the participating state's laws. Participating states must require licensees who enter any alternative program in lieu of discipline to agree not to practice in any other participating state during the term of the alternative program without prior authorization from such other participating state. This compact authorizes a participating state in which a licensee is applying to practice or is practicing pursuant to a compact privilege to investigate actual or alleged violations of the statutes and regulations authorizing the practice of dentistry or dental hygiene in any other participating state in which the dentist or dental hygienist holds a license or compact privilege. In addition to the authority granted to a participating state by its dentist or dental hygienist licensure act or other applicable state law, a participating state may jointly investigate licensees with other participating states and those states must share any significant investigative information, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact. After a licensee's compact privilege is terminated, the remote state may continue an investigation of the licensee that began when the licensee had a compact privilege in that state and if that yields what would have been considered significant investigative information has the licensee continued to have the privilege in the state, the remote state must report the presence of such information to the data system as required under this compact.

**ESTABLISHMENT OF THE COMMISSION** This compact authorizes the participating states to create and establish a joint government agency whose membership consists of all participating states that have enacted the compact ("commission"). The commission is an instrumentality of the participating states acting jointly and not a tool of any singular state.

**OPERATION OF THE COMMISSION** Each of the participating state have and are limited to one commissioner elected by that state's licensing authority or if the state has more than one state licensing authority, selected collectively by the state licensing authorities. The commissioner must be a member or designee of such authority or authorities. The commission may by rule or bylaw establish a term of office and term limits for the commissioners. In addition, the commission may recommend to a state licensing authority or authorities, as applicable, removal or suspension of an individual as the state's commissioner. The commission is required to meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws, including via telecommunication, video conference, or other similar electronic means. Furthermore, all meetings of the commission that are not closed pursuant to this compact are open to the public. Notice of public meetings must be posted on the commission's website at least 30 days prior to the public meeting. The commission may convene an emergency public meeting by providing at least 24 hours prior notice on the commission's website, and any other means as provided in the commission's rules, for any of the reasons it may dispense with notice of proposed rulemaking under this provision. However, the commission may convene in a closed, non-public meeting for the commission to receive legal advice or to discuss the following: (1) Non-compliance of a participating state with its obligations under the compact; (2) The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures; (3) Current or threatened discipline of a licensee or compact privilege holder by the commission or by a participating state's licensing authority; (4) Current, threatened, or reasonably anticipated litigation; (5) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate; (6) Accusing any person of a crime or formally censuring any person; (7) Trade secrets or commercial or financial information that is privileged or confidential; (8) Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy; (9) Investigative records compiled for law enforcement purposes; (10) Information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; (11) Matters specifically exempted from disclosure to the public by federal or participating state law; and (12) Other matters as promulgated by the commission by rule. This compact provides that, if a meeting or portion of a meeting is closed, then the presiding officer must state that the meeting will be closed and reference each relevant exempting provision and such reference must be recorded in the minutes. The commission must keep minutes that fully and clearly describe all matters discussed in a meeting and must provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action must be identified in such minutes. All minutes and documents of a closed meeting must remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction. This compact authorizes the commission to levy on and collect an annual assessment from each participating state and impose fees on licensees of participating states when a compact privilege is granted, to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each fiscal year for which sufficient revenue is not provided by other sources. The aggregate annual assessment amount for participating states must be allocated based upon a formula that the commission must promulgate by rule. This compact requires the commission to keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission must be subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission must be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

**EXECUTIVE BOARD** This compact provides that the executive board has the power to act on behalf of the commission according to the terms of this compact. The executive board must be composed of up to seven members, including the chair, vice chair, secretary, and treasurer of the commission and any other members of the commission who serve on the executive board must be voting members of the executive board. The commission may remove any member of the executive board as provided in the commission's bylaws. This compact requires the executive board to meet at least annually. An executive board meeting at which it takes or intends to take formal action on a matter must be open to the public, except that the executive board may meeting in a closed, non-public session of a public meeting when dealing with any of the matters covered under the previously mentioned sections. The executive board must give five business days' notice of its public meetings, posted on its website and as it may otherwise determine to provide notice to persons with an interest in the public matters the executive board intends to address at those meetings. The executive board may also hold an emergency meeting when acting for the commission to meet an imminent threat to public health, safety, or welfare; prevent a loss of commission or participating state funds; or protect public health and safety.

**IMMUNITY** This compact provides that the members, officers, executive director, employees, and representatives of the commission are immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. However, this provision does not protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission does not compromise or limit the immunity granted under this provision. The commission must defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities as long as the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct. However, this provision does not prohibit that person from retaining their own counsel at their own

expense. If a member officer, executive director, employee, or representative of the commission is held liable for the amount of any settlement or judgement arising out of any actual or alleged act, error, or omission that occurred within the scope of that individual's employment, duties, or responsibilities for the commission, or that the person to whom that individual is liable had a reasonable basis for believing occurred within the scope of the individual's employment, duties, or responsibilities for the commission, the commission must indemnify and hold harmless such individual so long as the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of the individual. This provision does not place a limitation on the liability of any licensee for professional malpractice or misconduct, which is governed solely by any other applicable state laws. Additionally, this compact does not waive or otherwise abrogate a participating state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation. Further, participation in this compact does not waive the sovereign immunity by the participating states or by the commission.

**DATA SYSTEM** The commission must provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system containing licensure, adverse action, and the presence of significant investigative information on all licensees and applicants for a license in participating states. A participating state must also submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission. The records and information provided to a participating state pursuant to this compact or the data system, when certified by the commission or an agent of the commission, constitutes the authenticated business records of the commission, and is entitled to any associated hearsay exception in any relevant judicial, quasi-judicial, or administrative proceedings in a participating state. Significant investigative information pertaining to a licensee in a participating state will only be available to other participating states. It is the responsibility of the participating states to monitor the database to determine whether adverse action has been taken against a licensee or license applicant. Adverse action information pertaining to a licensee or license applicant in any participating state will be available to any other participating state. Participating states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state. Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the participating state contributing the information must be removed from the data system.

**RULEMAKING** The commission must promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes and provisions of the compact. A commission rule will be invalid and have no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of the compact, or the powers granted hereunder, or based upon another applicable standard of review. The rules of the commission must have the force of law in each participating state. However, that where the rules of the commission conflict with the laws of the participating state that establish the participating state's scope of practice as held by a court of competent jurisdiction, the rules of the commission must be ineffective in that state to the extent of the conflict. If a majority of the legislatures of the participating states rejects a commission rule or portion thereof, by enactment of a statute or resolution in the same manner used to adopt the compact, within four years of the date of adoption of the rule, then such rule must have no further force and effect in any participating state or to any state applying to participate in the compact. Rules must be adopted at a regular or special meeting of the commission. Prior to adoption of a proposed rule, the commission must hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments. Prior to adoption of a proposed rule by the commission, and at least 30 days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission must provide a notice of proposed rulemaking on the website of the commission or other publicly accessible platform; to persons who have requested notice of the commission's notices of proposed rulemaking; and in such other ways as the commission may be rule specify. All hearing will be recorded and a copy and all written comments and documents received by the commission in response to the proposed rule must be available to the public. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 24 hours' notice, with opportunity to comment, provided that the usual rulemaking procedures provided in the compact and in this section must be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. The commission, or an authorized committee of the commission, may direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions must be posted on the website of the commission. The revision must be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission. A participating state's rulemaking requirements does not apply under this compact.

**OVERSIGHT** The executive and judicial branches in each participating state must enforce this compact and take all actions necessary and appropriate to implement the compact. Venue is proper and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. The commission is entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact or commission rule and must have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process must render a judgment or order void as to the commission, this compact, or promulgated rules.

**DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION** If the commission determines that a participating state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission must provide written notice to the defaulting state. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the commissioners, and all rights, privileges and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default. Termination of participation in the compact must be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority or authorities, as applicable, and each of the participating states' state licensing authority or authorities, as applicable. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination. Upon the termination of a state's participation in this compact, that state must immediately provide notice to all licensees of the state, including licensees of other participating states issued a compact privilege to practice within that state, of such termination. The terminated state must continue to recognize all compact privileges then in effect in that state for a minimum of 180 days after the date of said notice of termination. The Commission must not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state. The defaulting state may appeal the action of the commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees.

**DISPUTE RESOLUTION** Upon request by a participating state, the commission must attempt to resolve disputes related to the compact that arise among participating states and between participating states and non-participating states. The commission must promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate. The

commission, in the reasonable exercise of its discretion, must enforce the provisions of this compact and the commission's rules. By majority vote, the commission may initiate legal action against a participating state in default in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. The remedies herein must not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting participating state's law. A participating state may initiate legal action against the commission in the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. No individual or entity other than a participating state may enforce this compact against the commission. **EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT** This compact comes into effect on the date on which the compact statute is enacted into law in the seventh participating state. A participating state may withdraw from this compact by enacting a statute repealing that state's enactment of the compact. A participating state's withdrawal must not take effect until one 180 days after enactment of the repealing statute. Withdrawal must not affect the continuing requirement of the withdrawing state's licensing authority or authorities to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal. Upon the enactment of a statute withdrawing from this compact, the state must immediately provide notice of such withdrawal to all licensees within that state. **CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS** This compact does not prevent or inhibit the enforcement of any other law of a participating state that is not inconsistent with the compact. Any laws, statutes, regulations, or other legal requirements in a participating state in conflict with the compact are superseded to the extent of the conflict. All permissible agreements between the commission and the participating states are binding in accordance with their terms. The department of health, in consultation with the board of dentistry, may promulgate rules to implement and amend this part, as necessary, to ensure this state's participation in the compact. The board of dentistry must notify the reviser of statutes, the chair of the government operations committee of the house of representatives, and the chair of the government operations committee of the senate in writing when the compact is so enacted into law. House amendment 1 (005304) enacts the Dentist and Dental Hygienist Compact (Compact), an interstate compact to recognize dentists and dental hygienists licensures from member states. Establishes that the Compact will become effective on the date on which the Compact is enacted into law in the seventh participating state. Creates the Dentist and Dental Hygienist Compact Commission (Commission) upon enactment of the Compact. Entitles each participating state to one delegate on the Commission. Authorizes a dentist or dental hygienist with a qualifying license who meets certain criteria to be awarded Compact Privilege to practice as a dentist or dental hygienist in a remote state.

*Fiscal Note:*

(Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:*

04/21/23 - Senate concurred in House amendment 1 (005304).

*House Status:*

04/20/23 - House passed with amendment 1 (005304).

*Executive Status:*

05/22/23 - Enacted as Public Chapter 0446 effective May 17, 2023.

**SB362/HB412 CRIMINAL LAW: Expunction of public records - motor vehicle operator's refusal to submit to breath and blood tests.***Sponsors:*

Sen. Massey, Becky , Rep. Lamberth, William

*Summary:*

Authorizes the expunction of public records regarding a motor vehicle operator's refusal to submit to breath and blood tests to determine alcohol or drug content of a motor vehicle operator's blood in the same manner as expunction for an eligible criminal offense.

*Amendment**Summary:*

House amendment 1 (004028) authorizes records related to a motor vehicle operator's refusal to submit to a test to determine the person's blood alcohol or drug content level (implied consent) to be eligible for expunction in the same manner as other eligible misdemeanor offenses under existing law. Prohibits such an expunction for persons who at the time of the offense held a commercial driver license or a commercial learner permit or who committed the offense within a commercial motor vehicle.

*Fiscal Note:*

(Dated February 4, 2023) Increase Local Revenue \$22,000/FY23-24 and Subsequent Years/Permissive Other Fiscal Impact Passage of the proposed legislation could jeopardize Federal Highway Administration funds to the Tennessee Department of Transportation's Highway Fund.

*Senate Status:*

03/16/23 - Senate passed.

*House Status:*

03/06/23 - House passed with amendment 1 (004028).

*Executive Status:*

04/11/23 - Enacted as Public Chapter 0137 effective April 6, 2023.

**SB363/HB371 TENNCARE: Claims seeking recovery against the estates of deceased ABLE account beneficiaries.***Sponsors:*

Sen. Massey, Becky , Rep. Darby, Tandy

*Summary:*

Prohibits the state from filing certain claims seeking recovery against the estates of deceased ABLE account beneficiaries.

*Fiscal Note:*

(Dated February 10, 2023) NOT SIGNIFICANT

*Senate Status:*

02/23/23 - Senate passed.

*House Status:*

02/27/23 - House passed.

*Executive Status:*

03/20/23 - Enacted as Public Chapter 0044 effective March 14, 2023.

**SB365/HB355 INSURANCE HEALTH: Coverage for diagnostic imaging and supplemental breast screening.***Sponsors:*

Sen. Massey, Becky , Rep. Alexander, Rebecca

*Summary:*

Requires that a health benefit plan that provides coverage for a screening mammogram must provide coverage for diagnostic imaging and supplemental breast screening without imposing a cost-sharing requirement on the patient.

*Amendment**Summary:*

House amendment 1 (004261) establishes an exemption to the no-cost sharing requirement, which provides that if the coverage would result in a high deductible health benefit plan with a health savings account becoming ineligible under the Internal Revenue Code, then the new coverage only applies to such plans only after the plan enrollee has satisfied the minimum deductible required under the Internal Revenue Code, except with respect to items or services that are deemed preventive care pursuant to the Internal Revenue Code. Senate amendment 2 (007848) requires a health benefit plan that provides coverage for a screening mammogram to provide coverage for diagnostic imaging and supplemental breast screening without imposing a cost sharing requirement on the patient. Establishes that such requirement applies to a high deductible health benefit plan with a health savings account only after the plan enrollee has satisfied the required minimum deductible, except with respect to items or services that are deemed preventive care. Takes effect 90 days after becoming a law.

*Fiscal Note:* (Dated February 12, 2023) Increase State Expenditures - \$510,600/FY23-24 and Subsequent Years Increase Federal Expenditures - \$51,200/FY23-24 and Subsequent Years Increase Local Expenditures - \$90,100/FY23-24 and Subsequent Years\* Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation will result in an increase in the cost of health insurance premiums to cover the additional costs of the required procedures. It is estimated that the increase to each individuals total premium will be less than one percent.

*Senate Status:* 04/21/23 - Senate passed with amendment 2 (007848).

*House Status:* 04/21/23 - House concurred in Senate amendment 2 (007848).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0379 effective August 11, 2023.

**SB366/HB713 TRANSPORTATION VEHICLES: License plates in the emergency category to emergency communication dispatchers.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Capley, Kip

*Summary:* Authorizes emergency communication dispatchers to receive an emergency license plate after submitting a statement or certification confirming employment.

*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0117 effective July 1, 2023.

**SB367/HB483 LOCAL GOVERNMENT: Sale or installation of an appliance - prohibitions based on type or source of energy used.**

*Sponsors:* Sen. Walley, Page , Rep. Boyd, Clark

*Summary:* Prohibits political subdivisions from prohibiting, based on the type or source of energy to be delivered to an individual customer, the sale or installation of an appliance utilized for cooking, space heating, water heating, or another end use.

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 03/02/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0045 effective March 14, 2023.

**SB368/HB1182 COMMERCIAL LAW: Prohibition on Unfair Service Agreements Act.**

*Sponsors:* Sen. Niceley, Frank , Rep. Garrett, Johnny

*Summary:* Enacts the "Prohibition on Unfair Service Agreements Act," which sets how a service agreement is deemed unfair by impairing the marketability of title to the affected real property and constitutes an unreasonable restraint on alienation, regardless of the duration of the contract or the amount of the consideration set forth in the agreement. Sets a one-year time frame to fix the unfair characteristics of the real property. Specifies that a service agreement deemed unfair under this chapter is unenforceable. Also specifies if a service provider enters into an unfair service agreement with a consumer, then the agreement is deemed a deceptive act. Prohibits a service provider from recording or causing to be recorded an unfair service agreement or notice or memorandum. Specifies that a service provider who records or causes to be recorded an unfair service agreement or notice or memorandum is liable to an affected party for \$10,000 in statutory damages.

*Amendment Summary:* Senate amendment 1 (005062) replaces this bill's prohibitions against unfair service agreements with a prohibition against recording certain service agreements and enforcing such service agreements. Specifically, this amendment: (1) Renames this bill the "Real Property Records Integrity Act"; (2) Redefines "recording" to mean presenting a document to a county register in this state for official placement in the public land records, rather than presenting it to a county recorder. This amendment also redefines "service agreement" to encompass a contract pursuant to which a person agrees to provide services in connection with the sale of residential real estate or the sale of any product or the performance of any personal service on or for the maintenance of residential real estate, rather than just the maintenance or sale of the residential real estate and updates the definition of a "service provider" to include a person who provides products to a consumer as well as services; (3) Removes the list of characteristics for which a service agreement would be deemed unfair, and instead provides that a recorded service agreement is void and unenforceable under this bill if the agreement: (A) Purports to run with the land or to be binding on future owners of interests in the real property; (B) Allows for assignment of the right to provide services without notice to and the consent of the owner of residential real estate; or (C) Purports to create a lien, encumbrance, or other real property security interest; (4) Clarifies that this bill does not impair: (A) The furnishing of a loan or other thing of value to be secured by real property as otherwise provided by law; (B) An agreement entered into by a nonprofit, mandatory membership organization comprised of owners of homes, condominiums, cooperatives, or manufactured homes; or (C) Any interest in real property created pursuant to a declaration, covenant, or other applicable law, pertaining to the oversight or management of real property; and (5) Prohibits a service provider from recording or causing to be recorded a service agreement or notice or memorandum of the agreement in this state.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed with amendment 1 (005062).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0160 effective April 17, 2023.

**SB378/HB403 CRIMINAL LAW: Regulates the production and sale of hemp-derived cannabinoids.**

*Sponsors:* Sen. Briggs, Richard , Rep. Lamberth, William

*Summary:* Regulates the production and sale of hemp-derived cannabinoids, including products known as delta-8 and delta-10. Requires the department of agriculture to enforce this part in a manner that may reasonably be expected to reduce the extent to which products containing a hemp-derived cannabinoid are sold or distributed to persons under 21 years of age, and to conduct random, unannounced inspections at locations where such products are sold or distributed to ensure compliance. Requires the department to submit an annual report to the general assembly describing in detail the department's enforcement efforts (11 pp.).



Senate amendment 3 (007535) rewrites this bill to make the following changes: DEFINITIONS (1) Clarify that hemp does not include a substance that is categorized as a Schedule I controlled substance on or after July 1, 2023; (2) Make the provisions applicable to a producer applicable to a supplier instead. This amendment defines "supplier" as a person or entity that manufactures hemp-derived cannabinoids or sells products containing hemp-derived cannabinoids to retailers; OFFENSES (3) Establish that it is an offense for a person or entity to engage in the business of manufacturing, producing, or selling products containing a hemp-derived cannabinoid in this state without a valid license; (4) Establish that it is an offense for a person to knowingly sell or distribute a product containing a hemp-derived cannabinoid without having first obtained proof of age from the purchaser or recipient; (5) Establish that it is a Class C misdemeanor, for a person who obtains a product containing a hemp-derived cannabinoid that is sold at retail, if the person does not store any unconsumed portion of the product in its original packaging; (6) Clarify that it is an offense only to knowingly assist a person who is under 21 to purchase, acquire, receive, or attempt to purchase a product containing a hemp-derived cannabinoid; (7) Establish that state and local law enforcement officers have concurrent jurisdiction to enforce violations; ENFORCEMENT (8) Revise the provisions pertaining to the department of agriculture to provide that the department is responsible for: (A) Issuing licenses to suppliers and retailers; (B) Overseeing the manufacture and distribution of hemp-derived cannabinoid products by licensed suppliers, including ensuring compliance with labeling, product testing, and transportation requirements and conducting necessary inspections, prior to a product's delivery or sale to a retailer; and (C) Conducting random, unannounced inspections at locations where hemp-derived cannabinoids and products containing hemp-derived cannabinoids are manufactured, distributed, or sold to ensure compliance; (9) Provide that the department of revenue: (A) Is responsible for ensuring retailers are in compliance with this amendment and applicable tax provisions; (B) Must enforce these requirements in a manner that may reasonably be expected to reduce the extent to which non-compliant hemp-derived cannabinoid products are sold and must conduct random, unannounced inspections at retail locations where such products are sold to ensure compliance. The department of revenue must also determine the frequency of random, unannounced inspections; and (C) Is authorized to confiscate non-compliant hemp-derived cannabinoid products as contraband; PRIVILEGE TAX (10) Change the privilege tax to be levied on the sales price of products containing a hemp-derived cannabinoid when sold at retail in this state to 6 percent and gives 50 percent of the funds to the department of revenue and the other 50 percent to the department of agriculture; LICENSURE (11) Require the following: (A) A person or entity that is in the business of manufacturing or selling products containing a hemp-derived cannabinoid in this state, to obtain a license from the department of agriculture authorizing the person or entity to engage in that business prior to the commencement of business or by July 1, 2024, whichever is later; and (B) In order to obtain or maintain a supplier or retailer license, a person to additionally submit a criminal history background check that includes fingerprint checks against state and federal criminal records maintained by the Tennessee bureau of investigation and the federal bureau of investigation; (12) Prohibit a retail location that is within 1,000 feet of a private school, public school, or charter school that serves any grades from K-12 from selling products containing a hemp-derived cannabinoid, unless the applicant provides the department with documentation that establishes that products containing a hemp-derived cannabinoid were being offered for sale at retail at such location on December 31, 2023. Measurements must be made in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing a retail establishment to the nearest point on the property line of a parcel containing a private school, public school, or charter school that serves any grades from K-12; (13) Limit the department of agriculture's authorization to only determine requirements for and issue licenses for the manufacture or sale of products containing a hemp-derived cannabinoid in this state; (14) Revise the revocation of licenses and civil penalties that can be issued by the department of agriculture to be as follows: (A) \$1,000 for a first violation; (B) \$2,500 for a second violation that occurs within two years of the first violation; (C) \$5,000 for a third violation that occurs within two years of the first violation; (D) Revocation of the license for a fourth violation that occurs within two years of the first violation; and (E) Require retraining of all employees of the licensee under the supervision of the department in addition to the civil penalty imposed; TESTING (15) Revise the requirements to require that testing of products and substances must be conducted as follows: (A) Full-panel testing on all active cannabinoid molecules must be conducted prior to final production of products containing a hemp-derived cannabinoid; and (B) A potency test must be conducted on finished goods to confirm potency is consistent with stated potency on the packaging; (16) Authorize the department of agriculture to promulgate rules specifying which types of tests may be used and the qualifications for laboratories from which the department will accept test results; (17) Require the department of agriculture to sample and analyze products containing a hemp-derived cannabinoid produced, distributed, or offered for sale in this state for cannabinoid concentrations, tested according to protocols prescribed by rule under this part. Departmental testing methods must employ liquid chromatography tandem mass spectrometry, in a manner similarly reliable to post-decarboxylation, to determine a cannabinoid profile of samples tested, including their THC concentrations; PRODUCT TRANSPORTATION (18) Add that a person transporting products containing a hemp-derived cannabinoid into, within, or through this state must carry the following: (A) Documentation sufficient to prove that the products being shipped or transported were produced from hemp that was lawfully produced under a state or tribal hemp plan approved by the United States department of agriculture, under a hemp license issued by the United States department of agriculture, or otherwise in accordance with federal regulations through the state or territory of the Indian tribe, as applicable, and do not exceed the cannabinoid limits for hemp-derived cannabinoids; and (B) A bill of lading with certain information described in this amendment; (19) Provide that the requirements of (18) do not apply to a person in possession of products that were purchased from a licensed retailer; LABELING AND SAFETY REQUIREMENTS (20) Delete the requirement that an expiration date on the label of a product containing a hemp-derived cannabinoid must be no more than one year from the date of publication of the product's laboratory testing report; (21) Delete the requirements that the products be labeled with the various warning and disclaimers; (22) Clarify that the package must contain a quick response (QR) code and that the website must include information regarding results of the product's full-panel and potency tests conducted pursuant to law; RULEMAKING (23) Authorize the departments of agriculture and revenue to promulgate rules to effectuate this bill; GOODS SUBJECT TO FORFEITURE (24) Add to present law pertaining to goods subject to forfeiture for criminal penalties and enforcement that all products containing a hemp-derived cannabinoid that are manufactured, transported, packaged, labeled, displayed, distributed as samples, offered for sale, or sold in violation of the above provisions are subject to forfeiture; and (25) Add that property subject to forfeiture may be seized by the director of the Tennessee bureau of investigation or the director's authorized representative, agent, or employee; the commissioner of safety or the commissioner's authorized representative, agent, or employee; the commissioner of agriculture or the commissioner's authorized representative, agent, or employee; the commissioner of revenue or the commissioner's authorized representative, agent, or employee; or a sheriff, deputy sheriff, municipal law enforcement officer, campus police officer, internal affairs director or internal affairs special agent of the department of correction, or constable upon process issued by any circuit or criminal court having jurisdiction over the property. EFFECTIVE DATES This amendment has the following effective dates: (1) For purposes of promulgating rules or forms, this bill takes effect upon becoming a law; (2) The definition provisions; the offenses described in (4)-(7) above; the provision requiring a product containing a hemp-derived cannabinoid to be maintained behind the counter of a retail establishment in an area inaccessible to a customer; and the provisions relative to the privilege tax imposed on the business of selling products containing a hemp-derived cannabinoid in this state take effect July 1, 2023; (3) For purposes of requiring the department of revenue to ensure that retailers are in compliance with applicable tax provisions, this bill takes effect July 1, 2023; and (4) For all other purposes, this bill takes effect July 1, 2024.

*Fiscal Note:* (Dated February 20, 2023) Increase State Revenue \$5,000,000/FY23-24/Hemp Fund \$10,000,000/FY24-25 and Subsequent Years/Hemp Fund \$1,100,000/FY23-24 and Subsequent Years/ Tennessee Agriculture Regulatory Fund Increase State Expenditures \$157,000/FY23-24/General Fund \$154,600/FY24-25 and Subsequent Years/General Fund \$1,189,800/FY23-24/Hemp Fund and Tennessee Agriculture Regulatory Fund \$1,170,600/FY24-25 and Subsequent Years/Hemp Fund and Tennessee Agriculture Regulatory Fund Other Fiscal Impact The Department of Agriculture will need additional resources including, but not limited to, employing additional staff. The extent and timing of the other resources will be dependent on the promulgation of rules and the growth of the program and cannot be reasonably quantified at this time. Any additional expenditures incurred will be covered through the revenue collected in the Hemp Fund.

*Senate Status:* 04/18/23 - Senate passed with amendment 3 (007535).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0423 effective July 1, 2024.

### SB379/HB284 **PUBLIC FINANCE: Thresholds for competitive sealed bids for counties, municipalities.**

*Sponsors:* Sen. Briggs, Richard , Rep. Whitson, Sam

*Summary:* Standardizes the thresholds for competitive sealed bids for counties, municipalities, utility districts, local education agencies, and other local governmental entities. Broadly captioned.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 02/17/24 - Signed by Senate speaker.

*House Status:* 02/15/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0513 effective March 1, 2024.

### SB382/HB678 **EDUCATION: Repeal of Virtual Public Schools Act.**

*Sponsors:* Sen. Niceley, Frank , Rep. Powers, Dennis

*Summary:* Deletes the provision repealing the Virtual Public Schools Act on June 30, 2023.

*Fiscal Note:* (Dated February 19, 2023) Other Fiscal Impact Deleting the expiration of the Virtual Public Schools Act, will prevent various shifts in state and local education funding between and within certain local education agencies and possible decreases in state and local government expenditures due to closure of virtual schools. Due to multiple unknown variables a precise impact cannot be determined.

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0161 effective April 17, 2023.

### SB384/HB804 **TAXES PROPERTY: Electronic report on ability to maintain the property tax relief program.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Marsh, Pat

*Summary:* Requires the comptroller of the treasury to annually provide, in an electronic format, estimates of the cost of the tax relief program at the current income limit, and of the annual income limit for eligibility likely to maintain the property tax relief program at a constant level of expenditure, to the department of finance and administration and the members of the general assembly.

*Amendment Summary:* Senate amendment 1 (004454) rewrites this bill to change present law relative to a taxpayer's duty to list fully such tangible personal property used, or held for use, in the taxpayer's business or profession on such schedule, including such other information relating thereto as may be required by the assessor, place its correct value thereon, sign the schedule, and return it to the assessor on or before March 1 of each year. Present law provides that, in lieu of detailing acquisition cost on the reporting schedule, the taxpayer may certify that the depreciated value of tangible personal property otherwise reportable on the form is \$1,000 or less. The assessor must accept the certification, subject to audit, and fix the value of tangible personal property assessable to the taxpayer pursuant to the schedule, at \$1,000. This amendment makes the following changes to the provisions above: (1) Raises the minimum depreciated value of tangible personal property otherwise reportable on the form from \$1,000 to either \$2,000 or less, or \$10,000 or less but greater than \$2,000, that the taxpayer may certify in lieu of detailing acquisition cost on the reporting schedule; (2) Provides that, if the taxpayer certifies that the depreciated value of tangible personal property otherwise reportable on the form is \$2,000 or less, then the assessor must accept the certification, subject to audit, and fix the value of tangible personal property assessable to the taxpayer at \$2,000; and (3) Provides that, if the taxpayer certifies that the depreciated value of tangible personal property otherwise reportable on the form is \$10,000 or less but greater than \$2,000, then the assessor must accept the certification, subject to audit, and fix the value of tangible personal property assessable to the taxpayer at \$10,000. This amendment also requires the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to monitor implementation of this bill and to periodically report its findings on the impact of this bill on collections and administration of the business personal property tax to the General Assembly. Each agency of the executive branch, municipal and county official, and local government organization and the Office of the Comptroller of the Treasury must cooperate with the Commission and provide necessary information and assistance for the Commissioner's reports.

*Fiscal Note:* (Dated January 26, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed with amendment 1 (004454).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0341 effective July 1, 2024.

### SB391/HB249 **JUDICIARY: Appeal from general sessions court - cases involving an order granting possession of real property.**

*Sponsors:* Sen. Rose, Paul , Rep. Lamberth, William

*Summary:* Specifies that in general sessions court cases involving an order granting possession of real property, a writ of possession, or restitution may issue two days after the decision is rendered and execution of the writ must be delayed until expiration of the ten-day appellate period.

*Amendment Summary:* House amendment 1 (004042) rewrites the provisions of this bill that authorized, in cases involving an order granting possession of real property, a writ of possession or restitution to issue two days after the decision is rendered; provided, the execution of the writ must be delayed until the expiration of the 10-day appellate period. This amendment deletes this language and provides, instead, that the execution of a writ of possession, if no appeal is taken within the 10-day appellate period, must be by operation of law.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 02/27/23 - House passed with amendment 1 (004042).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0295 effective July 1, 2023.

**SB394/HB738 HEALTH CARE: Certification for doulas.**

*Sponsors:* Sen. Lamar, London , Rep. Love Jr., Harold

*Summary:* Requires the department of health to collaborate with the bureau of TennCare in order to study existing doula certification programs. Requires that the department establish a process for certification for persons who have received a certification to perform doula services from specified agencies or who have demonstrated an understanding of basic anatomy and physiology as related to pregnancy, childbirth and the postpartum period. Outlines other required competencies. Makes provisions such that those deemed "medically needy" must be provided doula services. Provides that the new law take effect on July 1, 2023, and requires that a report on the study be provided to the members of the general assembly and to the legislative librarian by December 31, 2023.

*Amendment Summary:* Senate amendment 2 (006150) rewrites this bill to create a five-member doula services advisory committee. The full text of this bill specifies various responsibilities for the advisory committee. Generally, the advisory committee will: (1) Advise the department of health by establishing core competencies and standards for the provision of doula services in this state; and (2) Recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. For purposes of this amendment: (1) "Doula" means a birth worker who provides child birth education, advocacy, and physical, emotional, and nonmedical support for pregnant and postpartum women before, during, and after childbirth and loss; and (2) "Doula services" means at least three prenatal appointments, continuous labor support during birth, and at least three postpartum appointments with a pregnant woman. The advisory committee will consist of the following members: (1) The commissioner of health, or the commissioner's designee with experience in maternal health or medicaid policy; (2) The director of TennCare, or the director's designee; (3) Two community-based doulas, to be appointed by the commissioner of health or the commissioner's designee, who have documented experience providing services to medicaid recipients or women in areas in this state with high rates of maternal and infant mortality; and (4) One doula, to be appointed by the commissioner of health or the commissioner's designee, who has documented experience providing services to medicaid recipients. The full text of this amendment specifies various procedural processes for the advisory committee, such as filling vacancies, attendance requirements, and selection of officers. The advisory committee will cease to exist on July 1, 2026; however, the advisory committee will be subject to governmental entity review. Senate amendment 3 (007305) rewrites this bill to create a five-member doula services advisory committee. The full text of this bill specifies various responsibilities for the advisory committee. Generally, the advisory committee will: (1) Advise the department of health by establishing core competencies and standards for the provision of doula services in this state; and (2) Recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. For purposes of this amendment: (1) "Doula" means a birth worker who provides child birth education, advocacy, and physical, emotional, and nonmedical support for pregnant and postpartum women before, during, and after childbirth and loss; and (2) "Doula services" means at least three prenatal appointments, continuous labor support during birth, and at least three postpartum appointments with a pregnant woman. The advisory committee will consist of the following members: (1) The commissioner of health, or the commissioner's designee with experience in maternal health or medicaid policy; (2) The director of TennCare, or the director's designee; (3) Two community-based doulas, to be appointed by the commissioner of health or the commissioner's designee, who have documented experience providing services to medicaid recipients women in areas in this state with high rates of maternal and infant mortality; and (4) One doula, to be appointed by the commissioner of health or the commissioner's designee, who has documented experience providing services to medicaid recipients. The full text of this amendment specifies various procedural processes for the advisory committee, such as filling vacancies, attendance requirements, and selection of officers. The advisory committee will cease to exist on July 1, 2026.

*Fiscal Note:* (Dated February 20, 2023) Increase State Revenue - \$70,000/FY23-24 \$49,700/FY25-26 and Subsequent Years Increase State Expenditures Net Impact \$867,500/FY23-24 \$1,391,500/FY24-25 and Subsequent Years Increase Federal Expenditures Net Impact \$1,029,400/FY23-24 \$2,058,800/FY24-25 and Subsequent Years

*Senate Status:* 04/13/23 - Senate passed with amendment 3 (007305).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0424 effective July 1, 2023.

**SB397/HB33 TAXES PROPERTY: Proration of property taxes for property that is destroyed or damaged by a disaster.**

*Sponsors:* Sen. Kyle, Sara , Rep. Gant, Ron

*Summary:* Specifies that countywide emergency response frameworks must include assessors of property at the option of an assessor to monitor events related to disasters or emergencies that have affected or have the potential to affect the condition of real or personal property within assessors' jurisdictions. Requires assessors of property to be notified when county or municipal governments within their jurisdiction conduct FEMA preliminary damage assessments. Authorizes a county or municipal governing body to adopt by two-thirds vote a provision to allow proration of property taxes for tangible personal property that is destroyed, demolished, or substantially damaged as a result of a disaster.

*Amendment Summary:* Senate amendment 1 (005766) changes this bill as follows: (1) Adds to this bill that assessors of property and county emergency management officials must coordinate when their respective jurisdictions conduct joint preliminary damage assessments. Final copies of joint preliminary damage assessments must be made available to assessors upon request; (2) Clarifies that in the case of damage as a result of a disaster declared by the president of the United States, the annual assessment of an affected building or improvement included in the presidential declaration must be prorated as otherwise provided in present law for the actual time the building or improvement is destroyed and not replaced, or the actual time the building or improvement is substantially damaged, notwithstanding the building or improvement is replaced or restored by September 1, if the total time the building or improvement is destroyed or damaged and not replaced or restored, exceeds 30 days. The owner must apply for this relief to the assessor by September 1 of the following year using a form approved by the director of the state division of the state division of property assessment. However, this (2) has no effect as to a particular county or municipality unless approved by two-thirds vote of the county legislative body following a disaster or other specified occurrence; and (3) Clarifies that in the case of damage as a result of a disaster declared by the president of the United States, the annual assessment of commercial and industrial tangible personal property that is destroyed, demolished, or substantially damaged as a result of being located in a county included in the presidential declaration must be prorated as otherwise provided in present law for the actual time the qualifying personal property is not replaced or restored notwithstanding that such personal property is replaced or restored by September 1, if the total time the qualifying personal property is not replaced or restored exceeds 30 days. The owner must apply for this relief to the assessor by September 1 of the following year using a form approved by the director of the state division of property assessments. The owner must also provide the assessor a listing of the destroyed, demolished, or substantially damaged personal property for which the proration is sought. However, this (3) has no effect as to a particular county or municipality unless approved by two-thirds vote of the county legislative body following a disaster or other specified occurrence. Senate amendment 2 (007232) clarifies that this bill applies to the tax year beginning on January 1, 2023.

*Fiscal Note:* (Dated January 22, 2023) Other Fiscal Impact Due to the extent of unknown factors a precise decrease in local property tax revenue and an increase in local expenditures cannot reasonably be determined, but any fiscal impact is considered permissive.

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (005766) and amendment 2 (007232).  
*House Status:* 04/17/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0259 effective April 28, 2023.

**SB400/HB1186 JUDICIARY: Requests for review of a juvenile court case heard by a magistrate.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Garrett, Johnny  
*Summary:* Rewrites the provisions for requests for review of a juvenile court case heard by a magistrate by changing the right from a de novo hearing by the juvenile court judge to a review by the juvenile court judge with a presumption of correctness as to the magistrate's order. Makes other relevant revisions including time limits, who can participate in reviews, and that pleading guilty removes the right to a review.  
*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/30/23 - Senate passed.  
*House Status:* 03/06/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0241 effective April 25, 2023.

**SB401/HB801 INSURANCE HEALTH: Proton Therapy Access Act reenactment.**

*Sponsors:* Sen. Massey, Becky , Rep. Zachary, Jason  
*Summary:* Permanently reenacts the "Proton Therapy Access Act," which was repealed on January 1, 2023 in order to fight cancer and cancerous tumors.  
*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation could result in an increase in the cost of health insurance premiums for hypofractionated proton therapy treatment being provided by the state group insurance plan. It is estimated that the increase in premiums could be less than one percent. SB 401 - HB 801  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0162 effective April 17, 2023.

**SB402/HB661 TRANSPORTATION VEHICLES: Physical therapists can issue certified statements of disability for registration plate.**

*Sponsors:* Sen. Massey, Becky , Rep. Hicks, Tim  
*Summary:* Authorizes licensed physical therapists to issue certified statements of disability in same manner as physicians for a person's application for a disabled registration plate, decal, or placard.  
*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0089 effective March 31, 2023.

**SB407/HB523 ENVIRONMENT & NATURE: Time allowed for polluter to make an appeal.**

*Sponsors:* Sen. Hensley, Joey , Rep. Haston, Kirk  
*Summary:* Decreases from 30 to 20, the amount of days within which a polluter or violator must make an appeal following notification of an assessment of liability for damages to the state. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (004796) rewrites this bill to revise the Water Quality Control Act, as follows: (1) To authorize the department of environment and conservation to issue an aquatic resource alteration permit to a person in connection with the removal of sand, gravel, and similar sediments or deposits from streams or wetlands; (2) To deem a person who is issued a permit, associated with the commercial recovery of sand, gravel, and similar sediments or deposits, from a stream or wetland that is the property of this state, to have received ownership of these materials from this state upon removal by the permittee from the stream or wetland and payment to this state as provided in (3); (3) To require, if the permittee removes sand, gravel, or similar sediments from property of this state, that the permittee compensate the state for 2.5 percent of the market value of the finished product; and (4) To prohibit the department from granting a permit associated with the removal of sand, gravel, or similar sediments from streams or wetlands located on private property unless the permit applicant owns the property, owns the mineral estate, or has received written consent from the private property owner, and has submitted documentation of such ownership or consent to the department.  
*Fiscal Note:* (Dated January 26, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed with amendment 1 (004796).  
*House Status:* 04/19/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0342 effective May 5, 2023.

**SB414/HB975 EDUCATION: Retired persons returning to work as teach or school bus driver.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Glynn, Ronnie  
*Summary:* Allows a retired person to work as a substitute teacher or bus driver in addition to the current 120 days limit if employed as a substitute teacher or bus driver in a public school system if the compensation does not exceed the rate of compensation set by the public school system for substitute teachers to fill similar vacancies or exceeds the pertinent pro rata share of average salary at the institution.  
*Amendment Summary:* Senate amendment 1 (004912) restores the requirement that a retired member's new employer pay to TCRS during each period of reemployment the greater of a payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or an amount equal to 5 percent of the retired member's pay rate for reemployed in a position covered by the retirement system without the loss or suspension of the retired member's TCRS benefits.  
*Fiscal Note:* (Dated February 26, 2023) Decrease State Revenue \$1,401,700/FY23-24 and Subsequent Years/TCRS Decrease State Expenditures \$841,000/FY23-24 and Subsequent Years/General Fund Decrease Local Expenditures \$560,700/FY23-24 and Subsequent Years  
*Senate Status:* 04/13/23 - Senate passed with amendment 1 (004912).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0425 effective May 11, 2023.

**SB418/HB1022 CRIMINAL LAW: Defendant issued bench warrant for failure to appear.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Doggett, Clay  
*Summary:* Requires a defendant that has been issued a bench warrant for failure to appear on a felony or class A or Class B misdemeanor to be placed on any available state or federal list or database as a fugitive from justice within 10 days of the defendant's failure to appear. States that a surety is not liable for any undertaking if the defendant is not placed on a database in the time required by law.  
*Amendment Summary:* Senate amendment 1 (007295) limits the eligible Class A or Class B misdemeanors for which a defendant is required to be placed on any available state or federal list or database as a fugitive from justice, without limitation, within 10 days of the defendant's failure to appear after a court issues a bench warrant for that failure, to such misdemeanors that are violent or sexual in nature as determined by the court. This amendment also expands the officer's and the officer's agency's duty to exercise due diligence as described in the bill to not only discover any prior arrests, but also to uncover any prior convictions. Furthermore, the results of this investigation are required, under this amendment, to be made a part of the person's case file.  
*Fiscal Note:* (Dated March 8, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/13/23 - Senate passed with amendment 1 (007295).  
*House Status:* 04/17/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0260 effective July 1, 2023.

**SB419/HB557 CRIMINAL LAW: Admissibility of child forensic interviews.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Littleton, Mary  
*Summary:* Increases the age for the admissibility of statements made during a forensic interview from age 13 to age 17. Expands admissible forensic interviews from statements made by a child describing sexual contact performed with or on the child by another to statements describing sexual, abusive, or violent contact performed with or on the child by another or performed by a person with or on another and witnessed by the child. Retains current requirements for forensic interviewer qualification but adds provision allowing a person to conduct forensic interviews who has been supervised by an experienced forensic interviewer for a minimum of 20 forensic interviews.  
*Amendment Summary:* House amendment 1 (004700) makes the following changes to this bill: (1) Revises what the child's statement may be describing to, instead, provide that the statement made by a child under 18 may be describing an act of sexual or physically violent contact, removing abusive contact, performed with or on the child by a person, or performed by a person with or on another and witnessed by the child; (2) Removes juvenile court proceedings from the forensic interview's scope of admissibility, and adds that the evidence may be considered at any stage of a criminal proceeding of the person for any offense arising from the sexual or physically violent contact if the requirements of this amendment are met; (3) Removes the provision that states a video recording admitted pursuant to this section is discoverable in proceedings governed by the Tennessee Rules of Criminal Procedure; and (4) Adds a new section to this bill that revises present law provisions governing basic rights at a hearing in juvenile court by adding the following: (A) A video recording of a child by a forensic interviewer, as described in this amendment, is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of proceedings in an action under laws governing juveniles, if the requirements of this (4) are met; (B) Except for delinquency and unruly conduct proceedings, a video recording may generally be admissible if the following conditions are met: (i) The video recording is shown to the reasonable satisfaction of the court to possess particularized guarantees of trustworthiness, as determined by the court in accordance with law; (ii) The interview was conducted by a qualified forensic interviewer at the time the video recording was made; (iii) The recording is both visual and oral and is recorded on film or videotape or by other similar audiovisual means; (iv) The entire interview of the child was recorded on the video recording and the video recording is unaltered and accurately reflects the interview of the child; and (v) Every voice heard on the video recording is properly identified as determined by the court; (C) In delinquency and unruly conduct proceedings, a video recording may be admissible if the admissibility requirements of present law provisions governing evidence and witnesses have been met; (D) If a video recording is offered into evidence, then the court must make specific findings of fact on the record as to the basis for the court's ruling regarding the admission or denial of admission of the video recording; and enter a protective order to restrict the video recording from further disclosure or dissemination; and (E) A video recording offered into evidence is not a public record. The court must order the video recording to be sealed and preserved following the conclusion of any proceeding.  
*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed.  
*House Status:* 03/13/23 - House passed with amendment 1 (004700).  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0139 effective April 6, 2023.

**SB420/HB771 GOVERNMENT ORGANIZATION: New state seal that includes In God We Trust.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Holsclaw, Jr., John  
*Summary:* Requests the governor, by July 1, 2025, to submit a new design of the great seal of the state of Tennessee to the secretary of state that incorporates the language "In God We Trust."  
*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 04/17/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0261 effective April 28, 2023.

**SB421/HB896 EDUCATION: Duties of standards review and development committees and advisory teams.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hurt, Chris  
*Summary:* Extends, from six years to eight years, the minimum period of time from the last adoption within which the board is required to ensure that the standards review and development committees and advisory teams review the standards for English language arts, mathematics, science, and social studies. Extends, from 73 months to 97 months, the maximum term of a contract made by the state textbook and instructional materials quality commission with a publisher. Broadly captioned.  
*Fiscal Note:* (Dated February 5, 2023) Decrease State Expenditures - \$101,700/FY23-24 and Subsequent Years Decrease Local Expenditures - \$16,250,000/FY23-34 and Subsequent Years  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 04/03/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0192 effective April 24, 2023.

**SB423/HB336 GOVERNMENT CONTRACTS: Threshold for sealed bids in city chartered under city manager-commission general law charter.**

*Sponsors:* Sen. Johnson, Jack , Rep. Bulso, Gino  
*Summary:* Increases the threshold, from \$10,000 to \$25,000, above which sealed bids are required by a city chartered under the city manager-commission general law charter. Increases the threshold, from \$10,000 to \$25,000, below which the board of commissioners in such city may delegate the approval of contracts to the city manager.  
*Fiscal Note:* (Dated January 26, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 03/06/23 - House passed.  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0054 effective March 21, 2023.

**SB424/HB335 LOCAL GOVERNMENT: Special election to fill vacancy on board of commissioners.**

*Sponsors:* Sen. Johnson, Jack , Rep. Bulso, Gino  
*Summary:* Authorizes the board of commissioners of a city chartered under the city manager-commission general law charter to call for a special election to fill a vacancy on the board if the position has not been filled in the 90 day period since the occurrence of the vacancy.  
*Fiscal Note:* (Dated February 15, 2023) Other Fiscal Impact The extent and timing of any permissive increase or decrease to local expenditures cannot reasonably be determined.  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0163 effective April 17, 2023.

**SB434/HB769 TRANSPORTATION VEHICLES: Determination of working order of mufflers.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Holsclaw, Jr., John  
*Summary:* Clarifies that excessive or unusual noise or annoying smoke can be used to determine whether a muffler is in good working order and in constant operation as required by law.  
*Amendment Summary:* Senate amendment 1 (005581) makes the following changes to this bill: (1) Clarifies that this bill does not apply to farm tractors or implements of husbandry; (2) Clarifies that "excessive or unusual noise" includes motor noise emitted by a motor vehicle, other than a motorcycle, that is noticeably louder than a similar vehicle in the environment and a sound pressure level in excess of 95 decibels; and (3) Provides that it is a defense to prosecution regarding excessive or unusual noise if the person provides satisfactory evidence that the vehicle's muffler does not emit noise in excess of 95 decibels.  
*Fiscal Note:* (Dated February 26, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005581).  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0164 effective July 1, 2023.

**SB435/HB722 CRIMINAL LAW: Increased penalties for homicide offenses.**

*Sponsors:* Sen. Rose, Paul , Rep. Hulseley, Bud  
*Summary:* Increases voluntary manslaughter from a Class C felony to a Class B felony, increases criminally negligent homicide from a Class E felony to a Class D felony, and increases reckless homicide from a Class D felony to a Class C felony.  
*Amendment Summary:* House amendment 1 (004142) enhances the penalty for voluntary manslaughter, from a Class C felony to a Class B felony.  
*Fiscal Note:* (Dated February 22, 2023) Increase State Expenditures Net Impact \$57,100 Incarceration  
*Senate Status:* 04/13/23 - Senate passed.  
*House Status:* 03/30/23 - House passed with amendment 1 (004142).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0308 effective July 1, 2023.

**SB436/HB1135 PUBLIC EMPLOYEES: Prior state service for retirement credits.**

*Sponsors:* Sen. Niceley, Frank , Rep. Miller, Larry  
*Summary:* Clarifies that it is the responsibility of the member seeking to claim prior state service for retirement credit purposes to submit proper required documentation to the board of trustees of the Tennessee consolidated retirement system.  
*Amendment Summary:* House amendment 1 (005177) requires that members of the General Assembly who retire on or after November 5, 2024, with 10 or more years of service, receive a minimum allowance of \$1,440 multiplied by the number of years of creditable service. Requires on July 1, 2025, and on each July 1 thereafter, for the minimum retirement allowance to be adjusted to existing cost-of-living provisions until the person has been retired from the retirement system for 12 months on the next July 1 following the December 31 as of which the adjustment is determined. Allows beneficiaries to elect to receive less than the amount the beneficiary is otherwise entitled to receive if desired, provided that the election is in writing and irrevocable. Allows eligible members of the General Assembly under the Hybrid Benefit Plan to receive a defined benefit of \$70.00 per month for each year of creditable service, adjusted on July 1, 2025, and on each July thereafter pursuant to existing cost-of-living provisions.  
*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/21/23 - House passed with amendment 1 (005177).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0407 effective May 11, 2023.

**SB439/HB445 TRANSPORTATION GENERAL: Use of surveillance cameras on interstate highways and state rights of ways.**

*Sponsors:* Sen. Jackson, Ed , Rep. Whitson, Sam

*Summary:* Prohibits surveillance cameras on federal interstate highways except for SmartWay cameras, other intelligent transportation systems, or surveillance cameras used to enforce or monitor traffic violations within work zones designated by the department of transportation when department employees or construction workers are present. Allows surveillance cameras operated by law enforcement agencies to be allowed on federal interstate highways and state roads as a non-highway use of the highway right-of-way for the purpose of aiding in criminal investigations.

*Amendment Summary:* Senate amendment 1 (005998) makes the following changes to this bill: (1) Clarifies that the department of transportation is authorized, but not required, to permit the installation of surveillance cameras operated by law enforcement agencies; (2) Requires, prior to the installation and operation of a surveillance camera by a local law enforcement agency, that the agency seek approval from the department of transportation. The agency must demonstrate to the department's satisfaction that the following conditions are met: (A) The manufacturer, surveillance camera, or any of the surveillance camera's components are not produced, assembled, or based in an entity appearing on a sanctions list published under the authority of the United States department of the treasury, office of foreign assets control; prohibited or restricted under the federal National Defense Authorization Act; prohibited or restricted under the federal SECURE Technology Act; or prohibited or restricted under United States department of commerce regulations on Information and Communications and Services Supply Chain; and (B) The manufacturer of and custodian of any data collected by the surveillance camera complied with present law that prohibits any captured plate data collected or retained by any governmental entity from being stored for more than 90 days unless the data is retained or stored as part of an ongoing investigation; ensures that all aspects of the manufacturer's and custodian's data services, data retention, information technology or other internal data management processes are contained and managed within the United States; and ensures that all data and metadata collected by the surveillance camera are not used for commercial purposes or sold, other than sharing with other law enforcement agencies in the United States as authorized by law; (3) Authorizes the department of transportation, at any time prior to or following its approval of a surveillance camera, to inspect the camera, components of the camera, and data collected by the camera to ensure compliance. In reviewing applications, the department is authorized to consult with the department of safety or any other state agency; and (4) Authorizes the department of transportation to revoke its approval and order the removal of cameras upon the determination that the manufacturer, camera, or custodian of data collected are not in compliance with the above requirements.

*Fiscal Note:* (Dated March 5, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005998).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0193 effective July 1, 2023.

#### **SB442/HB535 CRIMINAL LAW: Restitution order for child maintenance payments.**

*Sponsors:* Sen. Lowe, Adam , Rep. Cochran, Mark

*Summary:* Allows the surviving parent or guardian of a child whose parent was a victim of vehicular homicide to convert a restitution order for child maintenance payments to a civil judgment at any time rather than following conclusion of the defendant's sentence. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (003205) provides that this bill is known and may be cited as "Dillard's Law."

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (003205).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0217 effective July 1, 2023.

#### **SB443/HB1271 EDUCATION: Access and Opportunity Act.**

*Sponsors:* Sen. Lowe, Adam , Rep. Cochran, Mark

*Summary:* Enacts the "Access and Opportunity Act" which requires each LEA and public school to provide home school students in good academic standing and students who transfer into the LEA or public school in good academic standing equal access to all academic, arts, or athletic programs, clubs, events, and opportunities offered by the LEA or public school.

*Amendment Summary:* Senate amendment 1 (004300) revises this bill to apply the provisions to transfer students and home school students, regardless of whether such students are in good academic standing, who enroll or re-enroll in the LEA or public charter school.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact The expanded opportunity for home school and transfer students may result in a funding shift for some LEAs and public charter schools. However, due to multiple unknown variables, a precise fiscal impact cannot reasonably be determined.

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004300).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0165 effective April 17, 2023.

#### **SB447/HB619 GOVERNMENT ORGANIZATION: Required notice for the proposed discharge of a child committed to the custody of DCS.**

*Sponsors:* Sen. Lowe, Adam , Rep. Travis, Ron

*Summary:* Requires the commissioner of the department of children's services to notify the committing court at least 15 days prior to the proposed discharge of a child committed to custody under the department. Requires an objection to a proposed discharge by the committee court to be made in writing to the commissioner of DCS where the commissioner shall review the file in a hearing. Requires a hearing by a three-judge panel if the department and committing judge cannot reach an agreement.

*Amendment Summary:* House amendment 1 (004574) removes all of this bill's provisions, except for the provision that requires the commissioner of children's services to notify the committing court at least 15 days prior to the proposed discharge of a delinquent child who was committed to the custody of the department of children's services for an indefinite time. Senate amendment 1 (014283) changes the bill's effective date to July 1, 2024.

*Fiscal Note:* (Dated February 20, 2023) Increase State Expenditures \$574,800/FY23-24 and Subsequent Years Increase Federal Expenditures \$385,200/FY23-24 and Subsequent Years

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0611 effective July 1, 2024.

#### **SB449/HB522 CRIMINAL LAW: Tennessee highway patrol protective detail equipment.**

*Sponsors:* Sen. Lowe, Adam , Rep. Russell, Lowell  
*Summary:* Allows officers of the Tennessee highway patrol and officers of local law enforcement to utilize their agency's vehicles and emergency equipment if assigned to a protection detail by the commissioner of safety or the governor.  
*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed.  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0138 effective April 6, 2023.

**SB450/HB167 PROFESSIONS & LICENSURE: Sale or distribution of tattoo and body piercing paraphernalia to minors.**

*Sponsors:* Sen. Lowe, Adam , Rep. Butler, Ed  
*Summary:* Prohibits the sale or distribution of tattoo and body piercing paraphernalia to minors. Specifies that a violation is a Class A misdemeanor.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/02/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0090 effective July 1, 2023.

**SB451/HB165 PROFESSIONS & LICENSURE: Use of service animal or training of service animal.**

*Sponsors:* Sen. Lowe, Adam , Rep. Butler, Ed  
*Summary:* Authorizes an employee of a public accommodation to ask for certain information about a dog guide in training. Specifies that an individual utilizing a service animal or training a service animal in training is liable for damages to the same extent that an individual whose pet causes damages to a public accommodation is liable. Makes other related changes to service animals and service animals in training.  
*Amendment Summary:* House amendment 1 (004478) makes the following changes to this bill: (1) Authorizes a place of public accommodation, amusement, or recreation to ask a person to remove a dog guide or dog guide in training from the premises if the dog is out of control and its handler does not take effective action to control it; or the dog is not housebroken; and (2) Clarifies that a violation of this bill, except for the provisions relative to misrepresentations, is a Class C misdemeanor.  
*Fiscal Note:* (Dated January 23, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/03/23 - Senate concurred in House amendment 1 (004478).  
*House Status:* 03/23/23 - House passed with amendment 1 (004478).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0194 effective July 1, 2023.

**SB454/HB609 INSURANCE GENERAL: Tennessee Paid Family Leave Insurance Act.**

*Sponsors:* Sen. Watson, Bo , Rep. Hawk, David  
*Summary:* Enacts the "Tennessee Paid Family Leave Insurance Act" which authorizes the issuance of an insurance policy that an employer may offer to an employee for the purpose of providing family leave benefits. Broadly captioned.  
*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0091 effective March 31, 2023.

**SB456/HB487 UTILITIES: Streaming video content excluded from definition of cable service.**

*Sponsors:* Sen. Watson, Bo , Rep. Boyd, Clark  
*Summary:* Excludes streaming video content from the definition of "cable service," and streaming content and direct-to-home satellite services from the definition of "video service," for purposes of the Competitive Cable and Video Services Act.  
*Amendment Summary:* House amendment 1 (003872) excludes internet streaming services from the definition of "cable service," as well as direct-to-home satellite services and internet streaming services from the definition of "video service" under the Competitive Cable and Video Services Act.  
*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 02/27/23 - House passed with amendment 1 (003872).  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0060 effective March 21, 2023.

**SB457/HB155 HEALTH CARE: Training pay bonus supplement for eligible emergency medical services personnel.**

*Sponsors:* Sen. Watson, Bo , Rep. Hicks, Gary  
*Summary:* Specifies that a licensed Tennessee ambulance service with full-time employed emergency medical services personnel who successfully complete in each year an in-service training course, appropriate to the emergency medical services personnel's rank and responsibility, of at least 40 hours duration must receive from the board of emergency medical services a pay supplement of \$800 for each emergency medical services personnel who completes the in-service training course to be paid to the emergency medical services personnel in addition to the personnel's regular salary.  
*Amendment Summary:* House amendment 1 (005160) changes the effective date of this bill, for all purposes other than rulemaking, from upon becoming a law to January 1, 2024.  
*Fiscal Note:* (Dated March 2, 2023) Increased State Expenditures \$7,010,300/FY23-24 \$7,005,300/FY24-25 and Subsequent Years Other Fiscal Impact The Emergency Medical Services Board had a surplus of \$55,080 in FY20-21 and a surplus of \$181,120 in FY21-22.  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/21/23 - House passed with amendment 1 (005160).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0372 effective May 11, 2023.

**SB458/HB496 HEALTH CARE: Application process for occupational licenses.**

*Sponsors:* Sen. Watson, Bo , Rep. Martin, Brock



*Summary:* Directs health related boards to promulgate rules that expedite the application process for occupational licenses by requiring the boards to make a determination on applications within 60 days of the date they are submitted. Authorizes health related boards to request the department to replace or transfer administrative staff or the attorney assigned to the board by the division of health related boards.

*Amendment Summary:* Senate amendment 1 (005564) requires the following boards to either render a decision on the application or inform the applicant of the need to appear before such board within 60 days from the date the respective board receives the completed application for licensure from either an initial applicant or an applicant who is licensed in another state or territory of the United States or in the District of Columbia: (1) The board of podiatric medical examiners; (2) The board of chiropractic examiners; (3) The board of optometry; (4) The applied behavior analyst licensing committee of the board of examiners in psychology; (5) The board of veterinary medical examiners; (6) The board of occupational therapy; (7) The board of physical therapy; (8) The board of communications disorders and sciences; (9) The board of professional counselors, marital and family therapists and clinical pastoral therapists; and (10) The board of social worker licensure.

*Fiscal Note:* (Dated March 12, 2023) Increase State Expenditures - \$98,900/FY23-24 and Subsequent Years/ Division of Health-Related Boards Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Division of Health-Related Boards had a surplus of \$2,931,602 in FY20-21, a surplus of \$2,687,730 in FY21-22, and a cumulative reserve balance of \$37,100,641 on June 30, 2022. The EMS Board had a surplus of \$55,080 in FY20-21 and a surplus of \$181,120 in FY21-22.

*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005564).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0426 effective May 11, 2023.

#### SB460/HB607 **INSURANCE HEALTH: Timeframe for utilization review agents to notify enrollees for more information.**

*Sponsors:* Sen. Watson, Bo , Rep. Hale, Michael

*Summary:* Lowers, from five to four business days, the amount of time a utilization review agents must notify the enrollee and the healthcare provider in writing or electronic portals of the need for additional information in order to make a determination on a request for authorization.

*Amendment Summary:* Senate amendment 1 (004467) rewrites this bill to make changes relative to the coverage of complex rehabilitation technology (CRT) by health insurance entities and managed care organizations. This amendment prohibits a health insurance entity that offers health insurance coverage of CRT or manual wheelchairs from requiring a prior authorization for repairs of such technology or equipment unless: (1) The repairs are covered under a manufacturer's warranty; (2) The cost of the repairs exceeds the cost to replace the CRT or manual wheelchair; or (3) The CRT or manual wheelchair in need of repair is subject to replacement because the age of the CRT or manual wheelchair exceeds, or is within one year of the expiration of, the recommended lifespan of the CRT or manual wheelchair. This amendment prohibits a health maintenance organization, behavioral health organization, or managed health insurance issuer that participates in the TennCare program ("managed care organization") from requiring a participant in the TennCare program to obtain and submit a prior authorization for repairing CRT or manual wheelchairs unless the conditions in (1)-(3) exist. This bill applies to contracts entered into, amended, or renewed on or after July 1, 2023.

*Fiscal Note:* (Dated January 26, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed with amendment 1 (004467).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0447 effective July 1, 2023.

#### SB464/HB447 **LOCAL GOVERNMENT: Duck River designation.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott

*Summary:* Designates a segment of the Duck River in Maury County as a Class II scenic river. Requires permitting of certain water resource projects in Class II scenic river areas, subject to rules promulgated by the commissioner of environment and conservation.

*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0195 effective April 24, 2023.

#### SB466/HB1269 **EDUCATION: Student pronouns.**

*Sponsors:* Sen. Rose, Paul , Rep. Cochran, Mark

*Summary:* Employee of a public school or LEA is not required to refer to a student using the student's preferred pronoun if the pronoun is not consistent with the student's biological sex. Insulates a teacher or other employee of a public school or LEA from civil liability and adverse employment action for referring to a student using the pronoun that is consistent with the student's biological sex.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact - If found in violation of federal law, this legislation could jeopardize federal funding in FY23-24 and subsequent years.

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0448 effective May 17, 2023.

#### SB467/HB482 **CRIMINAL LAW: Penalty for destruction of critical infrastructure property.**

*Sponsors:* Sen. Rose, Paul , Rep. Boyd, Clark

*Summary:* Increases the penalty, from a Class E felony to a Class C felony, for a person who commits the offense of critical infrastructure vandalism and the damages caused by the offense is at least \$1,000.

*Amendment Summary:* House amendment 1 (004078) increases the punishment, from a minimum of a Class E felony to a minimum of a Class C felony, for a person who commits the offense of critical infrastructure vandalism by interrupting or interfering with critical infrastructure or its operation or by destroying or injuring critical infrastructure and the actual damages caused by the offense is at least \$1,000.

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 03/06/23 - House passed with amendment 1 (004078).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0302 effective July 1, 2023.

#### SB468/HB334 **HEALTH CARE: Licensure as a polysomnographic technologist.**

*Sponsors:* Sen. Rose, Paul , Rep. Hurt, Chris

*Summary:* Requires a person seeking licensure to become a polysomnographic technician to provide proof of completion of an accredited sleep technologist educational program that is accredited by the American Academy of Sleep Medicine.

*Amendment* Senate amendment 1 (014585) changes effective date to July 1, 2024.

*Summary:*

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/29/24 - Enacted as Public Chapter 0736 effective July 1, 2024.

**SB469/HB125 TAXES SALES: Exemption - trailers moved to another state after purchase.**

*Sponsors:* Sen. Rose, Paul , Rep. Leatherwood, Tom

*Summary:* Exempts from sales tax the retail sale of trailers that are removed for registration and use in another state within three days of purchase.

*Amendment* Senate amendment 1 (004489) exempts the retail sale of certain trailers that are removed for registration and use in another state within three calendar days of purchase from the sales and use tax. Clarifies that use of trailer within the state subject subsequent to purchase, but prior to removal from the state, does not constitute a use subject to tax.

*Summary:*

*Fiscal Note:* (Dated February 17, 2023) Decrease State Revenue Exceeds \$680,200/FY23-24 and Subsequent Years Decrease Local Revenue Exceeds \$32,300/FY23-24 and Subsequent Years

*Senate Status:* 04/03/23 - Senate passed with amendment 1 (004489).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0449 effective July 1, 2023.

**SB475/HB1362 ENTERTAINMENT: Licenses and regulations of vendors in interactive sports wagering.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew

*Summary:* Revises and adds various provisions for purposes of regulating vendors of licensees. Revises provisions relating to applications, fees, and penalties. Authorizes the sports wagering council to keep certain moneys for administrative purposes. Revises provisions relating to recordkeeping and inspections for licensees and registrants (10 pps).

*Amendment* Senate amendment 1 (005866) makes the following changes to this bill: (1) Clarifies that "gross handle" means the total amount of gross wagers less cancelled or voided wagers received by the licensee over a specified period of time; (2) Clarifies that "gross wager" means all cash and promotional wagers received by licensees from bettors as wagers; and includes all wagers placed with cash, cash equivalents, promotional items, and all other media by which a bettor is allowed to place a wager; (3) Clarifies that "promotional payout" means a payout by a licensee to a bettor in a form that cannot be immediately withdrawn by the bettor as cash; (4) Clarifies that "promotional wager" means a wager placed by a licensee using a bonus or other non-cash item; (5) Provides that a licensee must only pay a privilege tax on its gross handle of 2 percent, instead of a privilege tax on its adjusted gross income of 20 percent; (6) Provides that the tax imposed must be paid monthly by a licensee based on its gross handle for the immediately preceding calendar month, in accordance with rules promulgated by the council. A licensee may deduct from its gross handle the amount of federal excise tax paid each month, in accordance with rules promulgated by the council. A licensee must not deduct from the gross handle winning payouts to bettors or promotional wagers or payouts. The council must promulgate rules to specify the method by which a licensee must account for adjustments to the gross handle for wagers that are cancelled or voided and repeal all rules related to the privilege tax on adjusted gross income; (7) Provides that the council may competitively procure the services of an outside contractor, instead of a vendor, to provide a central accounting and reporting system, to ascertain all bets wagered minus the total amount paid out to winning bettors daily, and such other information as the council may require; (8) Removes present law that requires a licensee to exclusively use official league data for purposes of live betting unless the licensee can demonstrate to the council that the governing body of a sport or sports league, organization, or association or other authorized entity cannot provide a feed of official league data for live betting in accordance with commercially reasonable terms, as determined by the council; and (9) Removes present law that requires each licensee to report to the council, no later than January 15 of each year, the total amount of wagers received from bettors for the immediately preceding calendar year; the adjusted gross income of the licensee for the immediately preceding calendar year; and any additional information required by rule of the council deemed in the public interest or necessary to maintain the integrity of sports wagering in this state. House amendment 1 (005987) removes the requirement that sportsbook operators, or licensees, must pay a privilege tax of 20 percent of their monthly adjusted gross income (AGI). Requires licensees to pay a 1.85 percent monthly privilege tax on total gross wagers less cancelled or voided wagers. Prohibits licensees from deducting payouts to bettors or promotional wagers or payouts from total gross wagers. Authorizes a licensee to deduct the amount of federal excise tax paid each month from its gross handle. Revises and adds various provisions and definitions related to the Sports Wagering Advisory Council (SWAC) and sports wagering regulations. Renames the SWAC as the Sports Wagering Council (SWC). Revises certain provisions related to applications, licenses, fees, and penalties. Sets the three-year registration fee at \$150,000. Authorizes the SWC to carry forward fine revenue available at the end of the year for administrative purposes. Revises provisions specific to record keeping and inspections for licensees and registrants. Authorizes SWC to charge vendors for background investigations. Authorizes licensees to register every three years instead of annually. Requires SWC to post the categories of persons who are ineligible to place a wager on its website. House amendment 2 (006313) specifies that an applicant for registration as a vendor shall pay a registration fee. Specifies that the fee for the first three-year period after registration is \$150,000. Specifies that \$50,000 of the fee is due at registration, \$50,000 of the fee is due on the first anniversary of registration, and \$50,000 of the fee is due on the second anniversary of the registration. Specifies for the second or subsequent period of registration that the vendor shall pay a registration fee in an amount prescribed by rule of the council sufficient to defray the operating and administrative expenses incurred in administering and enforcing this chapter. Requires the council to promulgate rules to set the registration fee structure by July 1, 2023, and requires the council to adjust the fee structure no more often than biennially. Revises fees for applicants seeking licensure as gaming operations under the Tennessee Sports Gaming Act.

*Fiscal Note:* (Dated March 5, 2023) Increase State Revenue Exceeds \$272,200/FY23-24 and Subsequent Years/ Sports Wagering Council Decrease State Revenue \$237,300/FY23-24 and Subsequent Years/ Tennessee Promise Scholarship Endowment Fund

*Senate Status:* 04/21/23 - Senate concurred in House amendment 1 (005987) and amendment 2 (006313).

*House Status:* 04/21/23 - House passed with amendment 1 (005987) and amendment 2 (006313).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0450 effective July 1, 2023.

**SB476/HB1253 CRIMINAL LAW: Recovering costs from non-indigent convicted defendants.**

*Sponsors:* Sen. Stevens, John , Rep. Crawford, John

*Summary:* Requires a county to seek to recover from a non-indigent convicted defendant, the costs of the advance or reimbursement of witness expenses made by the department of correction deemed necessary for the prosecution of a criminal case. States that the requirement be applied liberally to effectuate state witnesses being advanced or reimbursed for allowable expenses in the shortest timeframe possible.

*Amendment Summary:* Senate amendment 1 (004959) revises present law to require, instead of authorize, the department of correction to advance or reimburse witness expenses necessary to the prosecution of a criminal case as requested by the district attorney general and approved by the court.

*Fiscal Note:* (Dated March 2, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed with amendment 1 (004959).

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0147 effective April 13, 2023.

**SB477/HB632 CAMPAIGNS & LOBBYING: Henry County - convenient voting center pilot program.**

*Sponsors:* Sen. Stevens, John , Rep. Darby, Tandy

*Summary:* Authorizes Henry County to establish a convenient voting center pilot program.

*Amendment Summary:* House amendment 1 (005181) authorizes Henry County to participate in a pilot project to use convenient voting centers for local and state elections. House amendment 2 (007148) removes language referencing federal, state, and local elections held in 2022.

*Fiscal Note:* (Dated March 4, 2023) Increase Local Expenditures \$39,800/FY23-24/Henry County Election Commission/Permissive

*Senate Status:* 04/17/23 - Senate concurred in House amendment 1 (005181) and House amendment 2 (007148).

*House Status:* 04/10/23 - House passed with amendment 1 (005181) and amendment 2 (007148).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0262 effective April 28, 2023.

**SB478/HB338 ESTATES & TRUSTS: Copies of will may be sent to beneficiaries and residuary distributees by email.**

*Sponsors:* Sen. Stevens, John , Rep. Stevens, Robert

*Summary:* Allows a copy of a will, portions of a will, or letters of administration to be sent to beneficiaries and residuary distributees by electronic mail in addition to first class mail or personal delivery. Broadly captioned.

*Fiscal Note:* (Dated February 7, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 03/16/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0298 effective July 1, 2023.

**SB479/HB640 COMMERCIAL LAW: Amendments adopted by the Uniform Law Commission in 2022.**

*Sponsors:* Sen. Stevens, John , Rep. Bricken, Rush

*Summary:* Incorporates into the Uniform Commercial Code the amendments adopted by the Uniform Law Commission in 2022. (73pp.)

*Amendment Summary:* Senate amendment 2 (015489) rewrites the bill to, instead, clarify that a "deposit account," for purposes of provisions regarding secured transactions in the Uniform Commercial Code, does not include a United States central bank digital currency.

*Fiscal Note:* (Dated March 11, 2023) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0802 effective April 29, 2024.

**SB483/HB418 JUDICIARY: Use of retired or former judge in civil cases.**

*Sponsors:* Sen. Stevens, John , Rep. Stevens, Robert

*Summary:* Deletes provisions that allow parties in certain civil cases to agree to employ a retired or former judge to hear the case and provide for the process and manner of trial.

*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/16/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0118 effective April 4, 2023.

**SB485/HB187 JUDICIARY: Comparative fault - joinder of third party defendants.**

*Sponsors:* Sen. Stevens, John , Rep. Bulso, Gino

*Summary:* Specifies that a defendant in a civil action where comparative fault is an issue includes an insurance company that issued an uninsured motor vehicle coverage policy and was served with process.

*Amendment Summary:* House amendment 1 (004348) authorizes, in a civil action filed against an owner and operator of an uninsured motor vehicle in which comparative fault is an issue and an insurance company served with a complaint alleges in its answer that a person not a party to the suit caused or contributed to the injury or damage for which the plaintiff seeks recovery, the plaintiff to: a) amend the complaint to add the person as a defendant and cause process to be issued for that person, or; (b) institute a separate action against that person by filing a summons and complaint. Establishes conditions and time limits for such actions.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 03/13/23 - House passed with amendment 1 (004348).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0294 effective July 1, 2023.

**SB486/HB39 JUDICIARY: Recovery of costs on appeal.**

*Sponsors:* Sen. Stevens, John , Rep. Bulso, Gino

*Summary:* Specifies recoverable costs on appeal to include the cost of preparing and transmitting the record, the cost of a transcript of the evidence or proceedings, the cost of producing necessary copies of briefs and the record, bond premiums to preserve rights pending appeal and costs incurred to obtain bonds, litigation taxes, and any other court fees.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

House Status: 02/27/23 - House passed.

Executive Status: 03/27/23 - Enacted as Public Chapter 0062 effective March 23, 2023.

**SB487/HB38 PUBLIC EMPLOYEES: Retention of counsel to prosecute actions on behalf of the state.**

Sponsors: Sen. Stevens, John , Rep. Bulso, Gino

Summary: Specifies that when, in the judgment of the speaker of the house and the speaker of the senate, the interest of the state requires additional counsel to the attorney general and reporter, the speaker of the house and the speaker of the senate shall retain additional counsel to prosecute an action on behalf of the state if the representation does not result in an increase in state expenditures.

Amendment Summary: House amendment 1 (003868) authorizes the Speaker of the House of Representatives and the Speaker of the Senate to retain additional counsel to the Attorney General and Reporter (AG) to prosecute an action against the federal government on behalf of the state if, in their judgement as Speakers, the interest of the state requires additional counsel, and the representation does not include payment of a fixed or contingent fee to any such additional counsel or otherwise result in an increase in state expenditures.

Fiscal Note: (Dated February 2, 2023) NOT SIGNIFICANT

Senate Status: 03/20/23 - Senate passed.

House Status: 02/27/23 - House passed with amendment 1 (003868).

Executive Status: 04/11/23 - Enacted as Public Chapter 0134 effective July 1, 2023.

**SB489/HB337 ESTATES & TRUSTS: Affiant who seeks a small estate affidavit limited letter of authority.**

Sponsors: Sen. Stevens, John , Rep. Stevens, Robert

Summary: Requires an affiant who seeks a small estate affidavit limited letter of authority to pay a bond equal to the value of the decedent's estate to the court clerk, with the estate named as the beneficiary, instead of to the state. Makes other changes to the Small Estate Affidavit Limited Letter of Authority Act.

*Amendment  
Summary:*

House amendment 1 (004956) rewrites this bill to delete "The Small Estate Affidavit Limited Letter of Authority Act," and enact "The Small Estate Probate Act," as described below. This amendment provides that whenever a decedent leaves a probate estate with a value of not more than \$50,000 ("small estate"), it may be administered in the following manner: (1) After the expiration of 45 days from the date of the decedent's death, as evidenced by a copy of the decedent's death certificate, as long as no petition for the appointment of a personal representative of the decedent's estate has been filed in that period of time for the decedent's estate, either: (A) One or more of the decedent's competent adult heirs must file a petition for the issuance of limited letters of administration of a small estate; or (B) If the decedent died testate and it is determined that distribution of the small estate pursuant to the decedent's will is different than distribution by intestate distribution, and it is desired that the small estate be distributed according to the decedent's will, then the person named as the personal representative in the decedent's will must either: (i) File a petition for the probate of the decedent's will as a muniment of title to the property of the decedent and for the issuance of limited letters testamentary of a small estate; or (ii) File the original of the decedent's will together with affidavits of the attesting witnesses or the affidavits of the two disinterested persons attesting to the decedent's handwriting, if the decedent's will is holographic, with the clerk who must record the will and affidavits. The recording of the decedent's will and accompanying affidavits is deemed sufficient to probate the decedent's will for the purposes of this amendment; (2) To apply for limited letters of administration of a small estate or for limited letters testamentary of a small estate, the person seeking the limited letters must file a sworn petition with the court containing the information set forth in present law provisions governing the administration of estates. The petition must include an itemized list of the property of the decedent to which the limited letters are to apply, the value of each item of property, the identity of each creditor of the decedent, and the amount owing to each identified creditor; (3) Regardless of the language of the decedent's will waiving bond, the petitioner for the limited letters must make the bond payable to the clerk of the court for the benefit of those entitled with a corporate surety. The amount of the bond must be equal to the value of the decedent's property to be administered under this amendment. However, bond is not required of the petitioner if: (A) The petitioner or petitioners are the sole heirs of the intestate decedent; (B) The petitioner or petitioners are the sole beneficiaries of the testate decedent; or (C) All the adult heirs and beneficiaries consent in writing; (4) The clerk must charge and receive such fees for processing a petition for the issuance of limited letters of administration of a small estate or limited letters testamentary of a small estate as provided by law; (5) Upon posting the required bond, unless waived as set forth in (3), the clerk must issue limited letters of administration of a small estate or limited letters testamentary of a small estate, as appropriate, on the form provided in the full text of this amendment; (6) A notice to creditors must not be published, and a creditor is not permitted to file a claim in a small estate probate; (7) The personal representative and the surety on the personal representative's bond may be discharged from liability under the bond as follows: (A) The court may enter an order discharging the personal representative and the surety on the personal representative's bond after the personal representative files, for a decedent dying before January 1, 2016, either the tax receipt issued, or the certificate or assessment issued pursuant to present law provisions governing inheritance tax administration; or (B) The personal representative and the surety on the personal representative's bond may wait until the first anniversary of the issuance of the limited letters when the court must automatically discharge them from liability. The limited letters must remain open and active until the first anniversary of the issuance of the limited letters; and (8) Upon good cause shown, the court may waive the requirement to wait 45 days before filing a petition for limited letters. This amendment provides the following: (1) Each person indebted to the decedent's estate, having possession of any property belonging to the estate, or acting as registrar or transfer agent of any shares of stocks, bonds, notes, or other evidence of ownership, indebtedness, or right belonging to the decedent's estate must be furnished with a copy of the limited letters of administration of a small estate or limited letters testamentary of a small estate by the personal representative, duly certified by the clerk of the court; (2) Upon receipt of a copy of the limited letters of administration of a small estate or limited letters testamentary of a small estate and demand by the personal representative, each person furnished a copy of the limited letters under (1) above must pay, transfer, and deliver to the personal representative all indebtedness owing by the recipient; and other property in possession of, or subject to, registration or transfer by the recipient; (3) A person making payment, transfer, or delivery of property belonging to a decedent's estate to the personal representative pursuant to this amendment is released and discharged from all further liability to the estate and its creditors to the same extent as if the payment, transfer, or delivery were made to the duly appointed, qualified, and acting personal representative of the decedent. The person making the payment, transfer, or delivery is not required to see to its application; (4) The decedent's property must be distributed either to the decedent's heirs as provided by law or, if there is a will, in accordance with the terms of the decedent's will admitted to probate as a muniment of title or filed with the clerk as provided in this amendment; (5) The person to whom payment, transfer, or delivery of any property of the decedent is made by the personal representative must be liable and remain liable up to one year from the date of payment, transfer, or delivery, to the extent of the value of the property received, to unpaid creditors of the decedent, to anyone who had a prior right to the decedent's property, or to any personal representative of the decedent thereafter appointed. If distribution is made prior to payment of all medical assistance owed to TennCare, then both the personal representative and the person to whom payment, transfer, or delivery is made by the personal representative must be liable to TennCare and remain liable, to the extent of the value of the property received; (6) If a person having possession of any of the decedent's property, upon receipt of a copy of the limited letters issued by the clerk, refuses to pay, transfer, or deliver the property to, or at the direction of, the personal representative, then: (A) The property may be recovered; or (B) Transfer and delivery of the property may be compelled in an action brought in a court of competent jurisdiction for that purpose upon proof of the facts required to be stated in the petition, and the costs of the proceeding must be adjudged against the person wrongfully refusing to pay, transfer, or deliver the property; and (7) If, during the administration of the small estate pursuant to the limited letters, the personal representative or a creditor of the decedent discovers additional assets that exceed the statutory small estate limitation, then the court is authorized to allow the small estate administration to be converted into probate administration by application of a verified petition to the court by the personal representative of the small estate or a creditor of the decedent. The personal representative of the small estate, if the property of the decedent has not been paid, transferred, or delivered, or the person or persons to whom the property of the decedent has been paid, transferred, or delivered, is liable for the assets that have been paid, transferred, or delivered prior to the conversion.

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/06/23 - Senate passed.  
*House Status:* 03/16/23 - House passed with amendment 1 (004956).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0297 effective April 28, 2023.

**SB491/HB1351 PUBLIC EMPLOYEES: Suits against counties for wrongs of deputies.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew  
*Summary:* Removes a provision allowing anyone who has occurred any wrong, injury, loss, damage, or expense resulting from any act or failure to act on part of the deputy appointed by the sheriff to bring suit against the county in which the sheriff serves.

*Amendment Summary:* Senate amendment 2 (006873) rewrites this bill to retain the present law provisions described above and to add the following: (1) An action brought pursuant to those present law provisions must be filed within one year after the cause of action accrued; (2) The county has 60 days in which to answer or otherwise respond to any action brought pursuant to such action; and (3) If, at the end of the 60-day period, the county has failed to answer or otherwise respond to the complaint, then the county must not be in default but rather is deemed to have denied the material, well pleaded factual allegations of the complaint.

*Fiscal Note:* (Dated February 26, 2023) Other Fiscal Impact The fiscal impact to local government resulting from the removal of this provision on the outcome of any such current or future suits cannot be determined with any reasonable certainty.

*Senate Status:* 04/13/23 - Senate passed with amendment 2 (006873).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0451 effective July 1, 2023.

#### **SB492/HB1185 ESTATES & TRUSTS: Clarifies the power of a settlor of a revocable trust to change trustees.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny

*Summary:* Clarifies the power of a settlor of a revocable trust to change trustees. Allows for modification of noncharitable irrevocable trusts by consent. Makes various other relevant revisions to second trusts and IRS rules. (18pp).

*Amendment Summary:* Senate amendment 1 (005009) makes the following changes to this bill: (1) Expands the powers of the representative to include, if only one person is a beneficiary of the trust that is the subject of the representation, that representative may represent a descendant that is a minor or an unborn descendant, rather than only a minor or unborn child; (2) Removes this bill's prohibition against an individual who is an employee of an assisted living, hospital, surgery center, nursing home, adult foster care, adult day care, or other custodial care institution where the incapacitated person is residing or receiving services acting as a representative; (3) Removes this bill's provision that states that the representative and all the persons whose interests may be affected may entered into a nonjudicial settlement agreement about the administration of the estate, and provides, instead, that the personal representative and all persons whose consent is required to reach a binding settlement to be approved by the court may enter into the agreement; (4) Removes the change of situs of a trust established by will as a matter that may be resolved by a nonjudicial settlement agreement and, instead, adds the ability to change the principle place of administration of a trust established by the will. In addition, a nonjudicial settlement may also direct the decedent's real property to be administered as a part of the estate that is subject to the control of the personal representative; (5) Changes present law, which provides that, following the settlor's death, a noncharitable irrevocable trust may be terminated upon consent of all of the qualified beneficiaries if the court concludes that continuance of the trust is not necessary to achieve any material purpose of the trust. A noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust. This amendment removes the requirement that in order to terminate a noncharitable irrevocable upon the consent of all qualified beneficiaries, a court's ruling is necessary; (6) Removes this bill's provision that deletes the present requirements concerning qualified affidavits under the Tennessee Investment Services Act or 2007 as well as this bill's rebuttable presumption that the transferor's execution of a sworn instrument the assets were transferred on the date of execution; and (7) Revises the provision in this bill regarding a settlor's powers by providing, instead, that the settlor of a revocable trust may remove a trustee and appoint a successor trustee by giving written notice to the trustee being removed and to the successor trustee being appointed.

*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed with amendment 1 (005009).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0166 effective April 17, 2023.

#### **SB494/HB395 CRIMINAL LAW: Possession of a handgun while hunting.**

*Sponsors:* Sen. Stevens, John , Rep. Capley, Kip

*Summary:* Allows a person, if not otherwise prohibited by law to carry a handgun, to carry a handgun while hunting if the handgun is not used for the taking of game.

*Amendment Summary:* Senate amendment 1 (005258) revises present law provisions relative to hunting and chasing coons and coon dog training by changing "coon" to "raccoon."

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005258).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0218 effective July 1, 2023.

#### **SB495/HB413 CRIMINAL LAW: Law enforcement or military service as qualifying experience for probation and parole officers.**

*Sponsors:* Sen. Stevens, John , Rep. Lamberth, William

*Summary:* Provides that the four years of qualifying full-time professional experience required to be a probation and parole officer may include experience in law enforcement or service in any branch of the United States armed forces. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (007160) removes service in any branch of the United States armed forces as qualifying full-time professional experience under this bill.

*Fiscal Note:* (Dated January 25, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed with amendment 1 (007160).

*House Status:* 04/19/23 - House concurred in Senate amendment 1 (007160).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0358 effective May 5, 2023.

#### **SB496/HB385 CORRECTIONS: Criminal sentence reductions credits.**

*Sponsors:* Sen. Stevens, John , Rep. Lamberth, William

*Summary:* Removes provision allowing a jailer or superintendent to object to awarding a convicted felon sentence reduction credits. Requires the superintendent or jailer to notify the department of corrections of the amount of sentence reduction credits for good institutional behavior that a convicted felon should receive for jail time served prior to imposition of sentence. Clarifies that a convicted felon does not have the right to sentence reduction credits or a right to appeal the superintendent's or jailer's recommendation.

*Amendment* Senate amendment 1 (003719) makes the provisions of this bill that are applicable to a "jailer" applicable to a "jail administrator" instead.

*Summary:*

*Fiscal Note:* (Dated February 6, 2023) Other Fiscal Impact Due to a number of unknown factors, the extent and timing of any fiscal impact resulting from the proposed legislation cannot be quantified.

*Senate Status:* 04/06/23 - Senate passed with amendment 1 (003719).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0427 effective July 1, 2023.

#### **SB497/HB411 ALCOHOLIC BEVERAGES: Proof of legal purchase and paid taxes for alcohol possession.**

*Sponsors:* Sen. Stevens, John , Rep. Johnson, Curtis

*Summary:* Increases from five to ten gallons the amount of alcohol that a person may possess before the person has the burden of proving that such alcohol was purchased legally and that all taxes were paid. Broadly captioned.

*Amendment Summary:* House amendment 1 (004982) expands the definition of "wine" to include the product of normal alcoholic fermentation of the juice of dried fruit or other agricultural products, not to exceed an alcoholic content of 21 percent by volume. Clarifies that no other product may be called "wine" unless designated by appropriate prefixes descriptive of the fruit or other product from which the same was predominantly produced, or as an artificial or imitation wine. Removes reference declaring that wine does not mean alcohol derived from wine that has had substantial changes to the wine due to the addition of flavorings and additives. Changes the definition of "beer" to include a beverage made from the normal alcoholic fermentation of malt or other cereal grains, sugar, or fruit ingredients used to make cider that does not contain distilled spirits or "wine." Adds the requirement that "beer" must have at least 51 percent alcoholic content by weight that is obtained from the fermentation of malt, other cereal grains, sugar, apples, or pears.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/13/23 - House passed with amendment 1 (004982).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0236 effective April 25, 2023.

#### **SB504/HB633 COMMERCIAL LAW: Selling of air ambulance membership agreement to TennCare enrollee prohibited.**

*Sponsors:* Sen. Powers, Bill , Rep. Darby, Tandy

*Summary:* Prohibits an individual or entity from selling, offering for sale, or providing an air ambulance membership agreement to an individual who is enrolled in TennCare. Requires an individual or entity that provides an air ambulance membership agreement to an individual who subsequently enrolls in TennCare to provide the enrollee with a pro-rated refund of consideration paid for the membership. Adds other related prohibitions, requirements, and penalties. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004932) limits this bill's prohibitions to air ambulance membership organizations. This amendment provides that if an individual who has purchased an air ambulance membership agreement subsequently enrolls in TennCare during the duration of the membership agreement, the enrollee must notify the air ambulance membership organization of such enrollment within 30 days following the effective date of the enrollment. If the enrollee timely notifies the air ambulance membership organization of such enrollment, then the air ambulance membership organization must provide the enrollee a prorated refund of any consideration paid for the period from the effective date of the TennCare Medicaid enrollment through the expiration date of the air ambulance membership agreement. If, however, the enrollee does not timely notify the air ambulance membership organization of such enrollment, then the enrollee is not entitled to a prorated refund, but the air ambulance membership organization is still obligated to disenroll the enrollee within 30 days of receipt of the notice of the enrollee's enrollment in TennCare Medicaid. This amendment requires all air ambulance membership agreement websites, brochures, and marketing material to include, in at least 12-point Times New Roman font or, alternatively, a clear and conspicuous hyperlink, the following disclosures: (1) The air ambulance membership agreement is a membership plan and is not insurance coverage; (2) TennCare Medicaid covers air ambulance transport services and requires no out-of-pocket expense by the enrollee for air ambulance transport services; and (3) Some state laws prohibit Medicaid beneficiaries from being offered air ambulance memberships programs. If an individual submits an air ambulance membership agreement application, the applicant can attest to the fact that the applicant is not currently, nor plans to be enrolled in Medicaid. This amendment also requires that an air ambulance membership agreement application include in addition to (1)-(3), a disclosure in at least 12-point Times New Roman that informs the applicant that if the applicant is not currently enrolled in Medicaid, but becomes enrolled at any time during the duration of the membership agreement, then the applicant must notify the air ambulance membership organization within 30 days. If the applicant timely notifies the air ambulance membership organization of such enrollment, then the air ambulance membership organization is obligated to provide the applicant a prorated refund of any consideration paid for the air ambulance membership agreement. This amendment limits the remedies for a violation of this bill to those the division may seek under the Tennessee Consumer Protection Act of 1977.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004932).

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0148 effective July 1, 2023.

#### **SB505/HB410 TRANSPORTATION VEHICLES: Fines for speeding.**

*Sponsors:* Sen. Powers, Bill , Rep. Johnson, Curtis

*Summary:* Authorizes the legislative body of a municipality to establish the fine for speeding within a residential zone within its jurisdictional boundaries at \$200. Broadly captioned.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0119 effective July 1, 2023.

#### **SB507/HB1119 ALCOHOLIC BEVERAGES: Electronic storage of documents by wineries.**

*Sponsors:* Sen. Powers, Bill , Rep. Carr, Dale

*Summary:* Authorizes wineries and farm wine producers in this state to maintain copies of their licenses, permits, and other documents electronically for purposes of establishing compliance with the law. Authorizes wineries and farm wine producers beginning July 1, 2024, that hold two or more licenses or permits to choose the expiration date for such licenses or permits within certain parameters.

*Fiscal Note:* (Dated February 25, 2023) Increase State Revenue \$78,700/Strategic Technology Solutions Increase State Expenditures \$122,700/ABC Fund

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0406 effective May 11, 2023.

**SB511/HB622 MISCELLANEOUS: Official state song - The Tennessee in Me by Debbie Mathis Watts.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Garrett, Johnny

*Summary:* Adds Debbie Mathis Watts' "The Tennessee in Me" as one of the official state songs.

*Fiscal Note:* (Dated January 29, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0167 effective April 17, 2023.

**SB514/HB724 LOCAL GOVERNMENT: Cognitive and psychological exams required for candidate for the office of constable.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hulse, Bud

*Summary:* Requires a candidate for the office of constable to undergo a cognitive and psychological examination by a licensed psychologist to ensure the fitness of the candidate prior to running for office.

*Amendment Summary:* House amendment 1 (003494) requires a person seeking the office of constable to file with the county election commission a letter from a licensed psychologist who has conducted a cognitive and psychological test on the candidate stating that the candidate is mentally and cognitively fit to perform the duties of a constable. Requires the same letter to be filed with the county clerk prior to the election if the person is seeking to fill a vacancy in the office of constable through election by the county legislative body. Exempts constables in office on and elected prior to July 1, 2023. Specifies that candidates are responsible for covering the costs of testing.

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/06/23 - House passed with amendment 1 (003494).

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0065 effective July 1, 2023.

**SB515/HB723 CRIMINAL LAW: Employees allowed to carry a handgun on property owned by public institution of higher education.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hulse, Bud

*Summary:* Expands employees allowed to carry a handgun on property owned, operated, or controlled by a public institution of higher education to include retired law enforcement officers who retired in good standing with 20 years of service and are employed on a part-time basis by a public institution of higher education.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0149 effective July 1, 2023.

**SB517/HB465 TRANSPORTATION VEHICLES: Timeframe for request for hearing regarding refusal by commissioner to issue certificate of title.**

*Sponsors:* Sen. Niceley, Frank , Rep. Jernigan, Darren

*Summary:* Increases from 10 to 20, the amount of days within the action complained of, that an aggrieved party must make a written request for a formal hearing under the Uniform Administrative Procedures Act, when the commissioner of revenue issues or refuses to issue a certificate of title, discharges or refuses to discharge a lien, or issues or refuses to issue a replacement certificate of title. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014528) rewrites the bill to, instead, require, beginning on January 1, 2025, and each year thereafter, the department of revenue to verify that the owner of each disabled parking placard has not died. If a recipient of a disabled parking placard is found to be deceased, then the department must promptly invalidate the placard. House amendment 2 (017196) renames the act as the "Representative Darren Jernigan Act."

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/08/24 - Signed by House speaker.

*Executive Status:* 04/28/24 - Enacted as Public Chapter 0726 effective April 4, 2024.

**SB519/HB1479 PUBLIC FINANCE: State treasurer allowed to purchase and sell physical gold and precious metal.**

*Sponsors:* Sen. Niceley, Frank , Rep. Hulse, Bud

*Summary:* Allows the state treasurer to purchase and sell gold and precious metal. Allows the state treasurer to enter into contracts and other agreements with a person from various institutions and offices. Requires the state treasurer to ensure that the gold or precious metal is securely maintained and transported, adequately insured, independently audited and physically segregated from the other assets kept at the state depository.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact The precise impact on state earnings revenue is unknown and is expected to vary considerably based on the status of financial market performance at any future time and the timing for which any liquidation and reinvestment of funds would be made. Additional expenses for the storage and maintenance of physical gold and precious metal bullion or specie will result in an increase in state expenditures estimated to be up to \$125,000 per \$50,000,000 invested.

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0069 effective March 23, 2023.



**SB520/HB766 TRANSPORTATION GENERAL: Rules for standardization of traffic-control signals.**

*Sponsors:* Sen. Niceley, Frank , Rep. Holsclaw, Jr., John

*Summary:* Requires the department to promulgate rules to standardize, by speed limit, the length of time a traffic-control signal must display the yellow signal light, when following the green signal light. Requires traffic-control signals to be in compliance with the standardized display times.

*Amendment Summary:* House amendment 1 (006033) rewrites this bill to provide the following: (1) That, whenever in this state three-light traffic-control signals are used displaying successively green, yellow, and red lights for the direction of motorists and pedestrians, the duration of the yellow plus all red change interval must be determined using engineering practices as identified in the Manual on Uniform Traffic Control Devices (MUTCD), as adopted by the department of transportation, and the minimum time exposure of the yellow light must be three seconds; (2) That a state agency or political subdivision that installs, owns, operates, or maintains any such traffic-control signal light must set or cause to be set the timing-control device for the signal light in compliance with this bill and the MUTCD, as adopted by the department of transportation; and (3) That a state agency or political subdivision that installs, owns, operates, or maintains a traffic-control signal light in an intersection that employs a surveillance camera for the enforcement or monitoring of traffic violations must not reduce the time exposure of the yellow light at the intersection with the intended purpose of increasing the number of traffic violations.

*Fiscal Note:* (Dated March 4, 2023) Other Fiscal Impact This legislation may result in a loss in highway funding from the Federal Highway Administration due to failure to comply with relevant federal laws and regulations. The exact amount of any possible decrease in such funding cannot be determined at this time.

*Senate Status:* 04/18/23 - Senate passed.

*House Status:* 04/17/23 - House passed with amendment 1 (006033).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0388 effective May 11, 2023.

**SB523/HB495 HEALTH CARE: Topical Medical Waste Reduction Act of 2023.**

*Sponsors:* Sen. Jackson, Ed , Rep. Martin, Brock

*Summary:* Enacts the "Topical Medical Waste Reduction Act of 2023," which provides the following concerning medications provided in certain medical facilities, including hospital operating rooms, hospital emergency room departments, or ambulatory surgical treatment centers ("facility"): (1) That if a topical antibiotic, anti-inflammatory, dilation, or glaucoma drop or ointment that a facility employee has on standby or that is retrieved from a dispensing system for a specified patient for use during a procedure or visit ("facility-provided medication") is used in an operating room or emergency department setting, then the prescriber must counsel the patient on its proper use and administration, and the requirement of pharmacist counseling is waived; (2) That if a facility-provided medication is ordered at least 24 hours in advance for surgical procedures and administered to a patient at the facility, then an unused portion of the facility-provided medication may be offered to the patient upon discharge when it is required for continuing treatment; and (3) That a facility-provided medication must be labeled in a manner consistent with labeling requirements under the Tennessee Pharmacy Practice Act of 1996. Broadly captioned.

*Amendment Summary:* House amendment 1 (004492) enacts the Topical Medical Waste Reduction Act of 2023. Authorizes unused portions of certain topical medications administered during a surgical procedure at a hospital operating room or hospital emergency room department to be offered to a patient for continuing treatment upon discharge.

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate concurred in House amendment 1 (004492).

*House Status:* 03/16/23 - House passed with amendment 1 (004492).

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0150 effective April 13, 2023.

**SB526/HB817 CAMPAIGNS & LOBBYING: Members of local governing bodies nominated from a district and elected at large.**

*Sponsors:* Sen. Niceley, Frank , Rep. Davis, Elaine

*Summary:* Prohibits members of local governing bodies to be elected through an election procedure that requires candidates to be nominated from a district and elected at large.

*Amendment Summary:* Senate amendment 1 (007188) prohibits a member of any elected board or commission of a county or municipality to be elected through an election procedure requiring candidates to be nominated from a district and elected at-large, effective January 1, 2024.

*Fiscal Note:* (Dated February 18, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed with amendment 1 (007188).

*House Status:* 04/19/23 - House concurred in Senate amendment 1 (007188)

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0391 effective January 1, 2024.

**SB528/HB551 FAMILY LAW: Makes various revisions to adoption law.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Littleton, Mary

*Summary:* Makes various changes to adoption law, including reducing the waiting period before finalization of adoption in certain circumstances, kinship foster care options, birth-related expenses, and required home study. Broadly captioned.

*Amendment Summary:* House amendment 2 (006775) clarifies that payments made by a person interested in the adoption of a child to the child's mother and child may be used for in person or virtual counseling. Authorizes the Department of Children's Services (DCS) to file written motions for the transfer of custody of a child. Authorizes the court to waive the three day revocation period if the birth parent is represented by an attorney when surrendering a child. Permits the termination of parental rights to be based on the parent having been charged or convicted of a rape from which the child was conceived. Requires DCS to file a petition to terminate parental rights within 90 days of a severe child abuse finding. Authorizes DCS to file a petition to terminate parental rights if a parent has not made reasonable progress toward obtaining custody during a six-month period where the child has been in foster care. Authorizes a petitioner or respondent to request an expedited case for termination of parental or guardianship rights if a case has not been completed within 90 days from when the petition was served. Requires a biological father to waive their parental rights prior to an adoption if that father has paid financial support to the child or child's mother, or if he has made a court filing or appearance consistent with the claim of paternity, or if he has openly lived with the child and held himself out as the father of the child. Decreases, from one year to nine months, the length of time a trial court has to overturn an adoption. Requires DCS to prioritize efforts to locate kinship foster care placement for a child at least 30 days after the child's removal from their home. Requires DCS to create and implement eligibility standards for temporary kinship placements. Makes various changes to who may attend foster parent hearings. Requires DCS to accept home studies performed by licensed child-placing agencies or licensed clinical social workers within the previous two years as a valid home study.

*Fiscal Note:* (Dated March 6, 2023) Increase State Expenditures \$95,900/FY23-24 and Subsequent Years Increase Federal Expenditures \$64,200/FY23-24 and Subsequent Years SB 528 - HB 551

*Senate Status:* 04/12/23 - Senate concurred in House amendment 2 (006775).

*House Status:* 04/06/23 - House passed with amendment 2 (006775).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0263 effective July 1, 2023.

#### **SB532/HB552 FAMILY LAW: Goal of department of children's services.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Littleton, Mary

*Summary:* Specifies that the goal of the department of children's services is to act in the best interest of the child at all times. Requires such goal to be reflected in any mission statement or motto established by the department. Broadly captioned.

*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0305 effective April 28, 2023.

#### **SB533/HB1151 PUBLIC EMPLOYEES: State employee sick leave granted to care for sick child.**

*Sponsors:* Sen. Haile, Ferrell , Rep. White, Mark

*Summary:* Authorizes the grant of sick leave from a sick leave bank to a state employee to care for a sick child of the employee.

*Amendment Summary:* Senate amendment 1 (004707) clarifies that sick leave may be granted under this bill to a member on account of an illness of the member's child if the child is a minor child.

*Fiscal Note:* (Dated February 27, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004707).

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0151 effective July 1, 2023.

#### **SB534/HB164 FAMILY LAW: Voluntary delivery of infant - care by authorized nonprofit licensed child-placing agency.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Butler, Ed

*Summary:* Requires the department of children's services to designate an authorized nonprofit licensed child-placing agency to assume physical care, custody, and control of an infant voluntarily left at certain facilities or in a newborn safety device. Specifies that the court may waive the six-month waiting period after the filing of an adoption petition if the child was voluntarily left at certain facilities or in a newborn safety device, if the child has resided in the home of the petitioners for at least three months, and if the court has received the final court report concerning the circumstances of the child and the petitioners and is satisfied that the adoption will be in the best interest of the child.

*Amendment Summary:* House amendment 1 (005675) makes the following changes to this bill: (1) Changes the effective date to July 1, 2023; (2) Removes the provisions of this bill providing that, upon notification, the department is required to assume the physical care, custody, and control of the infant, and that, as soon as practicable, the department is required to transfer the physical care, custody, and control of the infant to a designated authorized nonprofit licensed child-placing agency; and (3) Adds that, if an infant is abandoned, then the department must file a petition seeking termination of parental rights within 10 calendar days after the 90-day period established in present law is completed. The court must then expedite the case and ensure that the hearing on the termination petition is heard within 30 days of the date the petition is filed, unless the court determines an extension is in the best interest of the child.

*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 04/03/23 - House passed with amendment 1 (005675).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0293 effective July 1, 2023.

#### **SB535/HB163 FAMILY LAW: Changes to parental rights and adoption of children.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Butler, Ed

*Summary:* Revises the definition of abandonment for purposes of termination of parental rights to include circumstances where the parent or guardian fails to visit or support the child for a period of three consecutive months if the child is less than four years of age. Requires the court to waive the six-month waiting period after the filing of an adoption petition if the child is less than four years of age and certain circumstances have been met.

*Amendment Summary:* Senate amendment 2 (007420) establishes that if a parent or guardian fails to visit or support a child under the age of four for a period of three consecutive months preceding a proceeding to terminate parental rights, or preceding incarceration, it will constitute as abandonment and make the child available for adoption.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed with amendment 2 (007420).

*House Status:* 04/19/23 - House concurred in Senate amendment 2 (007420).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0373 effective July 1, 2023.

#### **SB537/HB461 FAMILY LAW: Termination of parental rights.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Slater, William

*Summary:* Lowers the time, from 10 years or more to 6 years or more, a parent or guardian must be confined in a correctional or detention facility as a result of a one or more criminal acts as a ground for termination of parental or guardianship rights. Removes the requirement that the child must be under 8 years of age at the time of the sentence.

*Amendment Summary:* Senate amendment 1 (006675) rewrites this bill to amend the present law mentioned above by providing, instead, that the termination of parental or guardianship rights may be initiated upon the ground that the parent has been confined in a correctional or detention facility of any type: (1) By order of the court as a result of a criminal act, under a sentence of 10 or more years, and the child is under eight at the time the sentence is entered by the court; or (2) By order of the court as a result of one or more criminal acts, under a sentence of six or more years, and one or more other grounds in law for termination of parental or guardianship rights have been satisfied.

*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed with amendment 1 (006675).

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0219 effective July 1, 2023.

**SB542/HB606 CRIMINAL LAW: Creates the tort of wrongful adoption.**

Sponsors: Sen. Walley, Page , Rep. Hawk, David

Summary: Creates the tort of wrongful adoption. Creates the Class A misdemeanor of engaging or attempting to engage in placing children for adoption in violation of state law. Allows a party to a wrongful adoption to bring an action against any licensed child-placing agency, chartered child-placing agency, or licensed clinical social worker that performed or otherwise participated in the adoption and knew or reasonably should have known that the adoption violated state law. Allows a person bringing a successful claim to recovery compensatory and punitive damages and liquidated damages of no less than \$100,000.

Amendment Summary: House amendment 1 (006436) rewrites this bill to make changes to present law relative to adoption, as described below. TENNESSEE CONSUMER PROTECTION ACT OF 1977 This amendment makes the following an unfair or deceptive act or practice in violation of the Tennessee Consumer Protection Act of 1977: (1) Violating law relative to entities authorized to place children for adoption; (2) Violating law relative to illegal payments in connection with placement of a child; and (3) Providing services related to the placement of a child or children for adoption, including, but not limited to, counseling or facilitating, and the services are provided using false or misleading representations of fact or deceptive representations. ADOPTION FACILITATORS This amendment prohibits an adoption facilitator from operating in this state, advertising their services within the boundaries of this state, or providing services to any resident of this state, including, but not limited to, prospective adoptive parents or parents considering placing their child, whether born or not yet born, for adoption. This amendment defines an "adoption facilitator" as a person, corporation, agency, or other entity, located inside or outside of this state, that provides or engages in any of the following services in exchange for compensation in violation of law, whether directly or indirectly: (1) Soliciting parents who are considering placing their child for adoption, whether born or not yet born, for the purpose of acting as a link between the prospective adoptive parents, or the prospective adoptive parents' representative, attorney, or agency, for the transfer of legal or physical custody of their child, including, but not limited to, adoptive placement; or (2) Soliciting prospective adoptive parents for the purpose of acting as a link between parents who are considering placing their child for adoption, whether born or not yet born, and the prospective adoptive parents, or the prospective adoptive parents' representative, attorney, or agency, for the transfer of legal custody of their child, including, but not limited to, adoptive placement. However, this amendment clarifies that an "adoption facilitator" does not include the department of children's services, a licensed child-placing agency, a chartered child-placing agency, a licensed clinical social worker, a licensed attorney, a prospective adoptive parent, or a parent considering placing their child for adoption. ADVERTISEMENTS Present law provides that any advertisement in this state for the placement of children for adoption in another state by an agency or individual not licensed or authorized to do such business in this state must clearly state that the agency or individual is not licensed or authorized to do such business in this state. This amendment revises this provision to provide, instead, that any advertisement in this state for the placement of children for adoption in another state by an agency or individual not licensed or authorized to do such business in this state must clearly disclose on any advertisement in this state for the placement of a child or children for adoption, the name of the government authority by which they are licensed, and that they are not licensed by the state of Tennessee. The disclosure must be in a form similar to "(Person/Entity) is (a child-placing agency/an attorney/a clinical social worker) licensed by (government authority). Not licensed in Tennessee.". PLACING A CHILD FOR ADOPTION IN VIOLATION OF LAW This amendment establishes a Class A misdemeanor offense for a person who engages, or attempts to engage, in placing a child or children for adoption in violation of law relative to adoption or child care agencies. REMEDIES Present law provides that, if the court finds that any person, corporation, agency, or other entity has engaged in the illegal placement of children for adoption, that person, corporation, agency, or other entity is liable for all the costs of the legal proceedings and for all attorney fees for private persons or private agencies who brought the action, or for the cost of attorney and staff time for the department, involved in the proceeding. This amendment revises this provision to hold the person, corporation, agency, or other entity liable to additional remedies, as described in the next paragraph. This amendment provides that adoptive parents or prospective adoptive parents who have provided compensation, whether directly or indirectly, to an adoption facilitator may bring a civil action alleging an adoption facilitation claim against such adoption facilitator. This amendment defines an "adoption facilitation claim" as any claim for damages, losses, indemnification, contribution, or other relief against an adoption facilitator arising out of, based on, or in any way related to the adoption or prospective adoption of a child. A person who brings a successful claim for adoption facilitation may recover the following: (1) Compensatory damages, including, but not limited to, noneconomic damages; (2) Punitive damages, if appropriate; and (3) Liquidated damages of no less than twice the total amount paid to the adoption facilitator. Liquidated damages must be awarded on a per-child basis for each child who is adopted in violation of state law. This amendment clarifies that a claim or judgment entered against an adoption facilitator does not affect the finalization of a pending adoption and must not be used to set aside a final order of adoption.

Fiscal Note: (Dated February 15, 2023) NOT SIGNIFICANT

Senate Status: 04/17/23 - Senate passed after reconsidering their actions and withdrawing Senate amendment 1 (005513).

House Status: 04/03/23 - House passed with amendment 1 (006436).

Executive Status: 05/10/23 - Enacted as Public Chapter 0361 effective July 1, 2023.

**SB543/HB634 FAMILY LAW: Creates the child care improvement fund.**

Sponsors: Sen. Jackson, Ed , Rep. Moody, Debra

Summary: Creates the child care improvement fund, which is to be administered by the department of human services. Requires the department to allocate and disperse grants each fiscal year from the fund to nonprofit organizations to be expended only for establishing a new childcare agency or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency.

Amendment Summary: Senate amendment 1 (007661) makes the following changes to this bill: (1) Creates a child care improvement pilot program to provide grants to nonprofit organizations to be used for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state. The program must be operated from July 1, 2023, to June 30, 2026; (2) Removes the provision that required the department to allocate and disperse grants each fiscal year from the fund to nonprofit organizations to be expended only for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state; (3) Clarifies that all expenditures from the fund are subject to review in the form of a written report submitted by the department to the commissioner of finance and administration no later than January 15, 2024, and by January 15 each year thereafter until the close of the pilot program period.

Fiscal Note: (Dated March 10, 2023) Increase State Revenue - \$15,000,000/FY23-24 and Subsequent Years/ Child Care Improvement Fund Increase State Expenditures \$15,000,000/FY23-24 and Subsequent Years/ General Fund \$15,000,000/FY23-24 and Subsequent Years/ Child Care Improvement Fund

Senate Status: 04/21/23 - Senate passed with amendment 1 (007661).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0452 effective May 17, 2023.

**SB549/HB536 ENVIRONMENT & NATURE: Qualifications for members of TN Fish and Wildlife Commission.**

*Sponsors:* Sen. Lowe, Adam , Rep. Cochran, Mark

*Summary:* Adds to qualifications for appointment to the Tennessee Fish and Wildlife Commission that commissioners be well informed on boating operation, regulation, and safety.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0120 effective July 1, 2023.

**SB551/HB448 GOVERNMENT REGULATION: Public comment of public meetings.**

*Sponsors:* Sen. Lowe, Adam , Rep. Davis, Elaine

*Summary:* Requires governmental entities to provide a period of public comment for public meetings. Authorizes the governmental entities to place reasonable restrictions on the period for public comment including the length of the period, the number of speakers, and the length of time of the speaker.

*Amendment Summary:* House amendment 1 (004149) clarifies that the provisions of this bill do not apply to a meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or a meeting for which there are no actionable items on the agenda. House amendment 2 (006339) changes effective date from upon becoming law to July 1, 2023.

*Fiscal Note:* (Dated January 29, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 03/23/23 - House passed with amendment 1 (004149) and amendment 2 (006339).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0300 effective July 1, 2023.

**SB552/HB353 TRANSPORTATION VEHICLES: Sergeant Chris Jenkins Law.**

*Sponsors:* Sen. Lowe, Adam , Rep. Russell, Lowell

*Summary:* Enacts the Sergeant Chris Jenkins Law. Requires loose items that are being transported in open beds or trailers to be secured. Requires an item with a weight of at least two and two-tenths pounds or at least one kilogram to be secured by a web-derived strap with a tensile strength. Requires an item weighing less than one kilogram or less than two and two-tenths pounds to use a fiber netting or a web derived strap. Creates a Class C misdemeanor for a violation of this section.

*Amendment Summary:* House amendment 2 (004855) creates the Sergeant Chris Jenkins Law. Creates a Class C misdemeanor offense for a circumstance in which a person is transporting a ladder with a motor vehicle upon a public roadway and the ladder falls onto the roadway and causes or contributes to a motor vehicle accident. Enhances the offense to a Class A misdemeanor if the motor vehicle accident results in death or bodily injury.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/09/23 - House passed with amendment 2 (004855).

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0064 effective July 1, 2023.

**SB555/HB491 TOURISM: Projects that may be funded under the Tourism Development Authority Act.**

*Sponsors:* Sen. Powers, Bill , Rep. Johnson, Curtis

*Summary:* Expands the types of projects that may be funded under the Tourism Development Authority Act to include performing arts centers. and museums. Clarifies the sources of revenue to fund such projects. Excludes ad valorem real property taxes from such sources of revenue that are available to fund projects under the Act.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0121 effective April 4, 2023.

**SB559/HB170 PROPERTY & HOUSING: Rejection of Harding Academy v Metro Government of Nashville and Davidson County.**

*Sponsors:* Sen. Rose, Paul , Rep. Ragan, John

*Summary:* States that the merits of a permit application should be judged on the law in effect at the time of application and that the interests of property owners to use their property as they choose without local regulation outweigh a local government entity's interests with regard to zoning changes. Recommends that the general assembly reject the pending ordinance described by the Tennessee supreme court's 2007 opinion in Harding Academy v. Metropolitan Government of Nashville and Davidson County.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact The extent and timing of any significant fiscal impact to local government cannot be reasonably determined.

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0453 effective July 1, 2023.

**SB560/HB584 HEALTH CARE: Employment of medical professionals.**

*Sponsors:* Sen. Walley, Page , Rep. Gant, Ron

*Summary:* Authorizes a hospital or an affiliated entity of the hospital to employ an emergency physician to treat patients at a satellite emergency department, or a physician to treat patients at a primary care clinic or urgent care clinic, which are located in this state if the hospital is located in a neighboring state in a county contiguous to this state and holds a valid certificate of need for a satellite emergency department in this state, and other conditions are satisfied. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (005191) adds the following additional condition to the list above: (4) The satellite emergency department, primary care clinic, or urgent care clinic is located: (A) In a county that (i) borders the neighboring state and contiguous county in which the hospital is located; (ii) is designated as an economically distressed or at-risk county by the department of economic and community development, as updated annually; (iii) has a population of less than 27,000; and (iv) had a hospital in the county close within eight years before the date healthcare services are initiated at the satellite emergency department, primary care clinic, or urgent care clinic; and (B) Less than 20 miles from a hospital designated as a Level I, II, or III trauma center in the neighboring state, but more than 50 miles from a hospital designated as a Level I, II, or III trauma center in this state; Senate amendment 2 (006125) clarifies that in order to be employed as an emergency physician to treat patients at a satellite emergency department or to treat patients at a primary care clinic or urgent care clinic that is located in this state and owned or controlled by the hospital or affiliated entity, a physician must be licensed to practice medicine in Tennessee and employed at the hospital in the neighboring state.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed with amendment 1 (005191) and amendment 2 (006125).

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0196 effective July 1, 2023.

**SB562/HB452 CRIMINAL LAW: Electronic monitoring devices for prisoners on work release.**

*Sponsors:* Sen. Jackson, Ed , Rep. Russell, Lowell

*Summary:* Requires that a prisoner of a county workhouse or jail who is released from custody on work release or otherwise allowed to leave the grounds of the county workhouse or jail for employment or to perform community service must use an electronic monitoring device at all times during the period the prisoner is not at the county workhouse or jail. Requires the entity utilizing the prisoner's labor, whether the work is paid or unpaid, pay the costs for the device. Sets the start date for this requirement as January 1, 2024. Broadly captioned.

*Amendment Summary:* House amendment 1 (003915) requires a prisoner of a county workhouse or jail who is released from custody on work release, or otherwise allowed to leave the grounds of the facility for employment or to perform work in the community, to wear an electronic monitoring device at all times when not on the facility grounds. Requires the entity employing the prisoner or utilizing the prisoner for work to pay the costs of the electronic monitoring device. Specifies that the requirement does not apply in circumstances in which the prisoner is being supervised by an armed officer and remains in the direct eyesight of the officer.

*Fiscal Note:* (Dated February 9, 2023) Other Fiscal Impact To the extent a county sheriff may assign prisoners to perform work not on the grounds of a county workhouse or jail, the sheriff could realize a significant increase in expenditures related to electronic monitoring. Due to multiple unknown variables, a precise fiscal impact cannot be reasonably quantified.

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 03/13/23 - House passed with amendment 1 (003915).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0301 effective April 28, 2023.

**SB570/HB548 CRIMINAL LAW: Class A misdemeanor offense for possession of a device intended to aid in theft.**

*Sponsors:* Sen. Lamar, London , Rep. Harris, Torrey

*Summary:* Creates a Class A misdemeanor offense for the possession of a device, tool, machine, implement, or other item capable of programming a smart key or key fob with the intent to use it or allow it to be used to commit theft.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0304 effective July 1, 2023.

**SB577/HB359 EDUCATION: Training for members of a charter school governing body.**

*Sponsors:* Sen. Pody, Mark , Rep. Carringer, Michele

*Summary:* Deletes requirement that the annual training course for a charter school governing body be certified by the Tennessee Charter School Center. Requires all training for the governing body of a public charter school to be approved by the state board of education.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0092 effective March 31, 2023.

**SB578/HB358 EDUCATION: Licensure actions for teacher's failure to comply with terms of student loan obligation.**

*Sponsors:* Sen. Pody, Mark , Rep. Carringer, Michele

*Summary:* Removes the requirement that the state board establish guidelines to suspend, deny, or revoke the license of a teacher who is delinquent or in default on a repayment or service obligation under a guaranteed student loan. Deletes a provision that authorized the state board to exercise discretion with regard to certain licensure actions if the teacher's default or delinquency is the result of a medical hardship.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 02/13/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0093 effective March 31, 2023.

**SB579/HB258 EDUCATION: Examinations of school bus drivers and specifications for school buses.**

*Sponsors:* Sen. Pody, Mark , Rep. Moody, Debra

*Summary:* Changes the entity responsible for requiring annual physical and mental examinations of school bus drivers from the state board of education to the local boards of education. Also changes the entity responsible for revocation of a certificate issued to a school bus driver if the driver is found to be unfit physically, mentally, morally, or if the school bus driver is convicted of certain violations from the state board of education to local boards of education. Requires the department of education to develop the specifications for school buses and to recommend the specifications for school buses to the department of safety. Removes the state board of education from language that prohibits the limiting of use of conventional or Class D school buses by mileage driven. Revises various other provisions to change, from the state board of education to the department of safety, the entity responsible for adopting specifications for school buses.

*Fiscal Note:* (Dated February 4, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/13/23 - Senate passed.  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0122 April 4, 2023.

**SB583/HB339 FAMILY LAW: Solemnizing marriages by former municipal judges.**

*Sponsors:* Sen. Pody, Mark , Rep. Raper, Kevin  
*Summary:* Allows former municipal judges to solemnize a marriage.  
*Amendment Summary:* Senate amendment 1 (004004) clarifies that a former municipal court judge of any municipality is authorized to solemnize a marriage in any county of the state.  
*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed with amendment 1 (004004).  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0046 effective March 14, 2023.

**SB584/HB291 TRANSPORTATION GENERAL: Enforcing rules related to Outdoor Advertising Control Act of 2020.**

*Sponsors:* Sen. Pody, Mark , Rep. Keisling, Kelly  
*Summary:* Deletes the obsolete date on which the commissioner of transportation is required to begin promulgating and enforcing rules necessary to carry out the "Outdoor Advertising Control Act of 2020"; deletes restrictions on the matters to be governed by such rules. Broadly captioned.  
*Fiscal Note:* (Dated January 29, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/13/23 - Senate passed.  
*House Status:* 03/06/23 - House passed.  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0063 effective March 23, 2023.

**SB589/HB485 TRANSPORTATION VEHICLES: Eddie Conrad Act.**

*Sponsors:* Sen. Pody, Mark , Rep. Boyd, Clark  
*Summary:* Establishes the "Eddie Conrad Act", which establishes the amount of points charged to a person's driving record for violations in connection with the use of a mobile phone while driving.  
*Amendment Summary:* Senate amendment 1 (003950) changes the effective date from July 1, 2023, to January 1, 2024. Senate amendment 2 (005166) removes the provisions of this bill that provided the following: (1) If a person is 18 years of age or older, then a first or second violation of this law results in four points being charged to the person's driving record; and (2) If a person is 18 years of age or older, then a third or subsequent violation of this law results in five points being charged to the person's driving record.  
*Fiscal Note:* (Dated February 11, 2023) Other Fiscal Impact To the extent that the required modifications to the Department of Safety's A-List system can be accomplished within available resources provided under the current vendor contract, the proposed legislation will not result in a significant increase in state expenditures. Otherwise, those modifications could result in a one-time increase in state expenditures of up to \$38,000 in FY23-24.  
*Senate Status:* 03/13/23 - Senate passed with amendment 2 (005166).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0428 effective January 1, 2024.

**SB591/HB764 CRIMINAL LAW: Abolishes community oversight boards and creates police advisory and review committees.**

*Sponsors:* Sen. Pody, Mark , Rep. Davis, Elaine  
*Summary:* Abolishes community oversight boards and authorizes municipalities to create police advisory and review committees to ensure the timely, fair, and objective review of citizen complaints and to make recommendations concerning such complaints. Specifies membership, appointment process, and terms for members of police advisory and review committees.

*Amendment  
Summary:*

Senate amendment 1 (006990) makes the following changes to this bill: (1) Expands the provisions of this bill to apply to local governing bodies, instead of just municipal governmental bodies; POLICE ADVISORY AND REVIEW COMMITTEES (2) Clarifies that a local governing body is authorized upon the adoption of an ordinance or resolution to create a police advisory and review committee and limits the recommendations of the board concerning citizen complaints to be made only to the head of a law enforcement agency; (3) Changes requirement (2) in the summary under POLICE ADVISORY AND REVIEW COMMITTEES for a committee member to require that they not be a current employee of a local governing body; (4) Adds that no more than two persons may be appointed from one district or ward within a local government entity that is represented by a member of a local governing body; (5) Adds that members of the committee who fail to complete required courses are considered to have vacated their positions on the committee and may be replaced; (6) Clarifies that members of the committee must respect an individual's, including a local law enforcement officer's, right to privacy, and maintain materials received pertaining to their membership; MISCONDUCT BY A COMMITTEE MEMBER (7) Requires that the attorney for the local government entity investigate an allegation of misconduct by a committee member or their staff and submit a written report of investigative findings to the mayor or local governing body; EXECUTIVE DIRECTOR OF THE COMMITTEE (8) Changes the requirement that the mayor select an executive director of the committee, and instead authorizes the mayor to do so. As the selection is no longer a requirement, the requirement that the committee provide the executive director with support staff and an adequate office space and equipment is deleted. This amendment deletes the requirement that the executive director be a nonclassified exempt employee of the community relations department or similar division for the municipality; (9) Changes the requirement pertaining to the executive director's employment to provide that the executive director must not be a former employee of a law enforcement agency for the preceding 12 months. This amendment adds that no person may be approved as executive director until the person has submitted to a state criminal history background check and investigation to be conducted by the Tennessee bureau of investigation; a national criminal history background check to be conducted by the federal bureau of investigation; and a lawfully administered test designed to detect the presence of a controlled substance or a controlled substance analogue; (10) Clarifies that if the executive director determines an investigation is incomplete, then the director must notify the committee that in the director's opinion additional investigation or additional time may be required for the investigation to be complete; (11) Authorizes the director to request legal services and advice from the attorney for the local government entity that provides legal services to the local government for which the executive director is employed; (12) Deletes the requirement that the executive director administer oaths to complainants and witnesses. This amendment also clarifies that the director must compile statistical information regarding complaints of misconduct by law enforcement officers that were reported to the executive director from a member of the public, reported to the internal affairs unit where the investigation was reviewed by the executive director, or which were initiated by the executive director; (13) Revises what the executive director can do if they find that an investigation is not complete by authorizing the director to return the investigation to the internal affairs unit for additional investigation; MEETINGS (14) Deletes the requirement that the chief of police or chief of police's designee attend all meetings of the committee; (15) Deletes the authorization of the committee to subpoena witnesses to appear before the internal affairs unit or the executive director, and to compel witnesses to provide statements or produce documents in furtherance of an investigation when necessary. Instead, this amendment provides that a police advisory and review committee does not have power to issue subpoenas for documents or compel witness testimony. However, a local governing body is not prohibited from issuing a subpoena and may do so on behalf of the policy advisory and review committee following the same requirements as provided by the bill; LIMITATIONS ON REVIEW (16) Changes the limitation against reviewing an incident that occurred prior to July 1, 2023, to prior to January 1, 2023; and INVESTIGATIONS OF POLICE OFFICERS (17) Changes present law that provides that the laws governing investigations of police officers, such as questioning, disclosure, notice, and procedure requirements, apply only to those agencies that now provide a property interest in employment for their police officers and that have no other established procedures for dealing with the dismissal, demotion, suspension or transfer for punitive reasons of police officers. This amendment limits the laws that apply only to those agencies providing a property interest in employment so that present law pertaining to the prohibition of a law enforcement officer engaging in political activity and the requirement that an investigative record of officer-involved shooting death become public record applies to all law enforcement agencies. House amendment 2 (008051) incorporates the changes made by Senate Amendment #1 with the following changes and additions: (1) Makes numerous non-substantive grammatical changes; (2) Specifies that this bill will preempt local legislation concerning police oversight boards that does not conform with this bill as of January 1, 2023; (3) Changes the date by which a local governing body that created a police oversight body prior to July 1, 2023, must comply with this bill within 90, to within 120, days of July 1, 2023, or the police oversight body is terminated; and (4) Specifies that a candidate for appointment as executive director of a police review and oversight committee must submit a fingerprint sample to be used for their criminal history background check. This amendment requires the local government to pay for the background check, but authorizes local governments to require an applicant to pay such costs. This amendment requires the TBI to provide the results of a background check to the mayor within five days of receipt of such results. This amendment classifies the results of the background checks as confidential and not open for public inspection.

*Fiscal Note:*

(Dated March 10, 2023) Other Fiscal Impact There may be a mandatory decrease in local expenditures of an unknown amount in FY23-24 and subsequent years. To the extent that any municipal governing body elects to create a committee, the relevant municipality will realize a permissive increase in expenditures for which the amount and timing are unknown.

*Senate Status:*

04/21/23 - Senate concurred in House amendment 2 (008051).

*House Status:*

04/20/23 - House passed with amendment 2 (008051).

*Executive Status:*

05/22/23 - Enacted as Public Chapter 0454 effective July 1, 2023.

**SB596/HB878 FAMILY LAW: Refusal to solemnize marriage based on person's conscience or religious beliefs.**

*Sponsors:*

Sen. Pody, Mark , Rep. Fritts, Monty

*Summary:*

States that a person is not required to solemnize a marriage if the person has an objection to solemnizing the marriage based on the person's conscience or religious beliefs. Broadly captioned.

*Amendment*

House amendment 1 (004801) provides that a person shall not be required to solemnize a marriage.

*Summary:*

*Fiscal Note:*

(Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:*

02/17/24 - Signed by Senate speaker.

*House Status:*

02/15/24 - Signed by House speaker.

*Executive Status:*

02/21/24 - Enacted as Public Chapter 0511 effective February 21, 2024.

**SB600/HB90 LOCAL GOVERNMENT: Local governments prohibited from financially assisting abortions.**

*Sponsors:*

Sen. Hensley, Joey , Rep. Moody, Debra

*Summary:*

Prohibits a county, municipality, or metropolitan government from using funds to assist a person in obtaining an abortion, including the travel to a state where abortion is legal.

*Amendment Summary:* Senate amendment 2 (004799) prohibits local governments from expending funds for the purpose of assisting a person in obtaining a criminal abortion, including expending funds as part of a health benefit plan or for travel to a state for the purpose of obtaining an abortion that would be a criminal abortion if performed in this state.

*Fiscal Note:* (Dated January 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed with amendment 2 (004799).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0168 effective April 17, 2023.

**SB606/HB706 PUBLIC EMPLOYEES: Reemployment after retirement - retired law enforcement officers.**

*Sponsors:* Sen. Jackson, Ed , Rep. Doggett, Clay

*Summary:* Extends the authorization for a retired law enforcement officer to be reemployed without loss or suspension of retirement benefits to July 1, 2026. Reduces the time that a law enforcement officer must be retired to be reemployed without loss or suspension of retirement benefits from nine months to two months.

*Amendment Summary:* House amendment 1 (004453) rewrites this bill to make changes to the present law relative to reemployment after retirement from public employment. REEMPLOYMENT AS A LAW ENFORCEMENT OFFICER This amendment provides that a retired member of the Tennessee consolidated retirement system (TCRS) or a superseded system, or a local retirement fund may be reemployed in a position covered by the retirement system as a law enforcement officer without the loss or suspension of the retired member's TCRS benefits so long as the following conditions are met: (1) The retired member, as of the date of reemployment, must have successfully completed annual training required by state law and as required by the Tennessee peace officer standards and training commission; (2) The retired member is not reemployed until the expiration of at least 60 calendar days from the member's effective date of retirement; (3) During the reemployment, the retirement benefit payable to the retired member must be reduced to 70 percent of the retirement allowance the member would have otherwise been entitled to receive; (4) The retired member's reemployment must not exceed one year so long as the retired member may be reemployed for additional one-year periods if the conditions contained in this bill are met for each period of reemployment; (5) To fund the liability created by this bill, the retired member's new employer must pay to TCRS during each period of reemployment the greater of either a payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or an amount equal to five percent of the retired member's pay rate; (6) The retired member is not eligible to accrue additional retirement benefits as a result of the member's reemployment; (7) Upon the reemployment of the retired member, the retired member's new employer must notify the retirement system of the member's reemployment with any documents or information required by the retirement system; and certify in writing to the retirement system that the retired member has the requisite experience and training for the position filled and that no other qualified persons are available to fill the position; and (8) The retiree is not drawing disability retirement benefits under this bill. This amendment further provides that within a one-year period, a retiree who is reemployed in a position covered by TCRS pursuant to this bill must not switch from one reemployment provision to another; or simultaneously be reemployed under more than one reemployment provision. EMPLOYMENT AS A TEACHER Under present law, the provisions regarding the reemployment after retirement as a teacher must not be construed to prohibit any retired member or prior class member of TCRS, or any retiree of a local retirement fund receiving benefits in accordance with state law from returning to service temporarily in a position covered by TCRS. This amendment removes this provision. APPLICABILITY This amendment applies to reemployments occurring on or after July 1, 2023, and is set to repeal on June 30, 2025.

*Fiscal Note:* (Dated February 25, 2023) Increase Local Expenditures \$66,300/Each FY23-24 through FY25-26/Permissive

*Senate Status:* 04/18/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (004453).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0387 effective July 1, 2023.

**SB610/HB589 CRIMINAL LAW: Release of confidential information by DCS upon presentation of court order.**

*Sponsors:* Sen. Walley, Page , Rep. Gant, Ron

*Summary:* Adds district attorneys general to those the department of children's services must release confidential information to upon presentation of an appropriate court order. Broadly captioned.

*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0197 effective April 24, 2023.

**SB611/HB1106 CRIMINAL LAW: Transfer of juvenile to a criminal court to be tried as an adult.**

*Sponsors:* Sen. Walley, Page , Rep. Littleton, Mary

*Summary:* Allows a juvenile court to transfer a juvenile 16 years of age or older to a criminal court of competent jurisdiction to be tried as an adult for committing the offense of escape from a youth development center approved, certified, or licensed by the department of children's services.

*Fiscal Note:* (Dated March 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0264 effective July 1, 2023.

**SB613/HB590 GOVERNMENT ORGANIZATION: Annual report date of the status of childcare agencies extended.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Littleton, Mary

*Summary:* Changes from March 1 to March 15, the date by which the department must make a presentation to the appropriate committees of the senate and the house of representatives on the comprehensive annual report of the status of childcare agencies within the state subject to the department's jurisdiction. Broadly captioned.



*Amendment Summary:* Senate amendment 1 (014007) rewrites the bill to, instead, revise the present law that provides that, within 30 days of the date of foster care placement, an agency must prepare a plan for each child in its foster care. Such plan must include a goal for each child of the (i) return of the child to parent; (ii) permanent placement of the child with a fit and willing relative or relatives of the child; (iii) adoption, giving first preference to the foster home to adopt the child when applicable; (iv) permanent guardianship; or (v) a planned permanent living arrangement. This amendment requires the permanency plan for any child in foster care for six months or longer as a result of abuse or neglect that includes as a permanency goal the return of the child to the parent, to also include a requirement that the parent complete trauma-informed education before the child is returned to the parent. The trauma-informed education may be completed via electronic means. The department of children's services is authorized to work with nonprofit organizations to develop appropriate training materials for the trauma-informed education required by this bill and delivery pathways at no additional cost to the state.

*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0591 effective March 27, 2024.

#### **SB614/HB1313 HEALTH CARE: Annual report on the Tennessee nurse home visitor program.**

*Sponsors:* Sen. Briggs, Richard , Rep. Kumar, Sabi

*Summary:* Requires the department of health to make its annual report concerning the Tennessee nurse home visitor program to the general assembly by February 1 of each year and in an electronic format. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (003729) rewrites this bill to change present law relative to the East Tennessee State University College of Public Health, in cooperation with the Tennessee stroke systems task force, maintaining a statewide stroke database that compiles information and statistics on stroke care involving prevalence, mortality, and performance metrics that align with the stroke consensus metrics developed and approved by the American Heart Association, centers for disease control and prevention and the joint commission. Present law requires comprehensive stroke centers and primary stroke centers, and encourages all other hospitals, to report data quarterly consistent with nationally recognized stroke consensus measures on the treatment of individuals with confirmed stroke to the East Tennessee State University College of Public Health. This amendment rewrites this provision to expand the mandatory reporting to hospitals that have a certification from a department-approved, nationally recognized certifying body recognizing the hospital as capable of providing neuroendovascular treatment.

*Fiscal Note:* (Dated January 27, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed with amendment 1 (003729).

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0123 effective April 4, 2023.

#### **SB617/HB1120 CRIMINAL LAW: Requirements for department of children's services training.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Russell, Lowell

*Summary:* Requires the department to provide annual training to youth service officers on best practices for behavior management and conflict resolution in the context of supervision of juvenile justice youth. Requires the department to make chaplain services available on a regular basis to juveniles who are in the department's custody and housed in a juvenile detention facility approved, certified, or licensed by the department, including youth development centers. Prohibits the department from requiring a juvenile to attend or make use of chaplain services. Requires juveniles 16 years of age or older in the department's custody in a Level III or Level IV facility to be housed, educated, and maintained separately from children less than 16 years of age. Broadly captioned.

*Amendment Summary:* House amendment 1 (004147) requires the Department of Children's Services (DCS) to make chaplain services available on a regular basis to juveniles who are in DCS custody and housed in a youth development center. Requires DCS to provide annual training to all youth service officers on best practices for behavior management and conflict resolution in the supervision of juveniles. Prohibits children aged 16 or older who have been committed to DCS and are housed in a hardware secure juvenile detention facility or youth development center from being housed with juveniles less than 16 years of age except under certain circumstances. Effective January 1, 2024.

*Fiscal Note:* (Dated February 10, 2023) Increase State Expenditures \$959,800/FY23-24 \$949,800/FY24-25 and Subsequent Years

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/06/23 - House passed with amendment 1 (004147).

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0067 effective January 1, 2024.

#### **SB618/HB985 JUDICIARY: Information included in court filings regarding parenting plans.**

*Sponsors:* Sen. Yarbro, Jeff ,

*Summary:* Permits the use of a person's full social security number; taxpayer identification number; birth date; name, if the person is a minor; or financial account number in court filings regarding parenting plans.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0124 effective April 4, 2023.

#### **SB624/HB430 CRIMINAL LAW: Blended sentence for 16 and older children.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Allows a juvenile court to impose a blended sentence on a child 16 years of age or older for a juvenile offense that would be a Class A, B, or C felony if committed by an adult. Defines blended sentencing as a combination of any disposition otherwise provided for juveniles and a period of adult probation to be served after the child turns 18 years of age and which ends on or before the child's twenty-fifth birthday. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (007085) rewrites this bill to authorize a court to classify a child 16 years of age or older as a serious youthful offender if the child is adjudicated delinquent for: (1) An act that would be a Class A felony if committed by an adult; (2) An act that would be a Class B felony if committed by an adult and the child has two or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult; or (3) An act that would be a Class C felony if committed by an adult and the child has three or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult. This amendment authorizes a court to impose any of the dispositions authorized for a child who is adjudicated delinquent under present law upon a juvenile classified as a serious youthful offender. If the court imposes a determinate commitment for the serious youthful offender, then the time credits for good institutional behavior or satisfactory performance do not apply to shorten the time of a serious youthful offender's determinate commitment. This amendment authorizes a court to impose an additional sentence to be served after a serious youthful offender turns 19 years of age, which ends on or before the offender's twenty-fourth birthday. If imposed, the additional sentence beyond the serious youthful offender's nineteenth birthday must extend for at least: (1) Four years if the child is adjudicated delinquent for an act that would be a Class A felony if committed by an adult; (2) Three years if the child is adjudicated delinquent for an act that would be a Class B felony if committed by an adult; or (3) One year if the child is adjudicated delinquent for an act that would be a Class C felony if committed by an adult. A court may set aside an additional sentence imposed pursuant to (1)-(3). This amendment requires the court to conduct a hearing within four months of the serious youthful offender's nineteenth birthday to review the offender's circumstances and determine whether the additional sentence should be set aside. The full text of this amendment specifies five factors for the court's consideration when making such determination. If the court imposes an additional sentence beyond a serious youthful offender's nineteenth birthday, then the court is required to enter an order on or before the offender's nineteenth birthday committing the offender to the custody of the department of correction to serve the additional sentence imposed by the juvenile court. This amendment requires a court to make an audio recording of a hearing conducted pursuant to this amendment, which recording must include all proceedings in open court and such other proceedings as the judge may direct and must be preserved as part of the record of the hearing. House amendment 2 (015022) deletes the provision requiring the juvenile court to hold a hearing to review the child's circumstances and determine the reasonable conditions of probation to be imposed during the period of adult probation, within six months before the child's eighteenth birthday and, instead, authorizes the court to impose any of the dispositions set forth in the law regarding a delinquent child or a combination of any such dispositions, upon a juvenile classified as a serious youthful offender. However, the disposition must be for a fixed period of time that does not end before the serious youthful offender's nineteenth birthday. If the court commits the serious youthful offender to the custody of the department, then the time credits set forth in the law regarding commitment of delinquent children to the department of children's services must not apply to shorten the time of a serious youthful offender's disposition imposed pursuant to this amendment. House amendment 3 (018803) rewrites the bill to, instead, make the changes described below to the law relevant to juvenile courts and proceedings on January 1, 2025.

*Fiscal Note:* (Dated March 17, 2023) Other Fiscal Impact Due to multiple unknown factors, the extent and timing of any decrease in state incarceration expenditures cannot be reasonably determined.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1007, effective January 1, 2025.

**SB626/HB431 TRANSPORTATION GENERAL: Tests concerning alcohol or drug use by an aircraft crewmember.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Increases from 30 to 45 days, the time which a law enforcement agency must report the filing of charges and results from tests concerning alcohol or drug use to the division, branch, or office of the federal aviation administration having jurisdiction for the regulation and certification of crewmembers or airplanes in the area of the agency following an arrest of a person for acting as an aircraft crewmember following alcohol or drug use or refusing to take a test concerning such alcohol or drug use. Broadly captioned.

*Amendment  
Summary:* Senate amendment 1 (006586) rewrites this bill to change the present law that imposes and remits a tax on a person's purchase, use, consumption, or storage of aviation fuel that is used in the operation of an aircraft of a certificated or licensed air carrier with a transportation hub within this state. Present law prohibits the tax from exceeding the following: (1) \$8,500,000 for the period of July 1, 2021, through June 30, 2022; and (2) \$5,000,000 for any tax year occurring on or after July 1, 2022. This amendment revises this law by: (1) Limiting the cap in (2) above to the period of July 1, 2022, through June 30, 2023; (2) Adding a cap of \$3,000,000 for the period of July 1, 2023, through June 30, 2024; and (3) Adding a cap of \$1,000,000 for a tax year occurring on or after July 1, 2024.

*Fiscal Note:* (Dated January 26, 2023) NOT SIGNIFICANT

*Senate Status:* 04/18/23 - Senate passed with amendment 1 (006586).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0455 effective May 17, 2023.

**SB628/HB1056 ENVIRONMENT & NATURE: Current conditions for granting permits under the Water Quality Control Act.**

*Sponsors:* Sen. Taylor, Brent , Rep. Vaughan, Kevin

*Summary:* Adds to the bill of rights for permit applicants under the Water Quality Control Act that permit applicants have the right to have their permit applications considered based on the contents of the permit application and conditions that exist at the time the permit application is under consideration, rather than possible future conditions unrelated to the purposes for which the permit is sought as identified in the application. Broadly captioned.

*Amendment  
Summary:* Senate amendment 1 (005012) limits the application of this bill's requirements to construction stormwater permits, instead of all permits available under the Water Quality Control Act.

*Fiscal Note:* (Dated March 6, 2023) Increase State Expenditures - \$238,300/FY23-24 \$235,900/FY24-25 and Subsequent Years Other Fiscal Impact - Additional positions for the Department of Environment and Conservation will only be necessary until certain rules are rewritten and implemented to account for this legislation. When such rules will be completely implemented cannot be determined with reasonable certainty; however, upon completion, there will be a corresponding, recurring decrease in state expenditures equal to cost of these positions. Further, there will be a temporary increase in state expenditures regarding notification costs incurred with such rulemaking for the department to notify the appropriate media outlets. The amount and timing of such an increase in state expenditures cannot be determined with reasonable certainty.

*Senate Status:* 03/16/23 - Senate passed with amendment 1 (005012).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0169 effective January 1, 2024.

**SB629/HB1057 ENVIRONMENT & NATURE: Applicants disqualified for an aquatic resource alteration permit.**

*Sponsors:* Sen. Taylor, Brent , Rep. Vaughan, Kevin  
*Summary:* Requires the department of environment and conservation to exempt from compensatory mitigation an area equal in size to the area for which mitigation would not be required if the permit applicant qualified for coverage under a general permit, if the only factor that disqualifies an applicant for an aquatic resource alteration permit from having the activities for which a permit is sought covered under a general permit is the size of the area that the permit will apply to.  
*Amendment Summary:* Senate amendment 1 (005016) limits the application of this bill to wetlands.  
*Fiscal Note:* (Dated March 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed with amendment 1 (005016).  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0170 effective January 1, 2024.

**SB637/HB1367 JUDICIARY: Adds additional companies to the statewide opioid settlement agreement.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Farmer, Andrew  
*Summary:* Adds additional companies to the statewide opioid settlement agreement for which the attorney general and reporter has the authority to release pending or future claims. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (004503) adds additional companies to the statewide opioid settlement agreement for which the Attorney General and Reporter (AG) has the authority to release pending or future claims for the activities related to the manufacture, marketing, distribution, dispensing, or sale of opioids, or related activities.  
*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT Other Fiscal Impact - In the event that the state enters into and reaches a settlement with any of the entities outlined in this legislation, there will be an increase in foregone state revenue and a corresponding increase in local revenue. The precise amount of any such settlement cannot be reasonably determined.  
*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004503).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0429 effective May 11, 2023.

**SB638/HB559 EDUCATION: Expansion of student eligibility for an education savings account.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Todd, Chris  
*Summary:* Expands student eligibility for an education savings account (ESA) to include students who were not enrolled, and who did not attend, a Tennessee public school for the one full school year immediately preceding the school year for which the student receives an ESA, but who were enrolled in, and who attended, a Tennessee public school in the 2019-2020, 2020-2021, or 2021-2022 school year, and to include students who are not eligible, for the first time, to enroll in a Tennessee school, but who were eligible, for the first time, to enroll in a Tennessee school in the 2019-2020, 2020-2021, or 2021-2022 school year.  
*Fiscal Note:* (Dated February 12, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0171 effective April 17, 2023.

**SB639/HB407 ENVIRONMENT & NATURE: Reporting required by operators of commercial nonmotorized vessel rental operations.**

*Sponsors:* Sen. Niceley, Frank , Rep. Reedy, Jay  
*Summary:* Requires operators of commercial nonmotorized vessel rental operations to submit an annual report on data required by the TWRA. Requires the agency to provide written notice requesting additional information for any incomplete reports and requires the outfitter to provide the requested information within 30 days of receiving notice.  
*Amendment Summary:* House amendment 1 (005546) retains this bill's definition of "in the aggregate", but otherwise rewrites this bill. This amendment limits the fish and wildlife commission's authority to regulate paddlecraft rental operations to commercial operations that: (1) Lease or rent nonmotorized vessels for noncommercial use by the public on the waters of Tennessee; and (2) Utilize vessel launches or ramps, or other property, owned or managed by the TWRA. Present law authorizes the department of environment and conservation to enter commercial use authorizations with vendors who do business in state parks. This amendment exempts from the commission's regulations for paddlecraft rental operations commercial operations permitted by the department of environment and conservation pursuant to a commercial use authorization. This amendment revises the reporting requirement for paddlecraft rental operations. Under this amendment, the reports will be required once per year and due by October 31 of each year. An outfitter must supplement its report by December 30 for activity occurring subsequent to the outfitter's October 31 report. If a report is incomplete and the agency has provided notice that the outfitter has provided incomplete information, the outfitter will have 30 days from the date of notification to submit additional information to the agency. This amendment designates records provided to TWRA by a paddlecraft rental outfitter confidential and not to be open for inspection by members of the public. This amendment includes exceptions to the confidentiality requirement for law enforcement and other government agencies, when an outfitter expressly authorizes the release of the information, and the release of a record to persons identified within the record (unless the record is subject to a legal privilege against disclosure). The confidentiality provision of this amendment is repealed effective July 1, 2028.  
*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/03/23 - Senate passed.  
*House Status:* 03/20/23 - House passed with amendment 1 (005546).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0235 effective April 25, 2023.

**SB644/HB252 EDUCATION: Exemption from immunization requirements for home school students.**

*Sponsors:* Sen. Hensley, Joey , Rep. Barrett, Jody  
*Summary:* Removes the requirement that a parent-teacher of a home school student provide proof of the student's immunizations and receipt of health services or examinations required by law generally for children in this state to the local education agency. Exempts home school students from the immunization requirements applicable to students attending a school, nursery school, kindergarten, preschool, or childcare facility.

*Amendment Summary:* House amendment 1 (003991) removes the requirement that proof must be submitted to the local director of schools that a home school student has been vaccinated or received any other health services or examinations required by law for children in the state unless the home school student participates in a local education (LEA)-sponsored interscholastic activity or event or an LEA-sponsored extracurricular activity.

*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 03/02/23 - House passed with amendment 1 (003991).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0296 effective April 28, 2023.

**SB648/HB1279 TAXES BUSINESS: Termination of future taxes for Davidson County convention center.**

*Sponsors:* Sen. Johnson, Jack , Rep. Davis, Elaine

*Summary:* Terminates future increases to the metropolitan government tourist accommodation tax and previously authorized privilege taxes that were increases from the base tax, for which proceeds are used to fund the convention center in Davidson County. Terminates other additional fees, taxes, and surcharges deposited into the "convention center fund." Terminates allocations of sales and use tax revenue derived from sales within the tourist development zone in which the convention center is located.

*Amendment Summary:* Senate amendment 1 (005899) rewrites this bill to make the following changes and additions to the Convention Center Authorities Act of 2009: (1) Adds to a statement of legislative findings to specify that purposes of the Act include facilitating the acquisition, construction, and rehabilitation of safety and cleanliness operations and infrastructure associated with convention centers. This amendment also removes statements of findings concerning what is provided by a convention center facility and the efficacy of convention center authorities; (2) Requires that, if a convention center authority created under the Act is apportioned state and local sales and use tax revenue pursuant to the Convention Center and Tourism Development Financing Act of 1998 as a result of the financing by the authority of a qualified public use facility or qualified associated development, then excess tax revenues and prior accumulated excess tax revenues of the authority are only applied to the following purposes, as determined by the board of directors: (A) Retirement of debt or other contractual obligations related to the facility or development; (B) The payment of capital expenses related to the facility or development and the funding of cash reserves for the expenses; provided, however, that if the aggregate of all capital expenses related to such facilities and developments is budgeted, projected, or expected to exceed \$25,000,000 in a fiscal year, then the capital expenses must be preapproved by the commissioner of finance and administration; and (C) If the source of revenues is permitted by applicable law to be applied to the payment of operating expenses, the payment of operating expenses associated with the facility or development and other expenses that are within the purposes for which convention center authorities are created; and (3) Adds a requirement that, if a convention center authority is apportioned tax revenue (as described in (2)), then the comptroller of the treasury, the state treasurer, and the secretary of state, or their designees serve as non-voting ex officio members of the authority's board of directors. Under present law, an authority's board consists of seven members who are appointed by the chief executive of the municipality and confirmed by the city council.

*Fiscal Note:* (Dated March 21, 2023) Increase State Revenue Exceeds \$63,373,800/Each Year FY23-24 through FY41-42/ General Fund Decrease State Revenue \$50,000/FY23-24 and Subsequent Years/ Department of Revenue Decrease State Expenditures \$50,000/FY23-24 and Subsequent Years/ Department of Revenue Decrease Local Revenue Exceeds \$115,209,300/Each Year FY23-24 through FY41-42/ Metro Nashville Exceeds \$51,835,500/FY42-43 and Subsequent Years/Metro Nashville

*Senate Status:* 04/06/23 - Senate passed with amendment 1 (005899).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0430 effective May 11, 2023.

**SB649/HB650 TRANSPORTATION VEHICLES: Installation of vehicle immobilization device.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Prohibits a person from knowingly installing a vehicle immobilization device on a motor vehicle parked on private property in this state. Broadly captioned.

*Amendment**Summary:*

Senate amendment 1 (004385) rewrites this bill to enact the "Booting Consumer Protection Act," as described below. This amendment provides that a person engaged in the business of installing a mechanical device that is designed or adapted to be attached to a wheel, tire, or other part of a parked motor vehicle to prohibit the vehicle's usual manner of movement or operation ("device") on motor vehicles in this state must accept credit cards and debit cards as methods of payment for the removal of a device. However, this provision does not prohibit a person engaged in this business from accepting cash or other methods of payment if the individual making such payment, in that individual's sole discretion, elects to use such alternative payment method. If the individual who is requesting removal of the device elects to make the payment by credit card or debit card, and the payment cannot be completed by that method without undue delay at the site where the vehicle is located and an optional online payment method is either unavailable or has been refused by the individual, then the person engaged in the business of installing devices must remove the device and issue a billing invoice for payment due to the individual who is requesting the removal, if the individual provides a valid form of identification or by mail to the registered owner of the vehicle. This amendment prohibits a person who engages in the business of installing devices from charging a fee to accept payment by credit card or debit card, but authorizes the person to offer an alternative online payment service as an optional payment method. If the individual who is making payment for the removal of the device elects, in that individual's sole discretion, to use the optional online payment method, then the provider of the online payment service may charge a 3 percent convenience fee. This provision supersedes all local ordinances, rules, or other enactments to the contrary. This amendment prohibits a person engaged in this business from charging more than \$75 to remove a device. However, the cost of removal may increase by increments of \$75 for each 24-hour period that the vehicle remains immobilized. This amendment prohibits a person engaged in this business from contracting for or engaging the services of an independent contractor to install or remove devices or compensating employees on a commission basis. This amendment requires a person engaged in this business to only utilize for the work of installing and removing such devices those individuals for whose compensation for the work performed the person is required to file a W-2 wage and tax statement with the federal internal revenue service. If a device is placed on a vehicle that is parked on private property for failure to pay the required parking charge, then the owner or operator of the private property may require the owner of the vehicle to pay the applicable device removal fee, plus all unpaid parking fines and fees in order to have the device removed. This provision supersedes all local ordinances, rules, or other enactments to the contrary. This amendment prohibits a person engaged in this business from installing a device on a motor vehicle if the motor vehicle is located on a property that does not have a sign posted on the property in a manner that complies with the requirements described below. An owner, lessee, or other person, who has control of a property for which an enforceable agreement exists with a person engaged in the business of installing devices to provide parking enforcement services by installing devices on motor vehicles on that property, must post signage in a conspicuous location on the property bearing notice of the following: (1) That the property's parking policy is strictly enforced; (2) That a violator's vehicle will be immobilized with a device at the vehicle owner's expense; (3) That there is a maximum \$75 per day device fee; (4) The name and phone number of the authorized device operator; and (5) That consumers are protected from violations of this bill and that violations may be reported to the attorney general. This amendment also specifies that the sign must be no less than 24" in height and 18" in width and contain lettering that is no less than two inches in height. It must be located at each designated entrance to the property where parking prohibitions are to be effective or if there is no designated entrance, be erected so as to be clearly visible from each parking space. If, on July 1, 2023, a property has existing posted signage that contains the notice required by the specifications above, then the signage is considered to comply and is exempt from these specifications if the notice required is permanently affixed adjacent to the existing signage. However, new or replacement signage installed on or after July 1, 2023, must comply with all the specifications under this amendment. A violation under this act constitutes a violation of the Tennessee Consumer Protection Act of 1977, and is subject to the penalties and remedies provided in such Act, in addition to the penalties and remedies set forth in this bill. If the attorney general has reason to believe that a person has violated this bill, then the attorney general is authorized to institute a proceeding under this bill. If an authorized device operator is found to have violated this bill, with the judgment being final and the operator having no opportunity for an appeal remaining, then the attorney general must send notice of such violation to each municipality, public corporation, body politic, authority, district, metropolitan government, county, or an agency, department, or board of such entities ("political subdivision") that has authorized the operator to operate within its jurisdictional area. Upon the receipt of notice from the attorney general of a violation that constitutes a third violation under this bill by an operator, a political subdivision must permanently revoke the operator's authorization to engage in the business of installing devices within the jurisdictional area of the political subdivision. This bill applies to prohibited conduct occurring on or after July 1, 2023. House amendment 1 (005820) incorporates the provisions of Senate Amendment 1 with various clarifying grammatical changes and removes the \$75.00 limit on boot removal fees.

*Fiscal Note:*

(Dated February 15, 2023) Other Fiscal Impact Due to multiple unknown factors, the extent and timing of any recurring decrease in state revenue and mandatory recurring decrease in local revenue and expenditures cannot reasonably be determined.

*Senate Status:*

04/10/23 - Senate concurred in House amendment 1 (005820).

*House Status:*

04/03/23 - House passed with amendment 1 (005820).

*Executive Status:*

05/02/23 - Enacted as Public Chapter 0220 effective July 1, 2023.

### **SB650/HB1342 ECONOMIC DEVELOPMENT: Requirements for broadband ready community designation.**

*Sponsors:*

Sen. Johnson, Jack , Rep. Sexton, Cameron

*Summary:*

Requires that a political subdivision, in order to be designated as a "broadband ready community" by the department of economic and community development, adopt an ordinance or policy for reviewing applications and issuing permits related to projects relative to broadband services that includes a provision that all applications related to a project will be reviewed and either approved or denied within 20 business days, instead of 30 business days, after the application is submitted.

*Amendment Summary:*

House amendment 1 (004769) prohibits any employer who accepts economic development incentives from this state from: agreeing with a labor organization to grant recognition rights for employers' employees, or subcontractors, solely and exclusively on the basis of signed authorization cards if the selection of a bargaining representative may instead be conducted through a secret ballot election conducted by the National Labor Relations Board; and voluntarily disclosing an employee's, or subcontractor's, personal contact information to a labor organization, or a third party acting on behalf of a labor organization, without the employee's prior written consent unless required by state or federal law. Defines "economic development incentives" as a FastTrack job training grant and economic development grant or capital grant for economic development purposes provided to an employer to attract or retain the employer's physical presence in the state. Any violation regarding the aforementioned secret ballot requirement or disclosure requirement would require an employer to reimburse the state for any economic incentives received. Requires the Commissioner of the Department of Economic and Community Development (ECD) to require a recipient of a grant enter into an agreement with ECD, reserving the right of ECD to recover the amount of money, grants, funds or other incentives disbursed by the Department. Requires the Department of Labor and Workforce Development (DLWD) to investigate whether a violation of the agreement has occurred, and requires DLWD to provide written notice to ECD if a violation has occurred. Requires ECD to inform the employer regarding the results of the investigation and the Attorney General and Reporter to initiate proceedings to recover funds from the employer. Senate amendment 1 (006280) prohibits any employer who accepts economic development incentives from the state from: granting recognition rights for employers' employees, or subcontractors, solely and exclusively on the basis of signed authorization cards if the selection of a bargaining representative may instead be conducted through a secret ballot election conducted by the National Labor Relations Board; and voluntarily disclosing an employee's, or subcontractor's, personal contact information to a labor organization, or a third party acting on behalf of a labor organization, without the employee's prior written consent unless required by state or federal law. Defines "economic development incentives" as a FastTrack job training grant and economic development grant or capital grant for economic development purposes provided to an employer to attract or retain the employer's physical presence in the state. Any violation regarding the aforementioned secret ballot requirement or disclosure requirement would require an employer to reimburse the state for any economic incentives received. Requires the Commissioner of the Department of Economic and Community Development (ECD) to require a recipient of a grant enter into an agreement with ECD, reserving the right of ECD to recover the amount of money, grants, funds or other incentives disbursed by the Department. Requires ECD to determine whether a violation of the agreement has occurred by obtaining a statement from the employer verifying whether a secret ballot election had been held. Requires ECD to inform the employer regarding the results of the investigation and the Attorney General and Reporter to initiate proceedings to recover funds from the employer. Excludes, among other things, any agreement between the state and an employer executed prior to the proposed legislation going into effect, in addition to the agreement between the state and an employer for the project located on the megasite of West Tennessee. Senate amendment 2 (007089) requires the agreement to have a term of 10 years for economic development incentives equal to or greater than \$50,000,000, and a term that is identical in length to the standard ECD currently uses for agreements with economic development incentive grant recipients for incentives under \$50,000,000. Changes the effective date to July 1, 2023.

*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate adopted conference committee report (008006).

*House Status:* 04/21/23 - House adopted conference committee report (008006).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0415 effective July 1, 2023.

#### **SB654/HB554 PUBLIC EMPLOYEES: Designation of assistant district attorneys as lead prosecutors in cases involving crimes against children.**

*Sponsors:* Sen. Jackson, Ed , Rep. Littleton, Mary

*Summary:* Requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children. Requires TBI to provide annual training to assistant district attorneys designated as lead prosecutors in crimes committed against children. Requires the training course to emphasize the dynamics of investigating crimes committed against children, appropriate investigative and communication techniques for crimes committed against children, and protection of victims.

*Amendment Summary:* House amendment 1 (005044) makes the following changes to this bill: (1) Adds that the annual training provided by the TBI is to be implemented in conjunction with the Tennessee district attorneys general conference and other relevant parties at the request of the district attorneys general conference; and (2) Requires district attorneys general to designate an assistant district attorney general, or other staff members as may be appropriate, to attend annual training on the investigation of crimes against children, which does not have to be the person designated as the lead prosecutor under this bill.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/20/23 - House passed with amendment 1 (005044).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0237 effective July 1, 2023.

#### **SB656/HB641 FAMILY LAW: Requirements for unsupervised visitation of a child.**

*Sponsors:* Sen. Jackson, Ed , Rep. Littleton, Mary

*Summary:* Requires a court to find that the child will receive proper care and supervision in a safe home prior to the department allowing a parent or guardian to have unsupervised visitation with or physical custody of a child who was removed from the custody of the parent or guardian due to a finding of dependency and neglect and placed in the custody of the department. Requires the department to observe the parent or guardian with the child for at least two visits before recommending the return of physical custody of the child to the parent or guardian.

*Amendment Summary:* Senate amendment 1 (004917) rewrites this bill to add to present law relative to the department of children's services notifying a court in writing of its intention to place a child at home on a trial home visit by providing that, prior to making such notification, the department must conduct an assessment of the home to determine whether the child will receive proper care and supervision in the home, including a visit to the home.

*Fiscal Note:* (Dated March 3, 2023) Increase State Expenditures \$95,900/FY23-24 and Subsequent Years Increase Federal Expenditures \$64,200/FY23-24 and Subsequent Years

*Senate Status:* 04/06/23 - Senate passed with amendment 1 (004917).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0198 effective April 24, 2023.

#### **SB657/HB752 FAMILY LAW: Court order prohibiting the parent from visiting with the child.**

*Sponsors:* Sen. Jackson, Ed , Rep. Littleton, Mary

*Summary:* Creates an offense for a foster parent from a kinship placement to knowingly allow a child in the foster parent's care to visit with the child's parent if the foster parent had knowledge of a current court order prohibiting the parent from visiting with the child. Specifies that the first violation is a Class C misdemeanor punishable by a fine only and a second or subsequent violation is a Class B misdemeanor. Broadly captioned.

*Fiscal Note:* (Dated February 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0238 effective July 1, 2023.

**SB658/HB623 PROPERTY & HOUSING: Discloser of sinkholes on properties.**

*Sponsors:* Sen. Pody, Mark , Rep. Jernigan, Darren

*Summary:* Specifies that a seller of residential property is required to disclose the presence of a known sinkhole on the property prior to entering into a contract with a buyer regardless of whether the sinkhole is indicated through the contour lines on the property's recorded plat map.

*Amendment Summary:* Senate amendment 1 (011610) changes the date from July 1, 2023, to July 1, 2024.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 02/05/24 - Signed by Senate speaker.

*House Status:* 01/31/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0510 effective July 1, 2024.

**SB661/HB1306 COMMERCIAL LAW: Payment if quick response code or credit or debit card machine fails.**

*Sponsors:* Sen. Niceley, Frank , Rep. Kumar, Sabi

*Summary:* Requires an entity that requires on-site payment for services and only accepts payment by quick response code or a credit or debit card machine to accept payment by cash, by check, or through a system that allows the consumer to provide the consumer's credit or debit card information over the phone, or allow the consumer to leave the property without payment at the time, if the quick response code or credit or debit card machine fails to operate correctly to process the payment transaction. Broadly captioned.

*Amendment Summary:* House amendment 1 (004196) requires an entity that requires on-site payment for the parking of a motor vehicle on the entity's property, and only accepts payment by quick response code (QR) or a credit or debit card machine, to accept payment by cash, by check, or through a system that allows the consumer to provide the consumer's credit or debit card information over the phone, or allow the consumer to leave the property without payment at the time, if the QR code or credit or debit card machine fails to operate correctly to process the payment transaction. Senate amendment 1 (005161) adds that for a parking lot that is temporarily or continuously unattended, the entity shall provide notice of the alternative forms of payment accepted on a prominent sign located on the entity's property where payment is taken.

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed with amendment 1 (005161).

*House Status:* 04/10/23 - House concurred in Senate amendment 1 (005161).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0323 effective July 1, 2023.

**SB663/HB763 LOCAL GOVERNMENT: County clerks' duties.**

*Sponsors:* Sen. Jackson, Ed , Rep. Eldridge, Rick

*Summary:* Removes certain duties of county clerks regarding revenue.

*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0239 effective April 25, 2023.

**SB666/HB885 TENNCARE: TennCare medication therapy management pilot program.**

*Sponsors:* Sen. Reeves, Shane , Rep. Hawk, David

*Summary:* Removes a provision requiring the bureau of TennCare to establish a medication therapy management pilot program that terminated in 2020. Broadly captioned.

*Amendment  
Summary:*

House amendment 1 (006456) rewrites this bill to enact the Prior Authorization Fairness Act. For purposes of this amendment, "prior authorization" means a written or oral determination made by a health carrier or utilization review organization that an enrollee's receipt of a healthcare service is a covered benefit under the applicable plan and that a requirement of medical necessity or other requirements imposed by such utilization review organization as prerequisites for payment for such services have been satisfied. This amendment applies to all insurers providing a healthcare plan that pays for the provision of healthcare services to covered persons, healthcare plans, and state healthcare plans. This amendment does not apply to healthcare plans that are subject to the exclusive jurisdiction of ERISA, TennCare, or CoverKids. If a utilization review organization makes an adverse determination for a prior authorization of a healthcare service, this amendment requires the carrier or organization to include certain information in the notification to the enrollee and the enrollee's healthcare provider requesting the prior authorization on the enrollee's behalf. This amendment requires that an adverse determination regarding a request for prior authorization for a healthcare service must be made by a licensed physician or a healthcare professional with the same or a similar specialty as the healthcare professional requesting the prior authorization. The requirements for who can make an adverse determination and the notice do not apply to an initial adverse determination for prescription drugs that are covered under an enrollee's benefit plan. The full text of this amendment establishes processes for prior authorization requests and appeals of adverse determinations. Generally, the processes specify deadlines for making coverage decisions under various circumstances. This amendment requires that appeal of prior authorization adverse determinations that are submitted electronically are reviewed or made by a licensed physician or healthcare professional with the same or a similar specialty as the healthcare professional who requested the initial prior authorization. The full text of this amendment specifies additional qualifications for physicians who review or decide appeals. This amendment requires that utilization review organizations perform: (1) A non-urgent prior authorization review within seven calendar days; and (2) An urgent care prior authorization review within 72 hours, plus, if applicable, one additional business day. This amendment prohibits a health carrier or utilization review organization, or a healthcare professional on its behalf, from receiving compensation as an incentive for issuing an adverse decision. A prior authorization adverse determination appeal that is not submitted electronically must be reviewed in accordance with standards set by the National Committee on Quality Assurance. Generally, a prior authorization request, other than an urgent care request, will be deemed approved within seven days, or after the date and time of submission if the carrier or utilization review organization does not act on the request. If a utilization review organization requests that a provider submit additional information, the organization will have five additional days to process the request following the submission of additional information. Subject to certain exceptions specified in the full text of this amendment, a prior authorization request process must not exceed 17 days. Generally, a prior authorization request submitted as an urgent care request by the healthcare provider will be deemed approved by the utilization review organization if the utilization review organization fails to approve or deny the request, or request all additional information needed to make a decision within 72 hours plus, if applicable, one additional business day, after the date and time of submission of the prior authorization request. A health carrier that provides coverage for emergency services in an emergency department of a hospital or freestanding emergency room facility is prohibited from requiring a prior authorization for such emergency services. This amendment requires a healthcare professional to submit a request for a prior authorization at least five calendar days prior to the provision of the service or therapy for non-urgent prior authorizations. Subject to exceptions for inpatient services and certain drugs, this amendment requires that prior authorization for a healthcare service to treat a chronic condition remains valid for at least six months. This amendment requires health carriers to maintain a complete list of healthcare services for which a prior authorization is required. The full text of this amendment also specifies seven requirements for clinical review criteria for healthcare services or prescription drugs requiring prior authorization. This amendment requires that healthcare providers be offered the option of submitting requests for prior authorization electronically. Generally, this amendment requires that prior authorization for an enrollee for a healthcare service is valid for at least six months from the date of approval. This amendment prohibits utilization review organizations and health carriers from requiring prior authorization for prescription drugs used to treat opioid use disorder. The full text of this amendment specifies a process that a utilization review organization must use to implement a new prior authorization requirement, or restriction or amendment to an existing prior authorization requirement. This amendment requires a health carrier or utilization review organization to pay a healthcare provider at the contracted payment rate for a healthcare service provided by the healthcare provider per an approved prior authorization unless: (1) The healthcare provider knowingly and materially misrepresented the healthcare service in the prior authorization request with the specific intent to deceive and obtain an unlawful payment from the health carrier; (2) The healthcare provider was no longer contracted with the patient's health benefit plan on the date the healthcare service was provided; (3) The healthcare provider failed to meet the timely filing requirements of the health carrier; or (4) The health carrier does not have liability for a claim. This amendment also provides the following with regard to payment: (1) A carrier is required to pay a provider for performing a healthcare service if the prior authorization for the service was obtained by another healthcare provider; (2) A carrier is required to provide reimbursement for healthcare services retroactively deemed medically necessary, regardless of when prior authorization was approved, for a maximum period of 18 months; and (3) Payment must be guaranteed when a prior authorization was approved. The full text of this amendment specifies a process for transferring a prior authorization granted to an enrollee from a previous utilization review organization or health carrier to a new health benefit plan. In addition to the foregoing, this amendment addresses provision of services that are closely related to a service for which prior authorization has been granted, responsibility of a health carrier for utilization review activities performed on its behalf by a utilization review organization, provision of statistical data, website notice requirements, and provider notification to a carrier that an enrollee received a service or was admitted to a facility. This amendment specifies that the Prior Authorization Fairness Act applies to utilization review agents under the Health Care Service Utilization Review Act, and original health insurers and successor health insurers. This amendment also specified that the Prior Authorization Fairness Act does not apply to provisions of present law concerning access to health carriers' payment policies and fee schedules. This amendment takes effect upon becoming a law for rulemaking purposes and January 1, 2025, for other purposes, except as unless otherwise specified.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/18/23 - Senate passed.  
*House Status:* 04/10/23 - House passed with amendment 1 (006456).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0395 effective May 11, 2023.

**SB668/HB644 EDUCATION: Financial Literacy Month.**

*Sponsors:* Sen. Reeves, Shane , Rep. Baum, Charlie  
*Summary:* Requires the financial literacy commission to study the state's financial education and literacy programs to gauge efficacy of efforts such as publications, electronic media, grand awards and events as part of Financial Literacy Month. Requires the commission to study similar programs in other states. Directs all appropriate state departments to provide assistance to the commission in these efforts. Requires the commission to submit a comprehensive report on the study's findings and recommendations to the general assembly by December 31, 2023. Replaces Financial Literacy Week with Financial Literacy Month to be observed the entire month of April.



*Amendment Summary:* Senate amendment 1 (005313) requires the Tennessee Financial Literacy Commission (Commission) to perform a study on financial literacy in the state and to submit a report disclosing the findings of the study and recommendations to the General Assembly. Authorizes the report to be completed by a contractor employed by the Commission and for the contractor to be paid with funds raised by the Commission. Designates April as Financial Literacy Month in Tennessee.  
*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/03/23 - Senate passed with amendment 1 (005313).  
*House Status:* 04/10/23 - House concurred in Senate amendment 1 (005313).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0307 effective April 28, 2023.

**SB669/HB981 HEALTH CARE: Vacates and reconstitutes the Tennessee emergency medical services board.**

*Sponsors:* Sen. Reeves, Shane , Rep. Faison, Jeremy  
*Summary:* Vacates and reconstitutes the Tennessee emergency medical services board, as of July 1, 2023.  
*Amendment Summary:* House amendment 1 (004780) incorporates the provisions of Senate Amendment 1 and replaces the member that is a representative who is an administrator of a hospital based-ambulance service who is either a paramedic, EMS-boarded physician, or EMS medical director with a representative who is an administrator from a hospital that operates an ambulance service and is licensed to practice in this state.  
*Fiscal Note:* (Dated February 23, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/17/23 - Senate concurred in House amendment 1 (004780).  
*House Status:* 04/13/23 - House passed with amendment 1 (004780).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0265 April 28, 2023.

**SB671/HB493 TENNCARE: Extends the nursing home annual assessment fee to June 30, 2024.**

*Sponsors:* Sen. Reeves, Shane , Rep. Johnson, Curtis  
*Summary:* Extends the nursing home annual assessment fee to June 30, 2024.  
*Amendment Summary:* House amendment 1 (004391) makes the following changes to this bill: (1) Creates an exception to the allowance of one mid-year adjustment that may be established prior to January 1 by the bureau, which states that the bureau may modify the amount of the annual assessment for each nursing facility established by this bill if such modification is necessary to comply with federal regulations; and (2) Provides that the assessment rate for a new nursing home facility that is initially licensed and commences operations on or after July 1, 2023, at a prorated assessment equal to \$2,225 per licensed bed per year, is prorated to accrue from the date the nursing facility became licensed, rather than the date the nursing facility became certified to participate in TennCare.  
*Fiscal Note:* (Dated March 1, 2023) Increase State Revenue - \$163,173,500/FY23-24/ Nursing Home Assessment Trust Fund Increase State Expenditures - \$163,173,500/FY23-24/ Nursing Home Assessment Trust Fund Increase Federal Expenditures - \$309,587,700/FY23-24/ Nursing Home Assessment Trust Fund The Governors proposed budget for FY23-24 includes \$135,925,200 in state funds and \$257,889,700 in federal funds for the Nursing Home Assessment on page A-32.  
*Senate Status:* 04/18/23 - Senate passed.  
*House Status:* 04/03/23 - House passed with amendment 1 (004391).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0384 effective July 1, 2023.

**SB672/HB1051 HEALTH CARE: Authorization for healthcare officials to execute a certificate of need.**

*Sponsors:* Sen. Reeves, Shane , Rep. Vaughan, Kevin  
*Summary:* Authorizes certain licensed advanced practice nurses and physician assistants to execute a certificate of need if a person is admitted and detained by a hospital or treatment resource for emergency diagnosis, evaluation, and treatment; makes other revisions to the execution of certificates of need.

*Amendment**Summary:*

Senate amendment 1 (004484) rewrites this bill to require a hospital or treatment resource that receives a detainee transported for treatment to have a licensed physician or a qualified advanced practice provider examine the person to determine whether the person is subject to admission. This amendment also provides that if a detainee is subject to admission, then a qualified practice provider must complete a certificate of need for the emergency diagnosis, evaluation, and treatment showing the factual foundation for any conclusions, and then the person who took the service recipient to the hospital or treatment resource may apply for the admission for the purpose of emergency diagnosis, evaluation, and treatment. A "qualified advanced practice provider" is defined as an individual working in collaboration with a licensed physician, and who is either a licensed advanced practice nurse with a current certification from a national certifying organization as a psychiatric-mental health advanced practice nurse; or a physician assistant with a current certification from a national certifying organization as having additional qualifications in psychiatry.

**DUTY TO RETURN** The amendment clarifies the shifting duty to return the detainee transferred for treatment in case the detainee is not subject to admission. If the sheriff or transportation agent is under a duty to remain at the hospital or treatment resource, then the duty to return remains with the sheriff or the transportation agent, who must return the detainee to the county. If the sheriff or the transportation agent is not under a duty to remain at the hospital or treatment resource, then the duty to return transfers to the hospital or treatment resource, who now must return the detainee to the county. However, a hospital, treatment resource, or healthcare provider is immune from civil liability and has an affirmative defense to criminal liability arising either from a determination relative to admission of a person to a facility or treatment resource or from the transportation of a person to and from the hospital or treatment resource.

**CERTIFICATION** This amendment provides that, if a person who is not a licensed physician executes the first certificate of need in support of hospitalization, then only a licensed physician may execute the second certificate of need in support of hospitalization. If, however, a person who is a licensed physician and board certified as a psychiatrist by the American Board of Psychiatry and Neurology executes the first certificate of need in support of hospitalization, then the patient may be subject to admission without the execution of a second certificate of need in support of hospitalization.

**INVALIDATION OF A CERTIFICATE OF NEED** This amendment provides that the initial certificate of need in support of hospitalization issued by a board-certified psychiatrist is deemed invalid under the following conditions: (1) It is made by a professional who is a relative by blood, marriage, or adoption, or the legal guardian, conservator, or legal custodian of the person who is the subject of the petition, application, or certificate; (2) It is made by a professional who has an ownership interest in a private facility in which the person is to be admitted; or (3) It is made by a professional who is employed by or contracts with the admitting hospital or treatment resource. In addition, the issuance of a certificate of need in support of hospitalization executed by a board-certified psychiatrist does not relieve the hospital or treatment resource's chief officer from filing with the court, by the time of the probable cause hearing, the required certificates of need. The admitting hospital or treatment resource also may rescind said certificate of need, if a licensed physician or other qualified professional in examining the patient determines that the patient no longer meets the admission criteria required by law. These provisions do not apply to a state-owned or state-operated or treatment resource or a hospital or treatment resource that contracts with the department of mental health and substance abuse services for in-patient psychiatric services.

**ADMISSION OF DETAINEE ALREADY AT TREATMENT FACILITY** Present law provides that, if the person has been certified as subject to admission and is already at the hospital or treatment resource at which the person is proposed to be admitted, then the person who took the service recipient to the hospital or treatment resource may then apply for the admission for the purpose of emergency diagnosis, evaluation and treatment. The application must be accompanied by the two certificates of need and must state the reasons and circumstances under which the person was taken into custody. This amendment requires that the application be accompanied by either the two certificates of need mentioned in present law or the one certificate of need executed in support of hospitalization issued by a board-certified psychiatrist now authorized by this amendment.

**ADMISSION OF DETAINEE TO OTHER PRIVATE OR LOCAL FACILITY** Present law provides that if the chief officer of a licensed private or local public hospital or treatment resource determines that the person is subject to admission and has the required certificates of need and a parent, legal guardian, legal custodian, conservator, spouse, or an adult relative of the person, or any other person has made arrangements to pay the cost of care and treatment in a hospital, or treatment resource, or the facility chooses to accept the person when no third person has made arrangements to pay the cost, then the facility may admit and detain the person for emergency diagnosis, evaluation and treatment. This amendment revises this provision to allow the initial certificate of need issued by a board-certified psychiatrist mentioned above to meet the chief officer's duty to obtain the two initial certificates of need that supported hospitalization.

**NOTICE OF ADMISSION TO GENERAL SESSIONS COURT** Present law requires the chief officer, upon admission of the person, to notify the judge of the general sessions court where the hospital or treatment resource is located, by telephone or in person, and provide the information from the certificates of need and such other information as the court may desire, that is in the possession of the hospital or treatment resource, bearing on the condition of the person. If the general sessions court finds that there is probable cause to believe that the defendant is subject to admission to a hospital or treatment resource, the court may order the defendant admitted for no more than five days from the date of the order, excluding Saturdays, Sundays and holidays, for emergency diagnosis, evaluation and treatment pending a probable cause hearing. If the court does not order the defendant admitted, the defendant must be released. This amendment revises the present law to require the chief officer to also notify the judge of general sessions if hospitalization proceedings were initiated by only one certificate of need issued by a board-certified psychiatrist.

*Fiscal Note:*

(Dated February 12, 2023) Increase State Expenditures - \$405,900/FY23-24 and Subsequent Years Decrease Local Expenditures - \$405,900/FY23-24 and Subsequent Years

*Senate Status:*

03/06/23 - Senate passed with amendment 1 (004484).

*House Status:*

04/06/23 - House passed.

*Executive Status:*

05/02/23 - Enacted as Public Chapter 0199 effective July 1, 2023.

## SB675/HB667 **HEALTH CARE: Prescription drug donation repository program.**

*Sponsors:*

Sen. Reeves, Shane , Rep. Hicks, Tim

*Summary:*

Makes various changes to the prescription drug donation repository program operated by the department of health including who may benefit as patients, the types of drugs involved, how pharmacists must repackage and distribute the donated drugs, and liabilities concerning violations of this act. Details record keeping with regards to timeline and possession of the donated and distributed donated drugs. (10pp). Broadly captioned.

*Amendment**Summary:*

Senate amendment 1 (004805) makes the following changes to this bill: (1) Names this bill the "Kevin Clauson Drug Donation Act"; (2) Limits participation in the program to repositories, which are defined as pharmacies that have a license or permit in good standing with the board of pharmacy and meet the requirements established in this bill; (3) Removes from the definition of "prescription drug" as used in this bill drugs covered by the risk evaluation and mitigation strategy program of the United States food and drug administration; (4) Limits specialty medications that may be donated to anti-rejection drugs and cancer drugs; (5) Removes the term "eligible patient" and provides, instead, that an "eligible individual," defined as an indigent, an uninsured person, or an underinsured person who meets the criteria for eligibility under this bill, may receive prescription drugs from the program; (6) Requires repositories to store donated prescription drugs and supplies in a secure area in compliance with all United States food and drug administration and United States Pharmacopeia packaging and storage requirements; (7) Requires repositories to redact donor information from the packaging of donated prescription drugs and supplies prior to dispensing; (8) Requires repositories to return or destroy donated prescription drugs or supplies that are not suitable for dispensing; (9) Requires repositories to dispose of donated prescription drugs and supplies by returning to the donor, transferring to a reverse distributor, or incinerating in an incinerator that is approved by the federal environmental protection agency; (10) Provides that the record of transaction history for donated prescription drugs and supplies must be maintained, beginning with the donor, including all prior donations, but not including information that is not required by law to be placed on the prescription drug's label; (11) Removes the requirement that destruction be accomplished by the use of a reverse distributor or following current regulations promulgated by the DEA regarding destruction of controlled substances; (12) Removes provisions that provided that, when performing an action associated with this program or otherwise processing donated medicine for tax, manufacture, or other credit, a recipient is considered to be acting as a returns processor and must comply with all recordkeeping requirements or nonsaleable returns pursuant to federal law; (13) Provides that donated prescription drugs and supplies may be used to replenish inventory in compliance with federal law and regulations; (14) Limits the liability of a drug manufacturer, medical facility, or other person who is not a drug manufacturer; the department of health; or the board of pharmacy under this bill to only acts of gross negligence, willful misconduct, or bad faith; and (15) Authorizes a licensed long-term care facility to donate prescription drugs to the program. Senate amendment 2 (005053) redefines "donor" for the purposes of the prescription drug donation repository program to mean any of the following that donates prescription drugs to a repository program approved by this bill: (1) A person; (2) A pharmacy; (3) A medical facility; (4) A drug manufacturer or wholesaler licensed by the board; or (5) A prison or government entity federally authorized to possess prescription drugs with a license or permit in good standing in the state in which the entity is located.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004805) and amendment 2 (005053).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0200 effective January 1, 2024.

**SB676/HB489 ESTATES & TRUSTS: Safe deposit box lessee death notification requirement.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Specifies the requirement to notify the department of financial institutions of the death of a safe deposit box lessee does not apply if the death occurred after December 31, 2015. Specifies a state trust institution is not required to publish a public notice in order to establish and maintain a new trust office. Authorizes the holder of debt to assess and collect fees from the borrower of the debt secured by the mortgage, deed of trust, or other lien for all anticipated or actual costs to make entry of partial or entire payments.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 02/23/23 - House passed.

*Executive Status:* 03/20/23 - Enacted as Public Chapter 0028 effective March 10, 2023.

**SB677/HB949 INSURANCE HEALTH: Dental benefits for the impoverished uninsured.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Authorizes a dental service plan corporation to limit participation in a plan that is providing or managing dental benefits for the impoverished uninsured on behalf of, or as required by, any governmental entity, only if such excluded provider is given written notice, the specific reason for such exclusion, and an opportunity for appeal. Broadly captioned.

*Amendment Summary:*

Senate amendment 1 (014075) rewrites the bill to expand on dental benefit plans, methods of payment, and related terms as follows: (1) This amendment prohibits a dental benefit plan from containing restrictions on methods of payment from the dental benefit plan or its vendors to the dentist in which the only acceptable payment method is a credit card payment; (2) When initiating or changing payments to a dentist using electronic funds transfer payments, including virtual credit card payments, this amendment requires a dental benefit plan or its vendors to (i) notify the dentist if any fees are associated with a particular payment method; (ii) advise the dentist of the available methods of payment; and (iii) provide clear instructions to the dentist as to how to select an alternative payment method; (3) This amendment prohibits a dental benefit plan or its vendor, that initiates or changes payments to a dentist for healthcare electronic fund transfer and remittance advice transactions under federal regulations, from charging a fee solely to transmit the payment to the dentist unless the dentist has consented to the fee; (4) When transmitting healthcare electronic fund transfer and remittance advice transactions under federal regulations, this amendment authorizes a dentist agent to charge reasonable fees for payments related to transaction management, data management, portal services, and other value-added services in addition to the bank transmittal; (5) This amendment requires a dental carrier that contracts or renews a contract with a provider to (i) make the dental carrier's current dental benefit plan policies or guidelines available online; and (ii) if requested by a provider, send a copy of the policies to the provider through mail or electronic mail; (6) This amendment requires a dental benefit plan to furnish to providers (i) a summary of all material changes made to a dental benefit plan no less than 30 days prior to the date the material change takes effect; (ii) the adjustment of a claim submitted to a dental benefit plan to a less complex or lower cost procedure code ("downcoding") and the practice of combining distinct dental procedures into one procedure for billing purposes ("bundling") policies that the dental carrier reasonably expects to be applied to the provider's services as a matter of policy; and (iii) a description of the dental benefit plan's utilization review procedures, including a procedure for a covered person to obtain a review of an adverse determination and a statement of a provider's rights and responsibilities regarding the procedure; (7) This amendment prohibits a dental carrier from offering or maintaining in this state a dental benefit plan that does the following: (i) based on the provider's contracted fee for covered services, uses downcoding in a manner that prevents a provider from collecting the fee for actual services performed either from the dental benefit plan or the patient; or (ii) uses bundling in a manner where a procedure code is labeled as nonbillable to the patient unless, under generally accepted practice standards, the procedure code is for a procedure that may be provided in conjunction with another procedure; (8) This amendment requires a dental carrier to ensure that an explanation of benefits for a dental benefit plan includes the reason for any downcoding or bundling result; (9) This amendment establishes that a violation of this amendment may subject the insurer, dental carrier, dental service plan, third-party administrator, or other party that covers any dental services to sanctions; (10) This amendment does not apply to the TennCare program or a successor program provided for in the Medical Assistance Act of 1968, the CoverKids Act of 2006, or a successor program; and (11) For purposes of this amendment, "dentist agent" means a person who establishes an agency relationship contract with a dentist to process bills for services provided by the dentist under terms and conditions established between the agent and dentist. Such contracts may permit the dentist agent to submit bills, request reconsideration, and receive reimbursement.

*Fiscal Note:* (Dated March 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/11/24 - Signed by Senate speaker.

*House Status:* 03/12/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0589 effective July 1, 2024.

#### SB678/HB1194 **WELFARE: Report on Alzheimer's and dementia respite care pilot program.**

*Sponsors:* Sen. Reeves, Shane , Rep. Williams, Ryan

*Summary:* Changes from January 15 to February 15, the date by which each area agency on aging must submit a report to the general assembly regarding the status of the Alzheimer's and dementia respite care pilot program in each year of the pilot program. Adds the legislative librarian to the list of persons at the general assembly who must receive a copy of the report. Broadly captioned.

*Amendment*

*Summary:* Senate amendment 1 (005211) rewrites this bill to make changes to present law relative to the Alzheimer's and dementia respite care program (the "program"). This amendment revises the definition of "respite care" to mean temporary, substitute support or living arrangements to provide a brief period of relief or rest for informal caregivers. This "substitute support" may include, but is not limited to, in-home care by appropriately trained individuals or care in an adult day care, assisted living, or nursing home setting, on an intermittent, occasional, or emergency basis along with the following homemaker services: (1) In-home respite or companionship; (2) Adult day care; (3) Assistance with personal care, bathing, medication monitoring and chores; (4) Four hours of overnight respite in a facility; and (5) Any other goods or services necessary to maintain the person with Alzheimer's or related dementia at home. This amendment requires the program to comply with the following criteria: (1) Be based on grants provided to each of the nine area agencies on aging and disability in this state for respite care services for the sole benefit of individuals who are experiencing symptoms of Alzheimer's disease or related dementia or who have received a clinical diagnosis of Alzheimer's disease or related dementia; (2) Be operated from July 1, 2022 to December 21, 2025; (3) Actively serve up to a total of 225 enrollees, at one time, in each fiscal year of the program's operation; (4) Reimburse utilizing the commission on aging and disability's yearly approved homemaker service unit cost rate; (5) Give priority for enrollment to those individuals on the wait list for the current state-funded OPTIONS program as of May 25, 2022; (6) Exclude an individual with Alzheimer's disease or related dementia who is eligible for long-term care services under the Medical Assistance Act of 1968 of this title; and (7) Provide preference to individuals at or below 250 percent of the federal poverty level.

*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005211).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0221 effective April 25, 2023.

#### SB679/HB803 **HEALTH CARE: Expansion of the types of medication a certified medical assistant may administer.**

*Sponsors:* Sen. Reeves, Shane , Rep. Marsh, Pat

*Summary:* Expands the types of medication a certified medical assistant may administer and prepare as ordered by an authorized healthcare provider. Broadly captioned.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0094 effective March 31, 2023.

#### SB680/HB895 **TENNCARE: Telehealth services.**

*Sponsors:* Sen. Reeves, Shane , Rep. Hurt, Chris

*Summary:* Clarifies that the Medical Assistance Act of 1968 does not require a vendor, healthcare provider, or telehealth provider group that provides healthcare services exclusively via telehealth to have a physical address or site in this state in order to be eligible to enroll as a vendor, provider, or provider group for the medical assistance program. Broadly captioned.

*Fiscal Note:* (Dated February 12, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0055 effective March 21, 2023.

**SB681/HB774 LABOR LAW: Protecting Tennessee Businesses and Workers Act.**

*Sponsors:* Sen. Reeves, Shane , Rep. Moon, Jerome

*Summary:* Enacts the "Protecting Tennessee Businesses and Workers Act" which prohibits a local government from adopting or enforcing an ordinance, regulation, resolution, policy, or another legal requirement that regulates or imposes a requirement upon an employer pertaining to hours worked, scheduling that an employer is required to provide employees, or employee output during work hours. Prohibits a local government from imposing a wage or employment benefit mandate unless required by state or federal law. Prohibits a local government from discriminating based on a wage or employment benefits set by a private company if that company meets state and federal employment laws.

*Amendment Summary:* House amendment 1 (005232) deletes the provision stating that the general prohibition does not prohibit a local government entity from regulating or limiting the hours a business may operate.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/06/23 - Senate passed.

*House Status:* 03/30/23 - House passed with amendment 1 (005232).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0309 effective April 28, 2023.

**SB682/HB512 BANKING & CREDIT: Reporting required by a lessor of a safe deposit box to the state treasurer.**

*Sponsors:* Sen. Reeves, Shane , Rep. Barrett, Jody

*Summary:* Extends, from May 1 to November 1, the due date of the report delivered by a lessor of a safe deposit box to the state treasurer containing the name and address of the lessee and an inventory of the contents of the box. Extends, from May 1 to November 1, the deadline by which contents of an abandoned safe deposit box may be claimed before the lessor is required to sell the contents.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0056 effective March 21, 2023.

**SB686/HB99 GOVERNMENT ORGANIZATION: County records commission per diems.**

*Sponsors:* Sen. Reeves, Shane , Rep. Stevens, Robert

*Summary:* Increases from \$25 for each day of actual meeting to \$150 each day the per diem for members of a county records commission who do not receive a fixed annual salary from the state or the county.

*Fiscal Note:* (Dated January 22, 2023) Increase Local Expenditures \$6,000/FY23-24 and Subsequent Years/Permissive

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0230 effective April 25, 2023.

**SB698/HB1358 HEALTH CARE: Receiving medical services by an out-of-network provider - written notice to insured.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Farmer, Andrew

*Summary:* Authorizes a healthcare facility to provide a method for an insured, or the insured's personal representative, to acknowledge and sign, by electronic means, a written notice whereby the insured agrees to receive medical services by an out-of-network provider for purposes of the facility collecting out-of-network charges from the insured. Broadly captioned.

*Amendment Summary:* Senate amendment 1(003751) requires the Department of Health (DOH) to officially request the federal Department of Health and Human Services to add newborn screening for metachromatic leukodystrophy to the recommended uniform screening panel.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed with amendment 1 (003751).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0431 effective May 11, 2023.

**SB701/HB729 HEALTH CARE: Emergency medical backup requirement for speech-language pathologists using endoscopes.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Hulsey, Bud

*Summary:* Clarifies the emergency medical backup requirement for speech-language pathologists using endoscopes so that the procedure may be performed when a physician is on the premises or is remotely available regardless of whether the procedure is performed in a community or institutional setting.

*Fiscal Note:* (Dated January 29, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0125 effective July 1, 2023.

**SB702/HB1095 HEALTH CARE: Charging for staffing by temporary healthcare staffing agencies.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Boyd, Clark

*Summary:* Prohibits temporary healthcare staffing agencies from charging healthcare facilities a price for temporary healthcare staffing that is grossly in excess of the price generally charged for the same or similar services in the usual course of business upon the declaration of an abnormal economic disruption by the governor by proclamation or executive order, and continuing for a maximum of 15 days, unless extended by a subsequent declaration in any county or municipality covered by the abnormal economic disruption. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (007351) prohibits a temporary healthcare staffing agency from charging an amount for temporary healthcare staffing services that is grossly in excess of the price generally charged, upon the declaration of an abnormal economic disruption by the Governor, and continuing for a maximum of 15 calendar days. Excludes an individual who only engages, on the individual's own, to provide that individual's services on a temporary basis to healthcare facilities without the use or involvement of a temporary healthcare staffing agency. Excludes agencies operated by a hospital, assisted-care living facility, or nursing home, or an affiliate of a hospital, assisted-care living facility, or nursing home, if the purpose of the agency is solely procuring, furnishing, or referring temporary or permanent direct care staff for employment at that healthcare provider, or any affiliates under common ownership. Establishes minimum standards for temporary healthcare staffing agencies, including document retention and employee benefits. Requires a temporary healthcare staffing agency to provide records to certain governmental agencies, upon request. Establishes prohibited practices in employment and contracting by temporary healthcare staffing agencies. Requires a temporary healthcare staffing agency presently doing business in this state to provide notice to the Health Facilities Commission (HFC) identifying its business entity and any controlling person, by December 31, 2023. Requires the HFC to establish a registration process for temporary healthcare staffing agencies, and requires a temporary healthcare staffing agency to register with the HFC on a yearly basis. Authorizes the HFC to charge a registration fee of up to \$5,000 per agency. Requires a temporary healthcare staffing agency to submit a biannual report to the HFC regarding the operations of the agency. Authorizes the HFC to revoke the registration of a temporary healthcare staffing agency that knowingly provides to a healthcare facility a direct care staff with an illegally or fraudulently obtained or issued diploma, registration, license, certificate, criminal records check, or other item required for employment by a healthcare facility. Authorizes the HFC to impose a fine of up to \$5,000 against a temporary healthcare staffing agency that violates the terms of the proposed legislation. Authorizes a temporary healthcare staffing agency to request a contested case hearing to appeal a denial of an application for registration, revocation of registration, or an imposed monetary penalty. Establishes that the HFC may require a temporary healthcare staffing agency to pay the actual and reasonable costs of the investigation and prosecution of a disciplinary hearing, if the HFC imposes sanctions following a proceeding. For purposes of registration and reporting requirements, penalties, and disciplinary proceedings, takes effect July 1, 2024. For all other purposes, takes effect upon becoming a law.

*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/18/23 - Senate passed with amendment 2 (007351).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0432 effective May 11, 2023.

**SB709/HB1059 EDUCATION: Developing course equivalencies and awarding academic credits by higher education institutions.**

*Sponsors:* Sen. Stevens, John , Rep. Vaughan, Kevin

*Summary:* Removes a provision that, in developing course equivalencies and awarding academic credits, required state institutions of higher education to submit such equivalencies to the Tennessee higher education commission (THEC) on or before December 15, 2018, detailing how academic credit toward the institution's respective credentials will be awarded. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (017074) rewrites the bill to, instead, make the changes described below to the present law regarding an intercollegiate athlete's name, image, or likeness. Present law authorizes an intercollegiate athlete to earn compensation for the use of the intercollegiate athlete's own name, image, or likeness. Such compensation must be commensurate with the fair market value of the authorized use of the intercollegiate athlete's name, image, or likeness. To preserve the integrity, quality, character, and amateur nature of intercollegiate athletics and to maintain a clear separation between amateur intercollegiate athletics and professional sports, such compensation must not be provided in exchange for athletic performance or attendance at an institution. This amendment revises the present law by, instead, authorizing an intercollegiate athlete may earn compensation and perform diligence for the use of the intercollegiate athlete's own name, image, or likeness. An intercollegiate athletic association must not unfairly restrict an intercollegiate athlete's ability to earn compensation for, or perform diligence related to, the intercollegiate athlete's name, image, or likeness rights. This amendment deletes the present law provision above prohibiting such compensation from being provided in exchange for athletic performance or attendance at an institution. As used in the above present law, an "intercollegiate athlete" means a student who is enrolled in an institution and participates in an athletic program. This amendment adds to the definition by providing that an "intercollegiate athlete" also means a prospective student who has started or completed ninth grade and can, in the future, enroll in an institution and participate in an athletic program. Present law prohibits an institution or an officer, director, or employee of the institution from compensating a current or prospective intercollegiate athlete for the intercollegiate athlete's name, image, or likeness. This amendment revises the present law by, instead, prohibiting an institution and its affiliated foundations, or an officer, director, or employee thereof, including athletic coaches and staff, from compensating an intercollegiate athlete for the intercollegiate athlete's name, image, or likeness unless expressly permitted by federal law, a court order, or the institution's athletic association. However, an athletic association must not, in any way, abridge an individual's property rights under existing law, or restrict an intercollegiate athlete's ability to earn compensation, obtain representation, or perform diligence for the same under this amendment. This amendment prohibits an institution and its affiliated foundations, or an officer, director, or employee thereof, including athletic coaches and staff, from being held liable to a third party or an intercollegiate athlete for any damages, losses, or claims of any kind resulting from, or related to, its good faith decisions, actions, or involvement in name, image, or likeness activities taken in the course of its participation in intercollegiate athletics. Present law prohibits an institution from adopting or maintaining a rule, regulation, standard, or other requirement that prevents or unduly restricts an intercollegiate athlete from earning compensation for the use of the athlete's name, image, or likeness. Any compensation earned does not affect the intercollegiate athlete's grant-in-aid or athletic eligibility. To the extent that intercollegiate athletes receive need-based financial aid, an institution may adjust an intercollegiate athlete's need-based financial aid as a result of compensation earned for the athlete's name, image, or likeness in the same manner as the institution would for other students with equivalent levels of financial need. This amendment adds to the present law by providing that any diligence performed also does not affect the intercollegiate athlete's grant-in-aid or athletic eligibility. Present law authorizes an intercollegiate athlete to obtain representation by a third party for the purpose of securing compensation for the use of the athlete's name, image, or likeness. Any third-party representative of an intercollegiate athlete is a fiduciary for the represented intercollegiate athlete. All athlete agents who represent intercollegiate athletes for purposes of securing compensation for the use of the athlete's name, image, or likeness must be licensed. If the athlete's representative is an attorney who represents an intercollegiate athlete for purposes of securing compensation for the use of her or his name, image, or likeness, then the attorney must also be active and in good standing with the board of professional responsibility or equivalent entity in the state in which the attorney is licensed. This amendment adds to the present law by also authorizing an intercollegiate athlete to obtain representation by a third party for the purpose of performing diligence. If the athlete's representative is an attorney who represents an intercollegiate athlete for purposes of performing diligence, then the attorney must also be active and in good standing with the board of professional responsibility or equivalent entity in the state in which the attorney is licensed. Present law provides that parents, siblings, grandparents, spouses, and legal guardians of an intercollegiate athlete who represent the intercollegiate athlete for the purpose of securing compensation for the use of the intercollegiate athlete's name, image, or likeness are not considered to be athlete agents, and are not subject to the requirements for athlete agents as prescribed by the law regarding intercollegiate athlete's name, image, or likeness. This amendment adds to the present law by providing that such parents, siblings, grandparents, spouses, and legal guardians are also not subject to the requirements for athlete agents under the Revised Uniform Athlete Agent Act. This amendment provides that an institution and its affiliated foundations, or an officer, director, or employee thereof, including athletic coaches and staff, who assist, facilitate, or otherwise provide support to an intercollegiate athlete for the purpose of performing diligence and securing compensation for the use of the intercollegiate athlete's name, image, or likeness are not and must not be considered to be athlete agents, and are not subject to the requirements for athlete agents as prescribed by the law regarding intercollegiate athlete's name, image, or likeness or Revised Uniform Athlete Agent Act so long as such individual does not have a direct pecuniary or financial interest in the terms of the student athlete's compensation. This amendment prohibits an intercollegiate athletic association, including through its governing actions, sanctions, bylaws, and rules, from interfering with an intercollegiate athlete's ability to earn compensation, seek representation, or perform diligence and from otherwise impacting an intercollegiate athlete's eligibility or full participation in intercollegiate athletic events, unless the intercollegiate athlete has committed a violation of an institution's rules, or the law is invalidated or rendered unenforceable by operation of law. The attorney general may bring any appropriate action or proceeding against an intercollegiate athletic association in any court of competent jurisdiction.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0823 effective May 1, 2024.

**SB711/HB898 TAXES PROPERTY: Land classified as agricultural or forest land.**

*Sponsors:* Sen. Stevens, John , Rep. Hurt, Chris  
*Summary:* Requires assessors of property to take into account when determining whether land is to be classified as agricultural or forest land, whether the land is enrolled in a voluntary conservation program administered by the United States department of agriculture.  
*Amendment Summary:* Senate amendment 1 (005694) rewrites this bill to require that the assessor of property, in determining whether the land is agricultural land for purposes of property taxes, consider whether: (1) The land is enrolled in a conservation program administered by the United States department of agriculture; (2) The land is in a conservation easement; or (3) The land is restricted pursuant to the Hazardous Waste Management Act of 1983, if, at the time of its enrollment, the land was classified as agricultural land by the assessor of property. This amendment also requires the assessor of property, in determining whether the land is forest land for purposes of property taxes, to consider (1)-(2) above; or whether the land is restricted by the Hazardous Waste Management Act of 1983, if, at the time of its enrollment, the land was classified as forest land by the assessor of property

*Fiscal Note:* (Dated March 11, 2023) Other Fiscal Impact A precise decrease in local property tax revenue cannot be quantified.  
*Senate Status:* 04/12/23 - Senate passed with amendment 1 (005694).  
*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0456 effective May 17, 2023.

**SB717/HB988 PROPERTY & HOUSING: Notice of termination of tenancy for the purpose of eviction.**

*Sponsors:* Sen. Oliver, Charlane ,

*Summary:* Makes provisions for the termination of tenancy to allow for new property development for certain situations. Requires a landlord to provide a tenant with 90 days' notice of termination of tenancy for the purpose of eviction of a residential tenant if the tenant is 62 years of age or older, has paid the tenant's due rent and is not in arrears.

*Amendment Summary:* House amendment 1 (005152) rewrites this bill to require a landlord to provide a tenant with 90 days' notice of termination of lease tenancy for the purpose of eviction of a residential tenant of a facility that provides housing for persons aged 55 years or older and receives federal financial assistance that subjects it to Section 504 of the Rehabilitation Act of 1973 (which generally prohibits organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services) if the tenant has paid the tenant's rent due and is not in arrears on rent payments and the termination and eviction are to allow for new property development. This amendment does not abrogate a landlord's right to terminate a tenancy for a violation of another law or of the lease or tenancy agreement. This bill applies to agreements entered into, amended, or renewed on or after July 1, 2023. Senate amendment 1 (006359) allows a landlord to provide sixty (60) days' notice of termination of tenancy for the purpose of eviction of a residential tenant of a facility that provides housing for persons aged 55 years or older and receives federal financial assistance that subjects it to Section 504 of the Rehabilitation Act of 1973 (which generally prohibits organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services) if the tenant has paid the tenant's rent due and is not in arrears on rent payments; and the termination and eviction are to allow for new property development. Does not abrogate a landlord's right to terminate a tenancy for a violation of another law or of the lease or tenancy agreement. Applies to agreements entered into, amended, or renewed on or after July 1, 2023.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate adopted conference committee report.

*House Status:* 04/21/23 - House adopted conference committee report (008027).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0400 effective July 1, 2023.

**SB720/HB458 CRIMINAL LAW: Penalty for boating under the influence.**

*Sponsors:* Sen. Massey, Becky , Rep. Carr, Dale

*Summary:* Authorizes law enforcement officers to seek a search warrant to perform breath and blood tests on persons suspected of boating under the influence (BUI) and allows the operator to be charged with Class A misdemeanor BUI for refusal to submit to such testing. Authorizes courts to use same sentencing guidelines for BUI as DUI. Increases from six months to 12 months, the required suspension of boating privileges for BUI or BUI-related implied consent violation. Makes sentencing provisions for judges exercising criminal jurisdiction in counties with metropolitan governments with populations in excess of 500,000.

*Amendment Summary:* House amendment 1 (006886) makes the following changes to this bill: (1) Provides that upon a conviction for a first offense of boating under the influence, the person must be fined not less than \$350 nor more than \$1,500; (2) Provides that upon a conviction for a second offense of boating under the influence, the person must be fined not less than \$600 nor more than \$3,500; (3) Lowers from 25 days to 17 days, the period of time a person must serve in incarceration imposed in the county jail or workhouse before a judge can potentially order the person to participate in a substance abuse treatment program licensed or certified by the department of mental health and substance abuse services; (4) Provides that upon a conviction for a third offense of boating under the influence, the person must be fined not less than \$1,100 nor more than \$10,000; (5) Provides that upon a conviction for a fourth offense of boating under the influence, the person must be fined not less than \$3,000 nor more than \$15,000; (6) Provides that upon a conviction for a fifth offense of boating under the influence and for which prior convictions for vehicular assault, aggravated vehicular assault, vehicular homicide, or aggravated vehicular homicide are to be included, the person must be fined not less than \$3,000 nor more than \$15,000; (7) Provides that upon a conviction for a sixth or subsequent offense of boating under the influence, the person must be fined not less than \$3,000 nor more than \$15,000; (8) Provides that if a person is convicted of a violation of boating under the influence, and at the time of the offense, the person was accompanied by a child under 18, then the person's sentence must be enhanced by a fine of \$1,000 in addition to any other fine received for the violation; (9) Provides that if, at the time of boating under the influence, the person was accompanied by a child under 18, and the child suffers serious bodily injury as the proximate result of the violation, the person must be punished in the same manner as vehicular assault and have the person's sentence enhanced by a fine of \$1,000 in addition to any other fine received for the violation; (10) Provides that if, at the time of the offense, the person was accompanied by a child under 18, and the child is killed as the proximate result of boating under the influence, the person must be punished in the same manner as vehicular homicide and have the person's sentence enhanced by a fine of \$1,000 in addition to any other fine received for the violation; and (11) Removes the provisions that allowed, in Davidson County only, a first offender to serve 200 hours of community service in lieu of the mandatory minimum 48-hour jail sentence.

*Fiscal Note:* (Dated March 14, 2023) Increase State Expenditures \$65,300 Incarceration Decrease Local Expenditures Net Impact - \$3,700/FY23-24 and Subsequent Years

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 1 (006886).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0383 effective October 1, 2023.

**SB721/HB498 HEALTH CARE: In-person encounter requirement exemption for patients receiving telehealth evaluation.**

*Sponsors:* Sen. Massey, Becky , Rep. Martin, Brock

*Summary:* Exempts a patient receiving an initial behavioral health assessment via telehealth from the requirement of an in-person encounter between the healthcare services provider, practice group, or healthcare system within 16 months prior.

*Amendment Summary:* Senate amendment 1 (004040) revises this bill, such that the authorization to arrange a chart view or required visit by a collaborating physician via HIPAA-compliant electronic means rather than at the site of the clinic, applies to a physician assistant that is so authorized and provides services "solely via telehealth," not "via telehealth."

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed with amendment 1 (004040).

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0201 effective April 24, 2023.



**SB722/HB940 FAMILY LAW: Abrial's Law, the Keeping Children Safe from Family Violence Act.**

*Sponsors:* Sen. Massey, Becky , Rep. Alexander, Rebecca

*Summary:* Enacts Abrial's Law, the Keeping Children Safe From Family Violence Act." Makes various changes to child custody law. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (006687) rewrites the provisions of this bill relative to court personnel training, and, instead, provides the following: (1)

All judges involved in child custody proceedings are required to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years; (2) The training or continuing education courses may include the following topics: child sexual abuse; physical abuse; emotional abuse; coercive control; implicit and explicit bias, including biases relating to parents with disabilities; trauma; long-term and short-term impacts of domestic violence and child abuse on children; victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence; and any relevant topic addressing the best interest of the victim; and (3) The training and continuing education courses may be offered in person or virtually by the administrative office of the courts in conjunction with the annual meetings of the judicial conferences. This amendment also changes this bill's effective date to January 1, 2024.

*Fiscal Note:* (Dated March 17, 2023) Increase State Expenditures Exceeds \$120,600/FY23-24 and Subsequent Years

*Senate Status:* 04/12/23 - Senate passed with amendment 2 (006687).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0266 effective January 1, 2024.

**SB723/HB296 GOVERNMENT REGULATION: Field inspections performed by municipal or county building, plumbing, or mechanical inspector.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Freeman, Bob

*Summary:* Requires a person entering into employment as a municipal or county building, plumbing, mechanical, or electrical inspector to obtain a commercial or residential certification, or both, in their respective discipline within 12 months of the date of employment while allowing the employee with an exempt jurisdiction to perform field inspections from the date of employment.

*Amendment Summary:* Senate amendment 1 (007621) requires a person entering into employment as a municipal or county building, plumbing, mechanical, or electrical inspector in a jurisdiction that is exempt from the State Fire Marshal's Office (SFMO) statewide building standards, to obtain either a commercial or residential certification, or both, in their respective discipline within 12 months of the date of employment. Authorizes such person(s) to perform field inspections as of the date of employment. Authorizes a local government by a majority vote to accept an electrical inspection whether residential or commercial, issued by an electrical engineer so long as the engineer is registered with the SFMO and such inspection is performed by the engineer on a form approved by the SFMO. Requires the local government to review and approve such an inspection performed by an engineer and to provide written notice of any deficiencies, within five business days from the date the inspection was received by the local government or appropriate local governmental official or entity. Further requires the local government to maintain a record of such inspection performed by an engineer for no less than three audit years. Requires the state fire marshal to publish and maintain a list of engineers registered to conduct such inspections and authorizes the SFMO to promulgate rules relative to such inspections. House amendment 2 (006760) makes mandatory this bill's authorization for a person entering into employment as a municipal or county building, plumbing, mechanical, or electrical inspector with an exempt jurisdiction to perform field inspections as of the date of employment. House amendment 3 (007100) adds authorization for a local government, by a majority vote of its legislative body, to adopt an ordinance or resolution allowing the local government to accept electrical inspections, whether residential or commercial, issued by registered engineers who: (1) Have a concentration in electrical trades or are certified by the International Code Council in the appropriate field; and (2) Register as an inspector with the state fire marshal. The full text of this amendment specifies various requirements for the making and acceptance of inspection reports made by engineers, covering subjects such as use of forms, review by the local government within five days of a report being submitted, compliance with this amendment by local governments that elect to participate, the process for registration with the state fire marshal, maintenance of a list of registered engineers who may conduct inspections, conflicts of interest, and recordkeeping. This amendment authorizes the state fire marshal to promulgate rules to effectuate its provisions.

*Fiscal Note:* (Dated March 10, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate adopted conference committee report (008071).

*House Status:* 04/21/23 - House adopted conference committee report (008071).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0376 effective May 11, 2023.

**SB724/HB786 EDUCATION: Occupational teaching licenses for honorably discharged veterans.**

*Sponsors:* Sen. Hensley, Joey , Rep. Fritts, Monty

*Summary:* Authorizes an honorably discharged veteran to be eligible to receive a practitioner occupational teaching license if the veteran holds a high school diploma, meets the requirements by the state board of education, possesses relevant military training or experience, is pursuing an industry license or credential, and completes and holds an active industry certification or license.

*Amendment Summary:* House amendment 1 (004781) rewrites this bill to change as of July 1, 2023, the law concerning issuance of temporary teaching permits. Effective July 1, 2023, present law provides that after a director of schools or a director of a public charter school notifies the director's local board of education or the governing body of the director's public charter school that the LEA or public charter school is unable to secure a qualified occupational educator with a valid occupational teaching license for course of study in which a vacancy exists, the director of schools or the director of the public charter school may certify the same to the commissioner of education. Upon the commissioner's receipt of the certification, the commissioner may grant a temporary permit to teach in the unfilled position to a person recommended by the notifying director, who does not hold a bachelor's degree or an active industry license or credential for the area of endorsement, but who has a minimum of five years of relevant work experience, completed within the last 10 years, or three years of relevant work experience, completed within the last five years, in the area of endorsement or equivalent educational attainment. The temporary permit is valid only until June 30 immediately following the date of the permit's issuance; the temporary permit is not renewable; and an individual may only be issued one temporary permit. This amendment adds authorization for the commissioner to issue a temporary permit under similar circumstances to a person recommended by the director of schools or the director of the public charter school who is an honorably discharged veteran of the armed forces and has a minimum of five years relevant work experience, completed within the last 10 years, or three years of relevant work experience, completed within the last five years, in the area of endorsement or equivalent educational attainment. For purposes of this amendment, "work experience" includes, but is not limited to, military service, training, and experience.

*Fiscal Note:* (Dated February 25, 2023) Increase State Expenditures - \$26,900/FY23-24 \$2,000/FY24-25 and Subsequent Years

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (004781).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0311 effective July 1, 2023.

**SB728/HB685 TRANSPORTATION VEHICLES: Report on five-year plan to increase pedestrian safety.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Freeman, Bob

*Summary:* Requires the department of transportation to submit reports to the chairs of the transportation committee of the house of representatives and transportation and safety committee of the senate on a five-year plan to increase pedestrian safety and the areas of the state with impassable roads. Broadly captioned.

*Amendment Summary:* House amendment 1 (005550) clarifies that the department of transportation must identify in a report the locations of state and local government roads in this state where injuries to motor vehicle occupants, bicyclists, and pedestrians are elevated in comparison to the statewide average. This amendment revises the requirements involving reporting on pedestrian and bicycle crashes to only require that from pedestrian and bicycle-related traffic crash data, the department must identify the areas that are elevated and identify intersection design factors or other factors that may have an impact regarding such crashes. House amendment 2 (006342) removes the requirement for the department of transportation to identify locations of state and local government roads in this state where injuries to motor vehicle occupants are elevated in comparison to the statewide average.

*Fiscal Note:* (Dated March 4, 2023) Increase State Expenditures - \$300,000/FY23-24/Highway Fund

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/13/23 - House passed with amendment 1 (005550) and amendment 2 (006342).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0385 effective May 11, 2023.

**SB731/HB613 ALCOHOLIC BEVERAGES: Winery alternating proprietorship agreement.**

*Sponsors:* Sen. Niceley, Frank , Rep. Hawk, David

*Summary:* Authorizes two or more wineries to enter into an alternating proprietorship agreement to share certain premises of the wineries that are party to the agreement.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0095 effective March 31, 2023.

**SB734/HB628 HEALTH CARE: Healthcare practitioner requirements.**

*Sponsors:* Sen. Briggs, Richard , Rep. Leatherwood, Tom

*Summary:* Removes the start date of January 1, 2012, for the requirement that a healthcare practitioner communicate the practitioner's full name and type of license in writing to a patient at the patient's initial office visit.

*Amendment  
Summary:*

Senate amendment 1 (014612) rewrites the bill to, instead, enact the Tennessee Wellness Law ("act"), as follows: (1) Establishes that an action taken by a parent that is protected by the act does not give rise to a claim or cause of action against the parent. If a parent's rights are violated under the act, then the parent may bring a civil action for injunctive relief, compensatory damages, reasonable attorney's fees, court costs, and expenses in a judicial or administrative proceeding. A parent may also raise a defense in a judicial or administrative proceeding; (2) Establishes that the act does not do the following: (A) Authorize a physician to withhold information requested in accordance with contractual terms between a health insurance entity and a statewide advocacy organization or information requested in an application used by a health insurance entity for credentialing or contracting purposes, including a Council for Affordable Quality Healthcare application; (B) Waive a physician's obligation to disclose information regarding (i) a substance use disorder; (ii) a mental health condition; or (iii) another condition that impairs the physician's judgment or adversely affects the physician's ability to practice medicine in a competent, ethical, and professional manner; or (C) Authorize a statewide advocacy organization to withhold information in accordance with contractual terms between the statewide advocacy organization and a health insurance entity; (3) Prohibits a health insurance entity from requiring the disclosure of a physician's participation in a physician wellness program as a condition of credentialing, contracting, or network participation with the health insurance entity; (4) Establishes that a health insurance entity that is unable to assess a physician's risk of future impairment due to disclosures prohibited by (3) above is immune from civil liability, a civil cause of action, or an administrative sanction or other proceeding related to harm caused by the physician; (5) Establishes that an individual or entity that provides, discloses, or receives information related to career fatigue as part of a physician wellness program is, with respect to the information provided, disclosed, or received, immune from (i) civil liability or a civil cause of action; and (ii) an administrative sanction or other proceeding; (6) Establishes that the act does not do the following: (A) Authorize a physician to withhold information requested in accordance with contractual terms between a health insurance entity and a statewide advocacy organization or information requested in an application used by a health insurance entity for credentialing or contracting purposes, including a Council for Affordable Quality Healthcare application; (B) Waive a physician's obligation to disclose information regarding (i) a substance use disorder; (ii) a mental health condition; or (iii) another condition that impairs the physician's judgment or adversely affects the physician's ability to practice medicine in a competent, ethical, and professional manner; or (C) Authorize a statewide advocacy organization to withhold information in accordance with contractual terms between the statewide advocacy organization and a health insurance entity; (7) Prohibits a facility from requiring a physician to disclose the physician's participation in a physician wellness program in order to obtain privileges or credentials at the facility unless otherwise required by a federal condition of participation; (8) Prohibits an employer from requiring a physician, or a prospectively employed physician, to disclose participation in a physician wellness program as a condition of employment or continued employment; (9) Prohibits an employer from requiring an independent contractor or a prospective independent contractor to disclose participation in a physician wellness program; (10) Prohibits the board of medical examiners from requiring an applicant for medical licensure to disclose career fatigue as a requirement for initial licensure; (11) Prohibits a facility from requiring a physician to disclose the physician's participation in a physician wellness program in order to obtain privileges or credentials at the facility unless otherwise required by a federal condition of participation; (12) Requires a licensing board established under state law relative to healing arts and health and safety professions to enter into an executive session for any discussion or deliberation of licensee or prospective licensee health conditions, including mental health conditions and substance use disorders, revealed during an application process. The discussion and deliberation of the executive session is not a public meeting. Minutes and recordings of such executive session, portions of an application involving an applicant's health condition, and records involving an applicant's health condition are confidential, privileged, and not public records subject to inspection by citizens of this state. An applicant or licensee may access records of the applicant's or licensee's own application and related proceedings, as may the applicant's or licensee's authorized representative or attorney, or an attorney for this state. The licensing board must not vote during an executive session; (13) Requires an executive session for proceedings involving conditions that impair a physician's ability to practice medicine in a competent, ethical, and professional manner. An attorney for the state may be present for the entirety of the proceeding and may advocate on behalf of the department mental health and substance abuse services ("department") as is reasonably necessary during such proceeding, including the executive session; (14) At the discretion of an applicant for a license, establishes that an authorized representative or attorney for the applicant for a license before a board established under state law relative to healing arts and health and safety professions, may be present for the entirety of any proceeding, including an executive session, and may advocate on behalf of the applicant as is reasonably necessary during such proceeding or executive session; (15) Establishes that "career fatigue" means a work-related, psychological disorder that manifests in emotional exhaustion, depersonalization, and a diminished sense of personal accomplishment. It does not mean (i) substance use disorder; (ii) a mental health condition; or (iii) another condition that impairs a physician's judgment or adversely affects a physician's ability to practice medicine in a competent, ethical, and professional manner; and (15) Requires the department of mental health and substance abuse services and the department of health to promulgate rules to effectuate the act. House amendment 1 (015748) makes the following changes: (1) Encourages physicians who experience career fatigue to seek services from the Tennessee Medical Foundation or a similar entity, or private counseling services; (2) Clarifies that when the bill requires an executive session for proceedings involving conditions that impair a physician's ability to practice medicine in a competent, ethical, and professional manner, that the proceedings referenced are licensure application proceedings; and (3) Authorizes the department of health to promulgate emergency rules.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0924, effective May 6, 2024, & January 1, 2025.

**SB743/HB459 EDUCATION: Individuals prohibited from employment with an educational entity.**

*Sponsors:* Sen. White, Dawn , Rep. Slater, William  
*Summary:* Clarifies that public charter schools and the state board of education are prohibited from employing individuals found by the department of children's services to have committed an act of child abuse, severe child abuse, child sexual abuse, or child neglect, in the same manner as other educational entities such as LEAs. Clarifies that the state board is prohibited from granting, reactivating, or restoring an educator license or temporary teaching permit for such persons. Adds the state board and public charter schools to the list of educational entities to which the department is required to make certain disclosures when one of its employees is alleged to have committed an act of child abuse.

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 04/10/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0222 effective April 25, 2023.

**SB744/HB529 EDUCATION: Revises provisions regarding the automatic revocation of educator licenses.**

*Sponsors:* Sen. White, Dawn , Rep. Slater, William  
*Summary:* Requires the state board of education to automatically revoke an educator's active license without the right to a hearing upon receiving verification of the identity of the teacher or administrator together with a certified copy of a criminal record showing the teacher or school administrator has been convicted of certain specified offenses. Removes provisions related to due process in cases where the educator has been identified by the department of children's services as having committed child abuse, severe child abuse, child sexual abuse or child neglect. Makes other provisions related to the revocation of an educator's active license.

*Amendment Summary:* House amendment 1 (004195) deletes the provisions of this bill relative to the list of events that trigger the requirement of automatic revocation of the active license of a licensed educator without a hearing and provides, instead, that such an event includes receiving verification of the identity of the educator together with a certified copy of a court order, settlement agreement, or plea agreement in a criminal, civil, or administrative action requiring the educator to surrender their Tennessee license. This amendment requires that unless otherwise stated in the court order, settlement agreement, or plea agreement, the educator's license must be revoked for a period of no less than five years after which the educator may apply for restoration of their license.

*Fiscal Note:* (Dated February 12, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/13/23 - Senate concurred in House amendment 1 (004195).  
*House Status:* 04/10/23 - House passed with amendment 1 (004195).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0267 effective April 28, 2023.

**SB745/HB883 GOVERNMENT ORGANIZATION: Upkeep of monument on the capitol campus that is in memory of the victims of abortion.**

*Sponsors:* Sen. Briggs, Richard , Rep. Helton-Haynes, Esther  
*Summary:* Requires the state capitol commission to be responsible through funds appropriated to the commission, after funds from the construction and placement have been exhausted, for the upkeep and maintenance of a monument on the capitol campus that is in memory of the victims of abortion. Broadly captioned.

*Amendment Summary:* House amendment 1 (005705) , as amended by amendment 1-1 (006358) rewrites this bill to make the following changes and additions to present law concerning abortion: (1) Present law generally makes it a Class C felony offense to perform an abortion in Tennessee. The criminal abortion law defines abortion in a manner that it is not an offense to use an instrument, medicine, drug, or any other substance or device with intent to terminate the pregnancy of a woman known to be pregnant with intent to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus. This amendment adds termination of a pregnancy with the intent to terminate an ectopic or molar pregnancy to the list of actions that do not constitute criminal abortion; (2) Under present law, it is an affirmative defense to prosecution for criminal abortion, which must be proven by a preponderance of the evidence, that: (A) The abortion was performed or attempted by a licensed physician; (B) The physician determined, in the physician's good faith medical judgment, based upon the facts known to the physician at the time, that the abortion was necessary to prevent the death of the pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman. A claim or a diagnosis that the woman will engage in conduct that would result in her death or substantial and irreversible impairment of a major bodily function or for any reason relating to her mental health is insufficient to establish this element of the defense; and (C) Generally, the physician performs or attempts to perform the abortion in the manner which provides the best opportunity for the unborn child to survive. This amendment replaces the affirmative defense and instead provides that it is not an offense for a physician to perform an abortion under circumstances that are substantially similar to those required to establish the affirmative defense under present law; (3) This amendment clarifies that so long as the criminal abortion law is in effect, such law supersedes other provisions of present law concerning non-performance of abortions when a fetus is viable, fetal heartbeat, prohibition of race-based or Down syndrome-based abortion, and warnings concerning chemical abortions; (4) This amendment removes a prior criminal abortion law, which delineated prohibited acts based on whether a pregnancy lasted three months or longer; (5) Present law authorizes the commissioner of health to consider certain things when promulgating rules to effectuate the purposes of the law pertaining to the disposition of aborted fetal remains. One such consideration is the need to establish procedures for the pregnant woman or the pregnant woman's authorized representative to complete the forms within a reasonable time following a medical emergency, in situations where a medical emergency prevents the pregnant woman from completing the forms. This amendment removes a cross reference to the definition of "medical emergency", which is in one of the sections of present law that this amendment specifies will be superseded by the criminal abortion law; (6) Present law prohibits a health care plan required to be established in Tennessee through an exchange pursuant to federal health care reform legislation enacted by the 111th Congress from offering coverage for abortion services. This amendment limits the prohibition to coverage for prohibited abortion services, meaning services that constitute the offense of criminal abortion; and (7) This amendment requires the attorney general and reporter to notify the Tennessee Code Commission if the criminal abortion law is no longer in effect. House amendment 2 (005763) adds a requirement that the department of health collect the reports concerning the disposition of aborted fetal tissue that are required by present law and report quarterly the number of abortions performed in this state to the governor, the speaker of the senate, the speaker of the house of representatives, and the chairs of the health and welfare committee of the senate and the health committee of the house of representatives no later than January 1, April 1, July 1, and October 1 of each year.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/05/23 - Senate passed.  
*House Status:* 03/20/23 - House passed with amendment 1 (005705), as amended by amendment 1-1 (006358), and amendment 2 (005763).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0313 effective April 28, 2023.

**SB746/HB881 TRANSPORTATION VEHICLES: Auctions of previously titled motor vehicles that are antique or unique.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Martin, Greg  
*Summary:* Authorizes the sale or purchase of previously titled antique or unique motor vehicles without a motor vehicle dealer license through auction formats that meet certain criteria. Applies only to Hamilton County.

*Fiscal Note:* (Dated March 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/13/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0172 effective October 6, 2023.

**SB753/HB1317 HEALTH CARE: Revises composition of board of pharmacy.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Kumar, Sabi

*Summary:* Vacates the board of pharmacy, adds two pharmacy technician members to the board, and makes various other changes to the board's composition detailing the characteristics of the board members. Authorizes the board to employ or retain general counsel. Broadly captioned.

*Amendment Summary:* Senate amendment 4 (006749) rewrites this bill to make various changes to the board of pharmacy ("board"), as described below.

**APPOINTMENT AND MEMBERSHIP** This amendment changes the composition of the board from seven members to nine members, which will consist of nine members appointed by the governor that include one consumer member, one registered pharmacy technician, and seven pharmacists who possess the state mandated qualifications. In addition, this amendment clarifies that the six pharmacist members serving on the board on June 30, 2023, must serve as members on July 1, 2023, through the end of the members' existing six-year terms so long as the members are qualified to serve under state law if reappointed to the board after July 1, 2023. This amendment also permits interested pharmacist groups, including, but not limited to, the Tennessee Pharmacists Association, to annually recommend five duly qualified persons for each vacancy from whom the governor may be requested to make appointments. The governor is required, under this amendment, to consult with such groups to determine qualified persons to fill the positions; however, these provisions do not apply to appointment of the consumer member. A member appointed to the board is required to take oath or affirmation that the member will faithfully and impartially perform their duties within 10 days after the member's appointment to the board. A member's oath or affirmation taken must be filed with the secretary of state. In making appointments to the board, the governor must strive to ensure that at least one person serving on the board is 60 or older, one person serving on the board is a member of a racial minority, and the members on the board are representative of a variety of practice settings.

**QUALIFICATIONS** This amendment specifies that each pharmacist member of the board appointed on or after July 1, 2023, must, at the time of their appointment: have been a resident of this state for no less than five years; must be a graduate of a recognized school or college of pharmacy; be licensed and in good standing to engage in the practice of pharmacy in this state; be actively engaged in the practice of pharmacy, as defined in present law, in this state; and have at least five consecutive years of experience in the practice of pharmacy providing patient care services after licensure. In addition, this amendment requires that each registered pharmacy technician member of the board must, at the time of their appointment, have been a resident of this state for no less than five years; be currently licensed and in good standing as a glistered pharmacy technician in this state; be actively practicing as a registered pharmacy technician in this state; be certified pharmacy technician as defined by board rules; and have at least five consecutive years of experience as a pharmacy technician after registration. Furthermore, this amendment adds that a consumer member of the board must at the time of their appointment, be a current resident of Tennessee for at least five years and not be a licensed healthcare professional nor should the consumer member have or own a financial interest in any healthcare facility or healthcare business during the consumer's term on the board. This amendment also permits board members to join professional organizations and associations organized to promote the improvement of the standards of the practice of pharmacy for the protection of the health and welfare of the public.

**TERMS OF OFFICE AND REMOVAL** This amendment alters the board members' terms to last seven years or until their successors have been qualified. This amendment clarifies that a member of the board is not eligible for reappointment. However, a member may be reappointed for one full term if the member is appointed to fill a vacancy which occurred prior to the expiration of a former member's term. The terms of the members of the board are staggered so that the terms of no more than three members expire in one year. This amendment also provides that a member of the board who is found to have committed misconduct may be removed by the governor upon the recommendation of the remaining members. This amendment defines misconduct to mean the refusal or inability of a board member to perform their duties as a member of the board due to inefficiency, irresponsibility, and unprofessional manner; the misuse of office by a member of the board to obtain personal, pecuniary, or material gain or advantage for their self or another through the office; or the violation of a law pertaining to the practice of pharmacy or the distribution of drugs and devices.

**ORGANIZATION** This amendment makes the following revisions regarding the board's organization: (1) The pharmacist members of the board must annually appoint a president and a vice president; (2) The president of the board, and the vice president in the president's absence, must preside at all meetings of the board and is responsible for the performance of all duties and functions of the board; (3) The board president may, if deemed necessary, split the board into panels of three or more to conduct contested case hearings regarding disciplinary matters. A quorum of at least three panel members is required at such hearings; (4) The board must meet at least annually and at such other times as it deems necessary to perform its duties under this chapter. A majority of the members of the board constitutes a quorum for the conduct of board meetings and, except where a different number is required by this part or by any board rule, all actions of the board must be by a majority of a quorum; (5) The members of the board receive a per diem of \$100 for each day the member is engaged in performance of the official duties of the board, and must be reimbursed for all reasonable and necessary expenses incurred in connection with the discharge of such official duties. All reimbursement for travel expenses are in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter; and (6) In conjunction, the division of health related boards must employ the necessary administrative and clerical staff and investigators who are pharmacists to carry out the board's duty to enforce pharmaceutical laws. The pharmacist investigators may conduct inspections of pharmacies and other sites where drugs, medicines, chemicals, pharmaceuticals, or poisons are manufactured, stored, sold, dispensed, distributed, or administered and must conduct investigations of a board licensee. The pharmacist investigators may also assist in inspections and investigations undertaken by other health related boards attached to the division, and investigators assigned to these other health related boards may assist pharmacist investigators as appropriate.

**EXECUTIVE DIRECTOR** This amendment expands the executive director's duties and the administrative functions of the board to include recording and compiling the minutes of the board; supervising employees assigned by the division of health related boards to support the board; performing studies and research as the board or division directs; representing the board at functions as authorized by the board and the division; and serving as a consultant to the division in its enforcement duties on behalf of the board. The executive director is also permitted by this amendment to issue subpoenas for witnesses and records and to administer oaths to witnesses. This amendment also adds that the board may dismiss the executive director without consulting with the division.

**PROMULGATION OF RULES AND OTHER RESPONSIBILITIES** This amendment requires the board to promulgate rules: (1) To establish minimum standards and conditions for the operation of a pharmacy; (2) Regarding the practice of pharmacy in this state to protect the health and welfare of the citizens of this state; (3) Regarding professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the profession of pharmacy; (4) To set minimum standards and conditions for receiving, preparing, maintaining, transferring, and dispensing of prescription orders; (5) To ensure that persons who are blind, visually impaired, or otherwise print disabled have appropriate access to prescription labels, bag tags, and medical guides; and (6) Regarding the board's oversight of facilities that manufacture, warehouse, and distribute medical devices, including the formation of an advisory committee composed of medical device industry representatives and a representative of the department of economic and community development. The rules promulgated pursuant to this (6) must be reviewed by the advisory committee every three years to review the advancement of new medical device technologies. The board is also required, under this amendment, to enforce laws in this state relating to the practice of pharmacy; the manufacture, distribution, and sale of drugs; the medication use process; patient administration; and the education and monitoring of drugs, devices, chemicals, and poisons. This amendment also requires that the board regularly notify licensed pharmacists of changes that are implemented or enforced by the board that affect the licensees resulting from newly promulgated rules, amended statutes, and adopted policies and guidelines; establish and publish on its website the statutes, rules, policies, and guidelines that are implemented or enforced by the board and that affect licensees; and require licensees to

maintain a copy of the board of pharmacy statutes, rules, policies, and guidelines at the location in which they practice pharmacy. In addition, the board is also tasked with keeping a record of the board's meetings and other proceedings; issuing and maintaining a register of all persons who have been issued licenses and who have had their licenses renewed; and maintaining a register of pharmacists who have been designated as a pharmacist-in-charge. In addition, the board may maintain a register of pharmacy technicians as necessary to maintain public welfare. The board may also authorize, subject to the approval of the commissioner, administrative and investigative personnel and board members to attend local, state, regional, and national meetings. All reimbursement for travel expenses directly incurred as a result of attending such meetings must be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general. The board is permitted to issue advisory private letter rulings to any affected licensee making a request for a ruling regarding matters within the board's jurisdiction. The private letter ruling affects only the licensee making the inquiry and has no precedential value for any other inquiry or future contested case to come before the board. The board may resolve a dispute regarding a private letter ruling pursuant to declaratory orders. **POWER TO SUSPEND, REVOKE, OR REFUSE TO ISSUE LICENSES** This amendment also authorizes the board to deny, restrict, or condition any application for licensure; revoke or suspend any license or certification previously issued; or discipline and assess civil penalties against an applicant, licensee, or holder of a certificate upon a finding that the applicant, licensee, or holder of a certificate has: (1) Been convicted of a criminal offense, including, but not limited to, violating a law of this state or of the United States relating to drugs or to the practice of pharmacy; (2) Been addicted to the use of alcohol, narcotics, or other drugs; (3) Engaged in conduct that is prohibited or unlawful state or federal law relating to drugs or to the practice of pharmacy; (4) Exhibited an incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, confidence, and safety to the public; (5) Been guilty of dishonorable, immoral, unethical, or unprofessional conduct; (6) Had the license to practice pharmacy suspended or revoked by another state for disciplinary reasons; or (7) Failed to comply with a lawful order or duly promulgated rule of the board. **LICENSE REQUIREMENTS** This amendment provides that the board may establish the experience and educational qualifications necessary for admission to the board's licensure or certification examinations. In addition, the board may use any national certification, licensure examination, or contract with a qualified examination agency to prepare and administer its licensure examination. The board is required to promulgate rules to establish the minimum score necessary to pass a licensure or certification examination required by the board. The board is also permitted to promulgate rules regarding the procedures of renewal, administrative fees, and other related issues enumerated in the bill. To apply for a pharmacist license, a person must be at least 21; be a graduate of a school or college of pharmacy recognized by the board; and apply for licensure on forms approved by the board in writing or by online application and pursuant to rules promulgated by the board. The board is permitted to license and register pharmacists, pharmacies, wholesalers, distributors, pharmacy technicians, pharmacy interns, manufacturers, third party logistics providers, and other persons as may be required under federal or state law. In addition, the board may also grant licenses to reciprocal applicants from other states upon deciding that the qualifications of pharmacists licensed in other states are equivalent to or greater than requirements for licensure in this state. The board may refuse to issue licenses to reciprocal applicants from other states on grounds as determined by the board's rule. These provisions do not include manufacturers' representatives unless otherwise required by federal or state law. **INSPECTION OF SITES** The board or its designated agents are also authorized to regulate the practice of pharmacy and to inspect any site or professional pharmacy practice, other than storage sites utilized by manufacturer's representatives, where drugs, medicines, chemicals, pharmaceuticals, or poisons are manufactured, stored, sold, dispensed, distributed, or administered. This amendment also specifies that the authority over drug dispensing in the office of a physician licensed to practice is vested in the board of medical examiners. **TERMINATION** This amendment sets the board to terminate on June 30, 2025, pursuant to the Tennessee Governmental Entity Review Law.

*Fiscal Note:* (Dated February 10, 2023) Increase State Expenditures - \$3,100/FY23-24 and Subsequent Years/ Board of Pharmacy Other Fiscal Impact To the extent the Board of Pharmacy chooses to employ or retain general counsel, there will be additional expenditures incurred by the Board. Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Pharmacy had a surplus of \$198,441 in FY20-21, a surplus of \$404,000 in FY21-22, and a cumulative reserve balance of \$3,693,158 on June 30, 2022.

*Senate Status:* 04/05/23 - Senate passed with amendment 4 (006749).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0457 effective July 1, 2023.

### **SB756/HB1248 WELFARE: Department of human services website to post division of adult protective services' toll-free telephone service.**

*Sponsors:* Sen. Massey, Becky , Rep. Powers, Dennis

*Summary:* Requires the department of human services to advertise prominently on the home page of the department's website the division of adult protective services' toll-free telephone service that enables citizens within the state to call the division free of charge to report abuse, neglect, or exploitation and to seek relevant assistance from the division in such matters. Broadly captioned.

*Amendment Summary:* House amendment 2 (017822) rewrites the bill as follows: (1) Authorizes a financial service provider, or an officer or employee of the financial service provider, that has reasonable cause to suspect that an elderly or vulnerable adult is the victim or target of financial exploitation, to convey the suspicion to the TBI's elder financial reporting mechanism; (2) Requires a financial service provider, who is authorized to offer to an elderly or vulnerable adult the option to keep a list of persons for the provider to contact if the person is a victim or target of financial exploitation, to provide information to aid in the investigation of suspected elder financial exploitation; (3) Authorizes, under the Financial Records Privacy Act, the furnishing by a financial institution of access to, or copies of, records that are relevant to suspected, actual, or attempted financial exploitation, to the TBI, if a report is made. The records provided pursuant to this (3) must be limited to records relating to the most recent transaction or transactions that may comprise financial exploitation not to exceed 30 calendar days prior to the first suspected financial exploitation transaction or 30 calendar days after the last suspected financial exploitation transaction; (4) By no later than October 1, 2024, requires the TBI to create an elder financial exploitation reporting mechanism that accepts reports from financial institutions; (5) Upon receiving a report of suspected elder financial exploitation, requires the TBI to coordinate with the district attorney general in the appropriate judicial district and, when appropriate, with other law enforcement agencies and adult protective services for additional investigation of the reported exploitation. The TBI may share appropriate information with the district attorney general, other law enforcement agencies, and adult protective services to aid in the investigation of the reported exploitation; and (6) Establishes that (1)-(3) above take effect October 1, 2024.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/23/24 - Enacted as Public Chapter 0772, effective October 1, 2024.

**SB757/HB1128 CRIMINAL LAW: Storage time for captured plate data collected or retained by a governmental entity.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Gant, Ron

*Summary:* Extends from 90 days to 100 days, the amount of time in which captured plate data collected or retained by a governmental entity through the use of an automated license plate recognition system may be stored unless the data is retained or stored as part of an ongoing investigation. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (017427) rewrites the bill to, instead, add to the existing law relevant to arrests, as described below. When a person is arrested, booked, or confined for any period in the jail of a county or municipality, this amendment requires the arresting law enforcement agency and the keeper of a jail to collaborate to verify the citizenship status of the person and report the status of persons who are not lawfully present within the United States or whose status cannot be determined to the district attorneys general conference. As used in this amendment, a person is "not lawfully present within the United States" if: (1) The person cannot provide: (i) a social security card or number that can be verified with the social security administration in accordance with federal law; (ii) a valid Tennessee driver license or photo identification license issued by the department of safety; (iii) a permanent resident card, also known as a green card, issued by the U.S. citizenship and immigration services; (iv) an F-1 or M-1 student visa, issued by the U.S. department of state; (v) A J-1 visa, issued by the U.S. department of state; (vi) an official birth certificate issued by a state, jurisdiction, or territory of the U.S. or a U.S. government-issued certified birth certificate; (vii) a valid, unexpired U.S. passport; (viii) a certificate of citizenship; or (ix) a certificate of naturalization; or (2) The individual has been granted parole under federal law, temporary protected status, deferred action, deferred enforced departure, or similar exercise of administrative grace or prosecutorial discretion. However, if an individual cannot produce the documentation listed in (1) above, then this amendment authorizes a law enforcement officer or jailer to presume the individual is lawfully present in the U.S. based on the officer's personal knowledge of the individual. This amendment provides that the requirements of this amendment are in addition to the requirements in the existing law regarding development of standardized written procedure of verifying citizenship status. House amendment 1 (018044) requires the keeper of a jail and the arresting law enforcement agency to collaborate to verify the citizenship status of a person arrested, booked, or confined for any period in the jail of a county or municipality. Establishes that a person is not lawfully present within the United States if the person cannot provide one of the outlined personal identification documents. Requires the sheriff to report the status of persons who are not lawfully present within the United States or whose status cannot be determined to the District Attorneys General Conference (DAGC). Authorizes a law enforcement officer or jailer to presume the individual is lawfully present in the United States based on the officer's personal knowledge of the individual, if the person cannot provide one of the outlined personal identification documents.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1008, effective July 1, 2024.

**SB759/HB964 COMMERCIAL LAW: Assumed names for business transactions.**

*Sponsors:* Sen. Lowe, Adam , Rep. Martin, Brock

*Summary:* Establishes a procedure by which a domestic or foreign limited partnership may elect and register to use an assumed name for transacting business in this state.

*Fiscal Note:* (Dated February 9, 2023) Increase State Revenue \$300/FY23-24 and Subsequent Years/Secretary of State

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0096 effective July 1, 2023.

**SB760/HB1039 CAMPAIGNS & LOBBYING: Registered voters correct geographic information.**

*Sponsors:* Sen. Pody, Mark , Rep. Crawford, John

*Summary:* Requires the comptroller of the treasury to compare a list of registered voters provided by the state coordinator of elections to the comptroller's geographic information system data to ensure that registered voters have been assigned to the correct congressional, state house, state senate, and county governing body districts.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0317 effective April 28, 2023.

**SB773/HB457 EDUCATION: Provisions of the Safe Stars Act made applicable to community-organized youth sports and private schools.**

*Sponsors:* Sen. Lamar, London , Rep. Hakeem, Yusuf

*Summary:* Makes provisions for the Safe Stars Act concerning safety in youth sports applicable to community-organized youth sports and private schools when the sports are high risk, participated in by children aged 14 and younger and conducted on public property. Defines high risk youth athletic activity as an organized sport in which there is a significant possibility for a minor participant to sustain a serious physical injury, including, but not limited to, football, basketball, baseball, volleyball, soccer, hockey, cheerleading and lacrosse. Makes other changes such as the requirement that annual training in physical conditioning and equipment use be completed and that an emergency action plan be established that facilitates, organizes and rehearses the actions of coaches and athletes in an emergency. Does not exempt providers of school youth athletic activities or community-based youth athletic activities from other youth sport-related safety provisions, including the Sudden Cardiac Arrest Prevention Act. Requires certain entities and nonprofits to adhere to these standards and recommends private schools also comply.

*Amendment Summary:* Senate amendment 1 (004714) rewrites this bill to provide that a director of schools, or a director's designee, is not required to assign a student in grades 7-12 who has been suspended for more than 10 days or expelled from the regular school program for an offense of violence or threatened violence, or an offense that threatened the safety of persons attending or assigned to the student's school, to an alternative school or alternative program if the director of schools, or the director's designee, determines that assigning the student to the alternative school or alternative program may endanger the safety of the students or staff of the alternative school or alternative program. Senate amendment 3 (003510) encourages, instead of requires, cities, counties, businesses, and nonprofit organizations that organize a community-based youth athletic activity to comply with the safety standards outlined in this bill. This amendment also provides that such entities shall ensure that at least one individual who is actively involved in organizing, training, or coaching the community-based youth athletic activity has completed, and is in compliance with, the safety standards applicable to coaches and volunteers outlined in this bill, and that at least one individual who has completed, and is in compliance with, the safety standards applicable to coaches and volunteers outlined in this bill is present at each practice and competition of a community-based youth athletic activity, if: (1) Youth 14 or younger are eligible to participate in the community-based youth athletic activity; and (2) The community-based youth athletic activity is conducted on property that is owned, managed, or maintained by this state or a political subdivision. House amendment 2 (007080) revises this bill to delete any reference to "high-risk youth athletic activity" and instead applies the provisions of the bill to any school youth athletic activity and to community-based youth athletic activities when the activity is organized by a city, county, business, or nonprofit organization. This amendment deletes the requirement that all coaches annually complete training in physical conditioning and training equipment use, instead requiring each LEA and public charter school to encourage all coaches, whether employed by the LEA or a volunteer, to annually complete such training to the extent such training is readily available. This amendment further requires that those individuals involved in organizing school youth athletic activities must implement the safety standards.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/20/23 - Senate passed with previously adopted amendment 1 (004714) and newly adopted amendment 3 (003510).

*House Status:* 04/21/23 - House concurred in Senate amendment 3 (003510).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0382 effective July 1, 2023.

### **SB775/HB1162 JUDICIARY: Makes various revisions to the Uniform Arbitration Act.**

*Sponsors:* Sen. Stevens, John , Rep. Todd, Chris

*Summary:* Makes various revisions to the Uniform Arbitration Act including notice to arbitrate, agreement requirements to arbitrate, how to proceed with the arbitration, the process of the actual arbitration, witnesses, subpoenas, depositions, discovery, and award distribution. Allows the award to be disputed and possibly modified. Allows for the appeal of the award. (20pp).

*Amendment Summary:* House amendment 1 (006035) rewrites the Uniform Arbitration Act. Makes various changes to the statutes governing arbitration. Prohibits, in any case governed by present law provisions governing arbitration, class or collective arbitrations from being permitted, unless the agreements to arbitrate of all parties to be joined expressly permit the arbitrator or arbitrators to entertain such actions. This amendment also clarifies that an arbitrator may only award punitive damages under this bill for cases which the agreement of the parties does not exclude the seeking of punitive damages.

*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (006035).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0319 effective July 1, 2023.

### **SB776/HB1070 GOVERNMENT CONTRACTS: Use of certain drones prohibited by state agency, local agency, or law enforcement agency.**

*Sponsors:* Sen. Stevens, John , Rep. Carringer, Michele

*Summary:* Prohibits a state agency, local agency, or law enforcement agency from purchasing, acquiring, or otherwise using a drone or other covered telecommunications equipment or service produced by a manufacturer banned under the federal National Defense Authorization Act of 2019. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004625) revises this bill to only prohibit a law enforcement agency, state agency, or local agency from purchasing or acquiring a drone as described in this bill.

*Fiscal Note:* (Dated February 27, 2023) Increase State Expenditures - \$18,000/FY23-24 Increase Local Expenditures - \$875,000/FY23-24/Permissive Other Fiscal Impact The Governors FY23-24 proposed budget includes funding of \$112,200 for the purchase of drones for the Department of Safety and Homeland Security. Those drones can be purchased in a manner to meet the requirements of the proposed legislation; therefore, no fiscal impact to the department.

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004625).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0223 effective July 1, 2023.

### **SB779/HB903 LOCAL GOVERNMENT: Including the costs for restoration of property on property tax bills.**

*Sponsors:* Sen. Stevens, John , Rep. Grills, Rusty

*Summary:* Authorizes a municipality to add the cost of remedying a condition on real property that endangers the health, safety, and welfare of other citizens to the property tax notice of the owner of the real property if the owner fails or refuses to remedy the condition in a specified time period.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact A precise permissive increase to local expenditures cannot be quantified with reasonable certainty.

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0314 effective April 28, 2023.

### **SB781/HB1281 EDUCATION: Establishes a family medicine student loan repayment grant program.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Holsclaw, Jr., John

*Summary:* Establishes a family medicine student loan repayment grant program to incentivize physicians in residency training to provide medical health services in health resource shortage areas following completion of their training. Broadly captioned.



*Fiscal Note:* (Dated March 11, 2023) Increase State Expenditure - \$520,000/FY23-24 Exceeds \$520,000/FY24-25 and Subsequent Years Other Fiscal Impact To the extent the Department of Health receives private donations or is awarded federal monies, any such funding would be expended towards the proposed program. The extent and timing of any such funding and subsequent expenditures for the program is unknown. SB 781 - HB 1281

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0414 effective July 1, 2023.

**SB782/HB798 UTILITIES: Underground utility damage enforcement board meeting times.**

*Sponsors:* Sen. Walley, Page , Rep. Johnson, Curtis

*Summary:* Increases the minimum meeting times for the underground utility damage enforcement board from a minimum of two times to a minimum of three times. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004788) rewrites this bill to increase the membership of the executive committee for the underground utility damage enforcement board from three to five members by adding two additional board members to the committee.

*Fiscal Note:* (Dated March 6, 2023) NOT SIGNIFICANT

*Senate Status:* 04/05/23 - Senate passed with amendment 1 (004788).

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0224 effective April 25, 2023.

**SB786/HB922 AGRICULTURE: Amendments to articles of incorporation of an agricultural marketing cooperative association.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Marsh, Pat

*Summary:* Requires an amendment to the articles of incorporation of an agricultural or horticultural marketing cooperative association to change the name of the association or its principal place of business to be adopted if the appropriate notice of the meeting of the board of directors was given. Changes the requirements for notice for a meeting held after failure to gain a quorum to vote on a proposed amendment. Makes additional changes related to voting on amendments to an association's articles of incorporation.

*Amendment Summary:* House amendment 1 (004580) requires that an amendment changing the name of a cooperative marketing association (CMA) or its principal place of business must be adopted by the CMA if notice of the board of directors meeting to consider the amendment is given to the members. Requires that all other amendments be adopted by a vote representing a majority of all members of the association. Clarifies that those members attending any such meeting of an association to which an amendment has been submitted and in which a majority of members are not present, may adjourn the meeting to a time and place certain, whether or not a quorum is present at such meeting. Removes requirement that a notice of an adjourned meeting of an association be placed in a newspaper of general circulation.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate concurred in House amendment 1 (004580).

*House Status:* 03/06/23 - House passed with amendment 1 (004580).

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0097 effective July 1, 2023.

**SB791/HB954 LOCAL GOVERNMENT: Tax revenue received from TN Sports Gaming Act to be used for emergency services.**

*Sponsors:* Sen. Crowe, Rusty ,

*Summary:* Authorizes local governments to use tax revenue received from the Tennessee Sports Gaming Act to be used for emergency services as well as for local infrastructure projects.

*Fiscal Note:* (Dated March 11, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0202 effective July 1, 2023.

**SB795/HB1259 PROPERTY & HOUSING: Transfer of a possibility of reverter or right of entry by a holder other than the original grantor.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Rudd, Tim

*Summary:* Removes ambiguous language and clarifies that a transfer of a possibility of reverter or right of entry by a holder other than the original grantor is invalid unless the validity of the future interest was determined by a final judgment in a judicial proceeding, or by a settlement among interested persons, prior to July 1, 2015. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (003741) clarifies that a tenancy by the entirety in real property cannot be assigned or severed, or a spouse's interest in a real property conveyed, to a third party without the written consent of both spouses or a court order. House amendment 1 (017426) establishes a process by which a property owner may file a complaint to request the sheriff remove an unlawful occupant of a residential dwelling under certain conditions. Requires the sheriff to: (1) investigate the complaint; and (2) serve a notice to immediately vacate on all unlawful occupants. Authorizes the sheriff to arrest any person in the dwelling for trespass, outstanding warrants, or any other legal cause. Entitles the sheriff to a fee for service of the notice to immediately vacate and authorizes the sheriff to charge a reasonable hourly rate should the property owner request the sheriff to be on standby as the locks are changed and an unlawful occupant's personal property is removed. Authorizes a person to bring a civil action if they are wrongfully removed from a dwelling and requires the court to expedite such hearing.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1009, effective July 1, 2024.

**SB799/HB859 HEALTH CARE: Study of available real-time overdose information databases.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Jernigan, Darren

*Summary:* Requires the commissioner of the department of health, in collaboration with the commissioner of mental health and substance abuse services, to conduct a study of presently available, real-time overdose information databases and mapping tools in use in other jurisdictions to determine whether the statewide use of such system in this state is likely to decrease the occurrence of overdose-related deaths, identify obstacles and challenges to implementing such system statewide, and estimate the costs of and a timeline for implementation, and to deliver a report of findings and recommendations to the general assembly by December 31, 2023. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004763) rewrites this bill to revise present law concerning certain records of ambulance service and invalid vehicle operators, licensed or permitted by the department of health. Present law requires such operators to maintain run records and all other records deemed necessary by the Tennessee emergency medical services board. This amendment authorizes the department to disclose de-identified data that is collected from such records, including for the purpose of providing opioid overdose response and resources throughout this state.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate passed with amendment 1 (004763).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0203 effective April 24, 2023.

#### SB806/HB1476 **CORRECTIONS: Report on grants to fund reentry programs.**

*Sponsors:* Sen. Jackson, Ed , Rep. Hulsey, Bud

*Summary:* Changes from December 31 to December 1, the date by which the department of correction shall report to the speaker of the senate and the speaker of the house of representatives the grants awarded to local county sheriffs or probation departments in the previous fiscal year to fund reentry programs that reduce recidivism and probation revocations and the results of the measurable outcomes agreed upon by the department and the recipients. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006291) requires the criteria established by the Department of Correction (DOC) for awarding credits for good institutional behavior to inmates to include a requirement that the inmate completes a DOC-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. House amendment 1 (007364) requires the criteria established by the Department of Correction (DOC) for awarding credits for good institutional behavior to inmates to include a requirement that the inmate completes a DOC-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. Requires the DOC to administer the risk and needs assessment to an inmate, regardless of where the inmate is housed, unless the local jail is required to administrate the assessment.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate concurred in House amendment 1 (007364).

*House Status:* 04/20/23 - House passed with amendment 1 (007364).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0458 effective July 1, 2023.

#### SB807/HB832 **CRIMINAL LAW: Restitution for penal institution employees injured in the scope of official duties.**

*Sponsors:* Sen. Massey, Becky , Rep. Hulsey, Bud

*Summary:* Increases, from 50 percent to 70 percent, the percentage of restitution for victims of aggravated assault that occurred in the scope of their duties as employees of a penal institution, which will be deducted from the inmate's commissary account.

*Amendment Summary:* Senate amendment 1 (004794) rewrites this bill and removes the offense of criminal exposure to HIV from the list of violent sexual offenses, the conviction for which requires registering as a sex offender. This amendment also provides that an offender who is required to register because the offender was convicted of the offense of criminal exposure of another to human immunodeficiency virus (HIV) and the offense was committed prior to July 1, 2023, may file a request for termination of registration requirements with TBI headquarters in Nashville, if the offender would not be required to register if the offense was committed on or after July 1, 2023, as a result of this bill as amended. This amendment sets out in detail the process for the TBI reviewing the request and making a determination as to whether the offender would not be required to register if the offender committed the same offense on or after July 1, 2023. Part of the process will include the TBI conducting fingerprint-based state and federal criminal history checks to determine whether the offender has been convicted of any additional sexual offenses or violent sexual offenses. If the requirements of this amendment are met, the TBI will remove the offender's name from the registry and notify the offender that the offender is no longer required to comply with the registration requirements. If the TBI determines that the offender would be required to register even if the offense had been committed on or after July 1, 2023, or that the offender has been convicted of any additional sexual offenses or violent sexual offenses during the period of registration, then the TBI will not remove the offender's name from the registry and will notify the offender that the offender continues to be required to comply with registration requirements. This amendment provides for judicial review of the TBI's decision. House amendment 1 (005925) removes the requirement for a person convicted of criminal exposure to human immunodeficiency virus (HIV) to register on the state Sexual Offender Registry (SOR). Authorizes a person convicted of criminal exposure to HIV prior to July 1, 2023, to file a request for termination of registration requirements with the Tennessee Bureau of Investigation (TBI).

*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate concurred in House amendment 1 (005925).

*House Status:* 04/20/23 - House passed with amendment 1 (005925).

*Executive Status:* 05/22/23 - Enacted as Public Chapter 0459 effective July 1, 2023.

#### SB808/HB993 **ENERGY & MINING: Notice required regarding issuance of mining permit.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Changes, from ten days to seven days from the issuance of a mining permit, the time in which the commissioner of environment and conservation has to notify local government officials whose political subdivisions are affected by the issuance of the permit. Broadly captioned. Part of Administration Package.

*Amendment  
Summary:*

House amendment 1 (005863) makes changes to the Primacy and Reclamation Act of Tennessee of 1977 (Act). Requires the state to postpone efforts to obtain exclusive jurisdiction over surface coal mining and reclamation operations within this state under the federal Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. § 1201 et seq.) until the Commissioner of the Department of Environment and Conservation (TDEC) notifies the Speaker of the Senate and the Speaker of the House of Representatives that the following two stipulations have been met: the surface coal mining industry in this state is fiscally self-sufficient to support a state-operated program, with revenues from fees and taxes generated from the industry anticipated to meet required expenditures; and this state has allocated monies sufficient to address actual and potential liabilities resulting from insufficient bonding relative to surface coal mining and reclamation operations. Requires the TDEC, during any period of suspension, to consult with the Tennessee Mining Association regarding the status of surface mining and reclamation operations in this state. Requires the TDEC to notify the Department of Revenue when any application for primacy is submitted. Requires the TDEC, by July 1, 2024 and each July 1 thereafter until July 1, 2028, to submit a report to the Speaker of the Senate and the Speaker of the House of Representatives containing data on both the tonnage of coal severed from the ground in surface coal mining reclamation operations in this state during the prior fiscal year and the amount of projected revenue from acreage fees, severance taxes, permit fees, and amendment fees that would have been required under state law if the state had exclusive jurisdiction over surface coal mining and reclamation operations in this state during the prior fiscal year. Establishes that if the Commissioner has not notified the aforementioned individuals prior to July 1, 2028, any obligation of this state to seek to obtain exclusive jurisdiction over surface coal mining and reclamation operations within this state under the federal Surface Mining Control and Reclamation Act of 1977 terminates. Establishes that any fee required by the Act that reaches 15 days of delinquency will be assessed a penalty of 5 percent of the amount due. Such penalty shall be assessed on the first day of each month during which a fee or accrued penalty remains unpaid. Additionally, a fee not paid within 15 days bears interest at the maximum rate permitted under Tennessee Code Ann. Title 47, Chapter 14, or another law, from the due date to the date paid; however, the total penalties and interest that accrue may not exceed 3 times the amount of the original fee. Establishes that no permit, renewal, or transfer or a permit shall be issued to an applicant until all outstanding fees are paid in full. Establishes that if a fee is not paid in full, including any interest and penalty within 60 days of the due date, the Commissioner of the TDEC may suspend the permit, pending the opportunity for hearing, until the amount due is paid in full, and refer the matter for collection. Additionally, the Commissioner may seek injunctive relief in the Chancery Court of Sumner County or any court of competent jurisdiction for a judgment in the amount owed to the state. Establishes an appeal process for those applicants and permittees who disagree the calculation or applicability of a fee. Increases the required minimum bond of an applicant to a permit under the Act from \$10,000 to \$75,000. Establishes that any permittee who violates the provisions of the Act is liable for any damages to the state resulting from such violation, including any reasonable expenses incurred in investigating and enforcing violations and defraying expenses necessary for activities supporting the reclamation of land and water adversely affected by surface coal mining and exploration activities after August 3, 1977.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/21/23 - House passed with amendment 1 (005863).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0401 effective May 11, 2023.

**SB810/HB47 MISCELLANEOUS: Addition to state mottos.**

*Sponsors:* Sen. Walley, Page , Rep. Doggett, Clay  
*Summary:* Adds the phrase "Send Me" as a state motto.  
*Fiscal Note:* (Dated January 12, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/03/23 - Senate passed.  
*House Status:* 03/06/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0228 effective April 25, 2023.

**SB813/HB1431 PUBLIC EMPLOYEES: Increases pay schedule for assistant district attorneys general and criminal investigators.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Hicks, Gary  
*Summary:* Beginning July 1, 2023, increases the pay schedule for assistant district attorneys general and criminal investigators who were hired on and after July 1, 1994.  
*Amendment Summary:* Senate amendment 1 (006650) increases the pay schedule for assistant district attorneys general, criminal investigators, assistant district public defenders and district investigators who were hired on and after July 1, 1994. Requires each pay schedule be adjusted by July 1, 2023 and each succeeding July 1, to reflect the average percentage pay increase provided for state employees by the General Appropriations Act. Takes effect June 30, 2023.  
*Fiscal Note:* (Dated March 5, 2023) Increase State Expenditures \$11,377,100/FY23-24 and Subsequent Years  
*Senate Status:* 04/21/23 - Senate passed with amendment 1 (006650).  
*House Status:* 04/21/23 - House passed.  
*Executive Status:* 05/23/23 - Enacted as Public Chapter 0460 effective June 30, 2023.

**SB814/HB1366 CRIMINAL LAW: Notice regarding reasoning for driver's license suspensions.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Farmer, Andrew  
*Summary:* Requires the department of safety to include in its written notice of a pending driver license suspension, the reasons for the suspension, which is sent to a person who has failed to pay all litigation taxes, court costs, and fines assessed as a result of disposition of a criminal offense and who has failed to subsequently comply with the payment plan with the clerk of the court. Broadly captioned.

*Amendment Summary:*

Senate amendment 1 (004008) rewrites this bill to require the department of correction to provide an inmate who is discharged from imprisonment for a felony offense and who intends to reside in this state with relevant documentation to assist the inmate in obtaining post-release employment and to coordinate with the department of safety to provide a photo identification license, pursuant to the Uniform Classified and Commercial Driver License Act (UCCDLA), if the inmate does not have a current photo identification license or driver license. This amendment also does the following: (1) Requires, nine months before an inmate's release from custody, the department of correction, in coordination with the department of safety, to identify whether the inmate has a current form of state identification and begin the process of gathering the documentation required for the issuance of a photo identification license, pursuant to the UCCDLA; (2) Requires the department of correction to coordinate with the department of safety to provide a photo identification license to all eligible inmates who do not have a current photo identification license or driver license upon their release from custody. A photo identification license must be issued, replaced, canceled, or denied in the same manner as provided in the UCCDLA; (3) Requires the department of safety to allow the use of a certified copy of a birth certificate coupled with a department of correction issued record card to serve as a valid form of photo identification documentation to obtain a photo identification license; (4) Provides that a photo identification license issued with a record card from the department of correction for an inmate is valid for the same period as other photo identification licenses issued pursuant to the UCCDLA, and authorizes the department of safety to charge a fee for issuance of a photo identification license. A photo identification license issued pursuant to this amendment is nonrenewable and nontransferable; (5) Authorizes the department of correction to utilize any funds available to cover the costs associated with the implementation and administration of this amendment and the purchase of photo identification licenses, including, but not limited to, inmate trust funds, existing funds of the department of correction, and donations; (6) Provides that (1)-(5) applies only to inmates who may receive a photo identification license pursuant to the UCCDLA; (7) Requires, for purposes of assisting an inmate in obtaining post-release employment, the department of correction to provide the inmate with the following documentation: (A) A copy of the vocational training record of the inmate, if applicable; (B) A copy of the work record of the inmate, if applicable; (C) A certified copy of the birth certificate of the inmate, if obtainable; (D) A social security card or a replacement social security card of the inmate, if obtainable; and (E) A notification to the inmate of whether the inmate is eligible to apply for a license from a state entity charged with oversight of an occupational license or certification; and (8) Authorizes the department of correction and the department of safety to promulgate rules to effectuate this bill.

*Fiscal Note:*

(Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:*

04/13/23 - Senate passed with amendment 1 (004008).

*House Status:*

04/20/23 - House passed.

*Executive Status:*

05/23/23 - Enacted as Public Chapter 0461 effective January 1, 2024.

**SB815/HB1144 EDUCATION: Duties for transporting children with disabilities on school buses.***Sponsors:*

Sen. Gardenhire, Todd , Rep. Vital, Greg

*Summary:*

Clarifies that if a new person is designated to check school buses each time a bus returns from transporting children with disabilities to their respective destinations to ensure that all children have left the bus in the interim period between when annual reports are submitted to the LEA, then the name and contact information of the new designee must be submitted within 10 calendar days, instead of just within 10 days. Broadly captioned.

*Amendment Summary:*

Senate amendment 1 (005248) establishes that the registration fee for one school bus owned by a person under contract with a local education agency (LEA), for the provision of transportation services is equal to the fee charged for a school bus owned by a local education agency (LEA).

*Fiscal Note:*

(Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:*

04/10/23 - Senate passed with amendment 1 (005248).

*House Status:*

04/21/23 - House passed.

*Executive Status:*

05/23/23 - Enacted as Public Chapter 0462 effective July 1, 2023.

**SB817/HB1376 EDUCATION: Tennessee Higher Education Freedom of Expression and Transparency Act.***Sponsors:*

Sen. Hensley, Joey , Rep. Ragan, John

*Summary:*

Enacts the "Tennessee Higher Education Freedom of Expression and Transparency Act." Broadly captioned.

*Amendment Summary:*

Senate amendment 1 (005889) makes the following changes and additions to this bill: (1) Revises some of the legislative findings; (2) Requires an institution to take appropriate steps to correct any violation that is found to have occurred after a report is filed; (3) Replaces the requirement that an institution make reports available for public inspection on the institution's website with a requirement that an institution report violations and any corrective action annually to the comptroller of the treasury through the comptroller's office of research and education accountability; (4) Deletes the requirement that each institution publish a current syllabus for every course offered in the current semester on the institution's website and the requirement to submit data and information pertaining to details on the number of students who completed a program at the institution for the three most recent academic years; (5) Prohibits a public institution of higher education from requiring an applicant for employment or admission to submit a personal diversity statement or to affirm the applicant's agreement with an institutional diversity statement as part of the application or admissions process; (6) Prohibits an institution from approving or using state funds, fees, dues, subscriptions, or travel in conjunction with the membership, meetings, or activities of an organization if participation in such organization requires an individual or an individual's employer to endorse or promote a divisive concept (instead of, if the organization endorses or promotes a divisive concept); (7) Revises the provisions concerning employees of a public institution of higher education whose primary job title includes diversity, equity, or inclusion to require: (A) The institution to ensure that the employee's efforts strengthen and increase intellectual diversity and promote a climate that facilitates the free and respectful exchange of ideas; and (B) The institution to ensure that the employee's duties include efforts devoted to supporting student academic achievement and workforce readiness, such as mentoring, career readiness and support, workforce development, or other related learning support activities necessary for the academic and professional success of all students; and (8) Requires institutions to provide employee training to ensure compliance with the provisions.

*Fiscal Note:*

(Dated March 12, 2023) Increase State Expenditures \$1,536,200/FY23-24/Locally Governed Institutions \$1,496,200/FY24-25 and Subsequent Years/ Locally Governed Institutions \$680,900/FY23-24/University of Tennessee System \$305,900/FY24-25 and Subsequent Years/ University of Tennessee System \$914,800/FY23-24 and Subsequent Years/ Tennessee Board of Regents \$100,600/FY23-24 and Subsequent Years/ Tennessee Higher Education Commission

*Senate Status:*

04/05/23 - Senate passed with amendment 1 (005889).

*House Status:*

04/13/23 - House passed.

*Executive Status:*

05/02/23 - Enacted as Public Chapter 0268 effective July 1, 2023.

**SB822/HB1189 JUDICIARY: Civil liability action brought against certain manufacturers, dealers, and sellers of firearms.**

*Sponsors:* Sen. Hensley, Joey , Rep. Fritts, Monty  
*Summary:* Limits the circumstances under which a qualified civil liability action may be brought against certain manufacturers, dealers, and sellers of firearms and related products. Broadly captioned.

*Amendment Summary:* House amendment 1 (004089) makes the following revisions to this bill: (1) Revises the definition of a "defective condition," such that the condition, among other requirements, renders the product unsafe or unreliable for normal or foreseeable handling, instead of normal or anticipatable handling; (2) Defines "negligent entrustment" as the supplying of a qualified product by a seller for use by another person when the seller knows, or reasonably should know, the person to whom the product is supplied is likely to, and does, use the product in a manner involving unreasonable risk of physical injury to the person or others; (3) Removes from the definition of a "qualified civil liability action" a civil action or proceeding, or an administrative proceeding, brought by a person against a manufacturer or seller of a qualified product for certain damages, relief, abatement, restitution, fines, or penalties, resulting from the criminal or unlawful misuse of a qualified product by a third party; and (4) Revises the exceptions to the bill's prohibition against a person bringing a qualified civil liability action in a court in this state against a dealer, manufacturer, or seller of a qualified product, such that the following circumstances are now covered by this bill: (A) The dealer, manufacturer, or seller was involved directly in the crime giving rise to the action; (B) An action brought against a transferor convicted under provisions of federal law governing firearms, by a party directly harmed by the conduct of which the transferor is so convicted; (C) An action brought against a seller for negligent entrustment or negligence per se; (D) An action in which a manufacturer or licensed seller or transferor of a qualified product knowingly violated a state or federal statute applicable to the sale or marketing of the product, and the violation was the sole proximate cause of the harm for which relief is sought, including a case in which the manufacturer or licensed seller or transferor knowingly made a false entry in, or intentionally failed to make appropriate entry in, any record required to be kept under federal or state law with respect to the qualified product, or aided, abetted, or conspired with a person in making a false or fictitious oral or written statement with respect to a fact material to the lawfulness of the sale or other disposition of a qualified product; (E) An action for breach of contract or warranty in connection with the purchase of the product; or (F) An action for death, physical injuries, or property damage resulting directly from a defect in design or manufacture of the product, when used as intended or in a reasonably foreseeable manner, except that where the discharge of the product was caused by a volitional act that constituted a criminal offense, then such act is considered the sole proximate cause of any resulting death, personal injuries, or property damage.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/18/23 - Senate passed.  
*House Status:* 03/06/23 - House passed with amendment 1 (004089).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0409 effective July 1, 2023.

#### **SB832/HB864 LOCAL GOVERNMENT: State consolidation committee.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Crawford, John  
*Summary:* Deletes reference to the director and secretary of the state planning office, which was abolished in 1995, as a member of the state consolidation committee for the consolidation of counties. Broadly captioned.

*Amendment Summary:* House amendment 1 (006720) rewrites this bill to add to the present law provisions pertaining to the adoption and provisions of the charter of a metropolitan government. This amendment requires that a metropolitan government ordinance, charter provision, or resolution that requires a supermajority vote of the local legislative body in order to make improvements to, renovations to, or the demolition and replacement of existing facilities owned by the metropolitan government when such facilities are to be used for substantially the same purpose as the use prior to any changes is against public policy and void. Instead, this amendment requires that the voting requirement for such actions involving existing facilities must be the same voting requirement applicable to ordinances of the legislative body in general.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/17/23 - Senate passed.  
*House Status:* 04/10/23 - House passed with amendment 1 (006720).  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0364 effective May 5, 2023.

#### **SB833/HB869 EDUCATION: THEC annual report on assessing food security among student populations.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Lafferty, Justin  
*Summary:* Requires THEC to continue submitting to the governor, the speaker of the senate, and the speaker of the house of representatives annual reports on or before December 31 assessing food security among student populations. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (014861) rewrites this bill to, instead, make the changes described below relative to education law. Present law requires the appointed members of the board of Regents for the State University and Community College System to be subject to confirmation by the senate, but appointments must be effective until adversely acted upon by the senate. This amendment revises the present law by, instead, providing the appointed members, except for the faculty members appointed by the governor and the student member appointed by the governor, are subject to confirmation by the senate, but appointments are effective until adversely acted upon by the senate. As used in the Tennessee Promise Scholarship Act of 2014, an "eligible program of study" means, beginning with the fall semester of the 2021-2022 academic year, (i) a curriculum of courses leading to a certificate or diploma at a Tennessee college of applied technology; or (ii) a federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or associate degree at an eligible postsecondary institution. This amendment adds to the definition by providing that "eligible program of study" also means a curriculum of courses leading to a Quality non-degree credential (QNDC) at a Tennessee college of applied technology. As used in this amendment, a "quality non-degree credential" or "QNDC" means a credential, other than a degree or a diploma, the receipt of which indicates satisfactory completion of a workforce training program that (i) has a defined curriculum, objectives, and results in the awarding of a credential upon successful completion; (ii) culminates in an industry certification, but does not include participation in, or completion of, a program of professional development, continuing education, exam preparation, or similar objectives; (iii) may be articulated to other quality non-degree credentials, postsecondary degrees, or diploma programs; (iv) qualifies an individual for an in-demand occupation; and (v) is not eligible for federal Title IV funding. Under the Tennessee Promise Scholarship Act of 2014, present law authorizes a student who does not have a documented learning disability to enroll in fewer than 12 semester hours if required by the academic program in which the student is enrolled. This amendment revises the present law by, instead, authorizing a student who does not have a documented learning disability to enroll in fewer than 12 semester hours, as provided for in rules promulgated by TSAC. This revision takes effect July 1, 2025. To be eligible for a Wilder-Naifeh technical skills grant, present law requires a student seeking a diploma or certificate at a Tennessee college of applied technology operated by the board of regents of the state university and community college system to (i) meet the student eligibility requirements and (ii) be admitted to the institution in an eligible program of study leading to a certificate or diploma. This amendment revises the present law by providing that to be eligible for a Wilder-Naifeh technical skills grant, a student seeking a QNDC, diploma, or certificate at a Tennessee college of applied technology operated by the board of regents of the state university and community college system must satisfy (i) and (ii) above. Present law authorizes a student to receive a dual enrollment grant for one or more courses per semester at one or more eligible postsecondary institutions. To be eligible for a dual enrollment grant for a semester beyond the first semester of the student's receipt of a dual enrollment grant, present law requires the student to continue to meet all eligibility requirements for the grant and achieve a minimum cumulative grade point average of 2.0 for all postsecondary courses attempted under a dual enrollment grant. This amendment revises the present law by, instead, providing that to be eligible for a dual enrollment grant for a semester beyond the first semester of the student's receipt of a dual enrollment grant, the student must continue to meet all eligibility requirements for the grant and must achieve: (1) A minimum cumulative grade point average of 2.0 for all postsecondary courses attempted as a dual enrollment student while enrolled at a two-year or four-year eligible postsecondary institution; or (2) A minimum cumulative grade point average of 2.0 for all postsecondary courses attempted as a dual enrollment student while enrolled at a Tennessee college of applied technology. This amendment provides that failure to maintain the grade point average requirement described in (1) or (2) above permanently disqualifies the student from continuing eligibility for the grant at the type of institution at which the minimum grade point average was not maintained. The provisions of this amendment regarding dual enrollment grants for high school students take effect July 1, 2025.

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0925, effective May 6, 2024, July 1, 2024, & July 1, 2025.

**SB834/HB1445 EDUCATION: Internet restrictions for public institutions of higher education.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Faison, Jeremy

*Summary:* Prohibits a public institution of higher education that provides internet access to students, faculty, staff, or the general public from allowing an individual to access a video platform using the institution's network if the video platform is owned by a company headquartered outside of the United States. Broadly captioned.

*Amendment  
Summary:* Senate amendment 1 (004290) rewrites this bill to, instead, prohibit a public postsecondary institution that provides internet access, through a hard-wired or wireless network connection, to students, faculty, staff, or the general public from allowing an individual to access a social media platform using the institution's network if the platform is operated or hosted by a company based in the People's Republic of China. This amendment clarifies that this prohibition does not apply to institutions or employees of such institutions if downloading, accessing, or using such a social media platform is necessary to perform law enforcement activities; investigatory functions to carry out official duties for bona fide law enforcement, investigative, or public safety purposes; or audit, compliance, or legal functions of the institution.

*Fiscal Note:* (Dated February 20, 2023) Increase State Expenditures Exceeds \$8,400,000/FY23-24/LGIs Exceeds \$500,000/FY23-24/UT System Exceeds \$500,000/FY23-24/TBR

*Senate Status:* 03/02/23 - Senate passed with amendment 1 (004290).

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0152 effective April 13, 2023.

**SB838/HB962 EDUCATION: High school course credit without course enrollment.**

*Sponsors:* Sen. White, Dawn , Rep. Slater, William

*Summary:* Authorizes an LEA to award a high school student credit for a course offered by the LEA's high school if the student attains a qualifying score on the course's final examination without requiring the student to enroll in the course.

*Amendment Summary:* Senate amendment 1 (004984) revises this bill as follows: (1) Changes the term "final exam" to "credit exam," which is defined as a comprehensive assessment designed by an LEA or public charter school that is aligned to the Tennessee academic standards for a course identified by the department of education, and approved by the state board of education, for which there is no end-of-course assessment; (2) Changes the authorization to granting credit for an eligible course from an LEA that operates one or more high schools, to an LEA or public charter school that serves students in any of the grades 9-12; (3) Requires the department of education to recommend to the state board of education for approval a list of eligible courses for which an LEA or public charter school may develop a credit exam. The list of eligible courses must include courses in math, English language arts, science, and social studies. However, the department is authorized to recommend eligible courses in additional subject areas; (4) Authorizes a student to earn a maximum of four graduation credits from credit exams; (5) Deletes the requirement that the department of education must develop guidelines for LEAs to use when setting qualifying scores. Instead, a credit exam developed by an LEA or public charter school must cover the entirety of the Tennessee course standards for the course for which the student may receive credit; (6) Provides that the policy established by an LEA or public charter school for implementation of these provisions must include, at a minimum, when and how credit exams are to be administered to students seeking course credit; the qualifying score for each credit exam administered to students; and the grade that will be included in a student's overall grade point average for the student's achieving the qualifying score on each credit exam administered to the student; and (7) Provides that, upon the request of the education committee of the senate, the education administration committee of the house of representatives, or the education instruction committee of the house of representatives, the department of education must submit a report regarding the implementation of this bill.

*Fiscal Note:* (Dated February 12, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed with amendment 1 (004984).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0269 effective April 28, 2023.

### SB839/HB937 **CAMPAIGNS & LOBBYING: Washington County - convenient voting center pilot program.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Alexander, Rebecca

*Summary:* Authorizes Washington County to establish a convenient voting center pilot program.

*Amendment Summary:* Senate amendment 2 (007533) authorizes Washington County to participate in a pilot project to use convenient voting centers upon approval by a supermajority of the county election commission for federal, state, and local elections.

*Fiscal Note:* (Dated March 1, 2023) Increase Local Expenditures \$77,500/FY23-24/Washington County Election Commission/Permissive

*Senate Status:* 04/20/23 - Senate passed with amendment 2 (007533).

*House Status:* 04/21/23 - House concurred in Senate amendment 2 (007533).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0397 effective May 11, 2023.

### SB845/HB947 **UTILITIES: Tennessee board of utility regulation creation.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Creates the Tennessee board of utility regulation; increases, from 30 to 60, the number of days a utility customer has to file a complaint with the commissioners of the customer's utility district regarding the utility district's adopted rates. Requires certain utility systems to submit annual reports to the Tennessee board of utility regulation. Makes other various changes to the management of utility systems. Broadly captioned.

*Amendment Summary:* House amendment 1 (005317) removes the provision described in (3) of the Summary for Senate Amendment 2 concerning requirements for the sale of bonds in excess of \$50 million at a negotiated sale.

*Fiscal Note:* (Dated February 12, 2023) Increase State Revenue \$2,000,000/FY23-24/Utility District Fund Increase State Expenditures \$2,000,000/FY23-24/Utility District Revitalization Fund \$100/FY23-24 and Subsequent Years/General Fund Decrease Local Expenditures Exceeds \$18,000/FY23-24 and Subsequent Years Other Fiscal Impact To the extent consolidated utility systems receive grants from the Utility District Fund, there will be an increase in local government revenue and an equivalent increase in state expenditures from the Utility District Fund. However, due to multiple unknown variables, the extent and timing of such impacts cannot be reasonably determined. Additionally, a precise increase in recurring local expenditures for municipal gas systems and utility authorities cannot be reasonably determined, but is considered mandatory.\*

*Senate Status:* 04/20/23 - Senate concurred in House amendment 1 (005317).

*House Status:* 04/19/23 - House passed with amendment 1 (005317).

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0463 effective July 1, 2023.

### SB848/HB1193 **CRIMINAL LAW: Broadens offense of desecration of a venerable object.**

*Sponsors:* Sen. Watson, Bo , Rep. Williams, Ryan

*Summary:* Broadens the offense of desecration of a venerable object by changing the culpable mental state from intentionally to recklessly or knowingly desecrating a place of worship or burial or a state or national flag.

*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0242 effective July 1, 2023.

### SB851/HB938 **LOCAL GOVERNMENT: Petition to de-annex property primarily used for agricultural purposes.**

*Sponsors:* Sen. Watson, Bo , Rep. Alexander, Rebecca

*Summary:* Allows owners of real property used primarily for agricultural purposes who reside in a territory previously annexed by ordinance upon the initiative of the municipality to petition the municipality to de-annex such property, if some portion of the real property lies within one mile of the existing municipal boundaries.

*Amendment  
Summary:*

House amendment 1 (006776) revises this bill to authorize owners of real property used primarily for agricultural purposes who reside in a territory previously annexed by ordinance that was not annexed through a referendum or a request of the property owner may petition the municipality to deannex such property if: (1) The deannexation of the property does not create an area of unincorporated territory that is completely surrounded by municipal boundaries; and (2) The owner at the time the petition is made: (A) Is the same owner as when the property was annexed; or (B) Acquired the property as an heir to the owner when the property was annexed. This amendment adds to the definition of "property used for primarily agricultural purposes " the requirement that the tax return contain one or more of the factors for at least five years and the following new factors: (1) The person who owns or operates the property is a qualified farmer or nurseryman; (2) The property was classified at the time of annexation and has continued being classified as agricultural land or forest land; and (3) The property has been maintained in use of agriculture since annexation occurred. Senate amendment 1 (006823) rewrites this bill to revise present law relative to the revocation or suspension of permits or licenses for intoxicating liquors. Under present law, as a pilot project in certain counties, when a local or municipal beer board responsible for controlling the sale of beer or malt beverages within any county included in the project, finds violations of the laws pertaining to consumption of alcohol, in the sale of beer or malt beverages consumed on-premises of an establishment located within the local or municipal beer board's jurisdiction that result in the beer board suspending the operation of or revoking the permit of the establishment where the violation occurred, the beer board pursuant is authorized to notify the executive director of the alcoholic beverage commission by certified mail, return receipt requested, of the action taken by the beer board. Such notice must include the record of evidence and the determination made by the beer board in suspending or revoking the permit. Upon receipt of such notice, the executive director of the alcoholic beverage commission must, with respect to violations related to the license for the sale of alcoholic beverages for consumption on the premises at the location where the violation occurred: (1) Schedule a show-cause hearing for the next regularly scheduled meeting of the commission to be held at least 14 days following the date the executive director receives the certified letter to provide an opportunity for the licensee to appear and show cause why the license to sell alcoholic beverages on the premises should not be suspended or revoked for violations based on actions taken by the beer board pursuant to the pilot program; and (2) Notify the individual or business entity, which is listed as the licensee at the same location where the beer permit had been suspended or revoked, of the date and time of the show-cause hearing. The suspension or revocation decision of the beer board made is final, and any party aggrieved thereby may appeal the decision of the beer board in accordance with the appeal procedures. Additionally, as another pilot project in certain counties, if the alcoholic beverage commission sends a certified letter, return receipt requested to the local or municipal beer board responsible for controlling the sale of beer or malt beverages within any county included in the program, providing notice that the commission has suspended or revoked the license of an establishment for a violation of consumption of alcoholic beverages laws, upon receipt of the certified letter, the beer board must: (1) Schedule a hearing for the next regularly scheduled meeting of the beer board to be held at least 14 days following the date the beer board receives the certified letter to provide an opportunity for the permit holder to appear and show cause why the permit to sell beer on the premises should not be suspended or revoked for violations based on actions taken by the alcoholic beverage commission; and (2) Notify the individual or business entity, which is listed as the permit holder at the same location where the alcoholic beverage license had been suspended or revoked, of the date and time of the hearing. If the beer board finds that a sufficient violation or violations have occurred at such location, then the beer board must suspend or revoke the permit to the same extent and at least for the same period of time as the alcoholic beverage commission has suspended or revoked the license of the establishment. If the permit holder fails to appear or decides to surrender the permit to the beer board in lieu of appearing at the hearing, the permit must be suspended or revoked by the beer board, and no permit to sell beer or malt beverages on the premises can be issued by the beer board to any person for the location where the alcoholic beverage commission had suspended or revoked the license for the period of time included in the decision of the alcoholic beverage commission. The decision of the beer board is final, and any party aggrieved thereby may appeal the decision of the beer board in accordance with this chapter. This amendment deletes all these provisions and prohibits the beer board or committee of a local government from imposing a fine or other penalty on a permittee based solely on a report issued by another local governmental agency of the local government, other than a law enforcement agency, as a predicate to enter the premises of a permittee or cite the permittee. The beer board is only authorized to issue a citation to a permittee for a violation of intoxicating liquors law after an independent investigation by the board.

*Fiscal Note:* (Dated March 10, 2023) Other Fiscal Impact The extent and timing of any mandatory decrease in local revenue due to the condensing of the period for which a municipality may continue to levy and collect taxes after a territory is deannexed cannot be reasonably quantified.

*Senate Status:* 04/21/23 - Senate adopted conference committee report (008078).

*House Status:* 04/21/23 - House adopted conference committee report (008078).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0398 effective July 1, 2023.

**SB854/HB882 CAMPAIGNS & LOBBYING: List of voters who changed their residential address at the polling place.**

*Sponsors:* Sen. Watson, Bo , Rep. Martin, Greg

*Summary:* Allows a candidate to demand and receive a list of all voters who changed their residential address at the polling place. Requires a recount to include the verification of any address of residence changed at the polling place.

*Amendment Summary:* Senate amendment 1 (004280) removes from the bill the candidate having the right to have delivered to the candidate a list of all voters who changed their residential address to vote.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004280).

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0204 effective April 24, 2023.

**SB855/HB794 TRANSPORTATION VEHICLES: Report on activities of electronic monitoring indigency fund.**

*Sponsors:* Sen. Watson, Bo , Rep. Hazlewood, Patsy

*Summary:* Requires the state treasurer, in consultation with the department of finance and administration, to report on or before February 1, 2024, and on or before February 1 of each subsequent year, to the general assembly on the activities of the electronic monitoring indigency fund for the preceding fiscal year. Subjects the fund to examination and audit by the comptroller of the treasury. Broadly captioned.



*Amendment**Summary:*

Senate amendment 1 (004831) restructures the funding and administration of portions of the Electronic Monitoring Indigency Fund (EMIF). Establishes, subject to annual appropriations, a grant program within the EMIF to assist local governments with up to 50 percent of the eligible costs for transdermal monitoring devices, global positioning monitoring devices, or other alternative alcohol or drug monitoring devices (alternative devices). Requires the Office of Criminal Justice Programs (OCJP) within the Department of Finance and Administration (F&A) to develop and administer the program. Requires a person who has been ordered to wear an alternative device and has been determined by the court to be indigent to pay a minimum of \$30 per month for the service of the alternative device, and the remainder of such costs to be paid from the EMIF. Establishes criteria and process to determine indigency. Requires alternative device providers to submit claims and invoices to local governments for reimbursement for eligible costs for indigent clients. Requires each local government participating in the alternative device account of the EMIF to administer, process, and pay its own claims submitted by alternative device providers for an indigent person's eligible costs. Establishes new requirements for ignition interlock and alternative device providers regarding the process by which the providers submit claims and invoices to the relevant authorities, including attesting to and ensuring the truthfulness and accuracy of the claims. Establishes that a provider who knowingly submits fraudulent or inaccurate information on such claims could be liable under the False Claims Act. Establishes other requirements regarding the administration of the EMIF. Requires the State Treasurer (Treasury), in consultation with F&A to report, on or before February 1 of each year beginning in 2024, to the General Assembly on the activities of the EMIF. Establishes that the EMIF is subject to examination and audit by the Comptroller of the Treasury (Comptroller). Senate amendment 2 (007904) restructures the funding and administration of portions of the Electronic Monitoring Indigency Fund (EMIF). Establishes, subject to annual appropriations, a grant program within the EMIF to assist local governments with up to 50 percent of the eligible costs for transdermal monitoring devices, global positioning monitoring devices, or other alternative alcohol or drug monitoring devices (alternative devices). Requires the Office of Criminal Justice Programs (OCJP) within the Department of Finance and Administration (F&A) to develop and administer the program. Requires a person who has been ordered to wear an alternative device and has been determined by the court to be indigent to pay a minimum of \$30 per month for the service of the alternative device, and the remainder of such costs to be paid from the EMIF up to an additional \$170. Establishes criteria and process to determine indigency. Requires alternative device providers to submit claims and invoices to local governments for reimbursement for eligible costs for indigent clients. Caps the total amount payable to a provider at \$200 per month including the defendant's portion. Establishes that a provider is not required to provide services if the defendant fails to pay the defendant's portion of the costs if certain requirements are met. Requires each local government participating in the alternative device account of the EMIF to administer, process, and pay its own claims submitted by alternative device providers for an indigent person's eligible costs. Establishes new requirements for ignition interlock and alternative device providers regarding the process by which the providers submit claims and invoices to the relevant authorities, including attesting to and ensuring the truthfulness and accuracy of the claims. Establishes that a provider who knowingly submits fraudulent or inaccurate information on such claims could be liable under the False Claims Act. Establishes other requirements regarding the administration of the EMIF. Requires the State Treasurer (Treasury), in consultation with F&A to report, on or before February 1 of each year beginning in 2024, to the General Assembly on the activities of the EMIF. Establishes that the EMIF is subject to examination and audit by the Comptroller of the Treasury (Comptroller).

*Fiscal Note:*

(Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:*

04/21/23 - Senate passed with amendment 1 (004831) and amendment 2 (007904).

*House Status:*

04/21/23 - House passed.

*Executive Status:*

05/23/23 - Enacted as Public Chapter 0464 effective October 1, 2023.

**SB856/HB976 PUBLIC EMPLOYEES: James 'Dustin' Samples Act.***Sponsors:*

Sen. Bailey, Paul , Rep. Garrett, Johnny

*Summary:*

Enacts the "James 'Dustin' Samples Act." This bill creates the legal presumption that an injury was incurred in the line of duty if a firefighter is diagnosed with post-traumatic stress disorder by a mental health professional as a result of responding to one or more incidents with at least one of the following determining factors: (1) Directly witnessing the death of a minor, or treating the injury of a minor, who subsequently died before or upon arrival at a hospital emergency department; (2) Directly witnessing an individual whose death involved a serious bodily injury of a nature that shocks the conscience; (3) Responding to an event where there was a victim with a serious bodily injury that shocks the conscience; or (4) Responding to an event where a responder, co-worker of a responder, or family member of a responder sustained a serious bodily injury or died. Under this presumption, the injury is compensable under the Workers' Compensation Law unless it is shown by a preponderance of the evidence that the post-traumatic stress disorder was caused by non-service-connected risk factors or non-service-connected exposure. This bill applies to a firefighter who is diagnosed with post-traumatic stress disorder within one year of the firefighter's final date of employment with the employer fire department. However, a mental condition resulting solely from disciplinary action, work evaluation, job transfer, layoff, demotion, termination, or similar action taken in good faith by the employer is not considered an injury sustained in the line of duty under this bill. Requires the department of commerce and insurance to do the following: (1) Establish and administer a grant program to mitigate the costs to an employer of providing workers' compensation for firefighters diagnosed with post-traumatic stress disorder by a mental health professional; (2) Utilize existing staff to assist in the implementation of the program and provide grant funding from whatever funding sources are available; (3) Administer the program pursuant to policies developed by the department, which must provide for the awarding of grants to employers who apply for a grant and develop curricula for mental health awareness training for personnel, which may be developed in conjunction with another employer or entity; and (4) Grant a firefighter who receives mental health awareness training in accordance with this bill appropriate continuing education credits. Authorizes the department of commerce and insurance to promulgate rules to effectuate this bill.

*Amendment Summary:* Senate amendment 1 (004251) enacts the James "Dustin" Samples Act (Act) which creates a presumption that a firefighter diagnosed with post-traumatic stress disorder (PTSD) by a mental health professional as a result of responding to one or more incidents with specific factors was injured in the line of duty and such is compensable under workers' compensation. Limits application of the presumption to a firefighter who is diagnosed with PTSD within one year of the firefighter's final date of employment with the employing fire department. Requires the Department of Labor and Workforce Development (DLWD) to establish and administer a grant program to mitigate the costs to an employer providing workers' compensation for firefighters diagnosed with PTSD. Authorizes grants to be funded through any available sources, including state and federal funds. Employers must develop and implement a mental health awareness training program under certain parameters to qualify for the grant program. Requires the State Fire Marshal's Office to verify employers that apply for the grants under this Act. Requires the DLWD to provide on or before February 1 each year a report that includes an analysis of the number of claims brought forward, the portion of those claims that resulted in a settlement or award of benefits, the effect of this Act on costs to this state and its political subdivisions, and the balance of funds available for future claims. Requires the report to be provided to the Chairs of the State and Local Government Committee of the Senate and the Local Government Committee of the House of Representatives. Repeals the grant program on December 31, 2028. The proposed legislation will become effective January 1, 2024, except for the purposes of promulgating rules which take effect upon becoming law.

*Fiscal Note:* (Dated February 14, 2023) Increase State Expenditures Exceeds \$445,400/FY23-24 Exceeds \$890,700/FY24-25 and Subsequent Years Other Fiscal Impact Local governments will experience an increase in expenditures of amounts exceeding \$445,400 in FY23-24 and \$890,700 in FY24-25 and subsequent years. It is the intent of the legislation for the increase in expenditures to be covered through grants so that the net impact to local governments is not significant. \*

*Senate Status:* 04/21/23 - Senate passed with amendment 1 (004251).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0465 effective May 17, 2023.

### SB858/HB952 **HEALTH CARE: Regulation of facilities that have psychiatric beds and acute care beds.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Authorizes the health facilities commission and the department of mental health and substance abuse services to jointly license and regulate facilities that have psychiatric beds and acute care beds and have as a primary purpose or function the provision of psychiatric services. Requires the health facilities commission, in consultation with the department of mental health and substance abuse services, to promulgate rules to establish a process to jointly license and regulate such facilities. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (005507) removes the provisions of amendment 1 that revised present law concerning the powers and authority granted generally to the health facilities commission and, instead, adds that: (1) The commission may license, for purposes of providing acute care services, a facility that is additionally licensed by the department of mental health and substance abuse services; (2) The commission may promulgate rules to govern the process of licensing, for purposes of providing acute care services, a facility that is or may become additionally licensed by the department of mental health and substance abuse services and that is not otherwise exempt from licensing under the laws of this state or federal law; (3) The commission must consult with the department of mental health and substance abuse services when promulgating rules described in (2) above; (4) (1)-(3) above do not alter or preclude the requirement that a facility, not otherwise exempt, obtain licensure from the department of mental health and substance abuse services; and (5) The board for licensing health care facilities is authorized to promulgate rules governing the designation of rural emergency hospitals in a manner consistent with the federal regulations of the federal centers for medicare and medicaid services. Senate amendment 1 (005864) rewrites this bill to establish regulations regarding the licensing and regulating of certain medically related facilities. HEALTH FACILITIES COMMISSION Present law provides that the commission is empowered to license and regulate hospitals, recuperation centers, nursing homes, homes for the aged, residential HIV supportive living facilities, assisted-care facilities, home care organizations, residential hospices, birthing centers, prescribed child care centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. This amendment expands the authority of the health facilities commission to include the licensing and regulating of assisted-care facility administrators. BOARD OF LICENSING HEALTH CARE FACILITIES Under present law, until the board adopts building and fire safety rules pursuant to this section, the codes and rules in effect on July 1, 1981, apply to those facilities licensed under this part. A facility that complies with the required applicable building and fire safety regulations at the time the board adopts new codes or rules is, as long as compliance is maintained, either with or without waivers of specific provisions, considered to be in compliance with the new codes or rules. This amendment removes these provisions in their entirety and instead provides that a majority of members, not including vacant positions on the board, constitutes a quorum for the transaction of all business. This amendment further clarifies that for the purposes of contested case hearings and disciplinary matters, three or more members constitute a necessary quorum, and the board chairperson is authorized, when it is deemed necessary, to split the board into panels of three or more members each to conduct contested case hearings or disciplinary matters. A majority vote of the members present on a duly constituted panel is required to authorize board action in disciplinary matters and contested case hearings. The board chairperson has the authority to appoint board members to serve, as necessary, on the panels regardless of the professional category from which the appointed member was chosen or the member's status as a physician, administrator, or citizen member. The existence of a non-physician or non-administrator board member creates no rights in any individual concerning the composition of a panel in any disciplinary matter or contested case hearing. However, the unavailability of a member of a panel before rendition of a final order must not require the substitution of another member unless the unavailability results in there being less than the quorum required by statute for contested case hearings or disciplinary matters. A substitute must use any existing record and may conduct further proceedings as is necessary in the interest of justice. In addition, this amendment removes the provision that requires that two members of the commission must be ex officio members. PENALTIES FOR A FACILITY'S OR INDIVIDUAL'S NONCOMPLIANCE This amendment provides that an action to recover or collect a civil monetary penalty owed pursuant to this amendment by a noncomplying facility or individual must not be taken until the facility or individual has waived the right to a contested case hearing; the time allowed for the facility or individual to demand a contested case hearing has expired without a demand being made or a denial filed; or a final administrative order has been entered pursuant to statute. If the full amount of the civil monetary penalty owed has not been received in full within 60 days from the occurrence of an event described in law or received by the due date specified by order, then the executive director of the health care facilities commission must immediately proceed to recover such amount, plus interest computed at the applicable formula rate approved by statute, retroactive to the earliest date of occurrence of a noncomplying event by one or more of following means: directing the reduction of the amount owed from any balance otherwise due from the state to the facility and directing a remittance of the amount to the health facilities commission; adding such amounts to the licensing fee, with renewal of the license contingent upon the prior payment of such costs; or bringing an action in circuit or chancery court to recover such amounts. PROBATIONARY PERIOD This amendment authorizes the executive director to, by written order, extend the probationary period beyond the standard 12 months for a facility to come into compliance. HEARINGS BEFORE BOARD Present law generally provides that any

licensee, or applicant for license, aggrieved by a decision or action of the commission or board, may request a hearing before the board. This amendment removes this provision and, instead, provides, that the commission and each board, committee, or council under the authority of this amendment that does not already have authority to utilize screening panels may utilize one or more screening panels in its investigative and disciplinary process to assure that complaints filed and investigations conducted are meritorious and appropriate. In addition, this amendment specifies that the activities of a screening panel and any mediation or arbitration sessions must not be construed as an open meeting of an agency and remain confidential. The members of a screening panel, mediators, and arbitrators have a deliberative privilege and the same immunity as provided by law for the boards and are not subject to deposition or subpoena to testify regarding any matter or issue raised in any contested case, criminal prosecution, or civil lawsuit that may result from or that is incident to cases processed before the panel. A screening panel has the authority to administer an oath to witnesses. Any documents or records produced at the screening panel are exempt from disclosure as a public record until there is a filing of a notice of charges and such documents or records form the basis for the filing of a notice of charges. This amendment also provides that members of a screening panel may be drawn from among the membership of the relevant board, and members may be appointed by the relevant board. Non-board members must meet the requirements of membership for the relevant board and may include a consumer member. However, a board member serving on a panel is prohibited from participating in a contested case involving any matter heard by the panel. Each screening panel is required to be instructed as to the statutes, rules, and philosophies of the relevant board as it pertains to disciplinary action and procedures that must be followed by the panel. Each screening panel must be provided a copy of Tennessee Supreme Court Rule 31 for review by members of the screening panel for general guidance as to the principles of mediation and alternative dispute resolution. Furthermore, a board is also prohibited from compelling any party to participate in a screening panel, and no prejudice is incurred if a party chooses not to participate in a screening panel or to accept the offer of a screening panel. In addition, on or after July 1, 2024, a licensee or applicant for a license aggrieved by a decision or action of the commission pursuant to this bill may request a hearing before the commission. The amendment goes on further to clarify that the chair of the health facilities commission may appoint a five-member ad hoc litigation committee composed of members of the commission when deemed necessary by the chair or the commission.

**INJUNCTIONS AND PENALTIES** Currently, based upon a complaint that a home for the aged, assisted-care living facility, adult care home or traumatic brain injury residential home, subject to licensure under this part may be operating without a license, the commission, with consent of an owner, operator, manager, or person who participates in the operation, or patient or resident, or the guardian of the patient or resident, may enter the facility in order to investigate or inspect the complaint for the necessity of or compliance with licensure under law. However, this amendment removes these provisions entirely and instead, specifies that within five working days after concluding an inspection or investigation, the executive director may initiate type A civil penalty proceedings by mailing a notice to the facility, stating the executive director's decision to suspend the admissions of new patients. However, within 10 working days after concluding an inspection or investigation, the health facilities commission must mail to the nursing home the executive director's order, which must also inform the nursing home of its right to contest the action.

**INITIATION OF TYPE B OR C PENALTY HEARING FOR DEFICIENT NURSING HOMES** Within three working days after concluding the inspection or investigation, the health facilities commission may initiate type B or type C civil penalty proceedings by mailing to the nursing home a written statement citing the relevant provisions that the health facilities commission alleges to have been violated, stating the amount of the penalty being assessed, and informing the facility of its right to contest the penalty. In addition, the present law also provides that within eight working days after concluding the inspection or investigation, the health facilities commission is required to mail to the nursing home a more detailed statement describing the findings with particularity and citing the law with specificity. This amendment increases the number of days the health facilities commission has to initiate the civil proceedings from 3 to 5 working days; and increases the number of days the health facilities commission has to mail to the nursing home a more detailed statement from 8 to 10 working days.

**TRANSFERABILITY OF CERTIFICATE OF NEED** Present law does not prohibit a change of control, if the commission determines, upon petition of the prospective owner or owners of the entity, that the prospective owner or owners demonstrate that they meet the criteria of economic feasibility, contribution of orderly development, and the relevant considerations mandated by statute. This amendment revises the evidence the new owners must demonstrate to the commission before the change of control is permitted. The prospective owners must demonstrate the owner or owners will provide health care that meets appropriate quality standards, and that the transfer would not reduce access to consumers, particularly those in underserved communities; those who are uninsured or underinsured; women and racial and ethnic minorities; TennCare or Medicaid recipients; and low-income groups.

**REPORT ON NURSING HOME INSPECTION AND ENFORCEMENT ACTIVITIES** Under current law, the commissioner is required to submit a report by not later than February 1 of each year to the governor and to each house of the general assembly regarding the department's nursing home inspection and enforcement activities during the previous year. The report must analyze trends in compliance with nursing home standards and residents' rights by nursing homes in the state, and must be limited to identifying those trends through aggregate and quantitative data only. In preparing the report, the commissioner may utilize quantitative data compiled by nursing homes pursuant to federal or state regulations. In addition, the commissioner must ensure that the report is promptly made available to the public by dissemination via the internet and that the report is available for members of the public to copy. This amendment removes these provisions and, instead, requires that the executive director of the health facilities commission submit a report no later than February 1 of each year to the governor, the chief clerk of the house of representatives, and the chief clerk of the senate, regarding the commission's nursing home inspection and enforcement activities during the previous year. The executive director must also ensure that the report is promptly made available to the public by dissemination via the internet and that the report is available for members of the public to copy.

**FIRE SAFETY** This amendment shifts the duties and responsibilities regarding the fire safety in assisted living facilities and in licensed homes for the aged from the department of health to the health facilities commission.

**RECORDS REQUIRED TO BE KEPT BY LICENSEES AND PERMITTEES** Present law provides that: (1) Notwithstanding any other provision of law to the contrary, an ambulance service provider must furnish to a patient or a patient's authorized representative a copy of such patient's run record or records within five business days upon request in writing by the patient or such representative; and (2) Except as otherwise provided by law, such patient's run record or records must not constitute a public record, and nothing contained in this part will be deemed to impair any privilege of confidentiality conferred by law on patients, their personal representatives or heirs. Nothing in this (2) will impair or abridge the right of the patient or the patient's authorized representative to obtain copies of the patient's hospital records in the manner provided in statute. Nothing in (2) should be construed as prohibiting a patient's run record or records from being subpoenaed by a court of competent jurisdiction. As used in (1)-(2), "run record" includes any list of patients that is compiled or maintained by or for such patient's ambulance service provider, but shall not include the dispatch log. This amendment revises (1) by also requiring that an ambulance service provider must furnish a copy of a patient's run record or records to a surveyor employed by the health facilities commission within five business days upon request in writing by the surveyor or health facilities commission staff. This amendment revises (2) by providing that (2) does not prohibit a health facilities commission surveyor investigating an incident in a certified or licensed healthcare facility from obtaining a copy of this record without a subpoena incident to a health facility investigation.

**STATE PALLIATIVE CARE AND QUALITY OF LIFE COUNCIL MEMBERSHIP** Present law provides that the council membership must be appointed by the executive director, after consulting with Tennessee Hospice Association, Tennessee Hospital Association, Tennessee Medical Association, Tennessee Nursing Association, Tennessee Health Care Association, Tennessee Association of Home Care, and the Tennessee Chapter of American Cancer Society, and

shall include interdisciplinary palliative care medical, nursing, social work, pharmacy, and spiritual professional expertise; patient and family caregiver advocate representation; and any other relevant appointees the executive director determines appropriate. The council must also consist of no more than 11 members. The executive director must also consider the racial, geographic, urban/rural, and economic diversity of the state when appointing members. Membership shall specifically include health professionals having palliative care work experience or expertise in palliative care delivery models in a variety of inpatient, outpatient, and community settings such as acute care, long-term care, and hospice, and with a variety of populations, including pediatric, youth, and adult. At least one council member must be a board-certified hospice and palliative medicine physician; at least one council member is required to be a licensed certified registered nurse practitioner with expertise in palliative care; and one council member must be from the department of health. Council members must also be appointed for a term of three years. The members must elect a chair and vice chair, whose duties shall be established by the council. The council must fix a time and place for regular meetings that meet no less than twice yearly. This amendment increases the number of members from 11 to 12 and further adds that one of the council members must be the executive director of the health facilities commission or the executive director's designated representative.

**ALZHEIMER'S DISEASE AND RELATED DEMENTIA ADVISORY COUNCIL** The current law provides that the council must be composed of no less than 11 members but must not exceed 16 members. This amendment raises the maximum number of members from 16 to 17, which must include the executive director of the Tennessee health facilities commission.

**REGULATION OF HEALTH AND RELATED FACILITIES** This amendment shifts the duties and responsibilities of licensing and regulating adult care facilities; adult care home providers, including resident managers; assisted-care living facilities; a home care organization qualified to provide home health services, home medical equipment or hospice services; residential homes for the aged; hospitals that provide certain services; recuperation center; and residential hospice from the board of licensing health care facilities to the health facilities commission. This amendment also shifts the duties and responsibilities of reviewing facilities, construction planned by facilities, standards regulating accessibility by disabled, branch offices of home care organizations, the use of endoscopy technicians, and other radiological staff at ambulatory surgical treatment centers, and other related provisions from the board of licensing health care facilities to the health facilities commission. In addition, this amendment removes the present law that requires the commission to accomplish licensing and regulation through the board for licensing healthcare facilities to be created in a manner provided by statute and other employees as are provided for in statute. This amendment also provides that the definitions of board and department for the purposes of health facilities and resources statutes no longer apply and adds for the purpose of reporting incidents of abuse, neglect, and misappropriate, the term commission should be included to mean the health facilities commission. In addition, for the purposes of this bill, the amendment defines certain terminology: (1) A "conflict of interest" means a matter before the commission in which the member or employee of the commission has a direct interest or indirect interest that is in conflict or gives the appearance of conflict with the discharge of the member's or employee's duties; (2) "Direct interest" refers to a pecuniary interest in the persons involved in a matter before the commission, and applies to the commission member or employee, the commission member's or employee's relatives, or an individual with whom or business in which the member or employee has a pecuniary interest. As used in this bill, "relative" means a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew by blood, marriage, or adoption; (3) "Ex parte communications" means communications in violation of present law; (4) "Indirect interest" means a personal interest in the persons involved in a matter before the commission that is in conflict with the discharge of the commission member's or employee's duties; (5) "Needs assessment" means an annual report that measures access to health care in this state, particularly as to emergency and primary care; identifies access gaps; and serves to inform the criteria and standards for the issuance of certificates of need; (6) "Nonresidential substitution-based treatment center for opiate addiction" includes, but is not limited to, stand-alone clinics that offer methadone, products containing buprenorphine, such as Subutex and Suboxone, or products containing another formulation designed to treat opiate addiction by preventing symptoms of withdrawal; (7) "Nursing home bed" means a licensed bed within a nursing home, regardless of whether the bed is certified for Medicare or Medicaid services and a bed at a healthcare institution that is used as a swing bed under federal regulation; (8) "Rehabilitation facility" means an inpatient or residential facility that is operated for the primary purpose of assisting in the rehabilitation of physically disabled persons through an integrated program of medical and other services that are provided under professional supervision. These revisions (and the remaining revisions in this summary) take effect July 1, 2024.

**HEALTH FACILITIES COMMISSION JURISDICTION AND POWERS** This amendment removes all provisions dealing with the members and authority of the board of licensing health care facilities and instead provides that a health facilities commission must be established that has jurisdiction and powers relating to the licensing and regulation of healthcare facilities as defined in present law; the certificate of need program; the development of the criteria and standards to guide the commission when issuing certificates of need; conducting of studies related to health care, which must include a needs assessment; and related reporting of healthcare institutions. In addition, the commission consists of 15 members, including: (1) The comptroller of the treasury, or an employee of the office of the comptroller of the treasury, designated by the comptroller; (2) The executive director of the commission on aging and disability, or an employee of the commission on aging and disability, designated by the director; (3) The director of TennCare, or an employee of the division of TennCare, designated by the director; (4) Four members appointed by the speaker of the senate that includes one consumer member, one individual who has recent experience as an executive officer of a hospital or hospital system who may be appointed from lists of qualified persons submitted by interested hospital groups, including, but not limited to, the Tennessee Hospital Association; one representative of the nursing home industry who may be appointed from lists of qualified persons submitted by interested healthcare groups, including, but not limited to, the Tennessee Health Care Association; and one duly licensed physician who may be appointed from lists of qualified persons submitted by interested medical groups, including, but not limited to, the Tennessee Medical Association; and (5) Four members appointed by the speaker of the house of representative, to include the same qualifications listed in (4) as well as one representative of the assisted-care living facility industry, and one representative of the ambulatory surgical treatment center industry. This amendment also requires that the governor and speakers consult with interested groups including, but not limited to, the organizations listed above in (1)-(5) to determine qualified persons to fill positions with the commission. In making appointments to the health facilities commission, the governor and the speakers must strive to ensure that racial minorities, females, persons 60 years of age and older, and the three grand divisions are represented. This amendment goes on to specify that the consumer members must be persons who are knowledgeable of health needs and services and who are further knowledgeable by training or experience in healthcare facility design or construction, financing of healthcare services or construction, reimbursement of healthcare services, or general healthcare economics. However, the consumer members must not be a direct provider of healthcare goods or services. A member of the commission must not serve beyond the expiration of the member's term, whether or not a successor has been appointed by the governor or the speakers of the senate and the house of representatives. This amendment also specifies that the commission members are appointed for three-year terms, which may be served consecutively without a limitation upon the number of consecutive or non-consecutive terms a member may serve. In addition, the comptroller of the treasury, the executive director of the commission on aging and disability, and the director of TennCare, or their respective designees, are not limited to a term of years. In order to stagger the initial terms of the consumer members of the commission, the initial term for the consumer member appointed under (4) is three years while the initial term for the consumer member appointed under (5) is two years. This amendment also removes all provisions in present law that deal with and establish the current health facilities commission and replaces it with those enumerated above.

**EXECUTIVE DIRECTOR** The commission is required to appoint an

executive director qualified by education and experience. The executive director must demonstrate knowledge and experience in the areas of public administration and health policy development. The executive director of the commission on June 30, 2026, will remain executive director on July 1, 2026, without the need for reappointment by the commission. This amendment also provides that the executive director is the chief administrative officer of the commission, exercising general supervision over all persons employed by the commission. The commission's staff is subject to personnel rules and policies that are applicable to state employees in general, including leave, compensation, classification, and travel rules and policies. The commission must fix the salary of the executive director; any adjustments to the executive director's salary due to administration changes to multiple employees in the executive director's job classification do not require commission approval. The commission has the sole authority to appoint, terminate, and control the work of the executive director. The executive director has the exclusive authority to appoint, terminate, and control staff employees. The commission's employees are executive service and serve at the pleasure of the executive director. This amendment lists specific duties granted to the executive director, including submitting an annual report, no later than January 15 of each year, to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives that includes, but is not limited to, a comparison of the actual payer mix and uncompensated care provided by special health services licensees with the projections the licensees submitted in the licensee's special health services license application. This amendment clarifies that in addition to the duties granted to the executive director, the commission has the authority to delegate certain duties listed in the bill to the executive director, which will continue until specifically revoked by the commission. The executive director is required to notify the commission of an action taken pursuant to a delegation of authority at the commission's next regularly scheduled meeting. The commission is required to review an action by the executive director if the executive director receives a written request for commission review or a commission member requests a commission review. If a request for commission review is received within 15 days of the date the executive director provides notice of the action, then the action does not become final until the commission has rendered its final decision. If, however, the request is made by a commission member and is not received pursuant to the specifications mentioned above, then the executive director's action becomes final as if the action was taken by the commission. A commission review of action taken by the executive director must be conducted at the next regularly scheduled commission meeting that is scheduled for a date no less than two weeks after the date the request for review is received. This is under the de novo standard, and the commission is required to use the then-current edition of Robert's Rules of Order as the rules of parliamentary procedure applicable to a commission review. MEETINGS Each member and necessary staff and faculty of the commission must be reimbursed for all travel and other necessary expenses. Expenditures must be claimed and paid in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration, and approved by the attorney general and reporter. If a member is absent from three consecutive, regularly scheduled public meetings of the commission, then the individual's membership is automatically terminated, and the position is considered vacant. At the first meeting in each even-numbered year, the commission is required to elect officers. The chair of the commission must be a consumer member to serve a term as chair for two years. A member must not serve more than two consecutive terms as chair and a member of the commission may serve as vice chair, which is a term of two years. In addition, a member is prohibited from serving more than two consecutive terms as vice chair. This amendment also provides that meetings of the commission must be held as frequently as its duties may require, and no less frequently than eight times each fiscal year. A majority of appointed members, not including vacant positions, constitute a quorum. This amendment also clarifies that an action of the commission is not effective unless the action is concurred in by a majority of commission members present and voting. The chair may only vote if there is a tie among the other members present and voting and the commission must record by name the votes taken on all actions of the commission. All commission members shall annually review and sign a statement acknowledging the statute, rules, and policies concerning conflicts of interest. A member, upon determining that a matter scheduled for consideration by the commission results in a conflict with a direct interest, must immediately notify the executive director and is recused from any deliberation of the matter, from making any recommendation, from testifying concerning the matter, or from voting on the matter. The member must then join the public during the proceedings. However, a member with an indirect interest must publicly acknowledge such interest, unless the member is recused from deliberation on, making a recommendation regarding, testifying concerning, or voting on the matter. All members are required to make every reasonable effort to avoid even the appearance of a conflict of interest. If a member is uncertain whether the relationship justifies recusal, then the member must follow the determination by the legal counsel for the commission. A determination by the commission or a court that a member of the commission with a direct interest failed to provide notice and be recused from deliberations of the matter, from making any recommendation, from testifying concerning the matter, or from voting on the matter, results in the member's automatic termination from the commission and the position is considered vacant. The member is not eligible for appointment to any commission, board, or commission of this state for a period of two years. The executive director, upon determining that a conflict exists for the executive director or a member of the staff, must notify the chair of the commission and take such action as the chair prescribes and pursuant to this bill. DUTIES AND RESPONSIBILITIES In addition to the powers granted elsewhere in this amendment, the commission has the duty and responsibility to: (1) Promulgate rules and policies deemed necessary by the commission for the fulfillment of its duties and responsibilities under this amendment; (2) Promulgate rules and policies deemed necessary by the commission for the fulfillment of its duties and responsibilities, including, but not limited to, criteria to guide the commission in the issuance of certificates of need; (3) Conduct studies related to health care, including a needs assessment that must be updated at least annually; and (4) Contract when necessary for the development of criteria and standards to guide the commission when issuing certificates of need and for the implementation of the certificate of need program. In addition, this amendment shifts the authorization with respect to the inspection of administrative, clerical employees and other facility, and the authority to suspend or revoke a license of a center that terminates pregnancies onto the commission. In addition, this amendment removes the provision that requires the board to promulgate rules requiring the board to adopt and appropriately utilize universal precautions for prevention of HIV transmission. LICENSURE REQUIREMENTS Present law provides that the board, in its discretion, must be authorized to issue licenses to several licensees in such form as it may deem necessary to distinguish between and identify any of the facilities required to be licensed by the commission. It also provides that board administrative staff must maintain a file of reported complaints. The file must include the name of the facility against whom the complaint is filed, the date the complaint is filed, the action taken by the board, if any, on the complaint, and the date of the action taken. This amendment shifts this authorization mentioned above, the authorization for approving applications for licensure, the responsibility of maintaining a file of reported complaints, the authority to issue injunctions and penalties, and the requirement to post and update the required information regarding the facilities it licenses on the internet onto the commission established by this bill. This amendment also removes the requirement that the board conduct either one joint inspection for each licensing period or accept the investigation of one of the enumerated entities. COLLABORATION WITH THE COMMITTEE ON PEDIATRIC EMERGENCY CARE The required collaboration with the committee on pediatric emergency care in order to support the legislative intent enumerated in statute and to also support the delivery of educational services and equipment to providers of emergency pediatric medical services in facilities it licenses is shifted onto the health facilities commission.

(Effective January 1, 2023) NOT SIGNIFICANT

Fiscal Note:

Senate Status: 04/03/23 - Senate passed with amendment 2 (005507) and amendment 1 (005864).

House Status: 04/20/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0466 effective May 17, 2023.

**SB859/HB982 HEALTH CARE: Medical cannabis commission annual report.**

*Sponsors:* Sen. Reeves, Shane , Rep. Terry, Bryan

*Summary:* Changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual report to the chief clerks of the senate and the house of representatives and the legislative librarian. Broadly captioned.

*Amendment Summary:* House amendment 1 (005862) incorporates the provisions of Senate Amendment 1 and adds physician assistants to the list of licensed health care professionals with whom a patient may have a privileged communication under this bill.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate concurred in House amendment 1 (005862).

*House Status:* 04/06/23 - House passed with amendment 1 (005862).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0270 effective April 28, 2023.

**SB862/HB1163 HEALTH CARE: Standardized insurance claim forms to be available on websites.**

*Sponsors:* Sen. Reeves, Shane , Rep. Todd, Chris

*Summary:* Requires the commissioner of commerce and insurance to make the standardized forms for health care insurance claims, developed by the commissioner along with the commissioner of health, available to insurance companies for free on the department of commerce and insurance's website. Broadly captioned.

*Amendment Summary:* House amendment 1 (004674) rewrites this bill to enact the "Healthcare Sharing Ministries Freedom to Share Act." This amendment specifies that a healthcare sharing ministry is not engaging in the business of insurance for purposes of the regulatory requirements for insurance companies and defines "healthcare sharing ministry" to mean a nonprofit corporation that: (1) Is tax-exempt under federal law; (2) Limits its participants to those members who share a common set of ethical or religious beliefs; (3) Acts as a facilitator among participants who have financial or medical needs to assist those with financial or medical needs; (4) Provides for the financial or medical needs of a participant through contributions from other participants; (5) Provides amounts that participants may contribute with no assumption of risk or promise to pay among the participants, and no assumption of risk or promise to pay by the healthcare sharing ministry to the participants; (6) Provides monthly to the participants the total dollar amount of qualified needs actually shared during the previous month; (7) Conducts an annual audit that is available to the public by providing a copy upon request or by posting on the organization's website; and (8) Provides a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the organization.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0526 effective March 7, 2024.

**SB863/HB750 PROPERTY & HOUSING: Requires a reserve study for a unit owners' association.**

*Sponsors:* Sen. Reeves, Shane , Rep. Powell, Jason

*Summary:* Requires the board of directors for a unit owners' association to have a reserve study done on or before January 1, 2024, if the board has not had a reserve study conducted on or after January 1, 2023. Requires the board to have an updated reserve study done within five years of the date that the reserve study is done, and every five years thereafter for purposes of assessing the condition of and planning for repair and maintenance of the common elements critical to structural integrity and safety.

*Amendment Summary:* Senate amendment 1 (005302) redefines, for purposes of this bill, "reserve study" to mean an analysis, prepared in conformity with the latest edition of the Reserve Study Standards published by the Community Associations Institute, or similar standards by another nationally recognized organization, by a reserve specialist who is credentialed through the Community Associations Institute or a similarly recognized organization, or a licensed engineer or architect, performed or updated within the last five years, of the remaining useful life and the estimated cost to replace each separate system and component of the common elements, the purpose of which is to inform association members and the association's board of the amount that should be maintained from year to year in a fully funded repair and replacement reserve to minimize the need for special assessments. This amendment revises this bill's requirements concerning when a reserve study is required. Under this amendment, a board of directors that oversees common elements with an aggregate replacement cost exceeding \$10,000 that has had a reserve study conducted on or after January 1, 2020, must have an updated reserve study conducted within five years after the date the reserve study was conducted, and at least every five years thereafter. If the board of directors oversees common elements with an aggregate replacement cost exceeding \$10,000 and has not had a reserve study conducted on or after January 1, 2020, then the board must require that a reserve study be conducted on or before January 1, 2025, and update the study every five years for purposes of assessing the condition of and planning for repair and maintenance of the common elements. This amendment requires the board to make a copy of the reserve study available to all common interest owners through electronic mail or by posting it on the community website. This amendment deletes the list of common elements critical to the structural integrity and safety from this bill. This amendment exempts the following from the requirements concerning reserve studies: (1) A board of directors controlled by a declarant; (2) A condominium titled to a single owner; or (3) A husband and wife who own a condominium as a tenancy by the entirety. This amendment also requires the board to review the reserve funding annually for adequacy. This amendment revises this bill's requirements concerning when a reserve study is required. Under this amendment, a board of directors that oversees common elements with an aggregate replacement cost exceeding \$10,000 that has had a reserve study conducted on or after January 1, 2020, must have an updated reserve study conducted within five years after the date the reserve study was conducted, and at least every five years thereafter. If the board of directors oversees common elements with an aggregate replacement cost exceeding \$10,000 and has not had a reserve study conducted on or after January 1, 2020, then the board must require that a reserve study be conducted on or before January 1, 2025, and update the study every five years for purposes of assessing the condition of and planning for repair and maintenance of the common elements. This amendment requires the board to make a copy of the reserve study available to all common interest owners through electronic mail or by posting it on the community website. This amendment deletes the list of common elements critical to the structural integrity and safety from this bill. This amendment exempts the following from the requirements concerning reserve studies: (1) A board of directors controlled by a declarant; (2) A condominium titled to a single owner; or (3) A husband and wife who own a condominium as a tenancy by the entirety. This amendment also requires the board to review the reserve funding annually for adequacy.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed with amendment 1 (005302).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0205 effective January 1, 2024.

**SB864/HB356 TRANSPORTATION VEHICLES: Fees for the service of handling mail orders of plates and decals.**

*Sponsors:* Sen. Reeves, Shane , Rep. Keisling, Kelly

*Summary:* Allows county clerks to increase the fees for the service of handling mail orders of plates to \$5 and decals to \$2 in an amount not to exceed an applicable United States postal service price increase in a given year.

*Fiscal Note:* (Dated February 12, 2023) Increase Local Revenue \$211,800/FY23-24 and Subsequent Years/Permissive

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0234 effective April 25, 2023.

**SB865/HB486 CAMPAIGNS & LOBBYING: Reporting of contributions and expenditures for a local election.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Requires each political campaign committee for a local election or candidate to file with the registry of election finance a statement of all contributions received and expenditures made. Requires each candidate for local public office to file with each county election commission of the county where an election is held a statement of all contributions received and expenditures made.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 02/23/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0059 effective July 1, 2023.

**SB867/HB654 TAXES GENERAL: Tax collection proceedings.**

*Sponsors:* Sen. Reeves, Shane , Rep. Howell, Dan

*Summary:* Permits the court in a tax collection proceeding to enter on the tax books a copy of the court order. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006734) rewrites this bill to revise various provisions of present law relative to credits to dealers, credits to prevent multistate taxations, and credits for the resale of telecommunication services of sales and use taxes. Under present law, in the event a dealer must sell any article of personal property on a security agreement or other title retained instrument and the dealer must thereafter be required to repossess or enforce the dealer's lien on the article or personal property at a time when the balance due on the unpaid purchase price must exceed \$500, the dealer must be entitled to a credit on the sales tax that the dealer must be required to collect and remit to the commissioner, in an amount equal to the difference between the amount of the sales tax collected and paid at the time of the original purchase and the amount of sales tax that would be owed on that portion of the purchase price that has actually been paid by the purchaser, plus the sales tax on the first \$500 of the unpaid balance of the purchase price. The commissioner must issue to the dealer an official credit memorandum equal to the net amount remitted by the dealer for such tax collected. Such memorandum must be accepted by the commissioner at full face value from the dealer to whom it is issued, in the remittance for subsequent taxes accrued under the sales and use taxes; provided, that, in cases where a dealer has retired from business and has filed a final return, a refund of tax may be made, if it can be established to the satisfaction of the commissioner that the tax was not due. This amendment adds that the credit authorized by present law is available to a dealer principally selling used automobiles to retail purchasers if the dealer assigned the security agreement or other title retained instrument resulting from the sale to an affiliate finance company occupying the same physical headquarters locations in this state as the dealer and if: (1) The dealer collects from its retail purchasers a down payment averaging not more than five percent of the total used automobile sales price; (2) The dealer advances from its own funds the sales tax amount on each purchase and remits that tax amount to the commissioner; (3) The dealer assigns 100 percent of its security agreements or other title retained instruments solely to the affiliate finance company in exchange for consideration that includes a sum intended to reimburse the dealer for sales tax amounts remitted to the commissioner; (4) The dealer remains obligated to and reimburses the finance company for those amounts attributable to sales taxes that the finance company is unable to collect from the retail purchaser; (5) The finance company has the right to repossess or enforce any lien as to the subject automobile; and (6) As a precondition to the dealer utilizing the credit authorized by present law, the dealer first obtains the commissioner's agreement based on information satisfactory to the commissioner that the dealer and the assignee finance company are affiliates and satisfy the other conditions established by this amendment.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 04/18/23 - Senate passed with amendment 1 (006734).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0467 effective July 1, 2023.

**SB868/HB805 UTILITIES: Text message solicitations - prohibitions, requirements, and penalties.**

*Sponsors:* Sen. Reeves, Shane , Rep. Lamberth, William

*Summary:* Extends the prohibitions, requirements, and penalties that apply to telephone solicitations to text message solicitations.

*Amendment Summary:* Senate amendment 1 (004765) revises the definition of a "text message solicitation" to mean a communication over a telephone originating within this state or elsewhere, not only those originating within this state.

*Fiscal Note:* (Dated February 11, 2023) Increase State Revenue \$22,100/FY23-24 and Subsequent Years/ Tennessee Public Utility Commission

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (004765).

*House Status:* 03/16/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0126 effective July 1, 2023.

**SB869/HB282 HEALTH CARE: Practice of pharmacy.**

*Sponsors:* Sen. Reeves, Shane , Rep. Baum, Charlie

*Summary:* Authorizes as part of the practice of pharmacy the prescribing of dietary fluoride supplements, certain immunization agents, opioid antagonists, and certain other drugs and products. Makes various other changes to pharmacy practice including professional judgement and health and safety. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015768) rewrites the bill to, instead, add to the present law definition of "practice of pharmacy," as described below. This amendment establishes that the "practice of pharmacy" also includes the issuing of a prescription or medical order of the following drugs, drug categories, or devices, excluding controlled substances, that are issued in accordance with the product's federal FDA-approved labeling or guidelines of the centers for disease control and prevention that are limited to the following: (1) Antivirals for influenza and COVID-19 that are waived under the federal clinical laboratory improvement amendments of 1988, upon completion of a test that is used to guide diagnosis or clinical decision-making; (2) Agents for active immunization when prescribed for susceptible persons for the protection from communicable disease for individuals who are 18 and older, and agents for active immunization for influenza and COVID-19 for individuals who are 3 to 17 years old; however, the pharmacists must comply with recordkeeping and reporting requirements, including (i) informing the patient's primary care provider, if the patient identifies a primary care provider; (ii) submitting the required immunization information to this state's vaccine registry; (iii) complying with requirements related to reporting adverse events; and (iv) reviewing the patient's vaccine history, if any, through this state's vaccine registry or other vaccination records prior to administering a vaccine; (3) Post-exposure prophylaxis for nonoccupational exposure to HIV infection, and the ordering of lab tests in conjunction with initiation of therapy; (4) Epinephrine auto-injectors for patients with a documented history of allergies or anaphylactic reactions; (5) Progesterone-only hormonal contraceptives; (6) Naloxone; (7) Dietary fluoride supplements for those over seven, when prescribed according to the American Dental Association's recommendations for persons whose drinking water is proven to have a fluoride content below the U.S. department of health and human services' recommended concentration; and (8) Tuberculin purified protein derivative products in compliance with current statutory reporting requirements. This amendment establishes that the standard of care for a pharmacist providing the services listed in (1)-(8) above is the same standard of care as a physician ordering or providing the same service. House amendment 1 (017275) establishes that the practice of pharmacy includes the issuing of a prescription or medical order for certain drugs, drug categories, or devices, excluding controlled substances, that are issued in accordance with the product's federal Food and Drug Administration (FDA) approved labeling or guidelines of the Centers for Disease Control and Prevention (CDC). Establishes that issuing such a prescription or medical order is not considered the practice of medicine as defined for physicians. Establishes that the standard of care for a pharmacist providing such services is the same standard of care as a physician ordering or providing the same service.

*Fiscal Note:* (Dated January 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0824 effective May 1, 2024.

**SB871/HB366 TAXES PROPERTY: Property tax relief for elderly.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold

*Summary:* Authorizes local legislative bodies to set the income limit for persons who are 65 years of age or older and otherwise eligible for property tax relief under the Property Tax Freeze Act at \$60,000.

*Amendment Summary:* House amendment 1 (007082) makes additional revisions to the present law pertaining to the Property Tax Freeze Act. Under the Act, the legislative body of any county or municipality may by resolution or ordinance adopt the property tax freeze program provided by the Act. The county or municipality may thereafter terminate the freeze program by resolution or ordinance. However, the resolution or ordinance terminating the program must not have the effect of terminating the program until the following tax year. This amendment adds that a municipality that is located in a county that has already adopted the tax freeze program must use the same income limit adopted by the county if the municipality also adopts the tax freeze program and the county has adopted the income limit set forth by the bill. This amendment requires that a municipality that adopts or has adopted the tax freeze program must use the income limit adopted by the county if the county trustee is accepting tax freeze applications on behalf of the municipality.

*Fiscal Note:* (Dated March 9, 2023) Other Fiscal Impact The extent and timing of any foregone local revenue beginning in FY24-25 cannot be reasonably determined but is considered permissive.

*Senate Status:* 04/19/23 - Senate concurred in House amendment 1 (007082).

*House Status:* 04/17/23 - House passed with amendment 1 (007082).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0271 effective July 1, 2023.

**SB872/HB736 EDUCATION: Academic standards for social studies.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold

*Summary:* Changes from urges to requires the standards recommendation committee to include certain academic standards regarding the civil rights movement in the committee's final recommendation of academic standards in the subject of social studies for students in grades nine through 12.

*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT

*Senate Status:* 03/02/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0127 effective April 4, 2023.

**SB874/HB540 EDUCATION: The Barbara Ward Cooper Education Center.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Harris, Torrey

*Summary:* Names the educational facility located on the John S. Wilder Youth Development Center "The Barbara Ward Cooper Education Center." Broadly captioned.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0098 effective March 31, 2023.

**SB880/HB1225 FAMILY LAW: Rehearing of the determination of a child support magistrate.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Lambirth, William

*Summary:* Extends the time within which a party may request a rehearing of the determination of a child support magistrate from five days to 10 days. Broadly captioned.



*Amendment Summary:* House amendment 1 (005826) rewrites this bill to add to present law, which provides that in addition to up to six months in jail, a court has the discretion to require a child support obligor who fails to comply with support order to remove litter from appropriate locations or work in a recycling center. This amendment specifies that the court also has the discretion to order the department of safety to issue the obligor a restricted driver license. The provisions of this amendment take effect January 1, 2024. Senate amendment 1 (005312) authorizes courts to order the Department of Safety (DOS) to issue a restricted license to a person who fails to comply with the order or decree of support and maintenance for a minor child or children.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (005312).

*House Status:* 04/17/23 - House concurred in Senate amendment 1 (005312).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0366 effective May 5, 2023.

### **SB881/HB36 EDUCATION: Automatic revocation of a public charter school agreement.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Hardaway, G.A.

*Summary:* Revokes a public charter school agreement if the public charter school receives priority school identification for two consecutive cycles based on an evaluation of no less than three years of schools' performance data. Prohibits the 2022 list of priority schools from applying towards the two consecutive cycles requirement.

*Amendment Summary:* House amendment 1 (004641) makes the following changes and additions to this bill and present law concerning charter schools that are identified as priority schools: (1) Prohibits both the 2022 and 2023 priority school list from being considered as one of the priority school cycles required for automatic revocation of a public charter school agreement; (2) Removes the provision that limits application of the automatic revocation requirement to situations where each of the two consecutively issued priority school lists identify priority schools based on an evaluation of no less than three consecutive years of all schools' performance data; and (3) Prohibits application of the present law permissive revocation provision, whereby an authorizer may revoke a public charter school agreement if the public charter school receives identification as a priority school for any single year, based on the public charter school being identified as a priority school on the priority school list issued in 2022 or 2023.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (004641).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0290 effective April 28, 2023.

### **SB884/HB1295 EDUCATION: Report on the academic performance of historically underserved student groups.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Camper, Karen

*Summary:* Requires the commissioner of education to report on the academic performance of historically underserved student groups to the education committee of the senate and the education administration and education instruction committees of the house of representatives by January 31 of each year. Broadly captioned.

*Amendment Summary:* House amendment 1 (006404) rewrites this bill to require the department of education to conduct a study of best practices in other states for the use of ninth grade "on-track" indicators in state accountability systems to prevent students from dropping out of high school; no later than January 31, 2024, submit a report of the outcomes of the study to the education committee of the senate and the education administration committee of the house of representatives; and publish the report on the department's website. The study must include, but is not limited to, research into how states: (1) Define "on-track" high school success; (2) Develop specific indicators to identify students who are at risk of dropping out of high school; (3) Develop and use statewide dropout early warning systems in the middle school and high school grades; (4) Utilize methods to publicly report relevant data regarding "on-track" high school success indicators and outcomes; (5) Set goals and monitor how many students remain "on track" in ninth grade in alignment with statewide graduation goals; and (6) Provide supports and guidance to schools and districts to improve and increase the number of ninth grade students who are "on track."

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (006404).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0322 effective April 28, 2023.

### **SB891/HB1085 TAXES SALES: Apportionment and distribution of state tax revenue as they pertain to National Basketball Association franchises.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Gillespie, John

*Summary:* Extends provisions relating to the apportionment and distribution of state tax revenue as they pertain to National Basketball Association franchises until June 30, 2059.

*Amendment Summary:* House amendment 1 (005106) rewrites this bill to extend provisions related to the apportionment and distribution of state tax revenue as they pertain to National Basketball Association franchises until June 30, 2059. Adds new language that specifies that an amount must be apportioned and distributed to the City of Memphis equal to the amount of state tax revenue derived from the sale of admissions to all other events occurring at the indoor sports facility and from all other sales of food and drink and other authorized goods or products sold on premises of the sports facility, parking charges, and related services. Specifies that the amount distributed to the municipality must be for the exclusive use of the sports authority or comparable municipal agency formally designated by the municipality. Also specifies that such amounts be used exclusively for the payment of, or the reimbursement of, expenses associated with securing current, expanded, or new events for indoor sports facilities owned by a municipal agency formally designated by the municipality.

*Fiscal Note:* (Dated February 24, 2023) Forgone State Revenue Exceeds \$5,000,000/Each Year FY31-32 through FY58-59 Other Fiscal Impact Local revenue loss avoidance exceeding \$5,000,000 in each year FY31-32 through FY58-59 for Memphis for the exclusive use of its sports authority.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/21/23 - House passed with amendment 1 (005106).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0405 effective July 1, 2023.

### **SB894/HB929 TRANSPORTATION VEHICLES: Minors in DCS custody or foster care exempt from driver's license fees.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. McKenzie, Sam

*Summary:* Exempts a person under 18 years of age who is in custody of the department of children's services or receiving foster care services from payment of fees for issuance, renewal, or reinstatement of a driver license, instruction permit, intermediate driver license, or photo identification card.

*Amendment Summary:* Senate amendment 1 (004278) revises this bill to only apply the exemption to a person under the age of 18 who is in the custody of the department of children's services. This amendment also changes the effective date of this bill from July 1, 2023, to January 1, 2024.

*Fiscal Note:* (Dated February 19, 2023) Decrease State Revenue Exceeds \$19,100/FY23-24 and Subsequent Years/Driver Services Other Fiscal Impact If the scope of work to the Department of Safety's A-List system required by this and other legislation subsequently enacted exhausts the relevant contract provision, the proposed legislation could result in an increase in state expenditures up to \$40,000 in FY23-24.

*Senate Status:* 03/02/23 - Senate passed with amendment 1 (004278).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0468 effective January 1, 2024.

#### SB898/HB521 **PROFESSIONS & LICENSURE: Creates the professional music therapist advisory committee.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Helton-Haynes, Esther

*Summary:* Creates the professional music therapist advisory committee of the board of examiners in psychology to regulate the practice of music therapy. Specifies membership and terms of advisory committee. Requires the advisory committee to meet at least twice a year and allows the committee to hold additional meetings as the advisory committee may determine necessary to carry out its duties. Specifies duties of advisory committee (15 pp.).

*Amendment Summary:* Senate amendment 2 (004980) makes the following changes: (1) Redefines "advisory committee" to mean the professional music therapy advisory committee of the board of examiners in psychology, which is authorized to promulgate emergency rules under this bill; (2) Makes "board" refer to the board of examiners in psychology, rather than the board of medical examiners; (3) Removes the term "licensed professional music therapist" and substitutes the term "certified professional music therapist," which means a person certified to practice music therapy under this bill; (4) Requires that all initial appointees to the advisory committee to become certified therapists no later than July 1, 2024, in order to continue to serve as members of the committee. In addition, any action taken by the advisory committee must be approved by the board; (5) Requires that the applicant for certification must provide proof of passing the examination for board certification offered by the certification board for music therapists or any successor organization or provides proof of being transitioned into board certification along with the other requirements set out in the bill; (6) Clarifies that if the certified professional music therapist fails to submit a certified or sworn statement, required for every applicant, then the certificate is automatically revoked by the advisory committee without further notice or hearing, unless certain criteria are met; (7) Clarifies that this bill does not permit a certified professional music therapist to engage in a psychological practice; (8) Clarifies that this bill does not restrict the non-clinical, non-therapeutic music intervention of the Tennessee person-centered music program administered by the Tennessee commission on aging and disability, and associated area agencies on aging and disability or their representatives; (9) Clarifies that the limitation on using certain titles does not prohibit the use of music intervention in a non-clinical, non-therapeutic manner by persons who do not represent themselves as music therapists or through a program that is not represented to be a music therapy program, including the Tennessee person-centered music program administered by the Tennessee commission on aging and disability; (10) Provides that any other action deemed to be grounds for disciplinary action under rules promulgated by the advisory committee may be grounds for the advisory committee to exercise its enumerated powers; and (11) Changes the effective date section such that, for the purpose of appointing members and rulemaking, this bill takes effect upon becoming a law, and, for all other purposes, this bill takes effect January 1, 2024. House amendment 3 (015651) makes the following changes: (1) In order to stagger the terms of the newly appointed professional music therapy advisory committee ("committee") members, requires initial appointments to be made as follows: (A) One person serves an initial term of one year, which expires on June 30, 2025, instead of June 30, 2024; (B) Two persons serve initial terms of two years, which expire on June 30, 2026, instead of June 30, 2025; (C) One person serves an initial term of three years, which expires on June 30, 2027, instead of June 30, 2026; and (D) One person serves an initial term of four years, which expires on June 30, 2028, instead of June 30, 2027; (2) Requires all initial appointees to the advisory committee to become certified professional music therapists no later than July 1, 2025, instead of July 1, 2024, in order to continue to serve as members of the committee; (3) Requires the rules promulgated by the advisory committee to take into consideration the standards of ethics and professional conduct of the code of ethics of the American Music Therapy Association and code of professional ethics of the Certification Board for Music Therapists, or any successor organization, in effect on January 1, 2025, instead of January 1, 2024; and (4) Clarifies that the bill takes effect on January 1, 2025, instead of January 1, 2024.

*Fiscal Note:* (Dated February 11, 2023) Increase State Revenue \$40,000/FY23-24/Board of Medical Examiners \$40,000/FY24-25/Board of Medical Examiners \$24,000/FY25-26 and Subsequent Years/ Board of Medical Examiners Increase State Expenditures \$88,700/FY23-24/Board of Medical Examiners \$82,500/FY24-25 and Subsequent Years/ Board of Medical Examiners Other Fiscal Impact Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Medical Examiners had an annual surplus of \$937,379 in FY20-21, an annual surplus of \$902,739 in FY21-22, and a cumulative reserve balance of \$3,289,036 on June 30, 2022.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1010, effective May 28, 2024 & January 1, 2025.

#### SB906/HB1357 **EDUCATION: Full teacher salary if missed duties due to violent criminal act.**

*Sponsors:* Sen. Niceley, Frank , Rep. Farmer, Andrew

*Summary:* Requires an LEA to pay a teacher their full salary, in addition to their full benefits, if the teacher is absent from assigned duties as the result of a personal injury caused by a physical assault or other violent criminal act committed against the teacher in the course of the teacher's employment activities, with certain limitations and exceptions.

*Fiscal Note:* (Dated February 12, 2023) Other Fiscal Impact For teachers at State Special Schools or LEAs who become injured and absent due to an assault or other violent criminal act, an increase in state or mandatory local expenditures may occur. However, the extent and timing of any such increase cannot be reasonably determined.

*Senate Status:* 04/18/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0343 effective July 1, 2023.

#### SB907/HB814 **RETAIL TRADE: Creation of state fire permit for mobile food units.**

*Sponsors:* Sen. Niceley, Frank , Rep. Davis, Elaine

*Summary:* Requires the state fire marshal to create a state fire permit that mobile food units may obtain annually to demonstrate fire safety and electrical code compliance to local governments. Requires a local government to recognize the state fire permit in its jurisdiction. Prohibits the local government from requiring a local fire permit if the mobile food unit holds a state fire permit.

*Amendment Summary:* House amendment 1 (004494) requires the State Fire Marshal's Office (SFMO) to create a state fire permit that mobile food units may obtain annually if the mobile food unit meets a list of specific standards that demonstrate fire safety and electrical code compliance. Authorizes the SFMO to charge a fee for each permit issued that cannot exceed the cost of inspecting the mobile food unit and issuing the permit. Authorizes the SFMO to inspect a food truck twice per calendar year to ensure compliance with the standards necessary to obtain a permit. Requires the SFMO to provide written notice of any violations the mobile food unit has in regard to fire and electrical code safety and authorizes additional fees to be charged for each additional inspection conducted to ensure a violation has been corrected. Sets up an appeal process for mobile food units to revoke or modify orders of violations issued by the SFMO under the Commissioner of the Department of Commerce and Insurance (DCI). Authorizes a mobile food unit aggrieved by an order made by the Commissioner of DCI to file a petition within five days of the aggrievement through the court system starting with the court in which the mobile food unit is located. Requires a local government to recognize the state fire permit in its jurisdiction and to not require the mobile food unit to also hold a local fire permit or pass a local fire inspection. Clarifies that this act does not prevent a local government from requiring a mobile food unit that does not hold a state fire permit to submit to local fire inspections and to obtain local fire permits, or from requiring a mobile food unit to obtain a state fire permit. Senate amendment 2 (006967) adds that the state fire marshal may charge a fee for the permit not to exceed the lesser of the cost of inspecting the mobile food unit and issuing the permit or \$300. Clarifies that the state fire marshal or a local government that has obtained the authorized exemption may conduct additional inspections if necessary to address code violations or observation of unlawful conditions in violation of the standards. Senate amendment 3 (007864) requires the State Fire Marshal's Office (SFMO) to create a state fire permit that mobile food units may obtain annually if the mobile food unit meets a list of specific standards that demonstrate fire safety and electrical code compliance. Authorizes the SFMO to charge a reasonable fee for each permit issued. Authorizes the SFMO to inspect a food truck once per calendar year to ensure compliance with the standards necessary to obtain a permit. Requires the SFMO to provide written notice of any violations the mobile food unit has in regard to fire and electrical code safety and authorizes additional fees to be charged for each additional inspection conducted to ensure a violation has been corrected. Sets up an appeal process for mobile food units to revoke or modify orders of violations issued by the SFMO under the Commissioner of the Department of Commerce and Insurance (DCI). Authorizes a mobile food unit aggrieved by an order made by the Commissioner of DCI to file a petition within five days of the aggrievement through the court system starting with the court in which the mobile food unit is located. Requires a local government to recognize the state fire permit in its jurisdiction and to not require the mobile food unit to also hold a local fire permit or pass a local fire inspection. Clarifies that this act does not prevent a local government from requiring a mobile food unit that does not hold a state fire permit to submit to local fire inspections and to obtain local fire permits, or from requiring a mobile food unit to obtain a state fire permit.

*Fiscal Note:* (Dated February 25, 2023) Increase State Revenue Exceeds \$75,000/FY23-24 and Subsequent Years Increase State Expenditures \$295,900/FY23-24 \$261,400/FY24-25 and Subsequent Years Decrease Local Revenue Exceeds \$30,200/FY23-24 and Subsequent Years

*Senate Status:* 04/21/23 - Senate passed with amendment 2 (006967) and amendment 3 (007864).

*House Status:* 04/21/23 - House concurred in Senate amendment 2 (006967) and Senate amendment 3 (007864).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0390 effective May 11, 2023.

#### **SB915/HB1015 TRANSPORTATION VEHICLES: Regulations for motor vehicle towing or storage businesses.**

*Sponsors:* Sen. Niceley, Frank , Rep. Faison, Jeremy

*Summary:* Prohibits persons engaged in the business of towing motor vehicles by wrecker or otherwise, or storing such motor vehicles, for remuneration from charging the owner or lienholder a storage fee for a period exceeding 21 days without the owner or lienholder's consent unless certain exceptions apply. Broadly captioned.

*Amendment Summary:* House amendment 1 (014606) rewrites the bill to, instead, authorize persons engaged in the business of towing and storing motor vehicles or storing motor vehicles that have been towed to remove and secure a firearm left in a stored motor vehicle if the firearm can be removed without causing damage to the motor vehicle. If removed, the firearm must be tagged or logged in a manner to tie it to the vehicle from which it was removed, and the firearm must be stored at the business in a firearm safe or other type of secure storage. The business must notify the owner of the vehicle when a firearm is removed and secured, and such notice must include information regarding how the firearm may be retrieved. Senate amendment 1 (017875) clarifies, for purposes of the bill, the following: (1) That a "motor vehicle" means a self-propelled vehicle that is designed for use upon the highway, including trailers and semitrailers designed for use with the vehicle, and every vehicle that is propelled by electric power obtained from overhead wires but not operated upon rails, except traction engines, road rollers, and farm tractors. However, a "motor vehicle" does not include a motorized bicycle; and (2) That a "person" includes a natural person, firm, association, corporation, or partnership.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0902, effective May 3, 2024.

#### **SB919/HB854 FAMILY LAW: Waiving of waiting period after filing petition for adoption.**

*Sponsors:* Sen. Rose, Paul , Rep. Leatherwood, Tom

*Summary:* Allows a court to waive or reduce the six-month waiting period after the filing of a petition for adoption under certain circumstances. Extends from 45 days to 60 days the time period after birth or surrender or parental consent during which an interested party may pay for certain reasonable, actual expenses of the birth mother. Makes various other changes related to adoption and termination of parental rights proceedings including virtual counseling and rights of the biological father.

*Amendment Summary:* Senate amendment 3 (007435) requires the court to provide a ruling on a petition of termination of custodial rights within 30 days of the conclusion of the hearing and to enter an order within 30 days of the ruling. Removes the requirement of a father's consent for adoption proceedings being mandatory simply based on the father being recorded on the child's birth certificate. House amendment 1 (005182) removes all of this bill's provisions except for the provisions relative to final orders of adoption, the provisions relative to termination of parental or guardianship rights, and the provision that deletes the present law requirement stating that the parental rights of the putative father of a child who has not filed a petition to establish paternity of the child or who has not established paternity of the child who is the subject of an adoption proceeding and who is recorded on the child's birth certificate as the father of the child must be terminated by surrender, parental consent, termination of parental rights, or by waiver of interest, before the court may enter an order of adoption concerning that child. This amendment also revises the provisions relative to termination of parental or guardianship rights: (1) To clarify that the court is required: (A) To provide a ruling on the petition to terminate parental or guardianship rights within 30 days of the conclusion of the hearing on the petition; and (B) To enter an order that makes specific findings of fact and conclusions of law within 30 days of the court's ruling; and (2) To rewrite the provision, which provides that the petitioner or respondent will have grounds to request that the court of appeals grants an order expediting the case at the trial level if the case has not been completed within six months from the date the petition was filed; so that it provides, instead, that the petitioner or respondent has grounds to request that the court of appeals grant an order expediting entry of the order if an order has not been entered within 30 days from the court's ruling.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed with amendment 3 (007435).

*House Status:* 04/19/23 - House concurred in Senate amendment 3 (007435).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0393 effective May 11, 2023.

### SB921/HB855 **FAMILY LAW: Tennessee putative father registry - parental rights termination.**

*Sponsors:* Sen. Rose, Paul , Rep. Leatherwood, Tom

*Summary:* Changes the time period during which the Tennessee putative father registry must have been consulted prior to the filing of a petition to terminate parental rights from 10 days to 10 working days. Requires the appointment of a guardian ad litem in an adoption involving a mentally disabled child when the child is 14 years of age or older at any time before the granting of the petition rather than at any age. Broadly captioned.

*Fiscal Note:* (Dated March 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0363 effective May 5, 2023.

### SB923/HB910 **LOCAL GOVERNMENT: Residency requirements for jailer or corrections officer.**

*Sponsors:* Sen. Rose, Paul , Rep. Gillespie, John

*Summary:* Prohibits local governments from dismissing, disciplining, fining, or penalizing a jailer or corrections officer employed by a local government or denying employment to a person applying to be a jailer or corrections officer, based on where the jailer or corrections officer or applicant resides. Broadly captioned.

*Fiscal Note:* (Dated February 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0240 effective April 25, 2023.

### SB924/HB577 **CRIMINAL LAW: Aggravated assault or attempted first-degree murder on grounds of healthcare facility.**

*Sponsors:* Sen. Rose, Paul , Rep. Chism, Jesse

*Summary:* Adds as a factor the court may consider for the purpose of enhancing a defendant's sentence upon conviction of a criminal offense, consideration of whether the defendant committed the offense of aggravated assault or attempted first-degree murder on grounds or premises defined as a healthcare facility. Broadly captioned.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0306 effective July 1, 2023.

### SB925/HB1429 **HEALTH CARE: Out-of-state provider of home medical equipment services - requirement to maintain office in state.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hicks, Gary

*Summary:* Exempts an out-of-state provider of home medical equipment services from the requirement to maintain an office or place of business within this state if the provider provides home medical equipment that is not available from a provider that has an office or place of business within this state.

*Amendment Summary:* Senate amendment 1 (003501) makes the following changes to this bill: (1) Names this bill "Quinnlee's Law"; (2) Removes the requirement that a provider of home medical equipment services that has a principal place of business outside this state maintain an office or place of business within this state; and (3) Requires the board for licensing health care facilities to establish by rule that a provider of home medical equipment services that has a principal place of business outside of this state must identify a contact person who is required to provide the state survey agency and its surveyors access to all survey items, which may include, but are not limited to, personnel files, patient medical records, policies and procedures, data, background checks, abuse registry checks, facility reported incidents, litigation and bankruptcy history, current licensure status, copies of investigations, discipline records in any other state where the provider is licensed, and video records or files, if available.

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed with amendment 1 (003501).

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0099 effective March 31, 2023.

**SB926/HB1430 LOCAL GOVERNMENT: Requirements for members of board of directors of an industrial development corporation.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hicks, Gary  
*Summary:* Removes the requirement that members of the board of directors for an industrial development corporation be qualified electors and taxpayers in the county or city that created the corporation.  
*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0128 effective April 4, 2023.

**SB927/HB1484 CORRECTIONS: Inmates infected with bloodborne pathogens - warning to employees at risk of exposure.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hulse, Bud  
*Summary:* Requires, rather than authorizes, the superintendent, director, or warden of a correctional institution or county or municipal jail or workhouse to warn, no less than twice per year, rather than periodically, all employees at risk of potential exposure to bloodborne pathogens, that a portion of the inmate population is likely to be infected with a bloodborne pathogen. Broadly captioned.  
*Amendment Summary:* House amendment 2 (007792) authorizes the use of state funds for the same purposes described in the Summary for Senate Amendment #1.  
*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/20/23 - Senate concurred in House amendment 2 (007792).  
*House Status:* 04/19/23 - House passed with amendment 2 (007792).  
*Executive Status:* 05/23/23 - Enacted as Public Chapter 0469 effective May 17, 2023.

**SB928/HB853 PROPERTY & HOUSING: Coordinate measurements in international feet instead of U.S. survey feet.**

*Sponsors:* Sen. Taylor, Brent , Rep. Leatherwood, Tom  
*Summary:* Requires that plane coordinate values for a point on the Earth's surface, used to express the geographic position or location of the point, be expressed in international feet instead of United States survey feet.  
*Amendment Summary:* Senate amendment 1 (005027) rewrites this bill to revise present law provisions governing coordinates used in the Tennessee Coordinate System, as follows: (1) To provide that the plane coordinate values for a point on the earth's surface, used to express the geographic position or location of such point, must consist of two distances expressed in either International, instead of United States survey, feet and decimals of a foot or meters and decimals of a meter when using the Tennessee State Plane Coordinate System; and (2) To remove a provision requiring, when the values are expressed in United States survey feet, that they be used as the standard foot for the Tennessee State Plane Coordinate System.  
*Fiscal Note:* (Dated February 23, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/13/23 - Senate passed with amendment 1 (005027).  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0129 effective April 4, 2023.

**SB932/HB830 CRIMINAL LAW: Bail restrictions for Class A or Class B felony bailable offenses.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Requires a defendant who has been arrested or held to answer for a Class A or Class B felony bailable offense to only be admitted to bail by a judge of the circuit or criminal court.  
*Amendment Summary:* House amendment 1 (006780) rewrites this bill to revise present law relative to admission to bail, as described below. RELEASE ON RECOGNIZANCE Present law authorizes a person charged with a bailable offense to, before a magistrate authorized to admit the person to bail, be ordered released pending trial on the person's personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the magistrate. This amendment adds that a person charged with a Class A or Class B felony, aggravated assault, aggravated assault against a first responder, or domestic assault is prohibited from being released on their own recognizance without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges. CONDITIONS ON RELEASE Under present law, if a defendant does not qualify for a release upon recognizance, then the magistrate must impose the least onerous conditions reasonably likely to assure the defendant's appearance in court. If conditions on release are found necessary, then present law authorizes the magistrate to impose certain conditions, including, but not limited to, releasing the defendant into the care of some qualified person or organization responsible for supervising the defendant and assisting the defendant in appearing in court. This amendment prohibits a person charged with a Class A or Class B felony, aggravated assault, aggravated assault against a first responder, or domestic assault from being released pursuant to the above provision without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges. BAIL FOR DEFENDANT CHARGED WITH COMMISSION OF CRIME WHILE FREE ON BAIL Present law provides that when a defendant has been admitted to and released on bail for a criminal offense, whether prior to or during trial or pending appeal, and the defendant is charged with the commission of one or more bailable offenses while released on bail, the judge shall set the defendant's bail on each new offense in an amount not less than twice that which is customarily set for the offense charged. This amendment revises this provision to additionally require that such defendant only be released pursuant to provisions governing bail deposits and bail bonds.  
*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/17/23 - Senate passed.  
*House Status:* 04/10/23 - House passed with amendment 1 (006780).  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0362 effective July 1, 2023.

**SB935/HB1129 TAXES BUSINESS: Extension of revenue allocation for NBA arenas.**

*Sponsors:* Sen. Taylor, Brent , Rep. Camper, Karen

*Summary:* Extends provisions related to the allocation of revenue from the surcharge or tax on the lease or rental of passenger motor vehicles as it pertains to costs related to an arena facility for a National Basketball Association (NBA) member professional basketball team until June 30, 2059.

*Fiscal Note:* (Dated March 12, 2023) Other Fiscal Impact An allocation of \$3,389,600 generated from the Car Rental Tax to the NBA Arena Fund for the Memphis and Shelby County Sports Authority will continue through FY58-59.

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0272 effective April 28, 2023.

### SB937/HB1311 **HEALTH CARE: Graduate Physicians Act.**

*Sponsors:* Sen. Briggs, Richard , Rep. Kumar, Sabi

*Summary:* Enacts the "Graduate Physicians Act" which states that a graduate physician collaborative practice arrangement must limit the graduate physician to providing primary care services. Requires that the graduate physician be licensed by the board of medical examiners and met all requirements to receive the license. Requires that a licensed graduate physician must enter into a graduate physician collaborative practice arrangement within six months of receiving licensure. Sets limits on the use of graduate physician collaborative practice arrangements for graduate physicians. Specifies the duties and ability to prescribe drugs of the graduate physicians. (12pp). Broadly captioned.

*Amendment Summary:* House amendment 2 (006788) creates the Graduate Physicians Act. Defines a "graduate physician" as a medical school graduate who has completed Step 1 and 2 of the United States Medical Licensing Examination (USMLE) or combination of examinations that is approved by the Board of Medical Examiners (BME) or the Board of Osteopathic Examination (BOE) within the set time restrictions. Requires the BME, in consultation with the BOE, to establish the process for licensure of graduate physicians, including licensure, supervision requirements, and additional requirements for graduate physician collaborative practice arrangements. Authorizes the BME to set fees, which must include a requirement that the total fees collected each year must be greater than or equal to the total costs necessary to facilitate the graduate physician collaborative practice arrangement each year. Establishes a graduate physician license is only valid for two years from the date of issuance and is not subject to renewal. Authorizes a graduate physician to enter into a collaborative practice arrangement with a licensed physician who is board-certified by the BME or the BOE, in the specialty that the graduate physician is practicing, which must only include pediatrics, internal medicine, or family medicine. Authorizes a graduate physician to administer or dispense drugs under a collaborative practice arrangement, but prohibits a graduate assistant from prescribing controlled substances. The duration of the collaborative practice arrangement is decided amongst the graduate physician and the licensed physician. Under a collaborative practice arrangement, a graduate physician is authorized to provide primary medical care services in: (1) a medically underserved rural area of this state; (2) a pilot project area established for graduate physicians to practice; or (3) a rural health clinic under the federal Social Security Act. Establishes that a graduate physician may receive credit towards a future residency program upon successful completion of a collaborative practice service. Requires the licensed physician collaborating with the graduate physician to supervise the activities of the graduate physician and accept full responsibility for the primary care services provided by the graduate physician. Requires the licensed physician collaborating with a graduate physician to complete a certification course approved by the BME or BOE. Takes effect January 1, 2025. Senate amendment 1 (006489) creates the Graduate Physicians Act. Defines a "graduate physician" as a medical school graduate who has completed Step 1 and 2 of the United States Medical Licensing Examination (USMLE) or combination of examinations that is approved by the Board of Medical Examiners (BME) or the Board of Osteopathic Examination (BOE) within the set time restrictions, but has not completed an approved postgraduate residency. Requires the BME, in consultation with the BOE, to establish the process for licensure of graduate physicians, including licensure, supervision requirements, additional requirements for graduate physician collaborative practice arrangements, and fees. Establishes a graduate physician license is only valid for two years from the date of issuance and is not subject to renewal. Authorizes a graduate physician to enter into a collaborative practice arrangement with a licensed physician who is board-certified by the BME or the BOE, in the specialty that the graduate physician is practicing, which must only include pediatrics, internal medicine, or family medicine. Authorizes a graduate physician to administer or dispense drugs under a collaborative practice arrangement, but prohibits a graduate assistant from prescribing controlled substances. The duration of the collaborative practice arrangement is decided amongst the graduate physician and the licensed physician. Under a collaborative practice arrangement, a graduate physician is authorized to provide primary medical care services in: (1) medically underserved rural areas of this state; (2) a pilot project area established for graduate physicians to practice; or (3) a rural health clinic under the federal Social Security Act. Establishes that a graduate physician may receive credit towards a future residency program upon successful completion of a collaborative practice service. Requires the licensed physician collaborating with the graduate physician to supervise the activities of the graduate physician and accept full responsibility for the primary care services provided by the graduate physician. Requires the licensed physician collaborating with a graduate physician to complete a certification course approved by the BME or BOE. Takes effect January 1, 2025. House Government Operations Committee amendment 1 (006788) creates the Graduate Physicians Act. Defines a "graduate physician" as a medical school graduate who has completed Step 1 and 2 of the United States Medical Licensing Examination (USMLE) or combination of examinations that is approved by the Board of Medical Examiners (BME) or the Board of Osteopathic Examination (BOE) within the set time restrictions. Requires the BME, in consultation with the BOE, to establish the process for licensure of graduate physicians, including licensure, supervision requirements, and additional requirements for graduate physician collaborative practice arrangements. Authorizes the BME to set fees, which must include a requirement that the total fees collected each year must be greater than or equal to the total costs necessary to facilitate the graduate physician collaborative practice arrangement each year. Establishes a graduate physician license is only valid for two years from the date of issuance and is not subject to renewal. Authorizes a graduate physician to enter into a collaborative practice arrangement with a licensed physician who is board-certified by the BME or the BOE, in the specialty that the graduate physician is practicing, which must only include pediatrics, internal medicine, or family medicine. Authorizes a graduate physician to administer or dispense drugs under a collaborative practice arrangement, but prohibits a graduate assistant from prescribing controlled substances. The duration of the collaborative practice arrangement is decided amongst the graduate physician and the licensed physician. Under a collaborative practice arrangement, a graduate physician is authorized to provide primary medical care services in: (1) a medically underserved rural area of this state; (2) a pilot project area established for graduate physicians to practice; or (3) a rural health clinic under the federal Social Security Act. Establishes that a graduate physician may receive credit towards a future residency program upon successful completion of a collaborative practice service. Requires the licensed physician collaborating with the graduate physician to supervise the activities of the graduate physician and accept full responsibility for the primary care services provided by the graduate physician. Requires the licensed physician collaborating with a graduate physician to complete a certification course approved by the BME or BOE. Takes effect January 1, 2025.

*Fiscal Note:* (Dated February 25, 2023) Increase State Revenue - \$22,100/FY23-24/Board of Medical Examiners \$22,100/FY24-25/Board of Medical Examiners \$33,700/FY25-26 and Subsequent Years/ Board of Medical Examiners Increase State Expenditures \$90,900/FY23-24/Board of Medical Examiners \$86,800/FY24-25 and Subsequent Years/ Board of Medical Examiners Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The BME had an annual surplus of \$937,379 in FY20-21, an annual surplus of \$902,739 in FY21-22, and accumulative reserve balance of \$3,289,036 on June 30, 2022.

*Senate Status:* 04/21/23 - Senate concurred in House amendment 2 (006788).

*House Status:* 04/20/23 - House passed with amendment 2 (006788).

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0470 effective May 17, 2023.

**SB944/HB987 JUDICIARY: Info provided to complainant by board of judicial conduct.**

*Sponsors:* Sen. Oliver, Charlane ,

*Summary:* Requires the board of judicial conduct to provide a complainant with a copy of the hearing panel's findings and judgment and the board's formal finding of fact and opinion and any sanction imposed. Allows a complainant to appeal the board's decision to the Tennessee supreme court.

*Amendment Summary:* Senate amendment 1 (005723) revises the provision of this bill relative to appeals to authorize the aggrieved judge or the complainant to appeal to the supreme court pursuant to Rule 11 of the Tennessee Rules of Appellate Procedure, instead of as a matter of right.

*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (005723).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0273 effective April 28, 2023.

**SB952/HB802 UTILITIES: Underground utility damage enforcement board meeting times.**

*Sponsors:* Sen. Walley, Page , Rep. Marsh, Pat

*Summary:* Increases the amount of time the underground utility damage enforcement board must meet each calendar year from a minimum of two times to a minimum of three times.

*Amendment Summary:* House amendment 1 (007102) exempts certain persons from the requirement to provide notice of intent to excavate or demolish. Authorizes a person responsible for excavation or demolition to designate the location of a proposed excavation or demolition by marking the area with electronic white lining. Authorizes the state's one-call service to collect data concerning notice issues and recommend alternatives to the Underground Utility Damage Enforcement Board (Board) that would alleviate the number of repeated additional notices required on excavation projects.

*Fiscal Note:* (Dated March 16, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate concurred in House amendment 1 (007102).

*House Status:* 04/13/23 - House passed with amendment 1 (007102).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0274 effective April 28, 2023.

**SB953/HB690 PROFESSIONS & LICENSURE: License to practice psychology for a person licensed in another state.**

*Sponsors:* Sen. Walley, Page , Rep. Martin, Brock

*Summary:* Allows the board of examiners to designate a health science provider a license to practice if the person has held a valid license or certificate in another state for at least 10 years within the last 15 years and has acquired training that is equivalent to the state's required training and never been the subject of disciplinary action.

*Amendment Summary:* Senate amendment 1 (004027) authorizes the board of examiners in psychology to promulgate emergency rules in order to effectuate the licensing standards required under this bill. This amendment also changes the effective date of this bill to upon becoming a law for purposes of rule promulgation and January 1, 2024, for all other purposes.

*Fiscal Note:* (Dated February 11, 2023) Increase State Revenue - \$24,300/Each FY23-24 and FY24-25/ Board of Examiners in Psychology \$36,000/FY25-26 and Subsequent Years/ Board of Examiners in Psychology Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Examiners in Psychology had an annual surplus of \$68,247 in FY20-21, an annual surplus of \$57,979 in FY21-22, and a cumulative reserve balance of \$1,251,007 on June 30, 2022.

*Senate Status:* 02/23/23 - Senate passed with amendment 1 (004027).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0173 effective April 17, 2023.

**SB955/HB1286 PUBLIC FINANCE: Contracting with additional legal counsel to advise on issues concerning the state treasurer's fiduciary obligations.**

*Sponsors:* Sen. Johnson, Jack , Rep. Zachary, Jason

*Summary:* Authorizes the state treasurer, with the approval of the attorney general and reporter, to contract with additional legal counsel, who must be paid compensation for services as the treasurer may deem just, to advise on issues concerning the state treasurer's fiduciary obligations and responsibilities, including the investment, reinvestment, management, and selection of investment options for program assets.

*Amendment Summary:* Senate amendment 1 (004289) rewrites this bill to require the department of treasury investment division staff, under the supervision of the state treasurer, to invest, reinvest, manage, and select investment options for program assets for financial reasons, excluding environmental, social, and governance interests that may not be material to the financial analysis of the investment, for the exclusive benefit of the beneficiaries of the programs while maximizing long-term shareholder value. This amendment defines a "program" as any of the following that are established by law and for which the state treasurer has, or has been delegated, investment authority, oversight, and responsibility: (1) A trust fund; (2) An endowment fund; (3) Deferred or tax-sheltered compensation plan or plans, including profit sharing or salary reduction plans; (4) Programs under the Tennessee College Savings Trust Act; and (5) Programs under The Achieving a Better Life Experience (ABLE) Act. This amendment further provides the following: (1) The state treasurer has the sole authority to exercise, in person or by proxy, all voting rights with respect to securities held by a program and to give general or special proxies or powers of attorney with or without power of substitution; (2) The authority conferred by (1) above must be exercised for financial reasons, impartially and solely in the interests of the beneficiaries of the program as determined from the purposes, terms, distribution requirements, and other circumstances of the program, and the terms of the respective program's investment and proxy voting policies or guidelines; (3) The state treasurer may delegate the authority conferred by (1) above, in whole or in part, to the department of treasury staff, which authority includes, but is not limited to, conducting research, providing due diligence, and casting votes; (4) The state treasurer has final authority over an investment or proxy voting decision for a program; (5) The state treasurer may make and enter into contracts, agreements, and other instruments with an individual or entity to effectuate this bill; (6) In cases where the interest of the state treasurer requires additional legal counsel to effectuate this bill and to advise on issues concerning the state treasurer's fiduciary obligations and responsibilities, the state treasurer, with the approval of the attorney general and reporter, may contract with additional counsel; and (7) This bill applies to investments made on or after July 1, 2023.

*Fiscal Note:* (Dated February 23, 2023) Other Fiscal Impact Any increase in state expenditures, if any, cannot be quantified with reasonable certainty.

*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004289).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0471 effective July 1, 2023.

**SB963/HB1081 CRIMINAL LAW: Timeframe for court clerk to forward copy of judgment to TBI for persons convicted of animal abuse.**

*Sponsors:* Sen. Lamar, London , Rep. Parkinson, Antonio

*Summary:* Reduces from 60 days to 30 days of the judgment, the time within which a court clerk must forward a copy of the judgment and date of birth of a person convicted of an animal abuse offense to the bureau for purposes of the bureau's publicly available list of persons with such convictions. Broadly captioned.

*Amendment Summary:* House amendment 1 (005510) rewrites this bill to add to the current list of advisory factors that a court shall consider, but is not bound by, in determining whether to enhance a defendant's sentence whether the defendant committed an assaultive offense, criminal homicide, kidnapping, false imprisonment, robbery, or a sexual offense while engaged in the performance of official duties as a law enforcement officer.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (005510).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0318 effective July 1, 2023.

**SB966/HB663 EDUCATION: Scholars Summer Guide on the school's website.**

*Sponsors:* Sen. Powers, Bill , Rep. Hicks, Tim

*Summary:* Requires that the Scholars Summer Guide, which is given to each student in grades kindergarten through eight prior to the last day of the school year, to be made available on the school's website. Broadly captioned.

*Amendment Summary:* House amendment 1 (005818) adds that a determination made by a local board of education or public charter school governing body that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, will trigger the requirement that the school remove the material from the library collection in the same manner as if the determination was made by an LEA or public charter school.

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/20/23 - Senate concurred in House amendment 1 (005818).

*House Status:* 04/19/23 - House passed with amendment 1 (005818).

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0472 effective May 17, 2023.

**SB967/HB662 EDUCATION: Website version of high school scholar's prep guide.**

*Sponsors:* Sen. Powers, Bill , Rep. Hicks, Tim

*Summary:* Requires the scholars prep guide, which is provided to each high school student in grades nine through 12 upon registering for a course, to be available to students on the school's website. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006664) requires each local education agency (LEA) to maintain a notice of deleted policies on file at the LEA's central office. Establishes that if a person holds an active industry license or credential relevant to a career and technical education (CTE) course as determined by the Department of Education (DOE), then the person may provide instruction to students in the CTE course as long as the instruction provided by the person is supervised at all times by a licensed teacher who serves as the teacher of record for the course. Establishes that a person providing instruction to students in a CTE course is subject to investigation.

*Fiscal Note:* (Dated January 29, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (006664).

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0344 effective July 1, 2023.

**SB971/HB782 EDUCATION: Financial literacy education for elementary and middle schools.**

*Sponsors:* Sen. Powers, Bill , Rep. White, Mark



*Summary:* Requires at least one grade level in each public elementary and middle school to schedule five days during each school year to highlight age-appropriate financial literacy concepts, either inside or outside of the classroom. Specifies that the financial literacy concepts must include, at a minimum, earning income, spending, saving, managing credit, and investing. Requires the department of education, in consultation with the Tennessee financial literacy commission, to develop guidance to assist public elementary and middle schools in implementing this requirement.

*Amendment Summary:* House amendment 1 (005325) rewrites this bill to require, upon the request of the commission, each public elementary and middle school, or each LEA on behalf of the schools, to provide information to the commission or department of education about the financial literacy education provided to elementary and middle school students during the school year.

*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 03/23/23 - House passed with amendment 1 (005325).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0310 effective April 28, 2023.

#### **SB972/HB995 EDUCATION: Corporal punishment for students with disabilities.**

*Sponsors:* Sen. Powers, Bill , Rep. Stevens, Robert

*Summary:* Clarifies that a communication made in an electronic format in which a parent of a child with a disability gives permission for the use of corporal punishment against the child constitutes permission given in writing such that the chief administrative officer, or the chief administrative officer's designee, may administer such corporal punishment to the child in accordance with the LEA's discipline policy.

*Amendment Summary:* Senate amendment 1 (006314) rewrites this bill to revise present law relative to corporal punishment. Under present law, a teacher or school principal may use corporal punishment in a reasonable manner against a pupil for good cause in order to maintain discipline and order within the public schools. However, teachers, school principals, or other school personnel are prohibited from using corporal punishment against a student who has a disability, unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. This amendment adds that, prior to the administration of corporal punishment against a student, the student's teacher or school principal must document in the student's educational record that they have: (1) Acted to address the student's behavior; (2) Provided consequences to the student to address the behavior; (3) Consulted with the student's parent or legal guardian about the student's behavior; and (4) Considered the need to conduct an initial evaluation to determine whether the student has a disability in accordance with the Individuals with Disabilities Education Act, state law, and the state board of education's rules. This amendment also provides that if, as a result of the evaluation provided in (4), a student is found to have a disability, then corporal punishment may only be administered against the student if authorized in accordance with the present law described above.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (006314).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0275 effective April 28, 2023.

#### **SB975/HB921 UTILITIES: Contracts executed for purchases, services, and leases by president of municipal energy authority.**

*Sponsors:* Sen. Powers, Bill , Rep. Marsh, Pat

*Summary:* Revises provisions relating to contracts executed for purchases, services, and leases by the president of a municipal energy authority or the superintendent of a municipal electric plant. Broadly captioned.

*Amendment Summary:* House amendment 1 (005865) makes the following additions to this bill: (1) Clarifies that in addition to the powers provided to boards of public utilities operating in this bill, any authorization granted by this amendment supplements the authorization provided to a municipal electric system or other similar system that operates an electric, waterworks, sewerage works, gas, telecommunications, cable television, internet, or broadband facility and is applicable to the extent provided by the supervisory body for the system or, if there is no supervisory body, by the legislative body of the municipality. However, this amendment should not supersede any authority, limitation, or requirement established by the legislative body of the municipality in accordance with the charter of the municipality; and (2) Provides that where any local or private act, charter, or general law requires that a local governmental unit purchase by competitive procurement method, the local governmental unit may do so, notwithstanding the local or private act, charter, or general law, purchase, without public advertisement or competitive soliciting, under contracts or price agreements entered into by the state building commission.

*Fiscal Note:* (Dated March 1, 2023) Decrease Local Expenditures Exceeds \$6,800/FY23-24 and Subsequent Years

*Senate Status:* 04/17/23 - Senate concurred in House amendment 1 (005865).

*House Status:* 04/13/23 - House passed with amendment 1 (005865).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0276 effective April 28, 2023.

#### **SB976/HB825 TRANSPORTATION VEHICLES: Operation of motorscooters.**

*Sponsors:* Sen. Powers, Bill , Rep. Gillespie, John

*Summary:* Replaces the term "motor-driven cycle" with "motorscooter" for various purposes related to the operation of such vehicles, including the issuance of operator licenses, the rules of the road, and the required safety and lighting equipment.

*Amendment Summary:* Senate amendment 1 (003726) adds that the department of safety is authorized to develop knowledge and skills tests that are suitable for the Class-M-limited license and for the operation of motorscooters. This amendment also changes the effective date to be upon becoming a law for rulemaking purposes and July 1, 2024 for all other purposes.

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 02/23/23 - Senate passed with amendment 1 (003726).

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0100 effective March 31, 2023.

#### **SB978/HB828 CAMPAIGNS & LOBBYING: Election day polling locations to post a sign declaring certain voter crimes.**

*Sponsors:* Sen. Pody, Mark , Rep. Rudd, Tim

*Summary:* Requires the officer of elections at each polling place to place a sign in a prominent, highly visible location that states it is a Class C misdemeanor to vote in a political party's primary without being a bona fide member of the party or to declare allegiance to that party without the intent to affiliate with the party. Requires the sign to be a minimum of eight and one-half inches by eleven inches with a yellow background and black text.

*Amendment Summary:* Senate amendment 1 (005849) revises the text of the sign described in this bill to remove the classification of the offense and to refer to another statute in Tennessee Code Annotated.

*Fiscal Note:* (Dated March 3, 2023) Increase Local Expenditures \$2,000/FY23-24\*

*Senate Status:* 04/17/23 - Senate passed with amendment 1 (005849).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0473 effective May 17, 2023.

#### **SB979/HB944 FAMILY LAW: Domestic violence community education fund grants.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Alexander, Rebecca

*Summary:* Clarifies that a grant provided by the department of human services from the domestic violence community education fund to the Tennessee task force against domestic violence can be used for advertising. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (005150) rewrites this bill to revise present law definitions relative to abuse, as described below. Under present law, with regard to laws relative to domestic abuse, "abuse" means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means; placing an adult or minor in fear of, or in, physical harm or physical restraint; or causing malicious damage to the personal property of the abused party. This amendment expands the above definition to also include intentionally engaging in behavior that amounts to financial abuse; and defines "financial abuse" as behavior that is coercive, that is deceptive, or that unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which the person is entitled, including using coercion, fraud, or manipulation to do the following: (1) Restrict a person's access to money, assets, credit, or financial information; (2) Unfairly use a person's economic resources, including money, assets, and credit, to gain an advantage; or (3) Exert undue influence over a person's financial behavior or decisions, including forcing default on joint or other financial obligations; exploiting powers of attorney, guardianship, or conservatorship; or failing or neglecting to act in the best interest of the person to whom a fiduciary duty is owed. Under present law, the Tennessee Adult Protection Act defines "abuse or neglect" as the infliction of physical pain, injury, or mental anguish, or the deprivation of services by a caretaker that are necessary to maintain the health and welfare of an adult, or the creation of a situation in which an adult is unable to provide or obtain the services that are necessary to maintain that person's health or welfare. This amendment revises the above definition, such that "abuse or neglect" means an unreasonable expression of authority in which a caretaker: (1) Inflicts physical pain, injury, or mental anguish; (2) Deprives the adult of services that are necessary to maintain the health and welfare of the adult; or (3) Creates a situation in which the adult is unable to provide or obtain the services that are necessary to maintain the adult's personal health or welfare, including financial abuse.

*Fiscal Note:* (Dated March 16, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (005150).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0277 effective April 28, 2023.

#### **SB980/HB1086 EDUCATION: Revises various provisions relative to charter schools.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Baum, Charlie

*Summary:* Revises various provisions relative to charter schools including the performance, grade bands, enrollment of students residing outside the geographic boundaries of the LEA, economically disadvantaged students, and revoking of a public charter school agreement.

*Amendment Summary:* House amendment 1 (005134) incorporates the changes made by Senate Amendment 1 and makes the following changes to this bill: (1) Conditions the provision that allows a public charter school to enroll students residing outside the geographic boundaries of the LEA in which said school is located if capacity is available to a public charter school with an authorizer that has a policy allowing out-of-district enrollment; and (2) Provides, however, that if a public charter school's authorizer has a policy that prohibits out-of-district enrollment, then the public charter may request to adopt an out-of-district enrollment policy through the waiver process. However, the waiver request may only be submitted to the public charter school's authorizer for approval. House amendment 2 (006205) revises the provisions concerning preferences for admission to public charter schools, so that preferences will only be authorized for: (1) Students who are economically disadvantaged, which means, as defined in Tennessee's Every Student Succeeds Act plan, a homeless, foster, runaway, or migrant student or a student eligible for free or reduced-price school meals or milk through the direct certification eligibility guidelines established pursuant to federal law; and (2) Children of the public charter school's employees or the children of a member of the public charter school's governing body, not to exceed 10 percent of the public charter school's total enrollment or 25 students, whichever is less. This amendment specifies that an enrollment lottery preference may apply to all children described in (1).

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate concurred in House amendment 1 (005134) and House amendment 2 (006205).

*House Status:* 03/20/23 - House passed with amendment 1 (005134) and amendment 2 (006205).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0206 effective April 24, 2023.

#### **SB984/HB893 TENNCARE: Extends the ground ambulance service annual assessment to June 30, 2024.**

*Sponsors:* Sen. Yager, Ken , Rep. Reedy, Jay

*Summary:* Extends the ground ambulance service annual assessment to June 30, 2024. Makes certain changes to the methodology used to calculate the assessment. Broadly captioned.

*Fiscal Note:* (Dated February 10, 2023) Increase State Revenue - \$10,607,000/FY23-24/ Ambulance Service Assessment Revenue Fund Increase State Expenditures - \$10,607,000/FY23-24/ Ambulance Service Assessment Revenue Fund Increase Federal Expenditures - \$19,985,500/FY23-24/ Ambulance Service Assessment Revenue Fund The Governors FY23-24 proposed budget, on page A-32, includes \$10,655,000 in state funds and \$20,076,600 in federal funds for the Ambulance Service Assessment.

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0101 effective July 1, 2023.

#### **SB986/HB280 UTILITIES: Per diem for commissioners of utility district board in Morgan and Roane Counties.**

*Sponsors:* Sen. Yager, Ken , Rep. Butler, Ed  
*Summary:* Increases maximum per diem allowable for commissioners of utility district board in Morgan and Roane Counties, from \$300 to \$500 per board meeting. Broadly captioned.  
*Fiscal Note:* (Dated January 25, 2023) Increase Local Expenditures Up to \$7,200/FY23-24 and Subsequent Years/Permissive/ Cumberland Utility District Up to \$7,200/FY23-24 and Subsequent Years/Permissive/ Watts Bar Utility District Up to \$12,000/FY23-24 and Subsequent Years/Permissive/ Plateau Utility District Up to \$9,000/FY23-24 and Subsequent Years/Permissive/ Roane Central Utility District  
*Senate Status:* 04/10/23 - Senate passed.  
*House Status:* 04/19/23 - House passed.  
*Executive Status:* 05/10/23 - Enacted as Public Chapter 0345 effective May 5, 2023.

**SB987/HB680 EDUCATION: Elective credit for released time courses.**

*Sponsors:* Sen. Yager, Ken , Rep. Powers, Dennis  
*Summary:* Increases the credit amount a student may earn, from half a unit to one unit of credit, for work completed in a released time course.  
*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0130 effective July 1, 2023.

**SB988/HB384 ALCOHOLIC BEVERAGES: Distilled or fortified wine.**

*Sponsors:* Sen. Yager, Ken , Rep. Moon, Jerome  
*Summary:* Authorizes wineries, farm wineries, and manufacturers of alcoholic beverages to distill and fortify wine and blend the distilled or fortified wine with their products.  
*Amendment Summary:* Senate amendment 1 (004516) authorizes wineries, farm wineries, and manufacturers of alcoholic beverages to distill and fortify wine and blend the distilled or fortified wine with their products. Replaces the prohibition against rectifying wines pursuant to a winery license and authorizes a licensed winery to blend wine manufactured by the winery with other wine, fortified wine, or distilled wine; provided, that the winery does not add to the wine distilled spirits, as defined under federal law, that were derived from a type of grain or product other than wine. Authorizes wineries and farm wineries to sell wine to a licensed manufacturer and specifies that any product resulting from the blending, distilling, or fortifying of such wine is the product of the manufacturer. Authorizes a manufacturer, winery, or farm wine producer to transport wine from a winery or farm wine producer. Specifies all transactions between producers and wineries, farm wineries, and manufacturers of alcoholic beverages are not subject to taxation.  
*Fiscal Note:* (Dated February 25, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/16/23 - Senate passed with amendment 1 (004516).  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0131 effective April 4, 2023.

**SB990/HB884 PUBLIC EMPLOYEES: Local government employer participation in TCRS.**

*Sponsors:* Sen. Yager, Ken , Rep. Moon, Jerome  
*Summary:* Revises the methods by which a local government employer wishing to participate in TCRS must pay the estimated increased pension liability created by a benefit improvement. Requires the state to pay the estimated increased pension liability resulting from a benefit improvement affecting general employees or employees at institutions of higher education participating in the retirement system by amortizing the unfunded accrued liability over a period of time not to exceed 10 years from the date that the benefit improvement is established. Broadly captioned.  
*Amendment Summary:* Senate amendment 2 (003502) adds that the failure to pay the estimated increased pension liability created by the improvement may result in the withholding of the liability amount, in whole or in part, from any state-shared taxes that are otherwise apportioned to the local government. This amendment also revises the provision in the bill that prohibits an employer from establishing a benefit improvement unless the employer's funded status in the retirement system will be 60 percent or more after implementation of the benefit improvement, such that the percentage must be 70 percent or more.  
*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/09/23 - Senate passed with amendment 2 (003502).  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0132 effective July 1, 2023.

**SB993/HB867 ALCOHOLIC BEVERAGES: Sale and consumption of alcoholic beverages on commercial passenger buses.**

*Sponsors:* Sen. Yager, Ken , Rep. Littleton, Mary  
*Summary:* Authorizes sale and consumption of alcoholic beverages on certain commercial passenger buses.  
*Amendment Summary:* Senate amendment 1 (004944) makes the following changes to this bill: (1) Revises the provisions of this bill applicable to a commercial passenger bus to, instead, be applicable to a commercial passenger bus company; (2) Defines a "commercial passenger bus company" as a company that offers commercial passenger bus service in this state using a passenger bus and meets the seven requirements mentioned above; (3) Clarifies that for requirement (1) above, the service must be used for regularly scheduled transportation; (4) Clarifies that a galley area, as required by requirement (6) above, must have a sink, refrigerator, and adequate counterspace to prepare food; (5) Adds to requirement (7) above that the attendant must sell or give away prepared food to its customers; and (6) Adds that a bus company must not sell alcoholic beverages or beer to a passenger who has been served four alcoholic beverages or beer by the attendant or on private, reserved trips that are not regularly scheduled and advertised intercity trips to the general public.  
*Fiscal Note:* (Dated February 27, 2023) Increase State Expenditures - \$696,000/FY23-24/ABC Fund Increase State Revenue \$77,500/FY23-24/ABC Fund \$62,500/FY24-25 and Subsequent Years/ABC Fund \$236,900/FY23-24 and Subsequent Years /General Fund Increase Local Revenue \$170,500/FY23-24 and Subsequent Years Other Fiscal Impact The increase in expenditures incurred by the ABC will be accommodated through current fee revenue.  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0926, effective May 6, 2024.

**SB1000/HB1046 PROPERTY & HOUSING: THDA - votes required to approve the operation of financial assistance programs.**

*Sponsors:* Sen. Yager, Ken , Rep. Vaughan, Kevin

*Summary:* Decreases, from nine to eight, the number of affirmative votes required by members of the Tennessee Housing Development Agency's board of directors in order for the agency to approve the operation of its financial assistance programs, which support the financing of residential housing construction for lower and moderate income persons and families. Broadly captioned.

*Amendment Summary:* House amendment 2 (018331) rewrites the bill to enact the "Tennessee Rural and Workforce Housing Act." This amendment authorizes the Tennessee housing development agency ("agency") to allocate to the owner of a qualified project a credit against taxpayer liability for any tax imposed by the law relevant to insurance, excise tax law, or franchise tax law. This amendment authorizes the owner of a qualified project to apportion a Tennessee rural and workforce housing tax credit among some or all of the direct partners or direct members of the business entity or association owning the qualified project, in any manner agreed to by such business entity or association, regardless of whether such business entities or associations are allocated or allowed any portion of the federal housing tax credit with respect to the qualified project. Likewise, if any of the direct partners or direct members of the business entity or association owning the qualified project is a pass-through entity, any such pass-through entity may further apportion a Tennessee rural and workforce housing tax credit to any of its direct partners, direct members, or direct shareholders in any manner agreed to by such parties, regardless of whether such parties are allocated or allowed any portion of the federal housing tax credit with respect to the qualified project. Upon application or request, this amendment requires the agency to issue an eligibility statement to the owner of a qualified project to submit with a tax credit application as provided for in this amendment. The owner of a qualified project must file a tax credit application with the commissioner of revenue or the commissioner of commerce and insurance, as applicable, in order to claim a Tennessee rural and workforce housing tax credit against any taxpayer liability. The application must include the eligibility statement from the agency, a description of the qualified project, the amount of federal housing tax credit the qualified project received, the direct partners and members involved in the qualified project, how the Tennessee rural and workforce housing tax credit will be allocated among those direct partners and members, whether the qualified project is located in an eligible rural area as designated by the agency, and the amount of the Tennessee rural and workforce tax credit being claimed in the application. As used in this amendment, a "qualified project" means a qualified low-income building, as that term is defined in the Internal Revenue Code, located in this state and placed in service after January 1, 2026, that receives a federal housing tax credit allocation from the agency for a project. This amendment prohibits the total amount of the Tennessee rural and workforce housing tax credit that may be claimed for a taxable year from exceeding the taxpayer's liability. A credit that is unused may be carried forward in a tax period until the credit is taken. However, the credit may not be carried forward for more than 25 years. A taxpayer must not apply the credit against a prior tax years' liability, except that a credit may be claimed in a prior year corresponding to the date for which the agency issues an eligibility statement related to the qualified project. In the event that the agency does not issue an eligibility statement with respect to a qualified project before the end of the year in which a qualified project has been placed in service, any credits attributable to tax years prior to the year in which the agency issues the eligibility statement with respect to such qualified project must be allowed on a properly filed tax return for the year that includes the date on which the agency issued the eligibility statement related to the qualified project. If, under a portion of a federal housing tax credit taken on a qualified project is required to be recaptured, then the taxpayer claiming a Tennessee rural and workforce housing tax credit with respect to such qualified project must have a portion of the Tennessee rural and workforce housing tax credit recaptured. The state recapture amount is equal to the proportion of the Tennessee rural and workforce housing tax credit claimed by the taxpayer that equals the proportion the federal recapture amount bears to the original federal housing tax credit amount subject to recapture. If the recapture of a Tennessee rural and workforce housing tax credit is required, then this amendment requires the taxpayer to immediately notify the department of revenue on a form prescribed by the commissioner and submit an amended return to the department of revenue that includes the proportion of the Tennessee rural and workforce housing tax credit required to be recaptured, the identity of each taxpayer subject to the recapture, and the amount of tax credit previously allocated to such taxpayer. The statutory period for the assessment of additional franchise or excise tax resulting from such recapture must not expire prior to the expiration of two years from the date the commissioner or the commissioner's designee is notified in writing by the taxpayer of such recapture. In the case of an agreement in writing entered into by the commissioner, or the commissioner's designee, and the taxpayer within the time prescribed in this amendment for assessment, consenting to an assessment after such time, the tax may be assessed or a levy or other proceeding to enforce collection of such recapture may be made or begun with or without assessment at any time within the agreed upon period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the previously agreed upon period. The total amount of all new Tennessee rural and workforce housing tax credits that may be allocated by the agency in any fiscal year is subject to authorization and must not exceed the amounts of such authorization, plus the total of all unallocated tax credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated. This amendment requires the agency to allocate Tennessee rural and workforce housing tax credits pursuant to the qualified allocation plan developed by the agency pursuant to the Internal Revenue Code using uniform criteria that in the agency's discretion promote the highest value and greatest public benefit; provided, that no less than 50 percent of the Tennessee rural and workforce housing tax credits must be allocated to qualified projects in an eligible rural area as designated by the United States department of agriculture. The agency must allocate all authorized credits in the year they are authorized. This amendment requires tax credits to be authorized by joint resolution of the general assembly. This amendment requires a credit to be allowed against the tax imposed by the Excise Tax Law of 1999 and the Franchise Tax Law of 1999 in accordance with this amendment. This amendment authorizes the agency and the department of revenue and department of commerce and insurance to promulgate rules to effectuate this amendment For purposes of rulemaking and other administrative actions, this amendment takes effect July 1, 2024, the public welfare requiring it. The Tennessee Housing Development Agency must not allocate, and the Department of Revenue must not credit, any tax credits prior to an authorization to implement the Tennessee Rural and Workforce Housing Tax Credits Act by joint resolution by the General Assembly. For all other purposes, this amendment takes effect July 1, 2025, the public welfare requiring it. Senate amendment 2 (018725) creates the Tennessee Rural and Workforce Housing Act. Authorizes the owner of a qualified project to claim a tax credit (credit) against a taxpayer liability for premium tax, retaliatory tax, franchise tax, and excise tax. Defines a qualified project as a low-income building located in this state and placed in service after January 1, 2026, that receives a federal housing tax credit allocation from the Tennessee housing Development Agency (THDA) for a project. Prohibits the credit amount from exceeding the amount of the taxpayer's liability. Authorizes any unused tax credit to be carried forward for up to 25 years. Prohibits the credit from applying against prior tax years except upon meeting certain terms. Requires THDA to create rules and operate the new credit program, and requires the THDA to allocate the credit to promote the highest value for the greatest public benefit, provided that at least 50 percent of the credits are allocated to qualified projects in an eligible rural area as designated by the United States Department of Agriculture. Requires a join resolution by the General Assembly prior to any tax credits being allocated and credited against taxpayer liability.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/23/24 - Enacted as Public Chapter 0971, effective July 1, 2025, except of rulemaking and administrative actions, which are effective July 1, 2024.

**SB1001/HB831 CRIMINAL LAW: Expunction - certificate of eligibility.**

*Sponsors:* Sen. Yager, Ken , Rep. Lamberth, William  
*Summary:* Requires the Tennessee bureau of investigation (TBI) to develop a request for a certification form to be completed by the court and submitted to the TBI prior to entering an order of expunction. Requires the TBI to determine and certify whether a submitted offense is eligible for expunction. Prohibits the entry of an order of expunction on or after January 1, 2024, unless a certificate of eligibility from the TBI is attached to the order of expunction.  
*Amendment Summary:* House amendment 1 (005000) adds that a court is not required to submit a certificate to the TBI if the expungement is upon petition by a defendant in the court that entered a nolle prosequi in the defendant's case, or if the expungement is pursuant to (1)-(6) below. This amendment adds to present law by: (1) Authorizing a person to petition for expunction of the person's arrest record if the court with jurisdiction over the offense for which the person was arrested has no history of the person's arrest for the offense within the court's records. Upon filing of the petition, the clerk must serve the petition on the district attorney general for that judicial district; (2) Authorizing both the petitioner and the district attorney general to file evidence with the court relating to a petition filed under (1); (3) Requiring the clerk's office to search the court's records and certify to the court whether there is any history of the person's arrest for the offense at issue within the court's records; (4) Requiring, prior to entering an order on the petition, the court to review and consider the clerk's certification and all evidence submitted by the petitioner and the district attorney general; (5) Authorizing the court to enter an order of expunction of the arrest record if the court finds that there is no history of the person's arrest for the offense within the court's record; and (6) Requiring person petitioning the court for expunction pursuant to this amendment to be charged the appropriate clerk's fee, if applicable.  
*Fiscal Note:* (Dated February 17, 2023) Increase State Expenditures \$285,200/FY23-24 \$170,800/FY24-25 and Subsequent Years  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/20/23 - House passed with amendment 1 (005000).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0392 effective May 11, 2023.

**SB1004/HB450 CRIMINAL LAW: Request for certificate from TBI relative to defendant's eligibility for pretrial diversion.**

*Sponsors:* Sen. Yager, Ken , Rep. Bulso, Gino  
*Summary:* Allows a defendant or defendant's counsel, in addition to a judge or district attorney general, to request a certificate from the Tennessee bureau of investigation relative to a defendant's eligibility for pretrial diversion. Broadly captioned.  
*Fiscal Note:* (Dated February 2, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 02/23/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0035 effective March 14, 2023.

**SB1005/HB758 COMMERCIAL LAW: Requirements for home service contracts.**

*Sponsors:* Sen. Yager, Ken , Rep. Eldridge, Rick  
*Summary:* Specifies that it is an unfair or deceptive act to issue or deliver a home service contract to a consumer in this state that does not specify the merchandise and services to be provided, and any applicable limitations, exceptions, or exclusions of the contract.  
*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/02/23 - Senate passed.  
*House Status:* 03/16/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Public Chapter 0133 effective July 1, 2023.

**SB1006/HB765 TRANSPORTATION VEHICLES: Use of off-highway vehicles on state highways and county roads.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly  
*Summary:* Requires the department of safety, in consultation with the department of transportation, to prepare a report for the chairs of the transportation committees of the general assembly that details which counties have authorized the use of off-highway vehicles on county roads, the names and lengths of those segments of county roads, and the lengths of state highways and county roads authorized by statute for off-highway vehicle use. Requires the report to be delivered by January 15, 2024.  
*Amendment Summary:* Senate amendment 1 (005139) rewrites this bill to authorize three- or four-wheel all-terrain vehicles, and three- or four-wheel off-highway vehicles, to be operated on the following: (1) State Route 154 from its intersection with Black House Mountain Road southward to its intersection with Laurel Creek Campground Road, then continuing on Laurel Creek Campground Road and ending at the campground, within the jurisdiction of Fentress County; and (2) State Route 297 beginning at its intersection with State Route 154 and ending at Station 11 of the Fentress County fire department, which segment is approximately eight-tenths of a mile in length, within the jurisdiction of Fentress County.  
*Fiscal Note:* (Dated March 4, 2023) Increase State Expenditures \$43,900/FY23-24  
*Senate Status:* 03/23/23 - Senate passed with amendment 1 (005139).  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0174 effective April 17, 2023.

**SB1007/HB1254 CRIMINAL LAW: Acreage requirements for a resident with property on county lines to qualify to vote in either county.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly  
*Summary:* Decreases the size threshold, from 15 acres to 10 acres, for a farm that lies in two counties to qualify the residents of the farm to make a one-time election to register to vote in either county.

*Amendment Summary:* Senate amendment 1 (006135) rewrites this bill to revise present law relative to procedures for voting at a polling place. Under present law, the county election commission must use either a computerized voter signature list or an electronic poll book that has been approved for use by the coordinator of elections. A computerized voter signature list must include the voter's name, current address of residence, social security number or voter identification number, birth date and a space for the voter's signature, elections voted, application or ballot stub number, or both, and precinct registrar's initials. The electronic poll book must contain the same information as on the computerized voter signature list in an electronic format and provide a place on its screen for the precinct registrar to record elections voted, application or ballot stub number, or both, the precinct registrar's initials and a place for the voter's signature. For those counties using the computerized voter signature list, the following procedures must be followed: (1) After completing the application for ballot, the voter must sign the computerized voter signature list, and the registrar must compare the voter's signature and information on the signature list with the information on the application for ballot; and (2) If, upon comparison of the information, the registrar determines that the voter is entitled to vote, the registrar must initial the computerized voter signature list and must give the voter the ballot application, which is the voter's authorization to vote. For those counties using the electronic poll book, after completing the application for ballot which must include the voter's signature, if, upon comparison of the information, the registrar determines that the voter is entitled to vote, the registrar must initial the application for ballot and must give the voter the ballot application, which is the voter's authorization to vote. This amendment takes out the option for a computerized voter list to include either the voter's social security number or voter identification number, and, instead, requires that the voter identification number be included. This amendment also requires that if a place for the voter's signature is not available on the electronic poll book screen, then the voter must sign the printed application. Under present law, each state primary board must prescribe a color for its party's primary ballots which must be uniform throughout the state and different from every other party's. This amendment deletes this provision.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (006135).

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0346 effective May 5, 2023.

### SB1019/HB1492 **CRIMINAL LAW: Person aggrieved by use of drone may recover court costs in civil action.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Clemmons, John

*Summary:* Specifies that a person aggrieved by the use of a drone in violation of the law may recover court costs in a civil action in addition to injunctive relief, destruction of the evidence, information, or other data obtained, damages, and reasonable attorney fees. Broadly captioned.

*Amendment Summary:* House amendment 1 (005039) requires, by January 1, 2024, each law enforcement agency to develop and enforce a policy that prohibits an officer from using a drone or other substantially similar device as a weapon under any circumstances while in the exercise of the officer's official duties. Provides an exception for a law enforcement agency to permit an officer qualified to operate a drone to utilize a drone or a substantially similar device for the purpose of remotely detonating a bomb or similar incendiary or explosive device.

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed.

*House Status:* 03/20/23 - House passed with amendment 1 (005039).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0326 effective April 28, 2023.

### SB1034/HB1134 **PUBLIC EMPLOYEES: County mayor performance bond requirements.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Clarifies the actions a county mayor must take in relation to the performance bond required before entering upon the discharge of the mayor's duties. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004857) rewrites this bill to revise present law provisions relative to county officials, as described below. BOND OF DIRECTOR OF ACCOUNTS AND BUDGETS AND PURCHASING AGENTS Present law requires the county mayor of any county that has adopted this provision to appoint, with the approval of the county legislative body or other governing body, a director of accounts and budgets who must, before assuming the director's duties, execute a corporate surety bond. Under present law, the bond must be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment rewrites the above provision to instead provide that the bond must be prepared, executed, filed, and recorded in accordance with provisions governing bonds of officers. The above provisions also apply to purchasing agents appointed by the county mayor. BOND OF DIRECTOR OF THE FINANCE DEPARTMENT Present law requires the director of the finance department to execute a blanket bond in an amount of at least \$100,000 for the faithful performance of the director's duties as director and of the department employees in accordance with the general law for such bonds. Present law also requires the bond to be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment rewrites the above provision to provide, instead, that the bond must be prepared, executed, filed, and recorded in accordance with provisions governing bonds of officers. BOND OF SHERIFFS Present law requires the sheriff, before entering on the duties of that office, to enter into an official bond prepared in accordance with present law provisions governing bonds of officers, in a penalty of at least \$100,000, or in a greater sum as the county legislative body may determine, payable to the state, and conditioned well and truly to execute and make due return of all process directed to the sheriff, and to pay all fees and sums of money received by the sheriff, or levied by virtue of any process, into the proper office or to the person entitled, and faithfully to execute the office of sheriff and perform its duties and functions during such person's continuance therein. Present law also requires this bond to be acknowledged before the county legislative body, in open session, approved by it, recorded upon the minutes, and recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment completely rewrites the above provision, so that it instead requires the sheriff to execute an official bond in an amount of \$100,000, or such greater amount as the county legislative body by resolution may determine, and also requires the bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers. BOND OF CORONERS Present law requires the following: (1) A coroner to, before entering upon duties of that office, enter into an official bond prepared in accordance with present law provisions governing bonds of officers; (2) The bond to be: approved by the county legislative body, entered upon the minutes, recorded in the office of the county register of deeds, transmitted to the office of the county clerk for safekeeping, and be in the amount of \$2,500 payable to the state, conditioned truly and faithfully to execute the duties of the office of coroner; (3) The coroner, if failing to give bond within 10 days after appointment, to vacate the office; and (4) The governing body of any county to elect, by a 2/3 vote, whether or not the coroner of the county must make a surety bond or a bond with two or more good sureties, approved by the body, prior to the time such coroner is inducted and sworn into office. This amendment completely rewrites the (1)-(4) above, and instead requires, before entering into the duties of the office, the coroner to execute an official bond in an amount of \$2,500 or such greater amount as the county

legislative body by resolution may determine, and also requires the bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers. **BOND OF CONSTABLES** Present law requires the following: (1) Before entering upon the duties of the office, every constable to give bond that is approved by the county legislative body and prepared in accordance with present law provisions governing bonds of officers. The county served by a constable may elect to pay the costs of obtaining and recording the constable's bond; (2) If the county does not elect to pay such bond, the constable to pay all costs of obtaining and recording the bond; (3) The bond to be in a penalty of at least \$4,000 and at most \$8,000, at the discretion of the body, and to be payable to the state, and conditioned for the faithful discharge of the duties of the office, and the prompt payment to the proper person of all moneys collected or received by the constable by virtue of the office; and (4) The bond to be recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment rewrites the (1)-(4) above, and instead requires, before entering into the duties of the office, each constable to execute an official bond in an amount of \$4,000 or such greater amount as the county legislative body by resolution may determine, and also requires the bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**BOND OF COUNTY TRUSTEES / MINIMUM AMOUNT OF BOND** Under present law, upon producing the certificate of election before the county legislative body, at the next session after the date and delivery of the certificate, the county trustee may enter upon the discharge of the duties of the office, after first giving bond, and taking an oath to support the constitutions of the state and of the United States, and an oath for the faithful performance of the duties of the office. Present law requires the bond to be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment completely rewrites the above provision and, instead, requires the following: (1) Before entering into the duties of the office, the county trustee to take an oath of office, and to execute an official bond in at least the minimum amount required by provisions of law governing county trustees, however, the county legislative body may by resolution require a greater amount of bond for the county trustee than the minimum required; and (2) The bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers. This amendment also authorizes the county legislative body to by resolution require that the county trustee enter into an additional bond at any time during the term of office of the county trustee. This amendment deletes present law provisions governing the minimum amount of bond for county trustees that provide: (1) That the provisions establish only the minimum amount of the bond and in no way prevents the county legislative bodies or other county governing bodies, exercising their power to approve or disapprove the bond, from requiring trustees to execute bonds in greater amounts; and (2) That it is the duty of the county legislative body to examine the solvency of the county trustee's bond, and, if the bond is found to be insufficient, it is the duty of the legislative body to notify the county trustee of the fact, and require the county trustee to give new or additional security, in such sum as may be fixed upon by the legislative body, sufficient in its judgment to cover the revenue of the county; and, if the required bond or security is not given on or before the ensuing session of the legislative body, then it is the duty of the legislative body, and it has the power, to declare the office vacant and to elect or appoint a successor, who must be required to enter into bond with good and sufficient securities, for the remainder of the term for which the trustee was elected.

**BOND OF SURVEYORS** Present law requires the following: (1) Before proceeding to the discharge of duties, the county surveyor to enter into bond, in the sum of \$2,000, payable to the state of Tennessee, conditioned for the faithful performance of the surveyor's official duties, and to also take and subscribe an oath faithfully to discharge the duties of the office; and (2) The bond to be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment completely rewrites the above provisions to instead require: (1) Before entering into the duties of the office, the county surveyor to take an oath of office, and to execute an official bond in an amount of \$2,000 or such greater amount as the county legislative body by resolution may determine; and (2) The bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**BOND OF REGISTERS** Present law requires the following: (1) Upon producing the certificate of election before the county legislative body, at the next session after the delivery of the same, the register to be entitled to enter upon the discharge of the duties of the office, after first giving bond, and taking the oath of office; (2) The bond to be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds, and transmitted to the office of the county clerk for safekeeping; and (3) The governing body of any county, by a 2/3 vote, to elect whether or not the county register of the county must make a surety bond or a bond with two or more good sureties, approved by the legislative body, prior to the time such register is inducted and sworn into office. This amendment completely rewrites the (1)-(3) above, and instead requires that, before entering into the duties of the office, the county register to take the oaths of office and to execute an official bond that is prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**BOND OF COUNTY CLERKS** This amendment adds the following to present law provisions governing county clerks: (1) Before entering into the duties of the office, the county clerk must take the oaths of office, and must execute an official bond that is prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers; and (2) The amount of the bond must be in the sum of \$50,000 in counties with a population of less than 15,000 and \$100,000 in counties with a population of 15,000 or more, or in such greater amount as the county legislative body by resolution may determine.

**BOND OF COUNTY OFFICIAL VESTED WITH THE AUTHORITY TO ADMINISTER STATE-SHARED FUNDS** Present law requires the following: (1) A county official vested by law with the authority to administer state-shared funds to furnish a good and sufficient bond in the amount of \$100,000, or in a greater sum as the county legislative body may determine, payable to the state, to indemnify the county against the loss of any funds occurring as a result of such person's unlawful or dishonest acts; and (2) The bond to be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment rewrites (2) above to instead provide that the bond must be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**BOND OF COUNTY ASSESSORS OF PROPERTY** Present law requires the following: (1) Each county assessor, before entering into the duties of office, to enter into an official bond prepared in accordance with present law provisions governing bonds of officers, payable to the state of Tennessee, in the sum of \$50,000, to be approved by the county mayor, conditioned in such manner as required by present law provisions governing bonds of officers; and (2) The bond to be approved by the county legislative body, recorded in the office of the county register of deeds and transmitted to the office of the county clerk for safekeeping. This amendment revises (1) above by removing the provision requiring the bond to be approved by the county mayor, and by adding that the county assessor must take the oaths of office before entering into the duties of the office; and rewrites (2) above to instead require the bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**BOND OF PERSONS VESTED WITH THE AUTHORITY TO ADMINISTER COUNTY HIGHWAY AND BRIDGE FUNDS** Present law requires the following: (1) A person vested by law with the authority to administer county highway and bridge funds to furnish an official bond in the amount of \$100,000, or in a greater sum as the county legislative body may determine; and (2) The bond to be prepared in accordance with present law provisions governing bonds of officers, approved by the county legislative body, recorded in the office of the county register of deeds, and transmitted to the office of the county clerk for safekeeping. This amendment rewrites (2) above to instead require the bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**TENNESSEE COUNTY UNIFORM HIGHWAY LAW / BOND OF CHIEF ADMINISTRATIVE OFFICER** Present law requires, before

entering into the discharge of official duties, the chief administrative officer to take and subscribe to an oath in writing before the county clerk that the chief administrative officer will perform with fidelity the duties of the office of chief administrative officer, and to enter into a bond of \$100,000. This amendment revises the above provision to require the chief administrative officer to execute an official bond in an amount of \$100,000 or such greater amount as the county legislative body by resolution may determine; and to require the bond to be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

**BONDS OF OFFICERS / SELF-INSURANCE IN LIEU OF BONDS OR INSURANCE** Present law requires county governments to either: (1) Obtain and maintain blanket surety bond coverage for all county employees not covered by individual bonds referenced elsewhere in statute. The minimum amount of such blanket bonds being \$150,000; or (2) (A) Obtain and pay the premiums or other costs with respect to a policy of insurance issued by an insurance company duly authorized to do business in this state or an agreement with a pool established pursuant to provisions relative to pooling agreements with government entities, or any entity established pursuant to provisions governing government tort liability funding and insurance, for administration of such agreement, that provides government crime coverage, employee dishonesty insurance coverage, or equivalent coverage that insures the lawful performance by officials and their employees of their fiduciary duties and responsibilities. Any such policy or agreement maintained must have limits of at least \$400,000 per occurrence; (B) (i) A policy or agreement satisfying the requirements set forth in (2)(A) must be deemed to be a blanket official bond for each official or office identified in the policy or agreement for all purposes under present law provisions governing bonds of officers. The full text of this present law provision lists the officials who may be covered under the policy or agreement; (ii) In the event that the policy of insurance maintained by the county ceases to provide coverage to the officeholder for any reason, the officeholder has 30 days from the date of termination of coverage to file a bond or other proof of insurance coverage; (iii) A certificate of insurance or a policy or endorsement must satisfy the requirement for the filing of the official bond by the named officials. (C) If a governmental entity obtains and pays premiums on an insurance policy or agreement, then the monetary limits pursuant to the Tennessee Governmental Tort Liability Act, do not increase. This amendment removes (1) above, and removes the provision in (2)(B)(i) that lists the officials who may be covered under the policy or agreement.

**BONDS OF OFFICERS** Present law requires the official bonds of county officials required by law to execute such bonds to be transmitted to the office of county clerk for safekeeping immediately upon their execution, approval and recordation in the office of the county register of deeds. This amendment rewrites this provision completely, and instead requires the following: (1) A county official who is required by law to give an official bond to execute such bond when the bond becomes available after election or appointment to office, but not later than 30 days from the beginning of the term of office; (2) The county legislative body to appropriate sufficient funds to pay the premiums on the official bonds of county officials and such employees of the county that are required by law to be bonded; (3) Each county to competitively bid the purchase of official bonds and other surety bonds; (4) Blanket bonds to be used unless such bonds are unavailable or circumstances require the bonding of an individual separately from the blanket bond agreement; (5) A county to only purchase bonds from a surety company authorized to do business in this state as surety. If no surety company is willing to serve as surety for a particular person who is required to give bond, the county legislative body may by resolution authorize either the use of personal sureties for such person with such personal sureties to be approved by the county mayor, or the use of a cash bond approved by the county mayor with the cash to be deposited with the county trustee; (6) The official county bond forms and other bonds required to be made available for execution at the office of the county clerk; (7) Each county official or employee required to execute an official bond or surety bond, other than bonds required by law to be approved by judges or chancellors, to submit the bond for approval by the county mayor, and if sufficient and regular, the county mayor must approve the bond; (8) The bond of the county mayor to be approved by the judge of the court of general sessions in the county or the judge of the first division of such court if the county has more than one general sessions court judge; and (9) If the bond of a county official or employee is disapproved, the approving authority to inform the county clerk and the person executing the bond of the insufficiency or irregularity, and a new bond to be executed and submitted to the approving authority for approval. After approval, the approving authority must transmit the approved bond to the county clerk who must record the executed and approved official bond of each county official and surety bond of each county employee required to give bond with the county register of deeds, and, after recording, the county clerk must file these bonds in the office of the county clerk. This amendment does not require the county legislative body to approve an official bond or surety bond of a county official or employee on or after July 1, 2023. However, this does not remove the authority of the county legislative body to require bond amounts in excess of the statutory minimum as provided by law. Pursuant to this amendment, the present law provisions governing the form and filing of bonds of officers do not apply to notaries public, or to a special deputy sheriff.

**BONDS OF OFFICERS / FORM AND FILING OF BONDS** This amendment deletes the following present law provisions governing the form and filing of bonds of officers: (1) The registers of deeds of the various counties whose duty it is to record such bonds must maintain a special record book and record therein each official bond presented for registration; (2) Notice of the failure to file bond must be given by the officer in whose office the bond is required to be filed, as soon as the time for filing such bond expires, to the court or officer by whom the bond should be taken or approved, and also to the district attorney general of the district in which the delinquent officer resides. Any officer failing to give such notice commits a Class C misdemeanor; and (3) A person who is required to deposit a bond for any reason by this state or any political subdivision of this state may deposit an amount of cash or a certified or cashier's check equal to the amount of the required bond in lieu of such bond.

**BONDS OF OFFICERS / TIME OF FILING** Present law requires the following: (1) Official bonds, including blanket bonds, and each rider or attachment thereto, required by law to be filed in the office of the county clerk or secretary of state, to be filed therein within 40 days after the election or appointment of the principal named on the bond, rider, or attachment, or within 20 days after the term of the office legally begins; and (2) In all other cases, such bonds to be filed in the proper office within 30 days after such election or appointment, or within 10 days after the term of office legally begins. This amendment rewrites the above provisions, to instead require official bonds, including blanket bonds, and each rider or attachment thereto, required by law to be filed in the office of the county clerk or secretary of state, to be filed within 30 days after the election or appointment of the person named in the bond, rider, or attachment. Under present law, any officer, required by law to give bond, who fails to file the same in the proper office within the time prescribed vacates the office. In such cases, it is the duty of the officer in whose office such bond is required to be filed, at once, to certify such failure to the appointing power, and the vacancy must be filled as in other cases. This amendment rewrites the above provision and instead provides the following: (1) That an officer required by law to give an official bond who fails to execute the bond when the bond is available and transmit the bond to the proper officer for approval within 30 days from the time the bond becomes available for execution, forfeits the office and a vacancy in the office occurs, whether or not the officer has taken an oath of office; and (2) It is the duty of the officer who is to receive the executed official bond to certify the failure to execute and transmit the bond in the time required by (1) to the official or body who has the power to elect or appoint a successor to the office.

**BOND OF NOTARIES PUBLIC** Present law requires every notary public, before entering upon the duties of office, to give bond executed by a surety company authorized to do business in Tennessee as surety, or with two or more good sureties approved by the county legislative body, in the penalty of \$10,000, payable to the state, conditioned for the faithful discharge of the notary's duties. Present law requires the bond to be filed in the office of the county clerk in the county where elected. This amendment rewrites this provision and instead requires the following: (1) Every notary public, before entering upon the duties of office, to give bond executed by a surety company authorized to do business in this state. If a notary public cannot obtain a bond executed by a surety company authorized to do business in this state, the county legislative body may approve two or more good sureties in lieu of a bond from a surety company; (2) The bond to be in the penalty amount of \$10,000,



payable to this state, conditioned upon the faithful discharge of the notary's duties; (3) The notary public to present the executed official bond to the county clerk in the county where elected; and (4) The county clerk to review the bond presented by the notary public for compliance with this provision, and upon the clerk's satisfaction, to file the bond in the office of the county clerk. A person elected as a notary public that performs an official act as a notary public prior to filing a bond as required commits a Class C misdemeanor. BOND OF AUDITORS Present law requires county auditors to be employed by a committee of at least three, appointed by the county legislative body from the members of the legislative body, which committee must require the accountant so employed to furnish bond for the faithful performance of the accountant's duties. This amendment adds that the bond must be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers. COUNTY HIGHWAY BONDS This amendment adds to present law provisions governing bond of road commissioners, that such bonds must be prepared, executed, filed, and recorded in accordance with present law provisions governing bonds of officers.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004857).  
*House Status:* 04/03/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0207 effective July 1, 2023.

### SB1038/HB1365 **WELFARE: Revisions to background check provisions for certain state government and childcare agency employees.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew  
*Summary:* Revises provisions relating to background checks for persons considered for appointment to or employment in various positions in state government and for administrators and employees of child care agencies.  
*Amendment Summary:* Senate amendment 1 (006156) revises and clarifies procedures related to criminal history background checks for certain individuals under consideration for positions of trust and responsibility in state government. Clarifies the procedures related to criminal history background checks for those seeking to operate or be employed by a licensed childcare agency. Requires a criminal history background check be conducted on individuals applying or being considered for the following positions: 1) a commissioner of a department of the executive branch; (2) a general counsel position at a department of the executive branch; (3) a pilot employed by the Tennessee Department of Transportation; and (4) law enforcement personnel entrusted with the protection of the Governor. Deletes the requirement for any paid or volunteer member or applicant of a fire department or fire prevention bureau or division to agree to the release of information and investigative records to the employer, or to any agency that contracts with the state, for the purpose of verifying whether the individual has been convicted of a felony or any theft or arson-related conviction.  
*Fiscal Note:* (Dated March 19, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/17/23 - Senate passed with amendment 1 (006156).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0433 effective May 11, 2023.

### SB1043/HB1231 **ENTERTAINMENT: Third-party ticket sales.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Hemmer, Caleb  
*Summary:* Requires a third-party ticket reseller to disclose specific information related to the cost of a ticket. Prohibits such a reseller from preserving more than 45 percent of the tickets that the reseller has as a holdback. Specifies that a violation of the disclosure requirements and holdback prohibition is a violation of the Tennessee Consumer Protection Act of 1977. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (006128) rewrites this bill to require a third-party ticket reseller, ticket broker, ticket issuer, and ticket resale website to do the following: (1) Disclose the total cost of a ticket, including all ancillary fees and service charges, to be paid in order to complete the purchase of a ticket, prior to the ticket being selected for purchase; (2) Disclose the information in (1) above in a clear and conspicuous manner and in dollars. If a ticket is sold through a website, then the information required to be disclosed must be displayed in the ticket listing prior to the ticket being selected for purchase. The information disclosed must not be false or misleading and must not be presented more prominently, or in the same or larger size font, as the total price; and (3) Not increase the price of a ticket sold through a website after a consumer has selected a ticket for purchase, excluding reasonable fees for delivery of non-electronic tickets based on the delivery method selected by the purchaser prior to payment for the ticket. PENALTIES This amendment expands the actions that constitute deceptive business practices and a violation of the Tennessee Consumer Protection Act of 1977 and the Tennessee Trade Mark Act of 2000 to include using or displaying any combination of text, images, website graphics, website display, or website addresses that are substantially similar to the website of an operator with the intent to mislead a potential purchaser, without written authorization. For the purposes of this amendment, "operator" refers to an individual, firm, corporation or other entity, or an agent of such individual, firm, corporation, or other entity that owns, operates, or controls an entertainment facility in this state, such as a theater, stadium, museum, arena, amphitheater, racetrack, or other place where performances, concerts, exhibits, games, athletic events, or contests are held ("place of entertainment"), and offers for sale a first sale ticket to the place of entertainment or performance, concert, exhibit, game, athletic event, or contest. APPLICABILITY This amendment applies to sales occurring on or after July 1, 2023.  
*Fiscal Note:* (Dated March 8, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/10/23 - Senate passed with amendment 1 (006128).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/23/23 - Enacted as Public Chapter 0474 effective July 1, 2023.

### SB1046/HB1072 **VETERANS & MILITARY AFFAIRS: Honor guard grant program for veteran service organizations.**

*Sponsors:* Sen. Jackson, Ed , Rep. Haston, Kirk  
*Summary:* Requires the department to establish an honor guard grant program to provide grants to veteran service organizations to offset expenses incurred by the organization and members of the organization's honor guard in providing military funeral honors for qualifying Tennessee veterans. Broadly captioned.

*Amendment Summary:* House amendment 2 (007345) requires the Department of Veterans Services (DVS) to establish and administer an honor guard grant program for the purpose of providing grants to veteran service organizations (VSOs) registered with the Secretary of State to offset expenses incurred by such organizations in providing honor guard burial details at the funerals of qualifying Tennessee veterans, including expenses for training, transportation, food, equipment, and supplies. Such grant program funding is subject to appropriations by the General Assembly and gifts, grants, and other donations received by the DVS. Authorizes the DVS to promulgate rules to effectuate the provisions of this act. Establishes that it is the legislative intent that the amount of \$75,000 be appropriated in FY23-24 for the purposes outlined in the proposed legislation. Effective upon becoming law for purposes of promulgating rules; effective January 1, 2024 for all other purposes.

*Fiscal Note:* (Dated March 16, 2023) Increase State Expenditures - \$125,900/FY23-24 \$124,600/FY24-25 and Subsequent Years Other Fiscal Impact - The amount and frequency of any state appropriations for the purpose of providing grants to veteran service organizations cannot be determined with reasonable certainty.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 2 (007345).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0404 effective May 11, 2023.

#### SB1049/HB1077 **RETAIL TRADE: Creation of the farmers market food unit permit.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Thompson, Dwayne

*Summary:* Creates farmers market food unit permit for food service establishments that meet requirements for a temporary food service establishment to operate throughout a permit year at farmers markets. Permits a vendor at a farmers market to offer samples for consumption on the premises of the farmers market without a license or permit. Specifies that samples may include fresh produce, value-added products, or foods prepared in a licensed and inspected kitchen.

*Amendment Summary:* Senate amendment 1 (005042) makes the following changes to this bill: (1) Limits the regulations applicable to a farmers market food unit to the following: (A) A farmers market food unit must not operate in conjunction with an organized temporary event, unless the permittee obtains a temporary food service establishment permit for the temporary event; (B) Suspension of permits under the Act applies to a farmers market food unit; and (C) The operator of a farmers market food unit is not required to disassemble or remove the equipment used in the operation of the farmers market food unit from the premises of a farmers market at the conclusion of an operational day. However, this provision does not prohibit a farmers market operator from establishing rules for the removal of equipment from the premises of a farmers market. (2) Provides that in the case of farmers market food units, all violations of priority items must be corrected immediately whenever possible, and in any event, within 24 hours. (3) Clarifies that the commissioner of health may promulgate emergency rules to effectuate this bill; (4) Changes the effective date to January 1, 2024, rather than July 1, 2023, for all purposes other than promulgating rules.

*Fiscal Note:* (Dated February 17, 2023) Increase State Revenue - \$73,500/FY23-24 and Subsequent Years

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (005042).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0475 effective May 17, 2023.

#### SB1055/HB587 **TRANSPORTATION VEHICLES: Blood alcohol concentration percentage threshold lowered for DUI.**

*Sponsors:* Sen. Rose, Paul , Rep. Gant, Ron

*Summary:* Lowers the threshold for the minimum sentence of driving under the influence to a blood alcohol concentration percentage of .15 from .20.

*Amendment Summary:* Senate amendment 1 (018211) changes the effective date to July 1, 2024.

*Fiscal Note:* (Dated March 3, 2023) Increase Local Expenditures \$875,200/FY23-24 and Subsequent Years\*

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1011, effective July 1, 2024.

#### SB1056/HB1459 **CRIMINAL LAW: Administrative record of inmates when considering sentences.**

*Sponsors:* Sen. Jackson, Ed , Rep. Moody, Debra

*Summary:* Permits, for purposes of considering whether to order a defendant to serve multiple sentences consecutively, a judge to consider the defendant's administrative record of violent behavior while incarcerated, regardless of whether the defendant was charged or convicted for such acts. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006502) rewrites this bill and adds the following to the present law relative to offenses committed within a penal institution: (1) A warden or chief administrative officer employed by a penal institution, who knows that an offense enumerated in (2) below has occurred within the penal institution, must report the offense to the district attorney general for the judicial district in which the penal institution is located and the district attorney general who prosecuted the offense for which the offender is incarcerated within five business days of becoming aware of the offense being committed; (2) The above requirement applies to aggravated assault; first degree murder; second degree murder; voluntary manslaughter; criminally negligent homicide; aggravated rape; rape; aggravated sexual battery; sexual battery; and indecent exposure; and (3) A violation of (1) above is a Class A misdemeanor. This amendment also authorizes the court to order sentences to run consecutively if the court finds by a preponderance of the evidence that the defendant was incarcerated at the time of the offense and is convicted of an offense enumerated in (2) above.

*Fiscal Note:* (Dated March 16, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (006502).

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0347 effective July 1, 2023.

#### SB1059/HB841 **CRIMINAL LAW: Removal of the educational justification for possessing obscene material on school property.**

*Sponsors:* Sen. Hensley, Joey , Rep. Lynn, Susan

*Summary:* Removes the educational justification for a person who possesses obscene material on school property. Defines school property as any school building, bus, campus, grounds, recreational area, athletic field, or other property used by a local educational agency.

*Amendment Summary:* Senate amendment 1 (005934) rewrites this bill to make it a Class E felony for a book publisher, distributor, or seller to knowingly sell or distribute obscene matter to a public school serving any of the grades K-12. In addition to the punishment authorized for a Class E felony (one to six years imprisonment and a fine of up to \$3,000), a person who violates this amendment's prohibition will additionally be fined at least \$10,000, but not more than \$100,000.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (005934).

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0278 effective July 1, 2023.

### SB1060/HB843 **EDUCATION: Higher education hearing center operation report.**

*Sponsors:* Sen. Hensley, Joey , Rep. Lynn, Susan

*Summary:* Extends the deadline, from September 15 to October 1, in which each public institution of higher education operating a hearing center must provide a written report regarding the operation of the hearing center.

*Amendment Summary:* House amendment 1 (006005) rewrites this bill to revise various provisions of present law pertaining to the Age-Appropriate Materials Act of 2022 and the state textbook and instructional materials quality commission. Under present law, beginning with the 2022-2023 school year, each school operated by an LEA and each public charter school must maintain a current list of the materials in the school's library collection. The list must be posted on the school's website. By the 2022-2023 school year, each local board of education and public charter school governing body (LEA) must adopt a policy for developing and reviewing school library collections. The policy must include: (1) A procedure for the development of a library collection at each school that is appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school; (2) A procedure for the LEA to receive and evaluate feedback from a student, a student's parent or guardian, or a school employee regarding one or more of the materials in the library collection of the student's or employee's school; and (3) A procedure to periodically review the library collection at each school to ensure that the school's library collection contains materials appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school. An LEA must evaluate each material for which feedback is provided to determine whether the material is appropriate for the age and maturity levels of the students who may access the materials, and to determine whether the material is suitable for, and consistent with, the educational mission of the school. If the LEA determines that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, then the school must remove the material from the library collection. The procedures adopted are not the exclusive means to remove material from a school's library collection, and do not preclude an LEA from developing or implementing other policies, practices, or procedures for the removal of materials from a library. This amendment adds to present law by specifying that the following material is not appropriate: (1) Material that contains nudity or descriptions or depictions of sexual excitement, sexual conduct, excess violence, or sadomasochistic abuse for the age or maturity level of a student in any of the grades K-12 and must not be maintained in a school's library collection; or (2) Is patently offensive, or appeals to the prurient interest for the age or maturity level of a student in any of the grades K-12 and must not be maintained in a school's library collection. Under this amendment, if an LEA receives feedback concerning a material under the policy described in (1)-(3), then the LEA must evaluate and determine, within 60 days from the date the feedback was received, whether the material is appropriate. If the LEA does not make a determination within 60 days, the person who submitted the feedback may request the state textbook and instructional materials quality commission to evaluate the material. This amendment specifies that an LEA's determination made on whether a material is appropriate for the age and maturity level of the students who may access the material, and whether the material is suitable for, and consistent with, the educational mission of the school, does not establish a contemporary community standard for purposes of the criminal offenses involving obscenity. This amendment requires the commission to evaluate and determine whether a material in a school's library collection is appropriate for the age and maturity level of the students who may access the materials, and whether the material is suitable for, and consistent with, the educational mission of the school if the LEA does not make a timely determination as described above. The commission must issue the commission's determination in writing and each LEA must include, or remove, the challenged material in, or from, the library collection for each of the LEA's schools for the grade levels for which the commission has found the challenged material to be appropriate or inappropriate for students. Senate amendment 1 (14083) changes the effective date to July 1, 2024. Senate Amendment 2 (016975) adds a severability clause.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0782, effective July 1, 2024.

### SB1068/HB1000 **CRIMINAL LAW: Expunction - form for use by lay person petitioning court.**

*Sponsors:* Sen. Hensley, Joey , Rep. Rudd, Tim

*Summary:* Requires the form for use by a lay person petitioning the court for expunction to be made available to the public on the website of the administrative office of the courts. Broadly captioned.

*Amendment Summary:*

House amendment 1 (005120) rewrites this bill to add the following to present law relative to expunction: (1) Effective July 1, 2023, for purposes of this (1)-(3), an "eligible petitioner" means a person who was convicted of a violation of illegal registration or voting, if: (A) At the time of the filing of the petition for expunction, at least 15 years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged; (B) The person has fulfilled all requirements of the sentence imposed by the court for the offense the petitioner is seeking to expunge, including payment of all fines, restitution, court costs, and other assessments for the offense; completion of any term of imprisonment or probation for the offense; and meeting all conditions of supervised or unsupervised release for the offense; (C) The person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction; however, a moving or nonmoving traffic offense is not considered an offense as used in this (1)(C); and (D) The person has not previously been granted expunction, under provisions governing expunction of certain Class E felonies, for another criminal offense; (2) A person may petition for expunction of an offense under this bill only one time; and (3) The following provisions apply to a petition filed under this bill: (A) A person seeking expunction must petition the court in which the petitioner was convicted of the offense sought to be expunged is filed. Not later than 60 days after service of the petition, the district attorney is authorized to submit recommendations to the court and provide a copy of such recommendations to the petitioner; (B) Both the petitioner and the district attorney general may file evidence with the court relating to the petition, and the district attorney general is authorized to file evidence relating to the petition under seal for review by the court. Evidence filed under seal by the district attorney general is confidential and is not a public record; (C) The court is required to enter an order granting or denying the petition no sooner than 61 days after service of the petition upon the district attorney general. Prior to entering an order on the petition, the court must review and consider all evidence submitted by the petitioner and the district attorney general; (D) If the court denies the petition, then the petitioner is prohibited from filing another such petition until at least two years from the date of the denial; (E) The petition and proposed order must be prepared by the office of the district attorney general and given to the petitioner to be filed with the clerk of the court. A petitioner is entitled to a copy of the order of expunction and such copy is sufficient proof that the person named in the order is no longer under any disability, disqualification or other adverse consequence resulting from the expunged conviction; (F) An order of expunction granted pursuant to this bill entitles the petitioner to have all public records of the expunged conviction destroyed, and such an expunction has the legal effect of restoring the petitioner, in the contemplation of the law, to the same status occupied before the arrest, indictment, information, trial and conviction; and (G) The clerk of the court maintaining records expunged must keep the records confidential. These records can only be used to enhance a sentence if the petitioner is subsequently charged and convicted of another crime. This confidential record is only accessible to the district attorney general, the defendant, the defendant's attorney and the circuit or criminal court judge.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (005120).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0315 effective July 1, 2023.

#### **SB1069/HB826 EDUCATION: Annual report on school security deficiencies.**

*Sponsors:* Sen. Hensley, Joey , Rep. Gillespie, John

*Summary:* Requires the chief law enforcement officer of each law enforcement agency with jurisdiction of a school that utilizes armed school security officers to submit an annual report to the governor, house education administration committee chair, senate education committee chair, and the commissioner of education that details any school security deficiencies and any recommendations for security improvements on or before September 1.

*Amendment Summary:* Senate amendment 1 (004977) rewrites this bill to provide that a director of schools, or a director's designee, is not required to assign a student in grades 7-12 who has been suspended for more than 10 days or expelled from the regular school program for an offense of violence or threatened violence, or an offense that threatened the safety of persons attending or assigned to the student's school, to an alternative school or alternative program if the director of schools, or the director's designee, determines that assigning the student to the alternative school or alternative program may endanger the safety of the students or staff of the alternative school or alternative program.

*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (004977).

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0279 effective April 28, 2023.

#### **SB1070/HB897 EDUCATION: Submission of annual report on the Schools Against Violence in Education (SAVE) Act.**

*Sponsors:* Sen. Hensley, Joey , Rep. Hurt, Chris

*Summary:* Authorizes the commissioner of education to submit the annual report on the Schools Against Violence in Education (SAVE) Act to the governor and the general assembly in an electronic format. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004964) rewrites this bill to revise present law relative to temporary teaching permits. Under present law, the physical education classes required by law for elementary and secondary education must be taught by a licensed teacher with an endorsement in physical education or by a specialist in physical education. However, upon the request of a director of schools or the director of a public charter school, present law authorizes the commissioner of education to issue an endorsement exemption to a teacher or a temporary permit to a person to teach any course or subject area, except for special education courses, for the 2021-2022 school year, and an endorsement exemption to a teacher to teach any course or subject area, except a physical education class required under law or a special education course, for the 2022-2023 and 2023-2024 school years. This amendment adds that, upon a request of a director of schools or the director of a public charter school, the commissioner of education may issue an endorsement exemption to a teacher, in accordance with state board rules, to teach a physical education class required by law to elementary school students. A director of schools or the director of a public charter school who applies for an endorsement exemption to teach must certify to the commissioner that the LEA or public charter school is unable to secure a qualified teacher for the physical education class. An endorsement exemption is valid only until June 30 following the date of the permit's issuance.

*Fiscal Note:* (Dated January 31, 2023) NOT SIGNIFICANT

*Senate Status:* 04/12/23 - Senate passed with amendment 1 (004964).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0280 effective April 28, 2023.

#### **SB1085/HB879 PROPERTY & HOUSING: Housing authority-related entity participating in a mixed-finance project to form a self-insurance pooling arrangement.**

*Sponsors:* Sen. Walley, Page , Rep. Carr, Dale  
*Summary:* Authorizes a housing authority-related entity participating in a mixed-finance project to form a self-insurance pooling arrangement, if the housing authority with which the entity is related has formed partnerships, limited liability companies, or other entities in which an authority, or an entity affiliated with the authority, is a general partner, managing member, or otherwise participates in the activities of the entity.  
*Fiscal Note:* (Dated February 26, 2023) Other Fiscal Impact The proposed legislation would result in an estimated permissive, recurring decrease to expenditures exceeding \$1,200,000 for low- income housing tax credit entities associated with housing authorities, beginning in FY23-24. Such entities are considered public-private partnerships; therefore, a precise decrease to state or local expenditures cannot be quantified.  
*Senate Status:* 04/18/23 - Senate passed.  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0394 effective May 11, 2023.

**SB1086/HB1036 PUBLIC EMPLOYEES: New public employees to sign acknowledgment on understanding of duties and obligations regarding TCRS.**

*Sponsors:* Sen. Walley, Page , Rep. Shaw, Johnny  
*Summary:* Authorizes public employers to require a new employee to sign a certification acknowledging the employee's understanding of the employee's duties and obligations in connection with the retirement system.  
*Amendment Summary:* Senate amendment 2 (003505) rewrites this bill and provides that, for the purposes of regulating multiple memberships in public retirement systems, a public employee retirement system does not include a defined benefit pension plan established and maintained by a local government employer that is supplemental to the employer's participation in the Tennessee consolidated retirement system (TCRS), and was established prior to the effective date of this bill, where the total combined employer and employee contributions do not exceed 7 percent of the employee's salary, and the supplemental benefits are subject to the statutory limitations. At the request of TCRS, the local government must conduct a periodic audit using an auditing or accounting firm to demonstrate compliance with any applicable state or federal limitations, regulation, or ruling with the cost of the audit to be paid by the local government. Present law provides that the provisions governing mandatory membership in retirement systems as a condition of employment do not apply to retired members of the retirement system or of a superseded system who return to service in enumerated positions covered by the retirement system. This amendment removes the provision above and provides, instead, that the regulatory provisions regarding mandatory membership do not apply to retired members of the retirement system nor to retired members of a superseded system who return to service in a position covered by the retirement system that does not allow the retired member to accrue additional retirement benefits.  
*Fiscal Note:* (Dated February 7, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed with amendment 2 (003505).  
*House Status:* 04/21/23 - House passed.  
*Executive Status:* 05/23/23 - Enacted as Public Chapter 0476 effective May 17, 2023.

**SB1100/HB1025 GOVERNMENT ORGANIZATION: Tennessee monuments and memorials commission.**

*Sponsors:* Sen. Bowling, Janice , Rep. Butler, Ed  
*Summary:* Creates the Tennessee monuments and memorials commission, which is required to study, hear, and resolve petitions for waiver under the Tennessee heritage protection act. Specifies that the commission is administratively attached to the department of environment and conservation.  
*Amendment Summary:* Senate amendment 2 (007230) creates the Tennessee Monuments and Memorials Commission (Commission). This Commission shall consist of nine members who shall serve without compensation, but be eligible for reimbursement of necessary travel expenditures. The Commission is to be administratively attached to the Tennessee Department of Environment and Conservation (TDEC) for budgeting purposes. Requires the Commission to study, hear, and resolve petitions for waivers under the Tennessee Heritage Protection Act (Act) and removes such duties from the Tennessee Historical Commission (THC). Establishes that no additional staff or resources, except for travel expenses for members of the Commission, are required to accomplish the intent of this act and requires the THC to provide all staff support for the Commission, including requiring the executive director of the THC to serve as the executive director of this Commission.  
*Fiscal Note:* (Dated March 17, 2023) Decrease State Expenditures Net Impact \$1,000/FY23-24 and Subsequent Years  
*Senate Status:* 04/17/23 - Senate passed with amendment 2 (007230).  
*House Status:* 04/20/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0434 effective May 11, 2023.

**SB1102/HB919 UTILITIES: Terms for commissioners for utility districts.**

*Sponsors:* Sen. Bowling, Janice , Rep. Rudder, Iris  
*Summary:* Clarifies that commissioners for utility districts are not prohibited from serving more than two consecutive terms.  
*Amendment Summary:* Senate amendment 1 (005788) limits the applicability of the bill to Franklin and Marion counties.  
*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/10/23 - Senate passed with amendment 1 (005788).  
*House Status:* 04/10/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0225 effective April 25, 2023.

**SB1111/HB1380 HEALTH CARE: Mature Minor Doctrine Clarification Act.**

*Sponsors:* Sen. Bowling, Janice , Rep. Ragan, John  
*Summary:* Prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives written informed consent from a parent or legal guardian of the minor. Requires the healthcare provider to document receipt of, and include in the minor's medical record proof of, such prior informed consent. Prohibits an employee or agent of this state from providing or facilitating the vaccination of a minor child who is in the custody of this state unless a parent or guardian has provided prior written or the parental rights of each of the minor's parents or legal guardians have been terminated by a court. Requires the department of health to establish a registry database for the reporting of vaccinations of minors by healthcare providers in this state.

*Amendment Summary:* House amendment 1 (006518) adds a statement of legislative findings and removes the requirement that the informed consent provided by a parent or legal guardian for a child's vaccination must be written (except for administration of a COVID-19 vaccine, in which case written consent is still required).

*Fiscal Note:* (Dated February 19, 2023) Increase State Revenue \$60,000/FY23-24/Strategic Technology Solutions Increase State Expenditures - \$60,000/FY23-24/Department of Health

*Senate Status:* 04/20/23 - Senate concurred in House amendment 1 (006518).

*House Status:* 04/19/23 - House passed with amendment 1 (006518).

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0477 effective May 17, 2023.

**SB1112/HB289 CRIMINAL LAW: Imposition of the death penalty.**

*Sponsors:* Sen. Bowling, Janice , Rep. Russell, Lowell

*Summary:* Allows a jury to use certain criteria to determine if a death sentence it imposed should be expedited. Requires the jury's determination to be unanimous. Stipulates that a death sentence may be expedited for offenses involving the death of three or more victims killed by at least one deadly weapon or the use of one or more deadly weapons on any public or private school grounds. Provides for an expediated sentence for an offense involving the killing a first responder during the course of the first responder performing job duties. Requires the defendant's guilt to be incontestable based on certain evidence presented at trial such as video of the defendant committing the crime or DNA linking the defendant to the crime. Provides that death sentences meeting the prescribed criteria be carried out within 30 business days of the exhaustion of post-conviction relief options and appeals.

*Fiscal Note:* (Dated February 19, 2023) NOT SIGNIFICANT

*Senate Status:* 04/19/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0375 effective July 1, 2023.

**SB1119/HB1153 VETERANS & MILITARY AFFAIRS: Major General Terry Max Haston National Guard Armory.**

*Sponsors:* Sen. Bowling, Janice , Rep. Sherrell, Paul

*Summary:* Designates the National Guard Armory to be constructed in Warren County as the "Major General Terry Max Haston National Guard Armory."

*Amendment Summary:* Senate amendment 1 (003785) designates the National Guard Armory in Warren County as the "Major General Terry Max Haston National Guard Armory." Directs the Department of Military (DOM) to erect signage and markers using existing resources.

*Fiscal Note:* (Dated February 11, 2023) Increase State Expenditures \$18,100/FY23-24

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (003785).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0478 effective May 17, 2023.

**SB1129/HB1280 CRIMINAL LAW: Stalking against a victim who is at least 65 years of age.**

*Sponsors:* Sen. Jackson, Ed , Rep. Keisling, Kelly

*Summary:* Expands the offense of aggravated stalking to include when the victim is a person 65 years of age or older and the person committing the offense is at least 15 years younger than the victim.

*Amendment Summary:* House amendment 1 (004704) expands the offense of aggravated stalking to include a person who commits stalking against a victim who is at least 65 years of age.

*Fiscal Note:* (Dated February 14, 2023) Increase State Expenditures \$53,900 Incarceration Decrease Local Expenditures \$1,400/FY23-24 and Subsequent Years

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/21/23 - House passed with amendment 1 (004704).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0413 effective July 1, 2023.

**SB1131/HB1127 TRANSPORTATION VEHICLES: Oliver Springs - operation of ATVs and off-highway vehicles.**

*Sponsors:* Sen. Yager, Ken , Rep. Ragan, John

*Summary:* Removes the limitation that ATVs and off-highway vehicles may be operated on a certain segment of State Route 330 within the Town of Oliver Springs in Anderson County only two weekends per year.

*Amendment Summary:* Senate amendment 1 (011700) removes the limitation that ATVs and off-highway vehicles may be operated on a certain segment of State Route 62 within the Town of Oliver Springs in Anderson County only two weekends per year.

*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT

*Senate Status:* 02/15/24 - Signed by Senate speaker.

*House Status:* 02/20/24 - Signed by House speaker.

*Executive Status:* 03/01/24 - Enacted as Public Chapter 0522 effective March 1, 2024.

**SB1132/HB1277 PROPERTY & HOUSING: Filling vacancy or removing an appointed member of historic zoning commission.**

*Sponsors:* Sen. McNally, Randy , Rep. Ragan, John

*Summary:* Removes the authority of a chief executive of a county or municipality to appoint or remove an appointed member of the historic zoning commission.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0175 effective April 17, 2023.

**SB1137/HB1229 PROPERTY & HOUSING: Notifications to THDA related to metro government that creates escrow account to provide funding for low income housing.**

*Sponsors:* Sen. Oliver, Charlane , Rep. Hemmer, Caleb

*Summary:* Requires a county having a metropolitan form of government that creates a special escrow account earmarked for the sole purpose of generating revenue to provide low income persons with safe and affordable housing to notify the Tennessee housing development agency and the chairs of the local government committee of the house of representatives and the state and local government committee of the senate. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015287) allows for a municipality to aid or otherwise provide assistance to a corporation, including without limitation, by granting, contributing, or pledging to or for the benefit of the corporation revenues from any source except revenues from ad valorem property taxes, for a portion of any project owned by the corporation and consists of any multifamily housing facility to be occupied by persons of low or moderate income, elderly, or handicapped persons for such term or terms and upon such conditions as may be determined by the governing body of the municipality. House amendment 1 (017688) rewrites the bill and creates a new section regarding operations and powers of industrial development corporations. Grants municipalities the right to aid or provide assistance to corporations by pledging revenues to corporations except revenues derived from property taxes or portion of taxes for a project owned by the corporation. Sets requirements for associations to create a plan for assistance to submit to the comptroller. A plan is deemed approved if the written determination of the comptroller is not rendered within 60 days of the comptroller's receipt. This act takes effect upon becoming a law.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1012, effective May 28, 2024.

### **SB1140/HB886 TAXES SALES: Compensation for costs incurred by dealers in accounting for and remitting sales and use taxes.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hawk, David

*Summary:* Allows dealers, when reporting and remitting sales taxes to the department of revenue, to retain a certain portion of such taxes in order to compensate for costs incurred in accounting for and remitting such taxes. Establishes certain maximum limitations for certain dealers to a maximum of \$25 per report.

*Amendment Summary:* Senate amendment 1 (013797) rewrites this bill to direct the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to perform a study of the collection and remittance of state and local taxes, including sales and use taxes, collected at the point of sale by businesses in this state. The study must include, but not be limited to, examinations of the following: (1) The cost to businesses of collecting and remitting state and local taxes; (2) The cost to the State for reasonable remuneration for sales tax collection, including vendor compensation, to businesses as compared to other states; and (3) The cost to businesses of payment card interchange fees on the tax portion of transactions. This amendment requires all appropriate state departments and agencies to aid TACIR in connection with the study required by this amendment. It is the legislative intent that this study be conducted within existing resources. On or before January 31, 2025, this amendment requires TACIR to report its findings and recommendations, including any proposed legislation, to the chairs of the finance, ways and means committees of the house of representatives and the senate and to the general assembly's legislative librarian. House amendment 1 (014512) revises the provision that requires the study to include an examination of the cost to businesses of payment card interchange fees on the tax portion of transactions to, instead, require the examination of the cost to businesses of payment card fees on the tax portion of transactions, including interchange fees and other fees associated with payment processing, as well as the cost to businesses of handling cash.

*Fiscal Note:* (Dated February 27, 2023) Decrease State Revenue - \$2,814,500/FY23-24 and Subsequent Years/General Fund \$1,159,000/FY23-24 and Subsequent Years/Sinking Fund \$463,900/FY23-24 and Subsequent Years/DOR Decrease Local Revenue - \$5,806,100/FY23-24 and Subsequent Years

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1013, effective May 28, 2024.

### **SB1142/HB1375 GOVERNMENT ORGANIZATION: Composition of Tennessee Historical Commission.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ragan, John

*Summary:* Vacates the commission and reconstitutes the commission; changes the size and appointing authorities for the commission from 24 gubernatorial appointees to 20 total members with five each being appointed by the governor, the speaker of the senate, and the speaker of the house of representatives and five ex officio non-voting members. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (012520) makes the following changes: (1) To ensure the continuity of the commission, requires new members to be appointed between July 1, 2024, and August 31, 2024; (2) Requires the executive director serving as of June 30, 2024, to remain in the position until the commission, in its discretion, appoints a replacement; (3) Deletes the provision in the bill providing that following the expiration of the member's initial terms, each term is for five years and begins on July 1 and terminates on June 30 five years later; (4) Revises the provision in the bill that provides if a member of the commission dies or resigns, then the appointing authority who appointed the member to the commission must appoint a new member to fill the vacancy by, instead, providing that upon the expiration of the initial terms set forth in the bill, or if a member of the commission dies or resigns from the commission, then the appointing authority who appointed the member to the commission must appoint a new member to fill the vacancy and serve for a period of five years from the date of appointment. If, upon the expiration of a member's term an appointing authority does not act to renew the member's appointment or make a new appointment, the member will continue to serve until such time as an appointment is made; and (5) Changes the effective date to June 30, 2024.

*Fiscal Note:* (Dated March 10, 2023) Decrease State Expenditures - \$5,300/FY23-24 and Subsequent Years

*Senate Status:* 04/09/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0764, effective June 30, 2024.

### **SB1143/HB1373 LABOR LAW: Separation from employment - time frame for former employee to withdraw from premises.**

*Sponsors:* Sen. Niceley, Frank , Rep. Carr, Dale

*Summary:* Increases from 12 to 24 hours the period a former employee has to withdraw from the premises of the former employer's premises after a separation from employment. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006176) rewrites this bill to add to present law concerning eligibility for licenses and permits issued by the alcoholic beverage commission. To be eligible for a professional or commercial license, present law generally requires that an applicant must show that the applicant is either a U.S. citizen or authorized under federal law to work in the U.S. as verified by the SAVE program. This bill adds that to be eligible for a professional license or permit issued by the alcoholic beverage commission, an applicant may instead show that the applicant has a valid J-1 or F-1 student visa.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (006176).

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0281 effective April 28, 2023.

#### **SB1146/HB753 INSURANCE HEALTH: Medical insurance coverage for utility district commissioners.**

*Sponsors:* Sen. Niceley, Frank , Rep. Littleton, Mary

*Summary:* Changes a utility district board member's insurance compensation option from payment to reimbursement of payment for premiums paid for equivalent or similar medical insurance coverage and life insurance coverage by the member. Allows a utility district board member to receive reimbursement of premiums paid for medical insurance coverage under medicare and any medicare supplement insurance policy.

*Fiscal Note:* (Dated March 3, 2023) Other Fiscal Impact Due to multiple unknown factors, a precise, recurring decrease in local expenditures cannot be reasonably quantified.

*Senate Status:* 04/05/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0348 effective May 5, 2023.

#### **SB1147/HB1346 PROPERTY & HOUSING: Policy recommendations that infringe or restrict private property rights.**

*Sponsors:* Sen. Niceley, Frank , Rep. Powers, Dennis

*Summary:* Prohibits the state and its political subdivisions from adopting or implementing policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to, "Agenda 21," adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the constitution of the United States or the constitution of this state. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006207) prohibits the state and its political subdivisions from adopting or implementing policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in the United Nations, such as: Agenda 21, the 2030 Agenda for Sustainable Development, the proposal to reach net zero emissions by 2050, or another international law or plan of action that contravenes the United States Constitution or the Tennessee Constitution. Prohibits this state and its political subdivisions from entering into an agreement, expending any money, or providing financial aid to any accredited non-governmental and intergovernmental organizations as described in or promoted by the various United Nations plans and initiatives.

*Fiscal Note:* (Dated March 11, 2023) Decrease Local Expenditures \$2,300/FY23-24 and Subsequent Years/City of Knoxville \$3,500/FY23-24 and Subsequent Years/Nashville-Davidson County Other Fiscal Impact The extent and timing of any recurring, mandatory decrease to local revenue and permissive increase to local expenditures for Knoxville and Nashville-Davidson County cannot be determined.

*Senate Status:* 04/17/23 - Senate passed with amendment 1 (006207).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0479 effective May 17, 2023.

#### **SB1153/HB1482 CRIMINAL LAW: Fees for bail bondsmen continuing education requirements.**

*Sponsors:* Sen. Niceley, Frank , Rep. Hulsey, Bud

*Summary:* Increases the fee that may be charged annually for the eight hours of continuing education required of professional bail agents. Requires in-person courses to be held on a regular basis in each of the grand divisions and allows for one or more virtual classes. Caps the annual charge for the eight hour continuing education requirement at not more than \$450. Prohibits a person from attending a continuing education course beginning January 1, 2024, if the person has been convicted of a crime in any state equivalent to a Tennessee felony or two or more misdemeanors equivalent to Class A or B misdemeanors in this state within five years of the continuing education class.

*Amendment Summary:* House amendment 1 (005911) revises various provisions of this bill to require that court clerks, instead of the Tennessee Association of Professional Bail Agents, will determine whether or not an applicant has a disqualifying criminal conviction based on a review of the pre-continuing education criminal history background check required by this bill. This amendment authorizes court clerks to charge a fee of up to \$10.00 to receive and process an application and the criminal history background check. This amendment changes the date that the provisions of this bill relative to background checks and appeals take effect from January 1, 2024, to January 1, 2025.

*Fiscal Note:* (Dated February 26, 2023) Increase State Revenue \$48,300/FY23-24 and Subsequent Years/Tennessee Bureau of Investigation Increase State Expenditures \$31,100/FY23-24 and Subsequent Years/Tennessee Bureau of Investigation

*Senate Status:* 04/18/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (005911).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0417 effective May 11, 2023.

#### **SB1154/HB1426 TAXES SALES: Sales tax requirements for the retail sale of motor vehicles or boats.**

*Sponsors:* Sen. Stevens, John , Rep. Hicks, Gary

*Summary:* Extends from three days to five days the amount of time in which a motor vehicle or boat purchased at retail must be removed from this state in order to not be subject to sales tax.



*Amendment  
Summary:*

Senate amendment 1 (004157) rewrites this bill to establish a limitation to the amusement tax exemption under the Retailers' Sales Tax Act. ALLOCATIONS Under present law, if there exists in a municipality a sports authority and if that sports authority has secured a major league professional baseball (American or National League), basketball (National Basketball Association), soccer (Major League Soccer), or major or minor league professional hockey (National Hockey League, or Central Hockey League or East Coast Hockey League), or a major league professional football franchise (National Football League or Canadian Football League, or its successors or assigns) franchise for that municipality, and only if the municipality or any board or instrumentality of the municipality reimburses the state for any costs to reallocate apportionments of the tax revenue, then an amount must be apportioned and distributed to the municipality equal to the amount of state tax revenue derived from the sale of admissions to events of the major or minor league professional sports franchise and also the sale of food and drink sold on the premises of the sports facility in conjunction with those games, parking charges, and related services, as well as the sale by the major or minor league professional sports franchise within the county in which the games take place of authorized franchise goods and products associated with the franchise's operations as a professional sports franchise. The amount distributed to the municipality must be for the exclusive use of the sports authority, or comparable municipal agency formally designated by the municipality. If an indoor sports facility owned by a sports authority, in which a professional sports franchise is a tenant, exists in a county with a metropolitan form of government, then an amount must be apportioned and distributed to the municipality equal to the amount of state tax revenue derived from the sale of admissions to all other events occurring at the indoor sports facility and from all other sales of food and drink and other authorized goods or products sold on the premises of the sports facility, parking charges, and related services. EXEMPTION Under present law, there is a levied tax at a rate equal to the rate of tax levied on the sale of tangible personal property at retail on the sales price of each sale at retail of the following: (1) Dues or fees to membership sports and recreation clubs, including free or complimentary dues or fees, when such are made in connection with a valuable contribution to any such establishment or organization, which must have the value equivalent to the charge that would otherwise have been made, including any fees paid for the use of facilities or services rendered at a health spa or club or any similar facility or business; (2) Sales of tickets, fees or other charges made for admission to or voluntary contributions made to places of amusement, sports, entertainment, exhibition, display or other recreational events or activities, including free or complimentary admissions when made in connection with a valuable contribution to any organization or establishment holding or sponsoring such activities which must have the value equivalent to the charge that would have otherwise been made; (3) Charges made for the privilege of entering or engaging in any kind of recreational activity, when no admission is charged spectators, such as tennis, racquetball or handball courts; and (4) Charges made for the privilege of using tangible personal property for amusement, sports, entertainment or recreational activities such as trampolines, golf carts, bowling shoes, skates or other sports and athletic equipment. However, present law provides that the sales price of admissions to amusement or recreational activities conducted, produced, or provided by the following entities are exempt from the sales tax on admission, dues, or fees: (1) Not-for-profit museums, not-for-profit entities that operate historical sites and not-for-profit historical societies, organizations or associations; (2) Organizations that have received and currently hold a determination of exemption from the internal revenue service, pursuant to federal law; (3) Organizations listed in Major Group No. 86 of the Standard Industrial Classification Manual of 1972, as amended, prepared by the office of management and budget of the federal government; or (4) Tennessee historic property preservation or rehabilitation entities; However, the exemption does not apply unless such entities, societies, associations or organizations promote, produce, and control the entire production or function. This amendment provides that, on or after January 1, 2027, this exemption does not apply to amusement or recreational activities conducted, produced, or provided at a facility owned by a sports authority organized under the Metropolitan Celebration Authority Act, during a period in which the facility is eligible to receive a distribution of state sales tax revenue pursuant to allocations required for a sports authority in a municipality that has secured a major league professional baseball, basketball, soccer, football, or major or minor league professional hockey franchise.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (004157).

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0480 effective July 1, 2023.

**SB1155/HB892 EDUCATION: Director of schools notification regarding criminal conduct on school property.**

*Sponsors:* Sen. Stevens, John , Rep. Reedy, Jay

*Summary:* Adds the director of schools as a person to whom a principal must report the principal's direct knowledge of an offense of assault and battery or vandalism committed by a student on school property endangering the life, health, or safety of others; expands the educator's bill of rights to include the educator's right to report an offense of assault and battery or vandalism committed by a student on school property and the educator's right to receive benefits if the educator is a teacher who is absent from their assigned duties due to injuries caused by a criminal act committed against the teacher in the course the teacher's employment activities. Broadly captioned.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed.

*House Status:* 03/23/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0153 effective April 13, 2023.

**SB1174/HB349 COMMERCIAL LAW: Registered agents.**

*Sponsors:* Sen. Swann, Art , Rep. Burkhart, Jeff

*Summary:* Revises the types of entities that may serve as registered agents for certain corporations, companies, and partnerships. Requires a registered agent to maintain a business office at the location of the agent's registered office. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004607) rewrites the qualifications for a registered agent of a for-profit corporation, foreign corporation, nonprofit corporation, LLC, limited partnership, limited liability partnership, and foreign limited partnership to a registered agent who maintains an office at the same street address as the registered corporate office in this state, and who may be: (1) An individual who resides in this state, a domestic corporation, a not-for-profit domestic corporation, a domestic LLC, a domestic general partnership, a domestic limited partnership, or a domestic registered limited liability partnership; or (2) A foreign corporation, a not-for-profit foreign corporation, a foreign LLC, a foreign general partnership, a foreign limited partnership, or a foreign registered limited liability partnership that is authorized to transact business in this state.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 03/09/23 - Senate passed with amendment 1 (004607).

*House Status:* 03/09/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0102 effective July 1, 2023.

**SB1175/HB288 LOCAL GOVERNMENT: Compensation for members of board of directors of Tellico Reservoir Development Agency.**

*Sponsors:* Sen. Swann, Art , Rep. Russell, Lowell

*Summary:* Increases the compensation for members of the board of directors of the Tellico Reservoir Development Agency to \$300 per meeting and \$225 for meetings of committees of the board. Increases the threshold at which sealed bids are required for purchases and contracts.

*Fiscal Note:* (Dated February 12, 2023) Increase Local Expenditures Up to \$13,000/FY23-24 and Subsequent Years/Permissive/ Tellico Reservoir Development Agency Decrease Local Expenditures \$1,700/FY23-24 and Subsequent Years/ Tellico Reservoir Development Agency

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0233 effective April 25, 2023.

**SB1176/HB537 ENVIRONMENT & NATURE: Deposits to the lifetime sportsman endowment fund.**

*Sponsors:* Sen. Swann, Art , Rep. Cochran, Mark

*Summary:* Removes the requirement that proceeds from the sale of lifetime sportsman licenses be deposited into the lifetime sportsman endowment fund.

*Fiscal Note:* (Dated February 24, 2023) Increase State Revenue - \$3,789,000/FY23-24 and Subsequent Years/ Wildlife Resources Fund Decrease State Revenue - \$3,789,000/FY23-24 and Subsequent Years/ Lifetime Sportsman Endowment Fund

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0303 effective April 28, 2023.

**SB1177/HB1188 EDUCATION: Annual report on virtual education programs.**

*Sponsors:* Sen. Swann, Art , Rep. Russell, Lowell

*Summary:* Authorizes the department of education to submit, in electronic format, its annual report on virtual education programs to the governor, the general assembly, and the state board of education. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (007565) rewrites this bill to revise a provision of present law that requires the state board of education to require a course in Tennessee history for students. This amendment revises this provision to provide, instead, that, beginning with the 2026-2027 school year, each LEA and public charter school must require fifth grade students to complete one semester of Tennessee history in the first semester of the students' fifth grade year.

*Fiscal Note:* (Dated February 6, 2023) NOT SIGNIFICANT

*Senate Status:* 02/15/24 - Signed by Senate speaker.

*House Status:* 02/20/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0523 effective March 1, 2024.

**SB1182/HB772 CAMPAIGNS & LOBBYING: Requires election officials to inspect filings for sufficiency and timeliness.**

*Sponsors:* Sen. Swann, Art , Rep. Rudd, Tim

*Summary:* Requires election officials to inspect filings for sufficiency and timeliness; establishes conclusive presumption that accepted filings are sufficient and timely filed. Broadly captioned.

*Amendment Summary:* House amendment 1 (006461) rewrites this bill to make the following changes to present law concerning elections: (1) Present law provides, in part, that the names of candidates for U.S. president may only be printed on the ballot for the presidential preference primary if they are the names of persons whom the secretary of state has determined are generally advocated or recognized as candidates in national news media throughout the U.S. This amendment instead provides that a candidate's name may only be printed on the ballot if it is the name of a person whom the chair of a statewide political party has certified to be placed on the ballot for the office of president to the secretary of state; (2) This amendment transfers responsibility for notifying county election commissions of candidate names that must appear on the ballot for each political party in the presidential preference primary from the secretary of state to the coordinator of elections; and (3) This amendment requires members of the state election commission to disclose any employment or the receipt of compensation, including in-kind contributions, received for services related to elections. The full text of this amendment specifies the contents and timing required for such disclosures. Failure to timely file a disclosure will constitute cause for removal.

*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT

*Senate Status:* 04/19/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (006461).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0389 effective May 11, 2023.

**SB1191/HB1388 HEALTH CARE: Terminates the Tennessee radiologic imaging and radiation therapy board of examiners.**

*Sponsors:* Sen. Bailey, Paul , Rep. Ragan, John

*Summary:* Removes licensure requirements for persons who practice radiologic imaging and radiation therapy and instead requires such persons to be certified by the division of health related boards. Specifies that the division of health related boards may promulgate rules to establish qualifications for the issuance of full X-ray certifications to persons who hold current and unrestricted national certifications from the American Registry of Radiologic Technologists or any other equivalent nationally recognized radiologic organization recognized by the division. Also permits the board to establish the minimum educational courses, curricula, hours, and standards that are required for the issuance of a limited certificate. Terminates the Tennessee radiologic imaging and radiation therapy board of examiners with no wind down period.

*Amendment Summary:* House amendment 1 (004593) authorizes the board of medical examiners, instead of the division of health related boards, to establish and issue limited and full X-ray certifications under substantially the same conditions as the introduced bill would provide for the division. This amendment makes a stylistic change in moving from the definition of "physician's office" to a substantive provision the prohibition against a person operating a business in Tennessee in which X-ray procedures contemplated by this bill are performed at a business that is not owned by a physician, group of physicians, medical professional corporation, limited liability medical professional company, or an entity or facility licensed by the health facilities commission.

*Fiscal Note:* (Dated February 25, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/13/23 - Senate passed.  
*House Status:* 04/06/23 - House passed with amendment 1 (004593).  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0325 effective April 28, 2023.

**SB1195/HB1374 JUDICIARY: Liability for false claims for payment.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Crawford, John  
*Summary:* Specifies that a person making a false claim for payment under the Criminal Injuries Compensation Act of 1976 may be liable under the False Claims Act, compiled in title 4, chapter 18, part 1.

*Amendment Summary:* Senate amendment 1 (004241) rewrites this bill to revise present law provisions relative to persons who are eligible for compensation for criminal injuries, as described below. Present law provides that in the case of the death of the victim, where the compensation is for unreimbursed or unreimbursable funeral or burial expenses, the legal representative of the estate of the victim is eligible for compensation, or if no estate of the victim is opened, then a relative of the victim is eligible, with "relative" being defined as a spouse, parent, grandparent, stepparent, child, grandchild, brother, sister, half-brother, half-sister and a spouse's parents or stepparents. This amendment adds the following to the list of relatives that are eligible if no estate of the victim is opened: (1) The victim's aunt, uncle, or cousin; or (2) An individual related to the victim by blood.

*Fiscal Note:* (Dated February 24, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed with amendment 1 (004241).  
*House Status:* 03/30/23 - House passed.  
*Executive Status:* 04/25/23 - Enacted as Public Chapter 0176 effective April 17, 2023.

**SB1202/HB808 GOVERNMENT REGULATION: Nontraditional child care agency.**

*Sponsors:* Sen. Rose, Paul , Rep. Howell, Dan  
*Summary:* States that for the purpose of regulating child care agencies, a nontraditional child care agency does not include a person or entity that places children in family boarding homes or foster homes.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/09/23 - Senate passed.  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0066 effective March 23, 2023.

**SB1203/HB1387 LOTTERY: Annual event - 501(c)(3) foundation connected to chamber of commerce.**

*Sponsors:* Sen. Lowe, Adam , Rep. Ragan, John  
*Summary:* Permits a 501(c)(3) foundation connected to a chamber of commerce that has been in continuous and active existence in this state for at least ten successive years in the county to hold an annual event.

*Amendment Summary:* Senate amendment 1 (003712) adds new sections to the bill to revise present law provisions pertaining to applications for annual events of nonprofit organizations submitted to the secretary of state, as described below. Under present law, a nonprofit organization seeking to operate an annual event for the benefit of that organization located in this state must submit an annual event application to the secretary of state by January 31 of each year for the annual event period beginning July 1 of that calendar year and ending June 30 of the subsequent calendar year. Present law then provides five provisions of alternative deadlines for annual event periods between the years of 2015 and 2023. This amendment deletes the expired alternate deadlines for annual event applications and provides, that in addition to the general submission deadline, a nonprofit organization may operate an annual event for the benefit of that organization located in this state by submitting an annual event application to the secretary of state within five calendar days after this bill becomes law, for the annual event period beginning July 1, 2023 and ending June 30, 2024. Present law provides that, for the purposes of the submission deadline, the postmark date on the annual event application is deemed to be the date of submission. However, for the purpose of the five alternate deadlines, an annual event application is not deemed to be submitted to the secretary of state until in the physical possession of the secretary of state as evidenced by the secretary of state's date and time endorsement on such documentation. This amendment deletes the reference to the five expired provisions and, instead, adds a reference to the alternative deadline for the annual event period beginning July 1, 2023, and ending June 30, 2024. Present law requires the secretary of state to review all annual event applications timely submitted and to transmit an omnibus list of qualifying applications to the clerk of the senate and the clerk of the house of representatives on or before March 8 of each year. In addition to this omnibus list, the secretary of state is required to transfer an additional list within five or seven days after the alternative deadlines provided for years 2015 - 2023. This amendment deletes the provisions requiring the additional omnibus list following the expired additional deadlines. This amendment requires that in addition to the regular omnibus list, the secretary of state must transfer an additional list to any organization approved after the alternate deadline for the annual event period beginning July 1, 2023, and ending June 30, 2024. The additional omnibus list must be submitted within 10 days after this bill becomes law and must comply with the same requirements as the annual omnibus list.

*Fiscal Note:* (Dated February 15, 2023) Increase State Revenue \$300/FY23-24/Division of Charitable Solicitations and Gaming \$1,200/FY24-25 and Subsequent Years/Division of Charitable Solicitations and Gaming  
*Senate Status:* 03/16/23 - Senate passed with amendment 1 (003712).  
*House Status:* 03/23/23 - House passed.  
*Executive Status:* 04/17/23 - Enacted as Public Chapter 0141 effective April 10, 2023.

**SB1205/HB686 CRIMINAL LAW: Victim advocate's communication - disclosure of certain info prohibited.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Freeman, Bob  
*Summary:* Prohibits an advocate from disclosing any communication received by the advocate from a victim, records regarding a victim stored by the advocate, counseling the victim received, crisis intervention the victim receiving, or the location of the shelter that accommodated the victim during any judicial, legislative, or administrative proceeding unless the victim waives this right by written consent. Allows the court to compel disclosure if the information is deemed relevant and material evidence, the probative value of the information outweighs the harmful effect of disclosure, and the information cannot be obtained by reasonable means from any other source.

*Amendment Summary:* Senate amendment 1 (005093) revises the provisions relative to a court's ability to compel disclosure, to provide that this bill does not limit the ability of a court to compel disclosure if, upon the motion of a party, the court determines after an in-camera review that: (1) The information sought is relevant and material evidence of the facts and circumstances involved in an alleged criminal act that is the subject of a criminal proceeding or a proceeding brought by the department of children's; (2) The probative value of the information outweighs the harmful effect of disclosure, if any, on the victim, the victim-advocate relationship, and the treatment services; and (3) The information cannot be obtained by reasonable means from any other source.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed with amendment 1 (005093).

*House Status:* 04/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0282 effective July 1, 2023.

**SB1208/HB1261 EDUCATION: Notification to parents regarding child's eligibility for an individualized education account.**

*Sponsors:* Sen. White, Dawn , Rep. Moody, Debra

*Summary:* Requires the department of education, in administering the individualized education account program, to develop and implement a process for notifying all parents of their children's potential eligibility for an individualized education account, instead of only ensuring lower-income families are so notified. Requires the department to report whether the process increased student participation in the program to the education committee of the senate and the education administration committee of the house of representatives by January 31 of each year.

*Amendment Summary:* House amendment 1 (006063) in administering the Individualized Education Account (IEA) Program, requires the Department of Education (DOE) to develop and implement a process to notify parents of all children, as opposed to only lower income families, of the child's potential eligibility to participate in the program and to notify the Education Committee of the Senate and the Education Administration Committee of the House of Representatives on the process that the department develops.

*Fiscal Note:* (Dated March 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (006063).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0321 effective April 28, 2023.

**SB1210/HB996 EDUCATION: Report date for assessments on the effectiveness of teacher training programs.**

*Sponsors:* Sen. White, Dawn , Rep. Baum, Charlie

*Summary:* Changes from February 15 to February 1, the date by which the state board of education, with the assistance of the department of education and the Tennessee higher education commission, must issue a report card or assessment on the effectiveness of teacher training programs. Broadly captioned.

*Amendment Summary:* House amendment 1 (004808) prohibits topics related to sexual activity from being taught to students in any of the grades kindergarten through five (K-5) as part of a family life curriculum.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/23/24 - Enacted as Public Chapter 0970, effective May 21, 2024.

**SB1211/HB555 CRIMINAL LAW: Removes requirements for a victim to report an offense in a certain period of time in order to receive compensation.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Enables victims of human trafficking offenses to still be eligible to receive compensation from the criminal injuries compensation fund without having to prove the victim reported the offense to proper law enforcement within a previously required period of time.

*Amendment Summary:* House amendment 1 (005357) makes a technical clarification by removing a duplicative cross reference, revises this bill's provision concerning the burden of proof in claims for compensation by victims of human trafficking offenses, and revises other present law provisions governing criminal injury compensation claims, as described below. BURDEN OF PROOF. Present law provides that the claimant has the burden of presenting all facts necessary in determining whether the claimant is entitled to compensation, and prohibits a claimant from being entitled to compensation unless the claimant proves certain requirements by a preponderance of the evidence, including, but not limited to, that the claimant has fully cooperated with the police and the district attorney general in the investigation and prosecution of the offender. This amendment creates an exception to the above requirement for cases involving a victim of human trafficking where it is determined that the victim's cooperation may be impacted due to the victim's age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim's well-being. PROCEDURE. Under present law, an award of compensation under the Criminal Injuries Compensation Act of 1976 cannot be made where the law enforcement records show that the victim or victim's family failed to report the crime within 48 hours unless, for good cause shown, it is found that the delay was justified. Present law further provides that good cause for the failure of a victim or a member of the victim's family to report a crime may be found if the victim is: (1) Physically unable; (2) A victim of sexual assault; or (3) A victim of domestic abuse. This amendment adds that good cause for the failure of a victim or a member of the victim's family to report a crime may also be found if the victim is a victim of human trafficking.

*Fiscal Note:* (Dated March 10, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (005357).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0359 effective May 5, 2023.

**SB1212/HB115 CRIMINAL LAW: Tennessee Businesses Against Trafficking program.**

*Sponsors:* Sen. White, Dawn , Rep. Moody, Debra

*Summary:* Authorizes the secretary of state to establish and implement the Tennessee Businesses Against Trafficking program to engage corporations and private entities to assist in identifying, preventing, and combating human trafficking. Provides participating corporations and private entities a certificate of recognition. Requires participating corporations and private entities to adopt a zero-tolerance policy toward human trafficking, take measures to ensure employees comply with rules promulgated by the secretary of state's office, participate in training and public awareness campaigns, and enhance awareness and encourage participation within the program.

*Amendment* Senate amendment 1 (003680) makes technical corrections to the headers in the bill.

*Summary:*

*Fiscal Note:* (Dated February 9, 2023) Increase State Expenditures - \$81,800/FY23-24 and Subsequent Years

*Senate Status:* 03/16/23 - Senate passed with amendment 1 (003680).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0177 effective April 17, 2023.

#### **SB1214/HB1089 ALCOHOLIC BEVERAGES: Eligibility to authorize the sale of wine in retail food stores.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert

*Summary:* Clarifies which jurisdictions are eligible to hold a referendum to authorize the sale of wine in retail food stores.

*Fiscal Note:* (Dated February 17, 2023) Increase State Revenue Exceeds \$1,600/FY24-25/ABC Fund Exceeds \$1,300/FY25-26 and Subsequent Years /ABC Fund

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0178 effective April 17, 2023.

#### **SB1215/HB281 CRIMINAL LAW: Expunction of a person's conviction for a violation of a municipal ordinance.**

*Sponsors:* Sen. White, Dawn , Rep. Baum, Charlie

*Summary:* Specifies that municipal court has jurisdiction over the expunction of a person's conviction for a violation of a municipal ordinance from the public records. Specifies conditions for such expunction, including payment of all fines, court costs, and other assessments by person convicted. Broadly captioned.

*Amendment Summary:* House amendment 1 (004071) makes the following revisions to this bill: (1) Changes the effective date from upon becoming a law to July 1, 2023; (2) Provides that "public record" has the same meaning as in other provisions regarding the destruction of records; (3) Clarifies that a municipal court may grant a person's petition requesting removal of a public record of a violation of a municipal ordinance if: (A) The petition satisfactorily demonstrates to the court that the petitioner merits such relief; (B) At the time of the filing of the petition, at least 180 days have elapsed since the completion of the penalty imposed for the ordinance violation; and (C) The person has fulfilled all requirements of the judgment imposed by the court for the conviction, including payment of all fines, court costs, and other assessments; and (4) Removes the provision providing that a person applying for the expunction of records pursuant to this bill must be charged \$100 for destroying such records, and, instead, authorizes the municipal court clerk to charge a fee for the expunction of public records, and requires the fee to be set by municipal law or ordinance.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 02/27/23 - House passed with amendment 1 (004071).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0356 effective July 1, 2023.

#### **SB1218/HB100 JUDICIARY: Litigation tax for adoption proceedings in various courts.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert

*Summary:* Adds adoption proceedings occurring in chancery, circuit or juvenile courts to the courts exempted from litigation tax.

*Amendment Summary:* House amendment 1 (004466) prohibits the state from imposing a litigation tax on adoption proceedings in chancery, circuit, and juvenile court. Affirms a county's right to continue to levy such a tax on the relevant proceedings.

*Fiscal Note:* (Dated February 22, 2023) Decrease State Revenue \$84,300/FY23-24 and Subsequent Years/Various State Agencies Decrease Local Revenue \$75,900/FY23-24 and Subsequent Years

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/21/23 - House passed with amendment 1 (004466).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0370 effective July 1, 2023.

#### **SB1219/HB1400 CRIMINAL LAW: Displaying of required signage by person who disseminates smoking paraphernalia.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Removes exemption to the requirement that a person who disseminates smoking paraphernalia prominently display a required sign, if the person displays a sign that was required prior to April 22,1994. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (005367) rewrites this bill to make the following changes to present law relative to rape and incest: (1) Provides that, if the victim is at least 13 but less than 18, then the rape is still a Class B felony but the defendant must be punished as a Range II offender. However, this amendment allows the sentence imposed upon the defendant, if appropriate, to be within Range III but in no case lower than Range II; and (2) Provides that if the victim is a minor, then the incest is still a Class C felony but the defendant must be punished as a Range II offender. However, this amendment allows the sentence imposed upon the defendant, if appropriate, to be within Range III but in no case lower than Range II.

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed with amendment 1 (005367).

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0283 effective July 1, 2023.

#### **SB1220/HB432 EDUCATION: Tennessee Future Teacher Scholarship Act of 2023.**

*Sponsors:* Sen. White, Dawn , Rep. White, Mark

*Summary:* Requires the Tennessee student assistance corporation to administer a five-year pilot program to award Tennessee Future Teacher scholarships to students pursuing a teaching degree at an eligible postsecondary institution who meet certain requirements and who agree to teach in a targeted setting for at least four years after the student completes an approved educator preparation program.

*Amendment Summary:* House amendment 1 (005381) enacts the "Tennessee Future Teacher Scholarship Act of 2023." Requires the TSAC to administer a five-year pilot program to award a Tennessee Future Teacher scholarship to future educators with the pilot program beginning with the 2023-2024 academic year and terminating on July 1, 2028. Details eligibility for the scholarship with time frames and transferability from an eligible postsecondary institution to another. Details funding and rules of funding the scholarship.

*Fiscal Note:* (Dated February 14, 2023) Increase State Expenditures \$900,800/FY23-24/Lottery for Education Account Exceeds \$900,800/FY24-25 through FY27-28/ Lottery for Education Account Other Fiscal Impact - Funding of \$900,800 in FY23-24 and funding exceeding \$900,800 in FY24-25 through FY27-28 will not be available for transfer from the Lottery for Education Account to the Tennessee Promise Scholarship Special Reserve Account.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 1 (005381).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0381 effective May 11, 2023.

#### **SB1221/HB424 EDUCATION: Educator preparation provider licensure requirements.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert

*Summary:* Allows a teacher with a temporary permit to satisfy the clinical experience required by the state board of education for licensure if the teacher receives guidance, evaluations, and instructions for an educator for an amount of time that is at least equal to the amount of time required for a candidate to meet the clinical experience requirements and meets the same evaluation requirements from an educator.

*Amendment Summary:* Senate amendment 1 (005010) rewrites this bill to provide the following: (1) The commissioner of education is authorized to grant, on behalf of the state board of education, under the conditions prescribed by the state board's rules, an individual pursuing clinical experience in an educator preparation program (EPP) who meets the requirements of this bill, a temporary permit to teach in a teaching position in which an LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists; (2) To be eligible to receive a temporary permit pursuant to (1): (A) An individual must be enrolled in an EPP and have completed all of the coursework in the program except for the clinical experience required pursuant to present law provisions governing teacher training, and submit with the individual's application for a temporary permit a letter of recommendation from the EPP in which the individual is enrolled; (B) A director of schools or a director of a public charter school must submit a conditional offer of employment made by the respective director of schools or the director of the public charter school for the individual to fill a position for which the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists; and (C) The conditional offer of employment must include a certification by the director of schools or the director of the public charter school that the director has notified the commissioner of the LEA's or public charter school's inability to fill the vacancy and its intent to employ the individual pursuant to a temporary permit; (3) The commissioner is authorized to grant an individual a temporary permit authorizing the individual to teach a course requiring an end-of-course examination to satisfy the graduation requirements established by the state board if the individual demonstrates sufficient content knowledge in the course material by taking and passing, at the teacher's own expense, a standardized or criterion-referenced test for the content area; (4) The commissioner is prohibited from granting an individual a temporary permit to teach a physical education class required under present law provisions for elementary and secondary education, or a special education course; (5) A temporary permit is valid only until June 30 following the date of the permit's issuance and is prohibited from being renewed; (6) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in present law provisions requiring automatic revocation of teacher's or administrator's license, is required to report the conviction to the state board; (7) The state board is required to set the time frame within which a director of schools or a director of a public charter school must report a conviction of a teacher holding a temporary permit, and the state board is authorized to specify other offenses for which a director of schools or a director of a public charter school is required to report to the state board upon learning of a conviction of a teacher holding a temporary permit for any such offense; (8) A director of schools or a director of a public charter school is required to report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules; and (9) The state board of education is required to promulgate rules to effectuate this bill.

*Fiscal Note:* (Dated February 24, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed with amendment 1 (005010).

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0284 effective April 28, 2023.

#### **SB1223/HB1008 CRIMINAL LAW: Electronic tracking device for stalking offenses.**

*Sponsors:* Sen. White, Dawn , Rep. Grills, Rusty

*Summary:* Specifies that a course of conduct for purposes of stalking includes one instance of placing an electronic tracking device on a person or in or on a person's property, unless the electronic tracking device is placed by or at the direction of a law enforcement officer. Broadly captioned.

*Fiscal Note:* (Dated February 8, 2023) Increase Local Expenditures \$13,800/FY23-24 and Subsequent Years\*

*Senate Status:* 02/27/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0349 effective July 1, 2023.

#### **SB1224/HB114 CRIMINAL LAW: Sentencing - offenses involving more than one victim.**

*Sponsors:* Sen. White, Dawn , Rep. Russell, Lowell

*Summary:* Allows a court to impose consecutive sentences to a defendant convicted of two or more criminal offenses to more than one victim irrespective if the offenses occurred in the same criminal episode.

*Fiscal Note:* (Dated January 17, 2023) Other Fiscal Impact Passage of the proposed legislation will result in an increase in state incarceration expenditures; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty.

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0481 effective July 1, 2023.

#### **SB1225/HB556 CRIMINAL LAW: Notice requirement for offender placed on registry for abusing vulnerable individuals.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Requires that court clerks notify the health facilities commission, instead of the department of health, when an offender is to be placed on the registry of persons who have been determined to have abused, neglected, misappropriated, or exploited the property of vulnerable individuals. Requires that such notice is given within 90 days of conviction of the offense.

*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0103 effective March 31, 2023.

**SB1230/HB1043 MENTAL HEALTH: Funding treatment services for juvenile addiction and mental health disorders.**

*Sponsors:* Sen. White, Dawn , Rep. Bricken, Rush

*Summary:* Requires the department of mental health and substance abuse services to use funds distributed from revenue received from sports gaming to provide treatment services for juvenile addiction and mental health disorders secondary to providing services for gambling addiction and gambling disorders. Broadly captioned.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact - The extent to which expenditures from the Tennessee Sports Gaming Privilege Tax for Mental Health Fund will increase to fund additional grant programs is unknown; however, the Fund had an available balance of \$4,690,000, as of November 2022.

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0482 effective May 17, 2023.

**SB1231/HB1232 EDUCATION: Training school for grades pre-kindergarten through 12 to provide practice teaching experience.**

*Sponsors:* Sen. White, Dawn , Rep. Hemmer, Caleb

*Summary:* Authorizes a local board of education to contract with a private college or university accredited by the Southern Association of Colleges and Schools Commission on Colleges to maintain a training school for grades pre-kindergarten through 12 to provide practice teaching experience for teachers in training. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004818) makes the following changes to this bill: (1) Requires that the private college or university contracting with the local board of education have its primary campus domiciled in this state; (2) Requires that training schools meet the same requirements established by law and the state board's rules for public schools; (3) Allows a college or university that has entered into a contract with a local board of education pursuant to this bill to receive all state and federal funds received by the local board of education as a result of this contract for the operation of the training school, including TISA allocations and any other funds that may be allocated for the operation of public schools of this state; and (4) Clarifies that training schools are eligible to receive grants and other funds in the same manner as the public schools in this state.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact Local boards of education may incur permissive increases in local expenditures. However, based on multiple unknown variables, a precise fiscal impact cannot be reasonably determined.

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (004818).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0435 effective May 11, 2023.

**SB1236/HB1031 CORRECTIONS: Creates the inmate disciplinary oversight board.**

*Sponsors:* Sen. McNally, Randy , Rep. Sexton, Cameron

*Summary:* Creates a full-time, autonomous inmate disciplinary oversight board. Specifies that the purpose of the board is to grant or deny inmate sentence credits for good institutional behavior and to determine whether sentence credits previously awarded should be removed for commission of a major infraction designated by the department of correction as a Class A disciplinary offense or for an inmate's refusal to participate in an assignment. Specifies membership of board and appointment process for members. Specifies powers and duties of board (12 pp.).

*Amendment Summary:* House amendment 1 (004098) makes the following revisions to this bill: (1) Provides that credits for good institutional behavior or for satisfactory program performance may be awarded by the warden, instead of by the inmate disciplinary oversight board, based on criteria established by the department of correction, instead of by the inmate disciplinary oversight board, and adds that the credits are subject to review and removal by the inmate disciplinary oversight board; (2) Removes the provisions of this bill making revisions to present law relative to awarding sentence credits for good institutional behavior and satisfactory program performance; (3) Rewrites the provisions of the bill regarding the removal of sentence credits to instead add to the present law that the sentence credits removed pursuant to the present law are subject to review by the inmate disciplinary oversight board. Thus, this amendment removes the bill language requiring the warden of each institution to submit written documentation of an inmate's Class A disciplinary infraction or refusal to participate in any assigned work or program to the inmate disciplinary oversight board by the fifteenth day of each month for the previous month; (4) Rewrites the provisions of this bill regarding the awarding of sentence credits to felony offenders to instead only add to the present law provisions that the sentence credits awarded are subject to review by the inmate disciplinary oversight board; (5) Removes the bill language amending the present law provisions regarding the awarding of sentence credits to misdemeanor offenders; (6) Clarifies that the purpose of the inmate disciplinary oversight board is to review the grant, denial, and removal of inmate sentence credits by a warden for good institutional behavior and to determine whether sentence credits previously awarded should be removed; (7) Changes the composition of the inmate disciplinary oversight board from seven to nine members, appointed as follows: (A) Three members of the board will be appointed by the governor; (B) Three members of the board will be appointed by the speaker of the senate; and (C) Three members of the board will be appointed by the speaker of the house of representatives; (8) Adds that the appointing authorities in (7) are required to appoint one member from each grand division of this state; (9) Rewrites the provisions regarding the salaries of the members of the board to instead provide that the salary of each member of the board is \$120,000 annually with a cost of living adjustment every two years; and (10) Places the inmate disciplinary oversight board in the sunset review cycle for entities terminating on June 30, 2026, instead of entities terminating on June 30, 2025.

*Fiscal Note:* (Dated February 13, 2023) Increase State Expenditures Exceeds \$1,913,700/FY23-24 Exceeds \$2,084,500/FY24-25 and Subsequent Years HB 1031 - SB 1236 Other Fiscal Impact It is assumed the positions included are a minimum for the initial operations of the newly created board. Once operational, the board and executive director will determine the exact staffing necessary to meet the requirements of the proposed legislation and will incur additional expenditures. Due to a number of unknown factors, the extent and timing of any fiscal impact to state incarceration expenditures associated with a change in sentence reduction credits resulting from the proposed legislation cannot be quantified.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 1 (004098).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0402 effective January 1, 2024.

**SB1237/HB306 EDUCATION: Private school policies regarding participation in school athletics based on sex.**

*Sponsors:* Sen. Hensley, Joey , Rep. Bulso, Gino

*Summary:* Authorizes a private school to create a policy to regulate a student's participation in the school's athletic activities or events based upon a student's biological sex. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (005942) rewrites this bill to provide that a student enrolled in a private school in this state is only eligible to participate in an interscholastic athletic activity or event, where membership in the Tennessee Secondary School Athletic Association is required, in accordance with the student's immutable biological sex as determined by anatomy and genetics existing at the time of birth. This requirement does not prohibit a female student from participating on a team designated for male students if the school does not offer a separate team for female students in that sport.

*Fiscal Note:* (Dated February 12, 2023) NOT SIGNIFICANT

*Senate Status:* 04/13/23 - Senate passed with amendment 1 (005942).

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0285 effective April 28, 2023.

**SB1242/HB1170 HEALTH CARE: POST commission to adopt guidelines on best practices for responding to medical crisis.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Hakeem, Yusuf

*Summary:* Requires the Tennessee peace officer standards and training commission to adopt guidelines and materials instructing law enforcement officers on the best practices for recognizing and responding to a medical crisis involving a person under arrest or under the care or supervision of the law enforcement officer. Broadly captioned.

*Fiscal Note:* (Dated March 16, 2023) NOT SIGNIFICANT

*Senate Status:* 02/22/24 - Senate passed.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0527 effective March 7, 2024.

**SB1247/HB1291 PROFESSIONS & LICENSURE: License renewal provisions for cosmetologists with certain experience.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Parkinson, Antonio

*Summary:* Enables a person who has been licensed to practice cosmetology in this state for 30 years who fails to renew their license before the expiration date to apply to the board of cosmetology for renewal. Specifies that the board may renew the license if the application for renewal is made within two months of the expiration date and is accompanied by the prescribed fee as set by the board.

*Amendment Summary:* Senate amendment 1 (003959) rewrites this bill to make revisions to the law relative to reinstating certificates of registration for professional master barbers, barber instructors, and technicians, and licenses of cosmetologists, manicurists, aestheticians, and natural hair stylists, as described below. This amendment authorizes the state board of cosmetology and barber examiners ("board") to waive reexamination or additional education requirements for an applicant and reinstate the certificate of registration subject to the applicant's compliance with reasonable conditions that the board may prescribe, including payment of an additional reasonable fee to be set by the board, for the reinstatement of the certificate of registration required for the practice of master barber, barber instructor, and technician that has been expired for more than three years but less than eight years. However, these measures may only be taken if, at the time of the person's failure to renew the certificate of registration, the professional master barber, barber instructor, or technician meets the following requirements: (1) Is in good standing with the board; and (2) Has been registered to practice for 20 years or more. This amendment does not apply to certificates of registration related to barber schools or a person, firm, or corporation that desires to own, operate, or conduct a barber school or college of barbering. This amendment authorizes the board to waive reexamination or additional education requirements for an applicant and reinstate the license subject to the applicant's compliance with reasonable conditions that the board may prescribe, including payment of an additional reasonable fee to be set by the board, for the reinstatement of a license required to practice as a cosmetologist, manicurist, aesthetician, or natural hair stylist that has been expired for more than three years but less than eight years. However, these measures may only be taken if, at the time of the person's failure to renew their license, the professional cosmetologist, manicurist, aesthetician, or natural hair stylist meets the following requirements: (1) Is in good standing with the board; and (2) Has been registered to practice for 20 years or more.

*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT

*Senate Status:* 03/02/23 - Senate passed with amendment 1 (003959).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0208 effective April 24, 2023.

**SB1260/HB351 LOCAL GOVERNMENT: Industrial development corporations to assist and benefit minority-owned businesses.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Hardaway, G.A.

*Summary:* Authorizes the establishment of industrial development corporations solely to assist and benefit minority-owned businesses, locally owned businesses, small businesses, and women-owned businesses.



<i>Amendment Summary:</i>	House amendment 1 (006147) rewrites the bill to, instead, do the following: (1) Authorize industrial development corporations to be established and operated solely to assist and benefit locally owned businesses and small businesses; (2) Require industrial development corporations to have neighborhood advisory committees to assist their boards of directors in promoting, funding, and cultivating locally owned businesses and small businesses; (3) Require that reasonable costs related to the creation of industrial development corporations to be funded by the local governments in which the corporation is created; (4) Require that all reasonable operating costs related to staffing and operational expenditures be fully reimbursed by the governing body of the local government within which the corporation operates for a period not to exceed four years. Following such time, the local governments are encouraged to financially assist and support industrial development corporations; (5) Require the department of economic and community development to, within existing resources, provide guidance and assistance to a local government that creates an industrial development corporation; (6) Define, for purposes of the bill, a "neighborhood advisory committee" as a committee appointed by an industrial development board to act in an advisory capacity to make recommendations and provide feedback to the industrial development corporation's board of directors for a particular local government's industrial development corporation jurisdiction as it relates to a particular neighborhood or community of focus as defined by the governing body of the local government in which the industrial development corporation is located; and (7) Define, for purposes of the bill, a "small business" as a business that has 50 or fewer employees and that has annual gross revenues of \$5 million or less. Senate amendment 2 (018889) mandates a review of any industrial development corporation by January 31, 2028, with a report submitted to the general assembly regarding its effectiveness. The section is set to be repealed on June 30, 2028.
<i>Fiscal Note:</i>	(Dated February 16, 2023) Increase State Expenditures Exceeds \$457,800/FY23-24 and Subsequent Years/ Department of Economic and Community Development Other Fiscal Impact There will be a total recurring increase to expenditures exceeding \$442,800 per industrial development corporation established in FY24- 25 and subsequent years. It is unknown what percentage of these costs will be paid by Department of Economic and Community Development or mandated to be paid by the local governing body. Any increase in local revenue as a result establishment of an industrial development corporation cannot reasonably be determined. *
<i>Senate Status:</i>	05/09/24 - Signed by Senate speaker.
<i>House Status:</i>	05/01/24 - Signed by House speaker.
<i>Executive Status:</i>	05/23/24 - Enacted as Public Chapter 0968, effective May 21, 2024.

### SB1268/HB1324 **EDUCATION: Posting of toll-free number for reports of child abuse.**

<i>Sponsors:</i>	Sen. Akbari, Raumesh , Rep. Camper, Karen
<i>Summary:</i>	Requires each elementary and secondary school to post the toll-free telephone number operated by the department of children's services to receive reports of child abuse or neglect on the homepage of the school's website. Broadly captioned.
<i>Amendment Summary:</i>	Senate amendment 1 (007032) rewrites this bill to revise present law concerning participation in school board meetings by electronic participation. Under present law, a school board member may participate in a school board meeting electronically if the member is absent because the member is required to be out of the county in which the LEA is located for the member's work, the member is dealing with a family emergency as determined by the LEA, or because of the member's military service. Present law generally limits to two per year the number of school board meetings in which a school board member may participate electronically. This amendment expands the reasons for which a school board member may participate in a board meeting electronically to the following: (1) The member is out of the county due to work; provided, that the member participates electronically for such reason no more than two times per year; (2) The member is sick or in a period of convalescence on the advice of a healthcare professional that the member not appear in person; provided, that the member participates electronically for such reason no more than three times per year; (3) The member is out due to inclement weather or natural disaster if the schools in the LEA are closed; provided, that the member participates electronically for such reason no more than three times per year; (4) The member has a family emergency that inhibits the member from attending the board meeting in person; provided, that the member participates electronically for such reason no more than two times per year; or (5) The member is out of the county due to military service.
<i>Fiscal Note:</i>	(Dated February 14, 2023) NOT SIGNIFICANT
<i>Senate Status:</i>	04/13/23 - Senate passed with amendment 1 (007032).
<i>House Status:</i>	04/19/23 - House passed.
<i>Executive Status:</i>	05/10/23 - Enacted as Public Chapter 0350 effective May 5, 2023.

### SB1274/HB1270 **CORRECTIONS: Use of community corrections funds for medical treatment.**

<i>Sponsors:</i>	Sen. Jackson, Ed , Rep. Farmer, Andrew
<i>Summary:</i>	Adds medical treatment to the list of noncustodial corrections options that community corrections funds may be used to develop or expand the range of community punishments and services at the local level.
<i>Amendment Summary:</i>	Senate amendment 1 (006862) expands the purpose of community corrections to include providing community-based supervision. Prohibits the Department of Correction (DOC) or another state agency from penalizing, financially or otherwise, an organization under contract with a governmental entity that is providing community-based supervision for offenders. Effective June 30, 2023.
<i>Fiscal Note:</i>	(Dated March 16, 2023) NOT SIGNIFICANT
<i>Senate Status:</i>	04/17/23 - Senate passed with amendment 1 (006862).
<i>House Status:</i>	04/20/23 - House passed.
<i>Executive Status:</i>	05/23/23 - Enacted as Public Chapter 0483 effective June 30, 2023.

### SB1275/HB874 **INSURANCE HEALTH: Licensed medical laboratory right to participate as provider.**

<i>Sponsors:</i>	Sen. Briggs, Richard , Rep. Lafferty, Justin
<i>Summary:</i>	Prohibits a health insurance issuer or managed health insurance issuer from denying a licensed medical laboratory the right to participate as a participating provider in any policy, contract, or plan on the same terms and conditions as are offered to another medical laboratory under the policy, contract, or plan. Imposes certain other requirements on insurers regarding medical laboratories including heavy users of medical laboratories and prohibiting certain insurers factors including coinsurance, co-payment, deductible, and quantity. Broadly captioned.
<i>Amendment Summary:</i>	Senate amendment 1 (005208) revises this bill to delete the authorization for an issuer to restrict an abusive or heavy utilizer of medical laboratory services to a single medical laboratory for nonemergency services.
<i>Fiscal Note:</i>	(Dated March 9, 2023) Other Fiscal Impact The proposed legislation may result in changes to contract structures and negotiated prices with the TennCare program and plans offered by the Division of Benefits Administration, which would result in an increase in state expenditures. Any such increase is dependent on multiple unknown variables and cannot be reasonably determined.
<i>Senate Status:</i>	03/30/23 - Senate passed with amendment 1 (005208).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0484 effective July 1, 2023.

**SB1281/HB818 TRANSPORTATION VEHICLES: Failure to stop upon approaching a youth bus stopped to receive or discharge passengers.**

*Sponsors:* Sen. Taylor, Brent , Rep. Whitson, Sam

*Summary:* Decreases, from 15 to 14, the number of passengers that a youth bus must be designed to carry in order for a driver of another vehicle to be charged with a Class C misdemeanor for the failure to stop upon approaching the bus when stopped to receive or discharge students.

*Amendment Summary:* Senate amendment 1 (004548) rewrites this bill to revise present law provisions relative to school buses, as described below. Present law provides that: (1) A local education agency (LEA) is authorized to purchase, install, operate, and maintain cameras on the exterior of school buses, or to enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses on behalf of the LEA, for the purpose of recording images of motor vehicles that are in violation of the offense for failing to stop upon approaching a school bus; (2) An LEA that installs cameras on the exterior of school buses is required to enter into a memorandum of understanding with local law enforcement for the preservation of evidence from a camera, and that only POST-certified or state-commissioned law enforcement officers are authorized to review evidence from a camera to determine whether a violation has occurred; (3) (A) A first violation of the offense for failing to stop upon approaching a school bus that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is considered a nonmoving traffic violation. (B) The registered owner of the motor vehicle is responsible for payment of any notice of violation or citation of \$200 for a first offense citation issued as the result of evidence from a camera. However, the owner is not responsible for the violation if the owner submits documentation in accordance with provisions governing citations based on unmanned traffic cameras; and (C) A second or subsequent violation that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is a Class A misdemeanor. However, the state must meet the burden of proof set out in general provisions of present criminal law, and the person charged has no burden to prove innocence. (4) Notices of violations or citations must be sent in accordance with provisions governing citations based on unmanned traffic cameras to the registered owner of the vehicle that was captured by the camera. (5) A citation based solely upon evidence obtained from a camera that has been installed on the exterior of a school bus is invalid if the registration information of the motor vehicle for which the citation is issued is not consistent with the evidence recorded by the camera; (6) The notice of violation or citation must state the date, location, and time of the alleged violation; the amount of the fine being assessed; and the means by which the owner may elect to shift responsibility for the payment of the citation to the operator of the vehicle at the time of the alleged violation pursuant to this (6); (7) 100 percent of the proceeds from any fine that is based solely upon evidence obtained from a school bus camera must be allocated to the LEA without being designated for any particular purpose; (8) The LEA is authorized to use the proceeds for the purpose of defraying the costs of purchasing, installing, operating, or maintaining the camera, or reimbursing or compensating the vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera; and (9) If the LEA uses the proceeds for the purpose of reimbursing or compensating a vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera, then the LEA must create procedures for such reimbursement or compensation and must maintain records of such reimbursement or compensation. This amendment makes the following changes to (1)-(9) above: (1) Revises (1) to clarify that an LEA is authorized to enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses, whether owned, contracted, or leased by the LEA, and provide other services related to violations of the offense for failing to stop upon approaching a school bus, on behalf of the LEA; (2) Revises (2) to, instead, require such LEA to enter into a memorandum of understanding with local law enforcement that includes, but is not limited to, the review of evidence from a camera and overall enforcement, and to clarify that school resource officers are also authorized to review evidence from a camera; (3) Revises (3) as follows: (A) Adds that in lieu of prosecution for failing to comply with the provision requiring a motor vehicle to stop upon approaching a school bus, where evidence of the offense is based solely from a camera that has been installed on the exterior of a school bus, a person may be issued a notice of violation or citation. However, this does not preclude the state from prosecuting the offense if the state meets its burden of proof; (B) Revises (B) to, instead, provide that the fine for a first notice of violation or citation under (3) is \$250, and the fine for a second or subsequent notice of violation or citation is \$500; and (C) Removes (C); (4) Adds the following provisions to (4): (A) Photographs or video produced by a camera that has been installed on the exterior of a school bus are prima facie evidence that the vehicle described in the citation was operated in violation of the law; and (B) Photographs or video produced by a camera that has been installed on the exterior of a school bus, together with proof that the defendant was the registered owner of the vehicle at the time of the violation, create an inference that the owner of the vehicle was the driver of the vehicle at the time of the alleged violation. However, the inference may be rebutted if the owner of the vehicle submits documentation in accordance with provisions governing citations based on unmanned traffic cameras; (5) Adds to (6) that the notice of violation or citation must also include information detailing the process for contesting the citation, including the applicable court having jurisdiction; and (6) Adds to (1)-(9) that: (A) For a violation of the offense for failing to stop upon approaching a school bus, there is a presumption that the photographs or video produced by a camera that has been installed on the exterior of a school bus provide evidence that the school bus was stopped for the purpose of receiving or discharging school children; and (B) Photographs or video produced by a camera that has been installed on the exterior of a school bus depicting such violation must be made available for inspection in any proceeding in which the citation or violation is being contested. Present law provides that it is a Class A misdemeanor, punishable only by a fine of at least \$250 and at most \$1,000, for any person to fail to comply with the provision requiring a motor vehicle to stop upon approaching a school bus. This amendment provides an exception to this provision stating that a second or subsequent violation is punishable only by a fine of at least \$500 and at most \$1,000. This amendment additionally provides that a person who violates the provision requiring a motor vehicle to stop upon approaching a school bus and strikes another person with a vehicle commits a Class E felony. However, the person commits a Class C felony if the striking results in the death of the other person.

*Fiscal Note:* (Dated February 22, 2023) NOT SIGNIFICANT

*Senate Status:* 03/16/23 - Senate passed with amendment 1 (004548).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0179 effective July 1, 2023.

**SB1284/HB1061 COMMERCIAL LAW: Unlawful representation as a licensed contractor.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Powers, Dennis

*Summary:* Specifies it is unlawful for a person, firm, or corporation to represent itself as a licensed contractor or to act in the capacity of a contractor while not licensed. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006129) rewrites this bill to require any domestic corporation or a foreign corporation that uses an assumed corporate name, domestic corporation or a foreign corporation that uses an assumed corporate name, LLC or a foreign LLC that uses an assumed name, partnership, registered limited liability partnership that uses an assumed name, foreign registered limited liability partnership that uses an assumed name, limited partnership that uses an assumed name, or foreign limited partnership that uses an assumed name, prior to doing business with Tennessee or a political subdivision of Tennessee to file with the secretary of state a disclosure setting forth the true identity of each incorporator, member, or partner of the entity, as applicable. The provisions of this amendment take effect January 1, 2025. House amendment 2 (018969) creates the Tennessee-Ireland Trade Commission (Commission) to be composed of 11 members, 6 of which are to be General Assembly legislative members. Requires the Department of Economic and Community Development (ECD) to provide administrative and professional services as needed to the Commission. Requires the Speaker of the Senate to call the first meeting of the Commission, to be held at a date no later than September 20, 2024. All meetings may be held by electronic means and the Commission is required to meet at least twice per year. Requires the Commission to annually report to the Speaker of the Senate, the Speaker of the House of Representatives, and the legislative librarian no later than January 15, 2025, regarding the number of times the Commission met during the preceding 12 months, the meeting minutes, and any recommendations or requests that will assist the Commission's work.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1014, effective May 28, 2024.

### SB1285/HB1060 **LABOR LAW: Report on findings and recommendations concerning the TN works pilot program.**

*Sponsors:* Sen. Stevens, John , Rep. Boyd, Clark

*Summary:* Removes a provision that required the department of labor and workforce development to report by January 1, 2014, to the commerce and labor committee of the senate and the business and utilities committee of the house of representatives concerning the department's findings and recommendations concerning the Tennessee works pilot program. Broadly captioned.

*Amendment Summary:* House amendment 3 (007267) establishes that a claimant for unemployment insurance benefits who fails to appear for a scheduled job interview is noncompliant with the work search requirement of the unemployment insurance program and disqualified for applicable unemployment benefits for the week the failure occurred. Requires the Department of Labor and Workforce Development (DLWD) to establish a portal on its website, an email, and a telephone hotline for employers to report an unemployment insurance claimant who fails to appear for a previously scheduled job interview. Prior to denying a week of benefits to any such claimant for work search non-compliance, the DLWD must verify information submitted by an employer regarding a claimant's work search non-compliance. Increases, from three to four, the number of work search activities per week that must be performed to retain eligibility for unemployment benefits. Establishes a list of acceptable work search activities.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/20/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 3 (007267).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0403 effective July 1, 2024.

### SB1286/HB1062 **BANKING & CREDIT: Disclosure requirements - state banks and securities broker-dealers.**

*Sponsors:* Sen. Bailey, Paul , Rep. Vaughan, Kevin

*Summary:* Removes a reference to a repealed provision of law that required state banks and certain securities broker-dealers to adhere to certain disclosure requirements of the federal deposit insurance corporation. Broadly captioned.

*Amendment Summary:* Senate amendment 1, House Commerce Committee amendment 1 (015575) authorizes state-chartered credit unions to purchase a participation interest from a bank, another credit union, or another other eligible organization, without requiring membership of the borrower.

*Fiscal Note:* (Dated February 6, 2023) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0803 effective July 1, 2024.

### SB1289/HB392 **GOVERNMENT REGULATION: New definition of a battery-charged electric fence.**

*Sponsors:* Sen. Bailey, Paul , Rep. Marsh, Pat

*Summary:* Defines a battery-charged electric fence for purposes of the Alarm Contractors Licensing Act of 1991.

*Amendment Summary:* Senate amendment 1 (004032) prohibits a municipality or county from adopting or enforcing an ordinance, order, or regulation that does any of the following: (1) Requires a permit or fee for the installation or use of a battery-charged security fence that is in addition to an alarm system permit issued by the municipality or county; (2) Imposes installation or operational requirements for a battery-charged security fence that are inconsistent with the requirements described in the definition of a battery-charged security fence in this bill; or (3) Prohibits the installation or use of a battery-charged security fence. Senate amendment 2 (004514) clarifies that the prohibition described in (1) does not prohibit a municipality or county from adopting or enforcing an ordinance, order, or regulation that imposes requirements on a non-electric perimeter fence or wall that are unrelated to the installation or use of a battery-charged security fence, as permitted by law.

*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT

*Senate Status:* 02/27/23 - Senate passed with amendment 1 (004032) and amendment 2 (004514).

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/17/23 - Enacted as Public Chapter 0436 effective May 11, 2023.

### SB1294/HB1309 **INSURANCE GENERAL: Life insurance providers use of genetic information.**

*Sponsors:* Sen. Bailey, Paul , Rep. Kumar, Sabi

*Summary:* Prohibits a life insurance provider from canceling a life insurance policy based on genetic information, from requesting or requiring genetic testing as a condition of insurability, and from accessing the genetic data of an individual without consent.

*Fiscal Note:* (Dated March 2, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0246 effective April 25, 2023.

**SB1295/HB1310 COMMERCIAL LAW: Genetic Information Privacy Act.**

*Sponsors:* Sen. Bailey, Paul , Rep. Kumar, Sabi

*Summary:* Enacts the "Genetic Information Privacy Act." Defines terms relevant to genetic information and testing. Stipulates that the additional section does not apply to protected health information that is collect by a covered entity or certain business associates, public or private institutions of higher education or entities owned by the same. Outlines information a direct-to-consumer genetic testing company must provide to a consumer. States that a consumer's initial express consent is required for collection, use and disclosure of certain genetic data. Outlines other duties and responsibilities of direct-to-consumer genetic testing companies.

*Amendment Summary:* House amendment 1 (006046) makes the following changes to this bill: (1) Clarifies that deidentified data also includes data that meets the standard for deidentification under the federal Health Insurance Portability and Accountability Act of 1996 (HIPPA) and rules promulgated pursuant to that act; (2) Adds that "direct-to-consumer genetic testing company" or "company" also includes an entity that collects, uses, or analyzes genetic data that resulted from a direct-to-consumer genetic testing product or service and was provided to the company by a consumer, but does not include a law enforcement agency; or an entity that is, and only while, engaged in collecting, using, or analyzing genetic data or biological samples in the context of research that is conducted in accordance with federal law or regulation; and (3) Adds that this act also does not apply to: (A) Biomedical or academic research conducted by a research hospital, academic medical center, or other entity affiliated with such hospital or medical center that is not a direct-to-consumer genetic testing company; (B) Genetic data that is shared with or by a research hospital, academic medical center, or other entity affiliated with such hospital or medical center that is not a direct-to-consumer genetic testing company for the purposes of biomedical or academic research or to find causes of or cures for a disease or medical condition; or (C) The sharing of genetic data that does not require consent pursuant to the Federal Policy for the Protection of Human Subjects.

*Fiscal Note:* (Dated February 13, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 04/06/23 - House passed with amendment 1 (006046).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0324 effective July 1, 2023.

**SB1297/HB887 INSURANCE HEALTH: Electronic delivery of notices and documents by insurer.**

*Sponsors:* Sen. Bailey, Paul , Rep. Hawk, David

*Summary:* Authorizes an insurer that offers a health benefit plan to deliver notices and documents related to health, vision, and dental coverage electronically to its insureds with consent. Broadly captioned.

*Amendment Summary:* House amendment 1 (004037) authorizes a plan sponsor of a health benefit plan, on behalf of covered persons on the plan, to provide consent to the delivery of all communication related to the plan by electronic means, including the electronic delivery of a health insurance identification card. Requires the insurer for the health benefit plan to provide the insured with an opportunity to opt-out of delivery by electronic means and implement and adhere to a policy satisfying certain criteria before providing delivery by electronic means. Exempts TennCare from the provisions of this legislation.

*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/13/23 - Senate concurred in House amendment 1 (004037).

*House Status:* 03/06/23 - House passed with amendment 1 (004037).

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0104 effective July 1, 2023.

**SB1303/HB1199 EDUCATION: Annual report on data concerning scholarship and grant programs.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan

*Summary:* Changes the timeline, from October 1 to October 15, by which the Tennessee Higher Education Commission must submit its annual report on its findings regarding data concerning scholarship and grant programs.

*Amendment Summary:* Senate amendment 2 (006026) extends eligibility for tuition reimbursements provided to members of the Tennessee National Guard under the STRONG Act of 2017 to include Lincoln Tech (formerly Nashville Auto Diesel College) for members who completed initial active-duty training in April of 2022 and were enrolled in the college beginning August 2022 and submitted a timely application for tuition reimbursement. Sets forth limitations and conditions on eligibility for the tuition reimbursement. The expansion is repealed on July 1, 2024.

*Fiscal Note:* (Dated February 3, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate passed with amendment 2 (006026).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0485 effective May 17, 2023.

**SB1307/HB1026 ENVIRONMENT & NATURE: Acquisition of the Oakley Tracks.**

*Sponsors:* Sen. Bailey, Paul , Rep. Butler, Ed

*Summary:* Authorizes the executive director of the wildlife resources agency to make expenditures from the 1986 wetland acquisition fund for the purpose of acquiring the "Oakley Tracts" within Cumberland County.

*Fiscal Note:* (Dated February 13, 2023) Other Fiscal Impact To the extent the Tennessee Wildlife Resources Agency purchases the specified property as authorized under this legislation, there will be a one-time shift in FY23-24 of the funding source for such purchase, from the Wildlife Resources Fund to the Wetland Acquisition Fund, in the amount of \$6,250,000. Any federal reimbursement funding under the federal Pittman- Robertson Act associated with such purchase will be deposited into the Wildlife Resources Fund. The exact amount of such reimbursement is currently unknown.

*Senate Status:* 03/13/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0351 effective May 5, 2023.

**SB1309/HB1453 ENVIRONMENT & NATURE: Use of deadly force against bears that enter onto real property.**

*Sponsors:* Sen. Bailey, Paul , Rep. Faison, Jeremy

*Summary:* Legalizes the use of deadly force against a bear that enters onto a person's property if the person has a reasonable belief that the bear placed the person in imminent danger of death or serious bodily injury. Prohibits the use of deadly force until after the person has submitted a written request to the wildlife resources agency to have the bear removed from the area.

*Amendment Summary:* House amendment 1 (004724) makes the following changes to this bill: (1) Removes this bill's prohibition against a person taking, attempting to take, or harming a bear as described in (1)-(2) of the Bill Summary; (2) Limits the geographical location where a person may reside in order to be legally allowed to take, attempt to take, or harm a bear under certain circumstances enumerated in this bill to only property that adjoins the Great Smoky Mountains National Park; and (3) Requires the person to notify the agency within 24 hours after killing or seriously injuring a bear pursuant to this bill if the person is reasonably able to notify the agency and also prohibits a person from removing from the site, repositioning, retaining, selling, or transferring a bear without authorization from the agency.

*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/23/23 - House passed with amendment 1 (004724).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0248 effective April 25, 2023.

### SB1313/HB647 **HEALTH CARE: Limits to mailing medical records.**

*Sponsors:* Sen. Bailey, Paul , Rep. Baum, Charlie

*Summary:* Limits what can be included in calculating the permissible costs that may be charged for copying and mailing a patient's medical records.

*Amendment Summary:* House amendment 3 (007172) makes the following changes to this bill: (1) Adds that for records other than those involving workers' compensation cases, the party requesting the patient's medical records in paper format is responsible to the provider or the provider's third-party release of information provider for the reasonable costs of copying and mailing the patient's records; (2) Adds that such reasonable costs must not exceed \$25 for paper copies of medical records five pages or less in length; 50 cents per page for each page copied after the first five pages; the actual cost of mailing; and, for producing radiology images in hard copy, no more than \$20 per printed film; (3) Adds that the party requesting the patient's records in electronic format is responsible to the provider or the provider's third-party release of information provider for the reasonable fees for fulfilling a patient's request for the patient's own records are governed by HIPAA, and other federal law and implementing regulations; (4) Requires that, for all other requesters, the total fees for electronic medical records provided via portable media, electronic mail, or medical record portal, must comply with the following: the total charges must be no more than \$25 for records 10 pages or less in length; the total charges must be no more than 25 cents per page for each page after the first 10 pages, up to \$90; the actual mailing costs and applicable taxes, if any; the fee for producing electronic copies of radiology images must be no more than \$25 per request for CD, DVD, or USB, or \$15 per request for electronic files emailed or sent via medical record portal; a certification or notary fee, if certification or notarization is requested, in the amount of \$20; and charges for copying paper records or faxing paper records are subject to the limits set in (2) above; (5) Requires, upon request, a person providing records pursuant to this bill to provide the records in electronic form unless the records are not kept in electronic form in the usual course of business; and (6) Adds that the fees charged for reproducing records of patients involved in a claim or appeal of denial for social security disability benefits is a flat fee of \$20, regardless of whether the records are produced on paper or electronically. House amendment 3 (014327) rewrites the bill to make the changes described below to law regarding costs of reproduction, copying, or mailing of records. Present law provides that the party requesting the patient's records is responsible to the provider for the reasonable costs of copying and mailing such patient's records. For records other than those involving workers' compensation cases, such reasonable costs must not exceed \$20 for medical records five pages or less in length and 50 cents per page for each page copied after the first five pages and the actual cost of mailing. Any third-party provider of record copying and related services must be subject to the reasonable cost limits and must not impose any charge or fee for such services in excess of such cost limits. The costs charged for reproducing records of patients involved in a workers' compensation claim must be as defined in workers' compensation law. A healthcare provider must not charge a fee for copying or notarizing a medical record when requested by the department of health pursuant to a complaint, inspection or survey. This amendment deletes these provisions entirely. This amendment provides that for records other than those involving workers' compensation cases, the party requesting the patient's medical records in paper format is responsible to the provider or the provider's third-party release of information provider for the reasonable costs of copying and mailing the patient's records. Such reasonable costs must not exceed (i) \$25 for paper copies of medical records five pages or less in length; (ii) 50 cents per page for each page copied after the first five pages; (iii) the actual cost of mailing; (iv) for producing radiology images in hard copy, no more than \$20 per printed film; and (v) a certification or notary fee, if certification or notarization is requested, must be charged as a flat fee of \$20. This amendment provides that for records other than those involving workers' compensation cases, the party requesting the patient's records in electronic format is responsible to the provider or the provider's third-party release of information provider for the following fees: (1) The reasonable fees for fulfilling a patient's request for the patient's own records are governed by HIPAA, and the Health Information Technology for Economic and Clinical Health (HITECH) Act, and those acts implementing regulations, which must not exceed the cost of the (i) labor for copying the protected health information requested by the individual; (ii) supplies for creating the paper copy, or electronic media if the individual requests that the electronic copy be provided on portable media; and (iii) postage, when the individual has requested the copy or summary or explanation, be mailed; and (2) For all other requesters, the total fees for electronic medical records provided via portable media, electronic mail, or medical record portal, must comply with the following: (i) the total charges must be no more than \$25 for records 10 pages or less in length; (ii) the total charges must be no more than 25 cents per page for each page after the first 10 pages, up to \$90; (iii) the mailing costs and applicable taxes, if any, must be the actual mailing costs and applicable taxes; (iv) the fee for producing electronic copies of radiology images must be no more than \$25 per request for CD, DVD, or USB, or \$15 per request for electronic files emailed or sent via medical record portal; (v) a certification or notary fee, if certification or notarization is requested, must be charged as a flat fee of \$20; (vi) charges for copying paper records or faxing paper records must not exceed \$25 for paper copies of medical records five pages or less in length, 50 cents per page for each page copied after the first five pages, the actual cost of mailing, for producing radiology images in hard copy, no more than \$20 per printed film, and a certification or notary fee, if certification or notarization is requested, must be charged as a flat fee of \$20; and (vii) the fees charged for reproducing records of patients involved in a claim or appeal of denial for social security disability benefits must be a flat fee of \$20, only when the records are produced electronically. Upon request, this amendment requires a person providing a copy or summary of a patient's medical records to provide the records in electronic form unless the records are not kept in electronic form in the usual course of business. This amendment provides that a third-party release of information provider of record copying and related services is subject to the fee limits contained in this amendment and must not impose a charge or fee for such service in excess of such fee limits. The fees charged for reproducing records of patients involved in a workers' compensation claim are as specified in existing workers' compensation laws. A healthcare provider must not charge a fee for copying or notarizing a medical record when requested by the department of health pursuant to a complaint, inspection, or survey.

*Fiscal Note:* (Dated March 2, 2023) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/29/24 - Enacted as Public Chapter 0737 effective July 1, 2024.

**SB1318/HB1198 TRANSPORTATION VEHICLES: Knowingly providing a motor vehicle to another person who is under the influence of an intoxicant.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan  
*Summary:* Creates the "Silas Gable Flatt Law." Creates an offense for knowingly providing a motor vehicle to another person who the provider of the vehicle knows or reasonably should know is under the influence or has a driver's license that has been suspended or revoked.  
*Fiscal Note:* (Dated March 3, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/30/23 - Senate passed.  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0243 effective July 1, 2023.

**SB1319/HB1109 CRIMINAL LAW: Offense of custodial interference.**

*Sponsors:* Sen. Bailey, Paul , Rep. Travis, Ron  
*Summary:* Adds to the offense of custodial interference for any person who harbors or hides a child that has been placed in the custody of the department of children's services by a protective custody order or an emergency custody order.  
*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/30/23 - Senate passed.  
*House Status:* 04/13/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0286 effective July 1, 2023.

**SB1320/HB1126 ANIMALS & ANIMAL HUSBANDRY: Restitution - damage to property or injury to person caused by dog running loose.**

*Sponsors:* Sen. Bailey, Paul , Rep. Sherrell, Paul  
*Summary:* Requires the judge of a court to order a person convicted of a violation of letting a dog run loose causing bodily injury or property damage to pay full restitution for all damages that arise from the offense.  
*Fiscal Note:* (Dated February 14, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 04/10/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0226 effective July 1, 2023.

**SB1325/HB1202 EDUCATION: Authorization of a school staff member to carry a concealed handgun on school grounds.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan  
*Summary:* Authorizes a faculty or staff member of a school to carry a concealed handgun on school grounds subject to certain conditions, including obtaining an enhanced handgun carry permit and completing annual training.  
*Amendment Summary:* Senate amendment 3 (018091) makes the following changes: (1) Provides that in order to possess and carry a handgun or firearm on school grounds, the faculty or staff member must also have the joint written authorization of the LEA's director of schools in conjunction with the principal of the school at which the person is assigned; (2) Clarifies that in order to possess and carry a handgun or firearm on school grounds, the faculty or staff member must not be prohibited from purchasing, possessing, and carrying a handgun under the laws of Tennessee or federal law as determined by a background check. The faculty or staff member must submit two full sets of classifiable fingerprints to the law enforcement agency from which the faculty or staff member is seeking authorization under this bill. The agency must then submit the fingerprints to the TBI. Upon receipt of the fingerprints from the agency, the TBI must: (i) within 30 days, conduct computer searches to determine the person's eligibility to purchase, possess, or carry a handgun as are available to the bureau based solely upon the person's name, date of birth, and social security number, and send the results of the searches to the submitting agency; (ii) conduct a criminal history record check based upon one set of the fingerprints received, and send the results to the submitting agency; and (iii) send one set of the fingerprints received from the submitting agency to the FBI; request a federal criminal history record check based upon the fingerprints, as long as the service is available; and send the results of the check to the submitting agency; (3) Provides that in order to possess and carry a handgun or firearm on school grounds, the faculty or staff member must have been certified by a Tennessee licensed healthcare provider, who is qualified in the psychiatric or psychological field and who contracts with the authorizing law enforcement agency, as being free from any impairment that would, in the professional judgment of the examiner, affect the faculty or staff member's ability to safely possess and carry a concealed handgun on the grounds of a school; (4) Revises the provision in the bill requiring the faculty or staff member to complete a minimum of 40 hours of training specific to school policing that has been approved by the peace officer standards and training (POST) commission each year to retain the authorization by requiring such training to include hands-on instruction with the authorizing law enforcement; (5) Provides that law enforcement agencies are also immune from claims for monetary damages that arise solely from, or that are related to, a faculty or staff member's use of, or failure to use, a handgun so long as the faculty or staff member is authorized to carry the handgun pursuant to this bill; (6) Specifies that authorization to carry firearms in a school by faculty or staff members, or persons assigned to a school under a MOU between local law enforcement and the LEA, does not apply to schools within the department of children's services' LEA or to schools within the department of correction's LEA; and (7) Defines "appropriate law enforcement agency" (for purposes of identifying a law enforcement agency that may enter into an MOU with the LEA) to mean the law enforcement agency that employs a school resource officer that is assigned to the school or if such officer is not assigned to the school, the law enforcement agency with jurisdiction over the school.  
*Fiscal Note:* (Dated March 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/25/24 - Signed by Senate speaker.  
*House Status:* 04/26/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0801 effective April 26, 2024.

**SB1326/HB1176 GOVERNMENT ORGANIZATION: Airport authority board of commissioners.**

*Sponsors:* Sen. Bailey, Paul , Rep. Garrett, Johnny  
*Summary:* Vacates and reconstitutes the board of commissioners for the Davidson County Airport Authority. Adds the governor and speakers of the general assembly as appointing authorities for board positions currently held by the executive officer of the local government. Broadly captioned.

*Amendment Summary:*

Senate amendment 2 (005789) vacates and reconstitutes the board of commissioners (Board) for the Metropolitan Nashville Airport Authority (Authority). Requires the Authority to appoint an independent financial auditing firm and the following additional officers: secretary, chief financial officer, general counsel, and chief operating officer. Establishes various reporting requirements for the Authority. Requires the Authority to regulate airport hazards in Davidson County by submitting a map to the county or to an applicable contiguous county that requires the review of building permits within the designated boundaries. Authorizes the Authority to modify, change in the use, sell, or lease any street or other public way, ground, place or space, or public utility whether publicly or privately owned; provided that the Authority owns all of the real property abutting such property or public utility or the portions thereon that are to be modified, sold, or leased. Requires the Authority, when acquiring land through eminent domain, to follow the proceedings for eminent domain under current law. Senate amendment 3 (006023) corrects the spelling of navigation in the language. House amendment 4 (007914) vacates and reconstitutes the board of commissioners (Board) for the Metropolitan Nashville Airport Authority (Authority). Requires the Authority to appoint an independent financial auditing firm and the following additional officers: secretary, chief financial officer, general counsel, and chief operating officer. Establishes various reporting requirements for the Authority. Requires the Authority to regulate airport hazards in Davidson County by submitting a map to the county or to an applicable contiguous county that requires the review of building permits within the designated boundaries. Authorizes the Authority to modify, change in the use, sell, or lease any street or other public way, ground, place or space, or public utility whether publicly or privately owned; provided that the Authority owns all of the real property abutting such property or public utility or the portions thereon that are to be modified, sold, or leased. Requires the Authority, when acquiring land through eminent domain, to follow the proceedings for the eminent domain under current law.

*Fiscal Note:*

(Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:*

04/21/23 - Senate concurred in House amendment 4 (007914).

*House Status:*

04/20/23 - House passed with amendment 4 (007914).

*Executive Status:*

05/23/23 - Enacted as Public Chapter 0488 effective May 19, 2023.

**SB1327/HB594 ALCOHOLIC BEVERAGES: Records kept by beer wholesaler and beer retailer.**

*Sponsors:*

Sen. Bailey, Paul , Rep. Garrett, Johnny

*Summary:*

Requires a beer wholesaler to keep each original bill of sale or a digital duplicate from the sale of beer to a beer retailer for three years rather than two years. Requires the beer retailer to keep a duplicate of the bill of sale for three years rather than two years. Broadly captioned.

*Amendment Summary:*

Senate amendment 1 (006930) rewrites this bill to revise present law relative to the revocation or suspension of permits or licenses for intoxicating liquors. Under present law, as a pilot project in certain counties, when a local or municipal beer board responsible for controlling the sale of beer or malt beverages within any county included in the project, finds violations of the laws pertaining to consumption of alcohol, in the sale of beer or malt beverages consumed on-premises of an establishment located within the local or municipal beer board's jurisdiction that result in the beer board suspending the operation of or revoking the permit of the establishment where the violation occurred, the beer board is authorized to notify the executive director of the alcoholic beverage commission by certified mail, return receipt requested, of the action taken by the beer board. Such notice must include the record of evidence and the determination made by the beer board in suspending or revoking the permit. Upon receipt of such notice, the executive director of the alcoholic beverage commission must, with respect to violations related to the license for the sale of alcoholic beverages for consumption on the premises at the location where the violation occurred: (1) Schedule a show-cause hearing for the next regularly scheduled meeting of the commission to be held at least 14 days following the date the executive director receives the certified letter to provide an opportunity for the licensee to appear and show cause why the license to sell alcoholic beverages on the premises should not be suspended or revoked for violations based on actions taken by the beer board pursuant to the pilot program; and (2) Notify the individual or business entity, which is listed as the licensee at the same location where the beer permit had been suspended or revoked, of the date and time of the show-cause hearing. The suspension or revocation decision of the beer board is final, and any party aggrieved thereby may appeal the decision of the beer board in accordance with the appeal procedures. Additionally, as another pilot project in certain counties, if the alcoholic beverage commission sends a certified letter, return receipt requested to the local or municipal beer board responsible for controlling the sale of beer or malt beverages within any county included in the program, providing notice that the commission has suspended or revoked the license of an establishment for a violation of consumption of alcoholic beverages laws, upon receipt of the certified letter, the beer board must: (1) Schedule a hearing for the next regularly scheduled meeting of the beer board to be held at least 14 days following the date the beer board receives the certified letter to provide an opportunity for the permit holder to appear and show cause why the permit to sell beer on the premises should not be suspended or revoked for violations based on actions taken by the alcoholic beverage commission; and (2) Notify the individual or business entity, which is listed as the permit holder at the same location where the alcoholic beverage license had been suspended or revoked, of the date and time of the hearing. If the beer board finds that a sufficient violation or violations have occurred at such location, then the beer board must suspend or revoke the permit to the same extent and at least for the same period of time as the alcoholic beverage commission has suspended or revoked the license of the establishment. If the permit holder fails to appear or decides to surrender the permit to the beer board in lieu of appearing at the hearing, the permit must be suspended or revoked by the beer board, and no permit to sell beer or malt beverages on the premises can be issued by the beer board to any person for the location where the alcoholic beverage commission had suspended or revoked the license for the period of time included in the decision of the alcoholic beverage commission. The decision of the beer board is final, and any party aggrieved thereby may appeal the decision of the beer board in accordance with this chapter. This amendment deletes all these provisions and prohibits the beer board or committee of a local government from imposing a fine or other penalty on a permittee based solely on a report issued by another local governmental agency of the local government, other than a law enforcement agency, as a predicate to enter the premises of a permittee or cite the permittee. The beer board is only authorized to issue a citation to a permittee for a violation of intoxicating liquors law after an independent investigation by the board.. House amendment 3 (013914) rewrites the bill to revise present law relative to the revocation or suspension of permits or licenses for intoxicating liquors, as described below. Under present law, as a pilot project in certain counties, when a local or municipal beer board responsible for controlling the sale of beer or malt beverages within any county included in the project, finds violations of the laws pertaining to consumption of alcohol, in the sale of beer or malt beverages consumed on-premises of an establishment located within the local or municipal beer board's jurisdiction that result in the beer board suspending the operation of or revoking the permit of the establishment where the violation occurred, the beer board is authorized to notify the executive director of the alcoholic beverage commission ("commission") by certified mail, return receipt requested, of the action taken by the beer board. Such notice must include the record of evidence and the determination made by the beer board in suspending or revoking the permit. Upon receipt of such notice, the executive director of the commission must, with respect to violations related to the license for the sale of alcoholic beverages for consumption on the premises at the location where the violation occurred: (1) Schedule a show-cause hearing for the next regularly scheduled meeting of the commission to be held at least 14 days following the date the executive director receives the certified letter to provide an opportunity for the licensee to appear and show cause why the license to sell alcoholic beverages on the premises should not be suspended or revoked for violations based on actions taken by the beer board pursuant to the pilot program; and (2) Notify the individual or business entity, which is

listed as the licensee at the same location where the beer permit had been suspended or revoked, of the date and time of the show-cause hearing. Present law provides that the suspension or revocation decision of the beer board is final, and any party aggrieved thereby may appeal the decision of the beer board in accordance with the appeal procedures. Additionally, as another pilot project in certain counties, if the alcoholic beverage commission sends a certified letter, return receipt requested to the local or municipal beer board responsible for controlling the sale of beer or malt beverages within any county included in the program, providing notice that the commission has suspended or revoked the license of an establishment for a violation of consumption of alcoholic beverages laws, upon receipt of the certified letter, then present law requires the beer board to do the following: (1) Schedule a hearing for the next regularly scheduled meeting of the beer board to be held at least 14 days following the date the beer board receives the certified letter to provide an opportunity for the permit holder to appear and show cause why the permit to sell beer on the premises should not be suspended or revoked for violations based on actions taken by the commission; and (2) Notify the individual or business entity, which is listed as the permit holder at the same location where the alcoholic beverage license had been suspended or revoked, of the date and time of the hearing. If the beer board finds that a sufficient violation has occurred at such location, then present law requires the beer board to suspend or revoke the permit to the same extent and at least for the same period of time as the commission has suspended or revoked the license of the establishment. If the permit holder fails to appear or decides to surrender the permit to the beer board in lieu of appearing at the hearing, the permit must be suspended or revoked by the beer board, and no permit to sell beer or malt beverages on the premises can be issued by the beer board to any person for the location where the commission had suspended or revoked the license for the period of time included in the decision of the commission. The decision of the beer board is final, and any party aggrieved thereby may appeal the decision of the beer board. Present law provides that the above provisions only apply in Hancock County, Union County, Grainger County, Claiborne County, Cocke County, Jefferson County, Hawkins County, Hamilton County, and Knox County. This amendment deletes all of these provisions and prohibits a local legislative body or a committee or board created by the local legislative body from imposing a fine or other penalty on a permittee based solely on a report issued by another agency of the local government, other than a law enforcement agency, as a predicate to enter the premises of a permittee or cite the permittee. Except as provided in the previous provision, the local legislative body or a committee or board created by the local legislative body may only issue a citation to a permittee for a violation after its own independent investigation. Present law authorizes a revocation, suspension, or imposition of civil penalty to be made for any violation or whenever it satisfactorily appears that the premises of any person, firm or corporation holding a permit or license are being maintained and operated in such manner as to be detrimental to public health, safety or morals. The board in considering the suspension or revocation of a license must consider repeated violations of any local ordinance or state law involving prohibited sexual contact on the premises of an adult oriented establishment. This amendment deletes these provisions and, instead, requires the local legislative body or a committee or board created by the local legislative body, in considering the suspension or revocation of a license, to consider repeated violations of any local ordinance or state law involving prohibited sexual contact on the premises of an adult-oriented establishment. If a local or municipal beer board responsible for controlling the sale of beer or malt beverages sends a certified letter, return receipt requested to the executive director of the commission providing notice that the beer board has suspended or revoked the permit of an establishment for a violation, upon receipt of the certified letter, present law requires the executive director of the commission to do the following: (1) Schedule a show-cause hearing for the next regularly scheduled meeting of the commission to be held at least 14 days following the date the executive director receives the certified letter to provide an opportunity for the licensee to appear and show cause why the license to sell alcoholic beverages on the premises should not be suspended or revoked for violations of this chapter based on actions taken by the beer board; and (2) Notify the individual or business entity, which is listed as the licensee at the same location where the beer permit had been suspended or revoked, of the date and time of the show-cause hearing. If the commission finds that a sufficient violation has occurred at such location, then present law requires the commission to suspend or revoke the license of the establishment to the same extent and at least for the same period of time as the beer board has suspended or revoked the permit of the establishment. If the licensee fails to appear or decides to surrender the license to the commission in lieu of appearing at the show-cause hearing, then present law requires the license to be suspended or revoked by the commission, and prohibits a license to sell alcoholic beverages on the premises from being issued by the commission to any person for the location where the beer board suspended or revoked the license or permit for the period of time included in the decision of the beer board. Present law prohibits the commission from having the authority to and from issuing a fine in lieu of suspending or revoking the license of an establishment whose license had been suspended or revoked by the beer board. The decision of the commission is final, and any party aggrieved thereby may appeal the decision of the commission. When the alcoholic beverage commission suspends the license to sell alcoholic beverages on the premises for any violation or violations, present law authorizes the commission to notify the local or municipal beer board responsible for controlling the sale of beer or malt beverages within such county by certified mail, return receipt requested, of the action taken by the commission. Such notice must include the record of evidence and the determination made by the alcohol beverage commission in suspending or revoking the license. Present law provides that the pilot project established by the above present law relevant to revocation or suspension by the commission only applies in Hancock County, Union County, Grainger County, Claiborne County, Cocke County, Jefferson County, Hawkins County, Hamilton County, and Knox County. This amendment deletes the above provisions relevant to revocation or suspension by the commission..

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/19/24 - Enacted as Public Chapter 0670 effective March 25, 2024.

#### **SB1329/HB948 ENERGY & MINING: Tennessee Lineworker Appreciation Day.**

*Sponsors:* Sen. Bailey, Paul , Rep. Boyd, Clark  
*Summary:* Designates the second Monday in April of each year as "Tennessee Lineworker Appreciation Day."  
*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/20/23 - Enacted as Public Chapter 0047 effective March 14, 2023.

#### **SB1335/HB1197 GOVERNMENT ORGANIZATION: Reconstitutes boards of directors for sports authorities in certain counties.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan  
*Summary:* Reconstitutes boards of directors for sports authorities in certain counties having a metropolitan form of government. Broadly captioned.



*Amendment Summary:* House amendment 1 (006590) makes the following changes to this bill: (1) Makes the reconstitution of the board of directors effective on January 1, 2024; (2) Deletes the board composition required by the bill and, instead, requires that the board consist of the following 13 directors: (A) The seven longest standing board members as of June 30, 2023, must be reappointed as members of the board and are to serve for the remainder of their existing terms as of June 30, 2023. The county mayor may reappoint such members for subsequent terms; provided, that the members meet the qualifications for membership and no more than one appointee is appointed from the same metropolitan school district in the county; (B) The governor must appoint two directors, with no more than one appointee being a resident of the same grand division of this state, to serve initial terms that expire on June 30, 2025; (C) The speaker of the house of representatives must appoint two directors, with no more than one appointee being a resident of the same house district, to serve initial terms that expire on June 30, 2027; and (D) The speaker of the senate must appoint two directors, with no more than one appointee being a resident of the same senatorial district, to serve initial terms that expire on June 20, 2029; and (3) Clarifies that all subsequent terms are for six years to begin on July 1 and terminate on June 30 six years later.

*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/17/23 - House passed with amendment 1 (006590).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0410 effective May 11, 2023.

### SB1337/HB87 **TRANSPORTATION VEHICLES: Safety chains for trailers - increase in fines for violations.**

*Sponsors:* Sen. Bailey, Paul , Rep. Marsh, Pat

*Summary:* Increases, from \$50 to \$100, the minimum fine for second and subsequent violations of the offense of failure to attach a trailer, semitrailer, or pole trailer to a towing vehicle by a chain. Broadly captioned.

*Amendment Summary:* House amendment 1 (004123) rewrites this bill to revise present law provisions relative to motor vehicles, as described below. Present law provides that, if the motor vehicle clearly identifies the rental company and a garage keeper or towing firm lawfully comes into possession of the vehicle, then the garage keeper or towing firm must notify the rental company at the address identified with the vehicle's registration within three working days of taking possession of such vehicle by registered mail return receipt requested. In addition to any other penalty provided for a violation of this provision, such a violation is also deemed to be a violation of the Tennessee Consumer Protection Act of 1977, and the rental company may seek relief under that act. This amendment clarifies that a rental company, which the amendment redefines as rental vehicle company, as used in these provisions means a person or entity, or a subsidiary or affiliate of the person or entity, including a franchisee, in the business of renting vehicles to the public. Present law further provides the following: (1) That no person, firm, or entity has a right to a lien on any vehicle that has been towed without authorization of a police department or the owner of the vehicle or where the vehicle has been towed in violation of provisions governing unclaimed or abandoned vehicles; and (2) If the owner of the vehicle is not present, then prior to any person, firm or entity towing any vehicle, such person, firm or entity must notify local law enforcement of the vehicle identification number (VIN), registration information, license plate number and description of the vehicle. Local law enforcement must keep a record of all such information which must be available for public inspection. This amendment revises (2) above by requiring the person or entity towing the vehicle to notify local law enforcement as required by (2), within 15 minutes of the person or entity towing the vehicle. This amendment makes a violation of this notification requirement a Class A misdemeanor. Present law requires a police department that takes into custody an abandoned, immobile, or unattended motor vehicle, to, within three business days after taking such motor vehicle into custody, verify ownership of such motor vehicle; and within three business days after receiving verification of ownership, notify by registered mail, return receipt requested, the last known registered owner of the motor vehicle and all lien holders of record that the vehicle has been taken into custody. However, a police department does not have to comply with the requirements of the above provision if it provides preseizure notice to the owner of the motor vehicle and all lienholders of record that the vehicle has been found to be abandoned, immobile, or unattended. Any preseizure notice must be sent by registered or certified mail, return receipt requested, to the last known address of the owner of record and to all lienholders of record. This amendment revises these provisions to authorize such notices to be sent by overnight delivery using a nationally recognized carrier with proof of delivery. Under present law, when an employee of a public agency or a towing company contracting with a public agency takes possession of a vehicle found abandoned, immobile, or unattended, an employee of the agency must verify ownership through the Tennessee Information Enforcement System (TIES) and must place the ownership information on the towing sheet or form. Present law further requires the agency to provide the ownership information to any towing company or garagekeeper with whom the agency has a contract. This amendment revises the above provision to also apply to a towing company authorized to tow by a private property owner or the private property owner's authorized agent. In addition to the notification requirements for a police department that takes into custody an abandoned, immobile, or unattended motor vehicle, present law requires: (1) A garagekeeper or towing firm, which has in its possession an abandoned, immobile or unattended motor vehicle taken into custody by a police department, and in whose possession the vehicle was lawfully placed by the police department, to, within three business days after such motor vehicle is taken into its possession, verify ownership of such motor vehicle; and (2) The garagekeeper or towing firm to, within three business days after receiving verification of ownership, provide notice to the last known registered owner of the motor vehicle and all lienholders of record. All notification requirements for a police department that takes into custody an abandoned, immobile, or unattended motor vehicle apply to the notice required to be provided by a garagekeeper or towing firm. This amendment revises the above provisions to also apply to a garagekeeper or towing firm, which has in its possession an abandoned, immobile, or unattended motor vehicle authorized by a private property owner to be towed, and in whose possession the vehicle was authorized to be placed by a private property owner. Present law prohibits persons engaged in the business of towing motor vehicles by wrecker or otherwise and the storing of these motor vehicles for any type of remuneration, whether as the principal business of those persons or as an incidence to the persons' principal business, from charging the owner or lienholder of the stored motor vehicle a storage fee for a period exceeding 21 days without the consent of the owner or lienholder, except as provided in the Motor Vehicle Storage Act. This amendment clarifies that this provision applies to persons engaged in the following: (1) The business of towing motor vehicles or otherwise; or (2) The business of storing towed motor vehicles.

*Fiscal Note:* (Dated January 22, 2023) Increase Local Revenue Exceeds \$300/FY23-24 and Subsequent Years

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/16/23 - House passed with amendment 1 (004123).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0229 effective April 25, 2023.

### SB1338/HB1211 **ECONOMIC DEVELOPMENT: Adds requirements for receiving grants under Broadband Accessibility Grant Program.**

*Sponsors:* Sen. Bailey, Paul , Rep. Sexton, Cameron

<i>Summary:</i>	Adds certain requirements for receiving grants under the Broadband Accessibility Grant Program including acceptable download and upload speeds, location, and capital contribution based on population and costs of installation. Broadly captioned.
<i>Amendment Summary:</i>	House amendment 1 (006138) rewrites this bill to add to and revise present law concerning the broadband accessibility grant program. This amendment expands the authority of the commissioner to administer all broadband grant programs (instead of only the broadband accessibility grant program) in which state or federal funds are designated for the purpose of promoting the deployment and adoption of broadband internet access services. This amendment authorizes the department, in its administration of the program, to waive provisions of this amendment that conflict with federal law enforcement if the conflicting provision would result in the loss of federal grant funds and the waiver is made known to broadband service providers. This amendment adds that the department's policies must provide for awarding grants to entities that provide last mile broadband services. In addition to the broadband accessibility grant program, the department's policies must apply to any other broadband program in which state or federal funds are used to promote the deployment or expansion of broadband services in Tennessee. This amendment retains this bill's increase to at least 100 Mbps download speed and 20 Mbps upload speed for grant eligibility. This amendment changes the priority list, as described in the Bill Summary, to require that priority be given to projects that: (1) Propose to acquire and install infrastructure that supports broadband services scalable to the download and upload speeds higher than the minimum speeds mentioned above that have been updated. However, this priority does not take precedence over serving a greater number of locations that are unserved locations for the lowest grant amount per location if the department also gives due consideration to high-cost or difficult-to-serve areas as part of its review of the number of locations to be served; (2) Serve locations with demonstrated community support, including, but not limited to, documented support from the political subdivision or the political subdivision receiving designation as a broadband ready community; and (3) Have the ability to commit to providing at least 20 percent of the cost to deploy the broadband, unless the location to be served is a high-cost area, as determined by a federal grant program. This amendment prohibits the department from awarding a broadband accessibility grant that: (1) Proposes to serve a location that is already being served by at least one provider offering download and upload speeds that meet the minimums in this amendment; or (2) Would serve a location that has received funds, or is designated to receive funds, through a state or federally funded grant program designed specifically to encourage broadband deployment to the location with such minimum download speeds. This amendment requires the department to maintain and update a state broadband accessibility map on its website that identifies unserved locations. This amendment maintains this bill's requirement concerning allowing comment by broadband providers, as described in the Bill Summary. This amendment requires all recipients of broadband accessibility grants, or grants under similar programs under the commissioner's administration, to complete the obligations of the award of funds within the time period outlined within the agreement to award the funds unless there are circumstances that cause a delay in completing an obligation that is not within the recipient's control. If a recipient does not complete an obligation on time, the recipient is liable for repayment of the entire grant in full, plus 20 percent of the grant amount.
<i>Fiscal Note:</i>	(Dated February 26, 2023) Other Fiscal Impact In the event the state is found to be in violation of federal guidelines, federal funding to ECD for the grant program may be jeopardized.
<i>Senate Status:</i>	04/12/23 - Senate passed.
<i>House Status:</i>	03/30/23 - House passed with amendment 1 (006138).
<i>Executive Status:</i>	05/02/23 - Enacted as Public Chapter 0320 effective April 28, 2023.

### SB1345/HB1503 **INSURANCE HEALTH: Surprise Billing Consumer Protection Act.**

<i>Sponsors:</i>	Sen. Watson, Bo , Rep. Vaughan, Kevin
<i>Summary:</i>	Enacts the "Surprise Billing Consumer Protection Act," which makes changes to the law regarding network adequacy of managed health insurance issuers including all emergency procedures, nonemergency procedures, and previously documented procedures that may result from an occurrence in which charges arise from a covered person receiving healthcare services from an out-of-network provider at an in-network facility. Details on how to submit a claim, arbitrate, and a proposed agreed final offer with supporting paperwork. Excludes ambulance transportation. (18pp). Broadly captioned.
<i>Amendment Summary:</i>	Senate amendment 1 (006459) replaces the Surprise Billing Consumer Protection Act with a requirement that the commissioner of commerce and insurance conduct a study on the implementation of the federal No Surprises Act and its implications for physicians and healthcare facilities in Tennessee. The commissioner must deliver a copy of a report on the results of the study to the chair of the commerce and labor committee of the senate, the chair of the insurance committee of the house of representatives, and the legislative librarian no later than November 1, 2023. This amendment revises the provisions of this bill described in the Bill Summary under NETWORK ADEQUACY to require each managed health insurance issuer to: (1) File with the commissioner, review, and annually update a network adequacy standards description. The network adequacy standards description must include a report for each network hospital that provides the percentage of providers in each of the specialties of emergency medicine, anesthesiology, radiology, radiation oncology, pathology, and hospitalists practicing in the hospital who are in the health benefit plan's network; and (2) Report to the commissioner a material change to an approved network plan at least 15 days before such change. This amendment defines "material change" to mean a significant reduction in the number of providers available in a network plan. This amendment increases from 45 days to 90 days the time within which the department will be required to complete a review of network adequacy and sufficiency. This amendment changes this bill's effective date from July 1, 2023, for all purposes, to the following: (1) July 1, 2023, for rulemaking and carrying out administrative duties necessary to effectuate this bill; (2) Upon becoming a law, for the administrative study required by this amendment; and (3) January 1, 2024, for all other purposes.
<i>Fiscal Note:</i>	(Dated February 26, 2023) Increase State Expenditures \$3,798,400/FY23-24 \$3,793,400/FY24-25 and Subsequent Years Increase Federal Expenditures - \$6,646,326/FY23-24 and Subsequent Years Other Fiscal Impact Any expenditures incurred as a result of the all-payer claims database beyond initial staffing needs within the Department of Commerce and Insurance is dependent upon federal grant approval. Such a grant would total \$2,500,000 over three years, FY23-24 through FY25-26. The availability of federal funding in FY26-27 and subsequent years is unknown. In the event additional federal funding is not available, an additional appropriation may be required from the General Fund.
<i>Senate Status:</i>	04/10/23 - Senate passed with amendment 1 (006459).
<i>House Status:</i>	04/19/23 - House passed.
<i>Executive Status:</i>	05/10/23 - Enacted as Public Chapter 0352 effective May 5, 2023.

### SB1347/HB1251 **CRIMINAL LAW: Expansion of the definition of sexual activity relating to the exploitation of minors.**

<i>Sponsors:</i>	Sen. Lundberg, Jon , Rep. Crawford, John
<i>Summary:</i>	Expands the definition of "sexual activity," as used in the offense of soliciting sexual exploitation of a minor, to include exhibition of the female breast, genitals, buttocks, anus, or pubic or rectal area of any person that can be reasonably construed as being for the purpose of the sexual arousal or gratification of the defendant or another.
<i>Fiscal Note:</i>	(Dated March 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 04/03/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0209 effective July 1, 2023.

**SB1349/HB1444 CRIMINAL LAW: Handgun carry permit holder change of address notification.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Lamberth, William  
*Summary:* Authorizes a handgun permit holder to notify the department of safety of a change in residence by electronic means.  
*Amendment Summary:* House amendment 2 (007464) deletes the authorization for a judge to sentence a first-time offender in Davidson County to serve 200 hours of community service in lieu of the minimum 48-hour jail sentence for DUI with a blood alcohol concentration (BAC) between 0.08 and 0.19 percent, or the 7- consecutive days sentence for DUI with a BAC of 0.20 percent or more. Requires the operator of a noncommercial, not-for-hire vehicle to ensure that no hard debris on the noncommercial, not-for-hire vehicle falls or blows off and comes into contact with another motor vehicle while the vehicle is being operated. Establishes that the violation of such requirement is a Class C misdemeanor. Requires a person committing the offense of vehicular homicide and leaving the scene of an accident to serve 100 percent of the sentence imposed by the court undiminished by any sentence reduction credits.  
*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/20/23 - House passed with amendment 2 (007464).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0416 effective July 1, 2023.

**SB1357/HB616 TRANSPORTATION VEHICLES: Transporting intrastate load of logs or long pulpwood requirements.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Travis, Ron  
*Summary:* Requires motor vehicles or trailers transporting intrastate a load of logs or long pulpwood that protrudes beyond the length of the motor vehicle or trailer to have securely affixed to the vehicle a rear impact guard or impact absorbent guard extending across the rear of the vehicle or axle at a width equal to or greater than the interior width of the vehicle or axle. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (005894) rewrites this bill to require a motor vehicle or trailer transporting a load of logs or pulpwood that protrudes at least four feet beyond the end of the body or bed of the vehicle or trailer to have the following securely affixed to the end of the projecting load while the vehicle or trailer is loaded with the protruding logs or pulpwood: (1) One amber strobe-type lamp or amber blinking light, or one amber LED strobe light or amber LED blinking light, which must be operating while affixed to the load; and (2) At least two red flags or at least two fluorescent orange flags, which must be in good condition and visible while affixed to the load.  
*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/10/23 - Senate passed with amendment 1 (005894).  
*House Status:* 04/13/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0287 effective October 1, 2023.

**SB1362/HB754 LOCAL GOVERNMENT: Hamblen County - adjusts the compensation of road commissioners.**

*Sponsors:* Sen. Southerland, Steve , Rep. Eldridge, Rick  
*Summary:* Local bill for Hamblen County that adjusts the compensation of the road commissioners to be \$200 or greater, instead of equal to \$200 a month. Adjusts the compensation of the chairman to be \$350 or greater, instead of equal to \$350 a month. Requires the legislative body of Hamblen County to determine the amount of compensation. Amends Chapter 313 of the Private Acts of 1949, as amended.  
*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/28/23 - Enacted as Private Chapter 01 effective March 21, 2023.

**SB1369/HB608 INSURANCE GENERAL: Insurance producer prelicensing courses.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David  
*Summary:* Removes the requirement that an individual applying for an insurance producer license take a pre-licensing course of study for a line of authority. Requires that the examination must test the individual's knowledge related to the lines of authority for which the individual is applying as well as the duties and responsibilities of a producer and the state's insurance regulations and laws. Maintains requirement that a producer be at least age 18. Allows an individual licensed for the same lines of authority in another state to be exempt from examination under certain conditions.  
*Fiscal Note:* (Dated February 8, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/23/23 - Senate passed.  
*House Status:* 03/06/23 - House passed.  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0057 effective March 21, 2023.

**SB1377/HB799 CONSTRUCTION: Minimum energy conservation standards for new residential construction.**

*Sponsors:* Sen. Southerland, Steve , Rep. Zachary, Jason  
*Summary:* Requires that the 2018 International Energy Conservation Code published by the International Code Council be used for the minimum energy conservation standards for new residential construction. Broadly captioned.

*Amendment Summary:* House amendment 1 (005018) rewrites this bill to make changes to present law concerning residential and energy codes. Present law: (1) Requires local governments to adopt the state code for energy conservation in new building construction with any amendments it deems reasonably necessary to accommodate local conditions. If the standards adopted by local governments are equal to or stricter than the code, the local standards will control. If, however, the local standards are less strict than the code standards, the code standards will control; (2) Adopts the Model Energy Code, 1992 Edition, for energy conservation in new building construction, published by the Council of American Building Officials, as the minimum requirements for the effective use of energy in new buildings, although a local jurisdiction may adopt the 2000 International Energy Conservation Code with 2002 amendments, published by the International Code Council, as the minimum requirements for the effective use of energy in new buildings in that jurisdiction; (3) Exempts certain building types, including buildings specifically exempted by the codes identified in (2); (4) Adopts the 2003 International Energy Conservation Code published by the International Code Council as the minimum energy conservation standards for any new residential building construction on or after January 1, 2009; and (5) Requires the state fire marshal to promulgate rules establishing minimum safety standards. The standards adopted by the state fire marshal do not apply (other than for state buildings, educational occupancies, and other occupancies requiring an inspection by the state fire marshal for initial construction) in counties that certify they have adopted and enforce certain building construction and fire safety codes, such as the International Residential Code and the International Building Code. This amendment removes (1)-(4) in their entirety. This amendment adds that the state fire marshal's rules mentioned in (5) will not apply to one-family and two-family construction in counties that adopt the International Energy Conservation Code, and that are not more stringent than the state minimum standard.

*Fiscal Note:* (Dated February 22, 2023) Increase Local Expenditures Exceeds \$1,000/FY23-24 \*

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 03/23/23 - House passed with amendment 1 (005018).

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0312 effective July 1, 2023.

**SB1381/HB1018 ENVIRONMENT & NATURE: Authority of the fish and wildlife commission to set fees for nonresident licenses.**

*Sponsors:* Sen. Southerland, Steve , Rep. Grills, Rusty

*Summary:* Clarifies authority of the fish and wildlife commission to set fees for nonresident licenses. Makes other clarifications and changes to present law concerning regulation of hunting and fishing. Broadly captioned.

*Fiscal Note:* (Dated February 11, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 02/27/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0061 effective July 1, 2023.

**SB1389/HB946 ENERGY & MINING: Types of clean or renewable energy used by a public utility.**

*Sponsors:* Sen. Southerland, Steve , Rep. Boyd, Clark

*Summary:* Requires a political subdivision that imposes requirements or expectations related to the type of clean or renewable energy used by a public utility in an ordinance, resolution, or other regulation to include certain sources of energy as permissible sources of clean or renewable energy. Broadly captioned.

*Amendment Summary:* House amendment 1 (004388) requires a political subdivision that imposes requirements or expectations related to the source of clean or renewable energy used by a public utility to include certain energy sources as permissible sources of clean or renewable energy. Provides that a public utility that uses one or more of the permissible sources of clean or renewable energy meets the requirements or expectations imposed by the political subdivision.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 03/23/23 - Senate passed.

*House Status:* 03/06/23 - House passed with amendment 1 (004388).

*Executive Status:* 04/17/23 - Enacted as Public Chapter 0154 effective July 1, 2023.

**SB1391/HB1519 GOVERNMENT CONTRACTS: Prohibition on members of general assembly bidding on or selling any service to a state entity.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Hicks, Gary

*Summary:* Exempts investments with a federally chartered bank or state chartered bank, mutual fund shares, and securities in a business enterprise listed on the New York Stock Exchange, the NYSE American, or the NASDAQ if the holding represents under 5% of the outstanding securities of the business enterprise from the prohibition on members of the general assembly from having any financial interest in the bidding, selling, or offering for sale of any service to a state entity.

*Fiscal Note:* (Dated March 16, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0288 effective July 1, 2023.

**SB1392/HB1213 INSURANCE HEALTH: Covered person paying out-of-pocket for healthcare services.**

*Sponsors:* Sen. McNally, Randy , Rep. Sexton, Cameron

*Summary:* Requires a healthcare entity to send documentation to a carrier if a covered person negotiates for a lower cost for healthcare services than the average allowed amount paid by the carrier to network providers for a comparable healthcare service, and the covered person pays out-of-pocket for healthcare services that are included under the covered person's health plan. Requires a carrier that receives documentation of a covered person paying out-of-pocket for healthcare services that are included under the covered person's health plan to count the amount paid by the covered person toward the covered person's deductible, coinsurance, copayment, or another cost-sharing amount. Broadly captioned.

*Amendment Summary:*

House amendment 1 (004097) authorizes an enrollee in a healthcare plan to choose to pay for healthcare services out-of-pocket from an out-of-network provider. Requires the enrollee to send certain documentation to the carrier if the enrollee negotiates for a lower cost for the healthcare services than the average allowed amount paid by the carrier to a network provider for a comparable healthcare service, and the enrollee pays for healthcare services out-of-pocket. Requires a carrier that receives such documentation to count the full amount that the enrollee paid out-of-pocket toward the enrollee's deductible, coinsurance, copayment, or other cost-sharing amount, if: (1) the healthcare service is included under the enrollee's insurance plan; and (2) the enrollee negotiated for a lower cost for the healthcare service than the average allowed amount paid by the carrier to network providers for that comparable healthcare service. States that the amount counted toward an enrollee's out-of-pocket deductible, coinsurance, copayment, or other cost-sharing amount must not exceed the total amount that the covered person is required to pay out-of-pocket during a contractually agreed upon period of time for healthcare services that are included under the covered person's insurance plan, and does not carry over once a new contract or agreement period for the insurance plan begins. Reduces, from one year to 30 days, the timeframe in which a carrier's interactive member portal or toll-free phone number must allow an enrollee seeking information about the cost of a particular healthcare service to estimate out-of-pocket costs applicable to that enrollee and compare the average allowed amount paid to a network provider for the procedure or service under the enrollee's health plan.

*Fiscal Note:*

(Dated February 11, 2023) NOT SIGNIFICANT

*Senate Status:*

03/30/23 - Senate passed.

*House Status:*

03/06/23 - House passed with amendment 1 (004097).

*Executive Status:*

05/02/23 - Enacted as Public Chapter 0244 effective July 1, 2023.

**SB1397/HB375 ENVIRONMENT & NATURE: Duck River withdrawal fee.***Sponsors:*

Sen. Reeves, Shane , Rep. Marsh, Pat

*Summary:*

Requires the Tennessee Duck River Developmental Agency to set a per-thousand withdrawal fee for any entity withdrawing water from the river. Requires the rate to be sufficient to cover the administrative costs of the agency and all needs deemed necessary to accomplish the agency's mission.

*Amendment*

Senate amendment 1 (011307) rewrites this bill to make changes to the law regarding the Tennessee Duck River Development Agency.

*Summary:*

Present law authorizes any county or municipality in the Duck River basin, or any governmental entity from which flows any tributary stream of the Duck River or any county adjoining the Duck River basin to, upon a 2/3 majority vote of its governing body, elect to become an additional sponsoring and participating governmental entity in the Tennessee Duck River development agency ("agency"). Representation on the board of directors must be proportioned as provided for directors of such governmental entities so electing and be determined in the manner prescribed in existing law. Upon an affirmative action to become a sponsoring and participating governmental entity, the appropriate officer of such governmental entity must notify the agency's offices and the current agency chair of such action. This amendment deletes these provisions. Present law requires the agency to be governed by a board of directors consisting of 12 members. This amendment adds to the present law by providing that the board of directors also consists of the members of the technical advisory committee. As used in this amendment, "technical advisory committee" or "DRATAC" means the Tennessee Duck River development agency technical advisory committee, created by this amendment. Present law authorizes the counties of Coffee, Bedford, Marshall, and Maury, and the towns and incorporated municipalities in those counties and other governmental entities electing to become a sponsoring and participating governmental entity, to do the following: (1) Contribute to the work of the agency any amount or amounts of money that their respective governing bodies, acting in their sole discretion, approve to be paid from the general fund of the respective county or city. County legislative bodies and governing bodies of such cities or towns are empowered to levy and collect ad valorem taxes for such purposes, which are declared to be for municipal and county public purposes; and (2) Issue their bonds as provided in existing law, to obtain funds for the financing of public works by the agency or to secure advances made by federal agencies for the construction of public works in the Upper Duck River pursuant to cooperative agreements with the agency. This amendment deletes the provision above. This amendment requires the board of directors to set a per thousand-gallon membership fee to charge water systems for finished water pumped to a water system from the upper Duck River watershed. As used in this amendment, "Upper Duck River watershed" means Normandy Reservoir and the Duck River in Bedford, Coffee, Hickman, Marshall, and Maury counties and the Duck River's tributaries in Bedford, Coffee, Marshall, and Maury counties. This amendment requires the following: (1) The board of directors to set the membership fee at a rate sufficient to fund only (i) the agency's operating costs; and (i) the cost of regional water supply programs and projects approved by the technical advisory committee pursuant to this amendment and the board of directors; (2) The board of directors to review the membership fee at least once every five years and when appropriate revise the fee to ensure sufficient funding for increased or new operating, program, or project costs; (3) A water system to pay to the agency the membership fee based on the finished water pumped to a water system coming from a water treatment plant that withdraws water from the upper Duck River watershed. However, the fee must not apply to water re-use from a wastewater treatment plant or recycled water from a water treatment plant; and (4) The board of directors to designate the method of payment and payment schedule for the membership fee. The proceeds of membership fee payments must be deposited into the trust fund maintained pursuant to the law regarding the Tennessee Duck River Development Agency. Present law authorizes, for the purpose of coordinating its activities with the needs and undertakings of other local organizations and groups, the board of directors to establish an advisory board consisting of the chair of the agency board, who must be chair of the advisory board, and of sufficient members to represent adequately so far as possible, industry, commerce, agriculture, the general public, any official planning and developmental bodies in the locality and organized citizens groups working for the development of the Upper Duck River system. This amendment deletes these provisions. This amendment establishes the Tennessee Duck River agency technical advisory committee. Members of the committee serve as members of the board of directors and as the technical advisory committee to the board. The technical advisory committee is composed of one member from each water system, to be appointed by the governing body of the water system. For purposes of voting, this amendment requires the vote of each technical advisory committee member to be weighted based on the following formula: Amount of finished water pumped to system pursuant to this amendment by the water system from the Upper Duck River watershed in the previous fiscal year \_\_\_\_\_ Member's Eligible DRATAC Votes = 100 x Total amount of finished water pumped to system pursuant to this amendment by all water systems from the Upper Duck River watershed in the previous fiscal year. This amendment requires the program or project to receive 60 percent of the technical advisory committee's votes before an agency regional water supply program or project is approved. This amendment provides that a member of the technical advisory committee serves at the pleasure of the water system that appointed the member.

*Fiscal Note:*

(Dated March 4, 2023) Increase Local Revenue \$400,000/FY23-24 and Subsequent Years/Tennessee Duck River Development Agency Increase Local Expenditures \$400,000/FY23-24 and Subsequent Years \*

*Senate Status:*

04/24/24 - Signed by Senate speaker.

*House Status:*

04/24/24 - Signed by House speaker.

*Executive Status:*

05/08/24 - Enacted as Public Chapter 0927, effective July 1, 2024.

**SB1398/HB1242 CRIMINAL LAW: One Pill Will Kill Act.**

*Sponsors:* Sen. Reeves, Shane , Rep. Powers, Dennis  
*Summary:* Increases the penalty for the manufacture, delivery, sale, or possession with intent to manufacture, deliver, or sell fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue from a Class C felony to a Class B felony if the amount involved is 0.5 grams or more of any substance containing fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue or if the amount involved is less than 0.5 grams of a controlled substance containing fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue and the defendant carried or employed a deadly weapon during the commission of the offense or the offense resulted in death or bodily injury to another person. Broadly captioned.  
*Amendment Summary:* House amendment 1 (006852) adds xylazine and any precursor or derivative to the controlled substances in the Schedule III list. Senate amendment 2 (007951) creates a Class A misdemeanor offense to knowingly possess Xylazine Creates a Class C felony offense to: (1) knowingly manufacture, deliver, or sell xylazine; or (2) knowingly possess xylazine with intent to manufacture, deliver, or sell xylazine.  
*Fiscal Note:* (Dated February 10, 2023) Increase State Expenditures Net Impact \$1,109,900 Incarceration  
*Senate Status:* 04/21/23 - Senate passed with amendment 2 (007951).  
*House Status:* 04/21/23 - House concurred in Senate amendment 2 (007951).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0412 effective July 1, 2023.

**SB1408/HB957 EDUCATION: Charging of tuition and fees for dual enrollment students.**

*Sponsors:* Sen. Jackson, Ed , Rep. Slater, William  
*Summary:* Prohibits eligible public postsecondary institutions from charging a student receiving a dual enrollment grant any tuition or fees in excess of the grant award. Allows eligible postsecondary institutions to charge a student receiving a dual enrollment grant costs that are incurred by the institution on the student's behalf, including book costs and examination fees.  
*Fiscal Note:* (Dated February 16, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/27/23 - Senate passed.  
*House Status:* 04/10/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0227 effective July 1, 2023..

**SB1410/HB1212 LABOR LAW: Employment of minors - places that sell intoxicating beverages.**

*Sponsors:* Sen. Jackson, Ed , Rep. Sexton, Cameron  
*Summary:* Removes the prohibition that a person 16 or 17 years of age may not be employed in any place where the average monthly gross receipts from the sale of intoxicating beverages exceed 25 percent of the total gross receipts of the place of employment if the person is not permitted to take orders for or serve intoxicating beverages. Broadly captioned.  
*Fiscal Note:* (Dated February 11, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/13/23 - Senate passed.  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 03/27/23 - Enacted as Public Chapter 0068 effective March 23, 2023.

**SB1416/HB1021 CRIMINAL LAW: Accounting of money held by a custodian of a minor who was a victim of a crime.**

*Sponsors:* Sen. Rose, Paul , Rep. Doggett, Clay  
*Summary:* Increases the time period, from 30 days to 60 days, in which the custodian of a minor who was a victim of a crime must provide an accounting to the court as of how the money was spent after being released by the order of a court.  
*Amendment Summary:* House amendment 1 (013327) expands an exception to the requirement that claimants fully cooperate with the police and district attorney general in the investigation and prosecution of the offender from applying only to victims of human trafficking under certain circumstances, to any victim under the same circumstances. Requires a claimant seeking compensation from the Tennessee Claims Commission (TCC) for expenses related to being a victim of a crime to include proof that an offense has occurred. Establishes numerous records that would constitute such proof. Expands eligibility for compensation for mental health services and funeral or burial services made necessary by the death of the victim to a family member, as defined in current law, or a person who resided with the victim, rather than just a relative. Increases, from 48 hours to 15 days, the time period within which a crime must be reported to the proper authorities in order for a valid claim to be based upon it.  
*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/23/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0904, effective July 1, 2024.

**SB1420/HB905 JUDICIARY: Addition of trial court judges.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Johnson, Curtis  
*Summary:* Adds one additional trial court judge in the thirteenth, twenty-second, and twenty-third judicial districts and two additional trial court judges in the nineteenth judicial district, to be appointed by September 1, 2023.  
*Amendment Summary:* House amendment 1 (006357) changes the type of additional court created for the thirteenth judicial district by this bill from a circuit court to a criminal court. House amendment 2 (007627) removes the provisions that added an additional chancery court in the nineteenth judicial district and an additional circuit court in the twenty-third judicial district.  
*Fiscal Note:* (Dated March 9, 2023) Increase State Expenditures \$1,612,300/FY23-24 \$1,766,800/FY24-25 and Subsequent Years  
*Senate Status:* 04/21/23 - Senate passed.  
*House Status:* 04/20/23 - House passed with amendment 1 (006357) and amendment 2 (007627).  
*Executive Status:* 05/15/23 - Enacted as Public Chapter 0396 effective May 11, 2023.

**SB1426/HB1004 GOVERNMENT ORGANIZATION: Appointed members of state governmental entities.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Darby, Tandy

*Summary:* Requires an appointed member of a governing body for a state entity to serve in such capacity until the member's successor is duly appointed and qualified. Authorizes the removal of such member by the member's appointing authority with or without cause. Removes term limits for members of the advisory council on state procurement. Broadly captioned.

*Fiscal Note:* (Dated March 2, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0316 effective April 28, 2023.

#### **SB1434/HB1321 TRANSPORTATION VEHICLES: GPS devices used by school bus drivers.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Helton-Haynes, Esther

*Summary:* Allows school bus drivers to use a portable electronic device for navigation of the school bus through the use of the device's global positioning system if no hands are used to hold the device or to enter data into the device while the school bus is in motion. Requires the device to be mounted on the school bus's windshield, dashboard, or center console area, and the driver views only data related to the navigation of the bus.

*Amendment Summary:* Senate amendment 1 (004250) authorizes a school bus driver to use a portable electronic device for navigation of the school bus and for accurately accounting for students at bus pick-up and drop-off locations through the use of the device's global positioning system under certain conditions.

*Fiscal Note:* (Dated February 17, 2023) Other Fiscal Impact Due to multiple unknown variables, the extent and timing of any permissive increase in local expenditures cannot reasonably be determined.

*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004250).

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0210 effective July 1, 2023.

#### **SB1437/HB1101 TRANSPORTATION VEHICLES: Operation of motorcycles by minors.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Littleton, Mary

*Summary:* Authorizes a minor issued a motorcycle learner's permit to operate a motorcycle without limitations on the distance from the minor's home if the minor is accompanied by, and under the direct supervision of, a parent or legal guardian who is also operating a motorcycle and who holds a valid motorcycle operator's license.

*Amendment Summary:* Senate amendment 1 (004755) makes the following changes to this bill: (1) Limits the application of the authority granted in this bill to a minor issued a motorcycle learner's permit and who has completed a certified motorcycle education course approved by the department; and (2) Changes the effective date from July 1, 2023, to January 1, 2024.

*Fiscal Note:* (Dated February 26, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed with amendment 1 (004755).

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0180 effective April 17, 2023.

#### **SB1438/HB695 EDUCATION: Amount of the occupational educator scholarship awarded to prospective educators.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Barrett, Jody

*Summary:* Authorizes the occupational educator scholarship to cover the cost of tuition and mandatory fees at the attended postsecondary institution after all other gift aid is credited.

*Fiscal Note:* (Dated March 13, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 04/25/23 - Enacted as Public Chapter 0181 effective July 1, 2023.

#### **SB1440/HB239 GOVERNMENT ORGANIZATION: Construction of statutes - definition of sex.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Bulso, Gino

*Summary:* Adds "sex" as a defined term for statutory construction purposes.

*Amendment Summary:* Senate amendment 1 (004721) defines the term "sex" for use in the Tennessee Code, unless the context otherwise requires, as a person's immutable biological sex as determined by anatomy and genetics existing at the time of birth and evidence of a person's biological sex. Clarifies that "evidence of a person's biological sex" includes, but is not limited to, a government-issued identification document that accurately reflects a person's sex listed on the person's original birth certificate.

*Fiscal Note:* (Dated February 10, 2023) Other Fiscal Impact - The proposed language may result in increases to state and local expenditures associated with compliance measures, potential civil litigation and could jeopardize federal funding; however, due to multiple unknown factors, a precise fiscal impact cannot be determined.

*Senate Status:* 03/13/23 - Senate passed with amendment 1 (004721).

*House Status:* 04/21/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0486 effective July 1, 2023.

#### **SB1443/HB727 EDUCATION: Parental consent prior to student receiving instruction through the LEA's family life curriculum.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Fritts, Monty

*Summary:* Requires a student's parent or legal guardian, or the student if the student has reached the age of majority, to provide a written, informed, and voluntarily signed consent to the student's LEA before the student may receive instruction through the LEA's family life curriculum, participate in a survey, analysis, or evaluation, or receive health services provided through a coordinated school health program. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (006523) makes the following changes to this bill: (1) Clarifies that the LEA is not required to obtain the written, informed, and voluntary signed consent of a student's parent or legal guardian if the full survey, analysis, or evaluation is related to classroom instruction of a curriculum and the survey, analysis, or evaluation is distributed to the students as a method of evaluating the effectiveness and instructional curriculum; (2) Changes the requirements established for a student to receive family life instruction under this bill to, instead, be the requirements for a student to receive instruction of a sexual orientation or gender identity curriculum; and (3) Prohibits a school from allowing a student to become a member of a club or organization, or allowing a student to participate in any activity of a club or organization unless the student's parent or legal guardian first provides written consent to the student's membership or participation in a dated, written consent. Senate amendment 3 (007605) makes the following revisions: (1) Makes the provisions relative to becoming a member of a club or organization apply only to minor students, which are students who are not 18 or older; and (2) Replaces present law provisions pertaining to a coordinated school health program with the requirement that a parent or legal guardian who wishes to excuse the parent's or legal guardian's student from participating in a health screening provided as part of a coordinated school health program must submit a request in writing to the student's nurse, instructor, school counselor, or principal. This amendment defines "health services" as including vision, dental, blood pressure, and hearing screenings.

*Fiscal Note:* (Dated March 10, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed with amendment 1 (006523) and amendment 3 (007605).

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0353 effective July 1, 2023.

**SB1449/HB136 COMMERCIAL LAW: Automatic renewal of subscription services or purchasing agreements.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Howell, Dan

*Summary:* Exempts an affiliate of a business licensed under state insurance laws and a person or entity providing certain service contracts, or an affiliate of the person or entity, from requirements governing businesses that make automatic renewal offers or continuous service offers to consumers.

*Fiscal Note:* (Dated January 28, 2023) NOT SIGNIFICANT

*Senate Status:* 03/06/23 - Senate passed.

*House Status:* 02/27/23 - House passed.

*Executive Status:* 03/27/23 - Enacted as Public Chapter 0058 effective January 1, 2024.

**SB1451/HB1312 HEALTH CARE: Application requirements for individual licensed as a physician outside of U.S. or Canada.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Kumar, Sabi

*Summary:* Specifies application requirements for an individual licensed as a physician outside the United States or Canada who has completed a residency program or otherwise practiced as a medical professional for at least three of the last five year. Requires the board of medical examiners to grant a provisional license to an international medical graduate who qualifies. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004942) rewrites this bill to change present law that provides that the board of medical examiners may issue a temporary license of limited duration to an international medical school graduate with demonstrated competency. A temporary license may be issued by the board in its discretion as special circumstances may require and the board may promulgate rules prescribing any other conditions or requirements with respect to the issuance of a temporary license. This amendment removes these provisions and provides, instead, that in order to issue a temporary license to an international medical school graduate, the board must find sufficient evidence that the international medical school graduate has met the following criteria: (1) Demonstrated competency as determined by the board; (2) Completed a three-year post-graduate training program in the graduate's licensing country; or (3) Has otherwise practiced as a medical professional performing the duties of a physician for at least three of the last five years outside the United States. In addition, an applicant must submit sufficient evidence to demonstrate that the applicant is an international medical school graduate and has an offer for employment as a physician at a healthcare provider that operates in this state and has a post-graduate training program accredited by the accreditation council for graduate medical education in place. Once an international medical school graduate is granted a temporary license, the temporary licensee must only provide medical services at a healthcare provider that has in place a post-graduate training program accredited by the accreditation council for graduate medical education. This amendment requires that the board grant a full and unrestricted license to practice medicine to a temporary licensee, who is in good standing two years after the date of temporary licensure. Furthermore, a temporary licensee who obtains a full and unrestricted license is not subject to the limitation of practicing at a healthcare facility with a post-graduate training program. For the purpose of promulgating rules, this bill takes effect upon becoming a law, and for all other purposes, this bill takes effect July 1, 2024.

*Fiscal Note:* (Dated March 8, 2023) NOT SIGNIFICANT

*Senate Status:* 03/30/23 - Senate passed with amendment 1 (004942).

*House Status:* 04/06/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0211 effective April 24, 2023.

**SB1452/HB44 ALCOHOLIC BEVERAGES: City of McEwen - referendum to authorize manufacture, sale, and distribution of alcohol.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Reedy, Jay

*Summary:* Authorizes the City of McEwen and municipalities in Henry, Benton, Meigs, Grainger, and Hardeman counties to hold a referendum to authorize the manufacture, receipt, sale, storage, transportation, distribution, and possession of alcoholic beverages within the territorial limits of the respective city.

*Fiscal Note:* (Dated February 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Public Chapter 0291 effective April 28, 2023.

**SB1457/HB1080 TORT LIABILITY: Charitable organization's limitation of tort liability - providing shelter from adverse weather.**

*Sponsors:* Sen. Kyle, Sara , Rep. Powell, Jason



*Summary:* Clarifies that, in regard to a charitable organization's limitation of tort liability, providing shelter from adverse weather includes, but is not limited to, allowing persons to enter the premises for purposes of temporary shelter from severe storms.

*Fiscal Note:* (Dated February 17, 2023) NOT SIGNIFICANT

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/06/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Public Chapter 0140 effective April 6, 2023.

**SB1458/HB983 EDUCATION: Maternity leave for local education agency employees.**

*Sponsors:* Sen. White, Dawn , Rep. Sexton, Cameron

*Summary:* Requires local education agencies (LEAs) to provide licensed employees of the LEA 12 paid workweeks after a birth or stillbirth of the employee's child or the employee's adoption of a newly placed minor child. Broadly captioned.

*Amendment Summary:* House amendment 2 (004840) revises this bill to grant leave for six work weeks instead of 12 work weeks, and to require the state to reimburse an LEA that provides paid leave pursuant to the bill in an amount equal to the leave paid by the LEA.

*Fiscal Note:* (Dated February 13, 2023) Increase Local Expenditures - \$39,160,700/FY23-24 and Subsequent Years\* Other Fiscal Impact - There could be additional expenditures and liabilities incurred by the Department of Children's Services and the Department of Education related to employees of the special school districts. Any increase is unknown but is assumed to be accommodated within the payroll equity of each department.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/20/23 - House passed with amendment 2 (004840).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0399 effective May 11, 2023.

**SB1459/HB1217 PUBLIC FINANCE: Annual TACIR report on inventory of statewide public infrastructure needs.**

*Sponsors:* Sen. McNally, Randy , Rep. Sexton, Cameron

*Summary:* Sets a deadline of February 15 by which TACIR must present its annual inventory of statewide public infrastructure needs and costs for the provision of adequate and essential public infrastructure to the general assembly each year. Broadly captioned.

*Amendment  
Summary:*

House amendment 1 (005769) rewrites this bill to make the following changes and additions to present law concerning the state building commission and capital projects: (1) Present law generally gives the state building commission authority to approve and supervise all projects involving improvements to real property funded by public or private funds or both in which the state or any of its departments, institutions or agencies has an interest. This amendment adds an exception to the commission's general approval and supervisory authority by authorizing a public institution of higher education to approve and supervise the institution's capital project if the project is managed by a higher education state procurement agency, the project involves a building or facility used primarily for non-academic purposes, and the project is either fully funded by donations received from a third-party or revenue from self-supporting auxiliary projects, or both. The full text of this amendment specifies five requirements that will apply if a public institution of higher education approves or supervises a project; (2) Present law generally gives the state building commission the power and authority to advertise and award contracts relating to projects involving improvements to real property funded by public or private funds or both in which the state or any of its departments, institutions or agencies has an interest. This amendment adds an exception to the commission's general contracting authority by authorizing, for capital projects that do not utilize funds appropriated for capital maintenance or capital outlay, a public institution of higher education to select and contract with designers, architects, or engineers and complete up to 50 percent of schematic design work for capital projects prior to submission to the commission for review and approval if four conditions listed in the full text of this amendment are met; (3) This amendment requires public institutions of higher education to establish a transparent process to publicly disclose capital projects of \$10,000,000 or less that do not utilize bond funds or funds appropriated for capital outlay or capital maintenance and are paid with current or residual funds, directly to the state building commission; (4) This amendment refers to higher education state procurement agencies and defines "state procurement agency" to mean, as appropriate, the department of general services, state of Tennessee real estate asset management; University of Tennessee, department of capital projects; Tennessee board of regents, department of facilities development; East Tennessee State University, office of facilities management, planning, and construction; Austin Peay State University, capital planning, design and construction; Tennessee Technological University, office of capital projects and planning; Middle Tennessee State University, department of campus planning; and University of Memphis, department of campus planning and design, or the successors-in-interest to such departments, or any additional state entities, or subdivisions thereof, as determined by the commission; (5) Under present law, major maintenance of any building or structure in which the state of Tennessee or any of its departments, institutions or agencies have an interest is an improvement to real property for purposes of triggering the state building commission's authority over a project. Present law defines "major maintenance" to mean the repair or renovation of a building or structure or a portion thereof in which this state or a department, institution, or agency thereof has an interest and that is being funded by direct appropriations for major maintenance or will cost in excess of \$250,000. This amendment limits application of the \$250,000 threshold for major maintenance to state entities other than a public higher education institution and sets the threshold for public higher education institutions at \$1,000,000; and (6) This amendment increases from \$100,000 (or such other amount established by the state building commission) to \$1,000,000 (or such other amount established by the state building commission) the threshold at which an expenditure or combination of separate expenditures made in any six-month period on a single building or structure owned or leased by a state institution of higher education or governing board of the institution is subject to the approval of the state building commission. Senate amendment 1 (006747) exempts a capital project at the University of Tennessee (UT) from the State Building Commission's (SBC) authority if the institution's capital project is managed by the university's state procurement agency, involves a building or facility used primarily for non-academic purposes, and the project is either fully funded by donations received from a third party or revenue from self-supporting auxiliary projects, including projects financed with revenue bonds, or both. Declares that such exempt capital projects at UT that result in a net increase to the square footage of a building or facility are not eligible for maintenance funding from the state. Requires that for such exempt capital projects, that the university's state procurement agency utilize contracts provided by the state architect. Authorizes the institution to revise the terms of such contracts upon approval from the state architect. Further requires such exempt capital projects to be approved by the board of trustees of UT or its designee and to be reported to the SBC on a quarterly basis. Declares that such exempt capital projects are not subject to additional disclosures by a state entity beyond the inclusion of revenue bonds requested for the project in the general appropriations act. Requires public institutions of higher education to establish a transparent process to publicly disclose capital projects of \$10,000,000 or less that do not utilize bond funds or funds appropriated for capital outlay or capital maintenance and are paid with current or residual funds directly to the SBC. Declares that such capital projects utilizing the funds as described above are not subject to additional disclosure requirements by a state entity. Adds to the definition of major maintenance to include repairs or renovations of a building structure or a portion thereof in which the state has an interest to include state departments and public two-year institutions of higher learning in which costs will be in excess of \$250,000 for a structure or \$1,000,000 for a project excluding furniture and equipment or for public four-year institution of higher education in excess of \$1,000,000 for a structure or \$3,000,000 for a project excluding furniture and equipment. Requires any expenditure in excess of \$1,000,000 on a single building or structure owned or leased by a public four-year institution of higher education to be approved by the SBC. Additionally requires any such expenditures for any other state institution of higher education to be subject the SBC approval for expenditures over \$250,000. Senate amendment 2 (007141) clarifies that "major maintenance" can mean the repair or renovation of a building or structure or a portion thereof in which this state or a department, institution, or agency thereof has an interest and that will cost colleges of applied technology in excess of \$250,000 for a structure or \$1 million for a project excluding furniture and equipment.

*Fiscal Note:* (Dated February 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/20/23 - Senate refused to recede from its actions in Senate amendment 1 (006747) and amendment 2 (007141).

*House Status:* 04/21/23 - House concurred in Senate amendment 1 (006747) and Senate amendment 2 (007141).

*Executive Status:* 05/15/23 - Enacted as Public Chapter 0411 effective July 1, 2023.

### **SB1463/HB562 VETERANS & MILITARY AFFAIRS: National guard compensation.**

*Sponsors:* Sen. Jackson, Ed , Rep. Todd, Chris

*Summary:* Requires the compensation for members of the national guard under active duty orders to begin immediately upon being activated. Authorizes the department of human resources to prorata the compensation of the members as needed.

*Amendment Summary:* House amendment 1 (004146) requires that compensation for members of the National Guard accrue upon being ordered to active state service. Requires the use of the state's established weekly pay cycle, as needed.

*Fiscal Note:* (Dated February 11, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 03/06/23 - House passed with amendment 1 (004146).

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0360 effective July 1, 2023.

### **SB1471/HB1534 LOCAL GOVERNMENT: Anderson County - repeals act creating position of county service officer.**

*Sponsors:* Sen. McNally, Randy , Rep. Ragan, John

*Summary:* Local bill for Anderson County that repeals act creating position of county service officer. Repeals Chapter 396 of the Private Acts of 1947 and Chapter 358 of the Private Acts of 1959.

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 13 effective April 25, 2023.

**SB1475/HB806 CRIMINAL LAW: Expansion of the RICO Act of 1989.**

*Sponsors:* Sen. Watson, Bo , Rep. Lamberth, William

*Summary:* Makes revisions to the Racketeer Influenced and Corrupt Organization (RICO) Act of 1989, including expanding the definition of racketeering activity.

*Fiscal Note:* (Dated March 4, 2023) Other Fiscal Impact Passage of the proposed legislation will result in an increase in state incarceration expenditures for Racketeer Influenced and Corrupt Organization violations; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty.

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 04/20/23 - House passed.

*Executive Status:* 05/23/23 - Enacted as Public Chapter 0487 effective July 1, 2023.

**SB1477/HB1531 LOCAL GOVERNMENT: Lebanon - threshold for bids for nonemergency, nonproprietary purchases.**

*Sponsors:* Sen. Pody, Mark , Rep. Boyd, Clark

*Summary:* Local bill for Lebanon that authorizes the city council to set the threshold over which public advertisement and sealed competitive bids are required for nonemergency, nonproprietary purchases at the level authorized by state law. Amends Chapter 644 of the Private Acts of 1911, as amended.

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Private Chapter 04 effective April 6, 2023.

**SB1478/HB1532 LOCAL GOVERNMENT: Lebanon - duties of assistant city attorney in absence of city attorney.**

*Sponsors:* Sen. Pody, Mark , Rep. Boyd, Clark

*Summary:* Local bill for Lebanon that authorizes, in the absence of the city attorney, any assistant city attorney to approve as to form all contracts, deeds, bonds, ordinances, resolutions, and other documents to be signed in the name of or made by or with the city. Amends Chapter 644 of the Private Acts of 1911, as amended.

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Private Chapter 05 effective April 6, 2023.

**SB1480/HB689 CRIMINAL LAW: Global positioning monitoring system used as a condition of bail.**

*Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.

*Summary:* Requires an officer to provide an alleged victim of certain criminal offenses with a document notifying the victim of the global positioning monitoring system used as a condition of bail. Broadly captioned.

*Amendment Summary:* Senate Judiciary Committee amendment 1, House amendment 2 (013738) changes the bill's effective date to July 1, 2024.

*Summary:*

*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/23/24 - Enacted as Public Chapter 0969, effective July 1, 2024.

**SB1490/HB899 AGRICULTURE: State property under contract or lease for agricultural purposes.**

*Sponsors:* Sen. Rose, Paul , Rep. Hurt, Chris

*Summary:* Requires commissioner to, not later than December 31, 2024, submit a report electronically identifying all state property under contract or lease for agricultural purposes, and a summary of the terms of each contract or lease, to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (004439) requires that if the Tennessee Wildlife Resources Agency (TWRA) contracts with a farmer to farmlands owned or under the control of this state, relative to cooperative agreements with farmers, landowners, and lessees, not less than 60 days prior the contract's expiration, the agency must offer the farmer the opportunity to renegotiate the contract with the agency prior to accepting requests for proposals for the contract. Establishes that if the farmer and the TWRA renew any such contract, then the farmer may renew such contract for an additional three five-year terms; provided, if the farmer has been under contract with the TWRA for twenty or more consecutive years, the farmer is not entitled to renegotiate the contract, but is authorized to bid on such contract. House amendment 2 (017677) changes the effective date to July 1, 2024.

*Fiscal Note:* (Dated March 4, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0765, effective July 1, 2024.

**SB1491/HB1013 CRIMINAL LAW: Sheriff and sheriff's deputy are law enforcement officers for purposes of criminal code.**

*Sponsors:* Sen. Rose, Paul , Rep. Grills, Rusty

*Summary:* Clarifies that a sheriff and sheriff's deputy are law enforcement officers for purposes of the criminal code. Clarifies that a deputy jailer is a law enforcement officer only for the purposes of enhancement of a crime under the criminal code. Broadly captioned.

*Fiscal Note:* (Dated March 9, 2023) NOT SIGNIFICANT

*Senate Status:* 04/17/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/10/23 - Enacted as Public Chapter 0365 effective July 1, 2023.

**SB1493/HB1012 PUBLIC EMPLOYEES: Notification of the election or appointment of a constable.**

*Sponsors:* Sen. Jackson, Ed , Rep. Grills, Rusty

*Summary:* Authorizes a county election council to notify the Tennessee Constable Association, the Tennessee Constable Council, and the East Tennessee Constables Association of the election or appointment of a constable by electronic means.

*Amendment Summary:* House amendment 1 (004596) rewrites this bill to make changes relative to certain fees collected by sheriffs and constables, as described below. This amendment authorizes a county legislative body to adopt a resolution to increase the fees that a constable is entitled to receive under this bill, or to generally supplement the pay of a constable who is an officer of the county. This amendment requires a fee increase or pay supplement to be commensurate with the nature of the work, services provided, and experience of the constable. Present law provides that the sheriff or constable is entitled to \$40 as a fee for providing service in person regardless of whether the process was issued by a clerk for any court. This amendment increases this fee to \$50. Present law provides that, for a levy of an execution on property or levy of an attachment or other process to seize property for the purpose of securing satisfaction of a judgment yet to be rendered or for executing a writ of replevin or writ of possession, the sheriff or constable is entitled to demand and receive a fee of \$40. This amendment increases this fee to \$50. Present law provides that the sheriff or constable is entitled to demand and receive a fee of \$20 for collecting money to satisfy a judgment, whether by execution, fieri facias, garnishment or other process, in civil cases each time collection is attempted. This amendment increases this fee to \$40. Senate amendment 2 (018213) changes the effective date to July 1, 2024.

*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0901, effective July 1, 2024.

**SB1500/HB1002 CRIMINAL LAW: Untested sexual assault kit reports.**

*Sponsors:* Sen. Taylor, Brent , Rep. Lamberth, William

*Summary:* Requires law enforcement agencies and departments charged with the maintenance, storage, and preservation of sexual assault collection kits to conduct an inventory of all such kits by January 1, 2024 and compile a report of the number of untested kits and the date collected. Requires the agency or department to transmit the report to the Tennessee bureau of investigation. Requires the Tennessee bureau of investigation to prepare and transmit a report to the speaker of the senate and speaker of the house of representatives containing the number of untested sexual assault collection kits by July 1, 2024. Broadly captioned.

*Amendment Summary:* House amendment 1 (005770) rewrites this bill to revise provisions of present law pertaining to post-conviction procedure. ATTORNEY GENERAL AND REPORTER Present law generally makes it the responsibility of district attorneys general responsible for representing the state in post-conviction proceedings. In cases where a defendant has been sentenced to death and is seeking collateral review of a conviction or sentence, this amendment gives the attorney general and reporter exclusive control over the state's defense of the request for collateral review. The attorney general and reporter will not be bound by any stipulations, concessions, or other agreements made by a district attorney general related to a request for collateral review. This amendment restricts a trial court from entering a final order granting relief on a request for collateral review until the attorney general and reporter files a response to the request. This amendment provides that the state will be responsible for the attorney general and reporter's expenses associated with post-conviction proceedings to the same extent as district attorneys general in non-capital cases. This amendment requires district attorneys general and their staff to lend necessary assistance to the attorney general and reporter in the trial and disposition of requests for collateral review. This amendment defines collateral review as any post-conviction proceeding, including a petition requesting analysis of evidence, a proceeding to determine if a defendant had an intellectual disability at the time the defendant committed first degree murder, a proceeding for a writ of error coram nobis, a proceeding involving a challenge to a capital inmate's competency to be executed, and any other judicial reexamination of a judgment or claim in a proceeding outside the direct review process. INTELLECTUALLY DISABLED DEFENDANTS Under present law, a defendant with an intellectual disability at the time of committing first degree murder may not be sentenced to death. The burden of production and persuasion to demonstrate intellectual disability by a preponderance of the evidence is upon the defendant. The determination of whether the defendant had intellectual disability at the time of the offense of first degree murder must be made by the court. A determination by the trier of fact that the defendant does not have intellectual disability must not be appealable by interlocutory appeal, but may be a basis of appeal by either the state or defendant following the sentencing stage of the trial. A defendant sentenced to death prior to May 11, 2021, and whose conviction is final on direct review may petition the trial court for a determination of whether the defendant is intellectually disabled. The motion must set forth a colorable claim that the defendant is ineligible for the death penalty due to intellectual disability. This amendment reopens the period within which a defendant may petition for review for a determination of whether the defendant is intellectually disabled from a defendant who was sentenced to the death penalty prior to May 11, 2021, to a defendant who was sentenced to the death penalty prior to the date that this bill becomes a law. This amendment requires the defendant filing a motion under these provisions to serve the attorney general and reporter. Senate amendment 1 (006336) establishes that, in cases in which a defendant has been sentenced to death and is seeking collateral review of a conviction or sentence, the Attorney General (AG) has exclusive control over the state's defense of the request and that the AG is not bound by any stipulations, concessions, or other agreements made by the district attorney general related to a request for collateral review. Establishes that the trial court lacks jurisdiction to enter a final order granting relief on a request for collateral review in such cases until the AG files a response to the request. Requires the district attorney general and staff to lend whatever assistance may be necessary to the AG in the trial and disposition of requests for collateral review in such cases, including, but not limited to, providing the AG with the district attorney general's case file and any other case-related material. Entitles the AG to reimbursement, to be paid by the state, for any expenses, including travel, incurred in connection with the preparation and trial of any such proceeding. Extends, from May 11, 2021, to the effective date of this legislation, the date before which a defendant sentenced to the death penalty may petition the trial court for a determination of whether or not the defendant is intellectually disabled. Requires the defendant who is filing such a motion to serve the AG. Applies to all currently pending, reopened, and future requests for collateral review.

*Fiscal Note:* (Dated March 1, 2023) NOT SIGNIFICANT

*Senate Status:* 04/10/23 - Senate passed with amendment 1 (006336).

*House Status:* 04/17/23 - House concurred in Senate amendment 1 (006336).

*Executive Status:* 05/01/23 - Enacted as Public Chapter 0182 effective April 28, 2023.

**SB1501/HB1016 EDUCATION: Annual report date on compliance with the Schools Against Violence in Education Act.**

*Sponsors:* Sen. Stevens, John , Rep. Grills, Rusty  
*Summary:* Changes the date, from February 1 to January 15, by which the commissioner must annually report to the governor and the general assembly on the implementation of and compliance with the Schools Against Violence in Education Act. Broadly captioned.  
*Amendment Summary:* House amendment 1 (004972) rewrites this bill to make various changes to the present law relative to the offense of communicating a threat concerning a school employee. Under present law, a person commits the offense if: (1) The person communicates to another a threat to cause the death of or serious bodily injury to a school employee and the threat is directly related to the employee's scope of employment; (2) The threat involves the use of a firearm or other deadly weapon; (3) The person to whom the threat is made reasonably believes that the person making the threat intends to carry out the threat; and (4) The person making the threat intentionally engages in conduct that constitutes a substantial step in the commission of the threatened act and the threatened act and the substantial step, when taken together, are corroborative of the person's intent to commit the threatened act, and occur close enough in time to evidence an intent and ability to commit the threatened act. Present law establishes this offense as a Class B misdemeanor, punishable by a maximum term of imprisonment of 30 days. Present law defines a "school" as an elementary school, middle school, or high school; college or applied technology or postsecondary vocational or technical school; or two-year or four-year college or university. This amendment adds a student as a person protected under this law, providing that a person commits the offense of communicating a threat concerning a school student if the person communicates to another a threat to cause the death or serious bodily harm to a student on school property or at a school-related activity. This amendment defines "school property" as a school building or bus, school campus or grounds, recreational area, athletic field, or other property owned, used or operated by an LEA, private school board of trustees, or directors for the administration of any school. Senate amendment 2 (017821) changes the effective date to July 1, 2024.  
*Fiscal Note:* (Dated February 1, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/23/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0903, effective July 1, 2024.

**SB1510/HB1216 TAXES PROPERTY: Cumberland County - property purchased by county at a tax sale.**

*Sponsors:* Sen. Bailey, Paul , Rep. Sexton, Cameron  
*Summary:* Provides that whenever Cumberland County acquires property at a tax sale, a non-governmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by such property retains such right. Provides that Cumberland County is liable for the payment of such fees and assessments if the county makes actual use of the property purchased at the tax sale.  
*Fiscal Note:* (Dated February 10, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/30/23 - Senate passed.  
*House Status:* 02/27/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0245 effective April 25, 2023.

**SB1513/HB1536 LOCAL GOVERNMENT: Franklin special school district - bond issuance.**

*Sponsors:* Sen. Johnson, Jack , Rep. Whitson, Sam  
*Summary:* Local bill that pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$20 million and to authorize the issuance of tax anticipation notes from time to time. Amends Chapter 563 of the Private Acts of 1949.  
*Senate Status:* 03/23/23 - Senate passed.  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/17/23 - Enacted as Private Chapter 09 effective April 12, 2023.

**SB1521/HB1437 MISCELLANEOUS: Designation of "Copperhead Road" as an official state song.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Mitchell, Bo  
*Summary:* Designates "Copperhead Road" by Steve Earle as an official state song.  
*Fiscal Note:* (Dated February 15, 2023) NOT SIGNIFICANT  
*Senate Status:* 04/03/23 - Senate passed.  
*House Status:* 03/13/23 - House passed.  
*Executive Status:* 05/02/23 - Enacted as Public Chapter 0247 effective April 25, 2023.

**SB1528/HB1537 LOCAL GOVERNMENT: Kingston - timeline for city manager to submit proposed annual budget.**

*Sponsors:* Sen. Yager, Ken , Rep. Fritts, Monty  
*Summary:* Local bill for Kingston that expands, from not later than 90 days to not later than 30 days prior to the beginning of the next fiscal year, the timeline the city manager has to submit the proposed annual budget to the council for approval. Amends Chapter 328 of the Acts of 1903, as amended.  
*Senate Status:* 03/06/23 - Senate passed.  
*House Status:* 03/02/23 - House passed.  
*Executive Status:* 03/28/23 - Enacted as Private Chapter 02 effective March 21, 2023.

**SB1529/HB1538 LOCAL GOVERNMENT: Robertson County - increases compensation for highway commissioners.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Kumar, Sabi  
*Summary:* Local bill for Robertson County that increases from \$500 to \$525 the monthly compensation of the Robertson County highway commissioners and chairman of the commission. Amends Chapter 380 of the Private Acts of 1947, as amended.  
*Senate Status:* 04/20/23 - Senate passed.  
*House Status:* 04/17/23 - House passed.  
*Executive Status:* 05/15/23 - Enacted as Private Chapter 26 effective May 11, 2023.

**SB1530/HB1541 LOCAL GOVERNMENT: Rutherford County - membership of county board of juvenile detention commissioners.**

*Sponsors:* Sen. Reeves, Shane , Rep. Stevens, Robert  
*Summary:* Local bill for Rutherford County that increases membership of the county board of juvenile detention commissioners from four to six. Amends Chapter 65 of the Private Acts of 2022.  
*Senate Status:* 03/20/23 - Senate passed.  
*House Status:* 03/16/23 - House passed.  
*Executive Status:* 04/11/23 - Enacted as Private Chapter 06 effective April 6, 2023.

**SB1531/HB1540 LOCAL GOVERNMENT: Milan - changes date for city elections.**

*Sponsors:* Sen. Stevens, John , Rep. Martin, Brock  
*Summary:* Local bill for Milan that changes the date for city elections to coincide with federal elections. Removes the requirement for the board of aldermen to approve the mayor's appointment of a city recorder. Removes the city's authority to operate a hospital. Amends Chapter 7 of the Private Acts of 1999, as amended.  
*Senate Status:* 03/23/23 - Senate passed.  
*House Status:* 03/20/23 - House passed.  
*Executive Status:* 04/17/23 - Enacted as Private Chapter 10 effective April 12, 2023.

**SB1532/HB1545 PUBLIC FINANCE: Appropriations - FY beginning July 1, 2022, and July 1, 2023.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Makes appropriations for the fiscal years beginning July 1, 2022, and July 1, 2023.  
*Amendment Summary:* House amendment 2 (006000) is the administration amendment to the appropriations bill. House amendment 3 (007000) is the legislative amendment to the appropriations bill. House amendment 8 (007919) make a technical correction by deleting the language "Administrative Office of the Courts" in Section 60, Item 34, and substituting instead the language "Commission on Children and Youth." House amendment 10 (007941) deletes in Section 54, Item 1, line item 33, the language "Court System – 32nd Judicial District Salaries" and substituting instead the language "District Attorneys General Conference – 32nd Judicial District Salaries."  
*Senate Status:* 04/20/23 - Senate passed.  
*House Status:* 04/19/23 - House passed with amendment 2 (006000), amendment 3 (007000), amendment 8 (007919), and amendment 10 (007941).  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0418 effective July 1, 2023 (125 pages).

**SB1533/HB1543 PUBLIC FINANCE: Increases employer match for state 401(k) plan.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Increases, for FY 23-24, the state employer match to 200 percent of the amount contributed by each state employee to the state's 401(k) plan per month, up to a maximum of \$100 per month. Broadly captioned.  
*Amendment Summary:* House amendment 1 (005261) establishes that for FY23-24, the state employer 401(k) match equals 100 percent of the amount contributed by each state employee to the plan per month, up to a maximum of \$100 per month. In subsequent fiscal years, such employer match reverts to 100 percent, up to a maximum of \$50 per month.  
*Fiscal Note:* (Dated April 10, 2023) Increase State Expenditures - \$34,930,700/FY23-24 The Governors proposed budget for FY23-24, on page B-25, recognizes a non- recurring appropriation of \$35,735,300 to double the state match to employee 401(k) accounts.  
*Senate Status:* 04/20/23 - Senate passed.  
*House Status:* 04/19/23 - House passed with amendment 1 (005261).  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0420 effective May 11, 2023.

**SB1534/HB1544 PUBLIC FINANCE: Index of appropriations.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Authorizes the index of appropriations from state tax revenues for 2022-2023 fiscal year to exceed the index of estimated growth in the state's economy by \$2,536,600,000 or 11.45 percent.  
*Fiscal Note:* (Dated March 30, 2023) Other Fiscal Impact Authorizes an increase in appropriations from state tax revenue up to \$2,536,600,000 for FY22-23.  
*Senate Status:* 04/20/23 - Senate passed.  
*House Status:* 04/19/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0419 effective May 11, 2023.

**SB1535/HB1542 PUBLIC FINANCE: Bond issuance.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Authorizes the state to issue and sell bonds of up to \$83,800,000.  
*Fiscal Note:* (Dated March 30, 2023) Increase State Expenditures - \$9,218,000 - First-Year Debt Service \$136,594,000 Over the life of the bonds \$83,800,000 Principal \$52,794,000 Interest The Governors proposed budget for FY23-24, on page A-12, recognizes a proposed bond authorization of \$83,800,000.  
*Senate Status:* 04/20/23 - Senate passed.  
*House Status:* 04/19/23 - House passed.  
*Executive Status:* 05/17/23 - Enacted as Public Chapter 0421 effective May 11, 2023.

**SB1536/HB1535 TAXES PROPERTY: Coffee County - acquiring of property at tax sale.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bricken, Rush

*Summary:* Provides that whenever Coffee County acquires property at a tax sale, any non-governmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by the property retains such right. Further provides that Coffee County will be liable for the payment of such fees and assessments if the county makes actual use of the property purchased at the tax sale.

*Amendment Summary:* House amendment 1 (013374) provides that whenever Coffee County acquires property at a delinquent property tax sale, any non-governmental entity may enforce its contractual rights to such property only through the exercise of a lien. Requires Coffee County to pay contractual fees assessed against such property by the non-governmental entity if the county makes actual use of the property purchased at the tax sale.

*Fiscal Note:* (Dated April 5, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0717 effective March 25, 2024.

**SB1537/HB1547 LOCAL GOVERNMENT: Livingston - moves the day of municipal elections.**

*Sponsors:* Sen. Yager, Ken , Rep. Butler, Ed

*Summary:* Local bill for Livingston that moves the day of municipal elections from the first Wednesday to the first Tuesday in June to coincide with state and national elections; removes prohibition on compensation for aldermen. Amends Chapter 130 of the Acts of 1907, as amended.

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Private Chapter 07 effective April 6, 2023.

**SB1538/HB1548 LOCAL GOVERNMENT: Gallatin - Requires city council to appoint a city judge.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Lamberth, William

*Summary:* Local bill for Gallatin that requires the city council to appoint a city judge, who replaces the city recorder as the officer presiding over the city court. Removes requirement that city recorder be elected and instead be appointed by city council. Authorizes city officials to hold appointive office while serving as city official. Updates the titles of certain department heads. Amends Chapter 67 of the Private Acts of 1953, as amended.

*Senate Status:* 03/16/23 - Senate passed.

*House Status:* 03/13/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Private Chapter 08 effective April 6, 2023.

**SB1539/HB1539 LOCAL GOVERNMENT: Putnam County - court jurisdiction in cases of adoption.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan

*Summary:* Local bill for Putnam County that establishes that general sessions court has concurrent jurisdiction with chancery and circuit courts relating to cases of adoption, pursuant to general law.

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Signed by House speaker.

*Executive Status:* 03/22/24 - Enacted as Private Chapter 0035 effective March 7, 2024.

**SB1540/HB1555 LOCAL GOVERNMENT: White County - jurisdiction of general sessions court.**

*Sponsors:* Sen. Bailey, Paul , Rep. Sherrell, Paul

*Summary:* Local bill for White County that establishes that general sessions court has concurrent jurisdiction with chancery and circuit courts relating to cases of adoption, pursuant to general law.

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 15 effective April 25, 2023.

**SB1541/HB1549 LOCAL GOVERNMENT: Greeneville - rewrites town charter.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David

*Summary:* Local bill for Greeneville that rewrites the town charter. Amends Chapter 563 of the Acts of 1903, as amended.

*Senate Status:* 03/20/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/11/23 - Enacted as Private Chapter 03 effective April 4, 2023.

**SB1542/HB1550 LOCAL GOVERNMENT: Madison County and City of Jackson - hotel/motel tax proceeds.**

*Sponsors:* Sen. Jackson, Ed , Rep. Todd, Chris

*Summary:* Local bill that extends the deadline by which a tourism construction project must be initiated, from December 31, 2023, to December 31, 2024, as a condition to receiving funding for such project from the proceeds of the Madison County and City of Jackson hotel-motel tax. Amends Chapter 324 of the Private Acts of 1980, as amended.

*Senate Status:* 03/30/23 - Senate passed.

*House Status:* 03/23/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 14 effective April 25, 2023.

**SB1543/HB1551 LOCAL GOVERNMENT: Monroe County - increases number of county school board members.**

*Sponsors:* Sen. Swann, Art , Rep. Russell, Lowell

*Summary:* Local bill for Monroe County that increases, from nine to 10, the number of county school board members. Repeals Chapter 117 of the Private Acts of 1963, as amended.

*Senate Status:* 03/23/23 - Senate passed.

*House Status:* 03/20/23 - House passed.

*Executive Status:* 04/17/23 - Enacted as Private Chapter 11 effective April 12, 2023.

**SB1544/HB1552 LOCAL GOVERNMENT: Chapel Hill - vacancies on board and in office of mayor.**

*Sponsors:* Sen. Hensley, Joey , Rep. Warner, Todd

*Summary:* Local bill for Chapel Hill that clarifies that vacancies on the board and in the office of mayor be filled by majority vote of the remaining board members with the appointee to serve only until the next regular election at which time the remaining unexpired term is filled; consolidates and expands certain powers exercised by the town relative to special assessments, indebtedness, bonds, condemnation, public utilities, and correctional facilities; removes minimum age requirement for the position of town judge. Amends Chapter 159 of the Private Acts of 2002.

*Amendment Summary:* House amendment 1 (006406) removes the ability for Chapel Hill to assess fees for the use of or impact upon such property and facilities, impose a license tax upon any animal, and assess a fee for use of, or impact upon, schoolhouses, playgrounds, and other purposes connected with the schools.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/17/23 - House passed with amendment 1 (006406).

*Executive Status:* 05/15/23 - Enacted as Private Chapter 27 effective May 11, 2023.

**SB1546/HB1556 LOCAL GOVERNMENT: Franklin - voting by vice mayor in absence of mayor.**

*Sponsors:* Sen. Johnson, Jack , Rep. Whitson, Sam

*Summary:* Local bill for city of Franklin that authorizes the vice mayor to vote on all matters when serving as mayor in the temporary absence of the mayor. Amends Chapter 126 of the Private Acts of 1967, as amended.

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 16 effective April 25, 2023.

**SB1547/HB1553 LOCAL GOVERNMENT: Lexington - vacancies on the board of mayor and alderman.**

*Sponsors:* Sen. Jackson, Ed , Rep. Martin, Brock

*Summary:* Local bill for Lexington that clarifies that vacancies on the board of mayor and aldermen and in the office of mayor be filled by majority vote of the remaining board members, with the appointee to serve only until the next regular election, at which time the remaining unexpired term is filled. Authorizes mayor to vote in board matters but only to break a tie vote. Removes city residency requirement for certain officers and managers by allowing such persons to reside in the county. Amends Chapter 402 of the Acts of 1901, as amended and rewritten.

*Senate Status:* 04/03/23 - Senate passed.

*House Status:* 03/30/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 12 effective April 21, 2023.

**SB1548/HB1560 LOCAL GOVERNMENT: Blount County - owning and operating a nonprofit hospital.**

*Sponsors:* Sen. Swann, Art , Rep. Wright, Dave

*Summary:* Local bill for Blount County that alters the conditions under which the county is authorized to own and operate a nonprofit hospital. Amends Chapter 187 of the Private Acts of 1945.

*Amendment Summary:* Senate amendment 1 (007505) requires the County, should it cease to operate and/or manage the hospital, to retain all signage located in prominent places on the exterior or interior of the structure which designates the hospital as the "Blount Memorial Hospital." States that this requirement applies from the legislation's effective date and in perpetuity as a tribute to World War II veterans.

*Senate Status:* 04/18/23 - Senate passed with amendment 1 (007505).

*House Status:* 04/19/23 - House concurred in Senate amendment 1 (007505).

*Executive Status:* 05/15/23 - Enacted as Private Chapter 28 effective May 11, 2023.

**SB1549/HB1558 LOCAL GOVERNMENT: Niota - salary of mayor and commissioners.**

*Sponsors:* Sen. Lowe, Adam , Rep. Cochran, Mark

*Summary:* Local bill for Niota that requires the salary of the mayor and commissioners be set by ordinance in conjunction with the annual budget rather than pursuant to fixed amounts in the charter. Removes general supervisory authority of the commissioner of finance and taxation over the city library. Removes requirement that the city administrator report directly to the mayor and board of commissioners. Removes residency requirement for city administrator. Amends Chapter 48 of the Private Acts of 1919, as amended and rewritten.

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 18 effective April 28, 2023.

**SB1550/HB1563 LOCAL GOVERNMENT: Maury County - civil service board requirements.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott

*Summary:* Local bill for Maury County that requires the civil service board to meet semiannually rather than annually; designates the county mayor as the board secretary, to replace the county human resources director; removes board authority to hold performance examinations to determine qualifications for employment; deletes competitive promotion examination requirements; provides for a right of appeals upon a suspension of an employee by the sheriff. Amends Chapter 26 of the Private Acts of 2007.

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 04/03/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 20 effective April 28, 2023.

**SB1551/HB1561 LOCAL GOVERNMENT: Sumner County - use of eminent domain to acquire property for parks, trails.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Slater, William

*Summary:* Prohibits public entities in Sumner County from using eminent domain to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use, unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street,

*Senate Status:* 04/20/23 - Senate passed.



House Status: 04/17/23 - House passed.

Executive Status: 05/15/23 - Enacted as Private Chapter 29 effective May 11, 2023.

**SB1552/HB1562 LOCAL GOVERNMENT: Petersburg - terms of mayor and vice mayor and filling of vacancies on board.**

Sponsors: Sen. Bowling, Janice , Rep. Marsh, Pat

Summary: Local bill for Petersburg that makes changes to the duties of the mayor; reduces the term of the mayor and vice mayor from two years to four; provides a method to fill vacancies on the board if the vacancies cause the board to lack a quorum; authorizes the board to set the salary of the board members by ordinance; revises the powers of the city; authorizes the appointment of a treasurer and town administrator; requires the town judge to be a licensed attorney. Amends Chapter 272 of the Acts of 1901, as amended and rewritten.

Senate Status: 04/13/23 - Senate passed.

House Status: 01/11/24 - Referred to House State Government Committee.

Executive Status: 05/02/23 - Enacted as Private Chapter 19 effective April 28, 2023.

**SB1553/HB1565 LOCAL GOVERNMENT: Smithville - approving of mayoral appointments, requirements for city employees.**

Sponsors: Sen. Bowling, Janice , Rep. Hale, Michael

Summary: Local bill for Smithville that removes prohibition on persons convicted of malfeasance or misfeasance in office, felonies, or crimes involving moral turpitude from being an employee of the city for ten years after the conviction; reduces, from a 2/3 majority to a simple majority, the required vote by the council for approving and removing mayoral appointments; authorizes the city board to appoint and promote city employees. Amends Chapter 486 of the Private Acts of 1941, as amended and rewritten by.

Senate Status: 04/13/23 - Senate passed.

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Private Chapter 22 effective April 28, 2023.

**SB1554/HB1566 LOCAL GOVERNMENT: Oakland - fees on development of land to pay for capital improvement.**

Sponsors: Sen. Walley, Page , Rep. Gant, Ron

Summary: Local bill for Oakland that authorizes the town to impose fees on the development of land to pay for capital improvement; authorizes the board of mayor and aldermen to appoint and remove all directors and department heads, upon majority vote; and replaces the town manager with the board as the appointing authority for the town recorder. Amends Chapter 167 of the Private Acts of 1994, as amended.

Amendment Summary: House amendment 1 (007333) deletes the power, which would have been granted by this bill to the town of Oakland, to impose fees on persons or entities developing land within the corporate limits as the city deems appropriate to pay the cost of capital improvements and other expenses related to such developments.

Senate Status: 04/20/23 - Senate passed.

House Status: 04/17/23 - House passed with amendment 1 (007333).

Executive Status: 05/15/23 - Enacted as Private Chapter 30 effective May 11, 2023.

**SB1555/HB1567 LOCAL GOVERNMENT: Overton County - jurisdiction of juvenile court.**

Sponsors: Sen. Yager, Ken , Rep. Butler, Ed

Summary: Local bill for Overton County that establishes that juvenile court has concurrent jurisdiction with chancery and circuit courts relating to cases of adoption, pursuant to general law.

Senate Status: 04/13/23 - Senate passed.

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Private Chapter 23 effective April 28, 2023.

**SB1556/HB1568 LOCAL GOVERNMENT: Murfreesboro - creation of solid waste authority.**

Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan

Summary: Local bill for Murfreesboro that authorizes the creation of a solid waste authority; authorizes the authority to issue bonds. Amends Chapter 429 of the Private Acts of 1931.

Senate Status: 04/13/23 - Senate passed.

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Private Chapter 24 effective April 28, 2023.

**SB1557/HB1557 LOCAL GOVERNMENT: Ashland City - changes duties of city recorder.**

Sponsors: Sen. Roberts, Kerry , Rep. Littleton, Mary

Summary: Local bill for Ashland City that changes the duties of the city recorder. Creates the office of city administrator and assigns duties to such office. Amends Chapter 121 of the Private Acts of 2004, as rewritten.

Amendment Summary: House amendment 2 (007054) adds authorization for Ashland City to change its municipal election day from the first Saturday in December in every odd-numbered year to the first Thursday in August. If the Ashland City council approves this bill, the terms of office of the incumbent mayor and council persons will be extended until their successors are elected and qualified.

Senate Status: 04/03/23 - Senate passed.

House Status: 03/30/23 - House passed with amendment 2 (007054).

Executive Status: 05/02/23 - Enacted as Private Chapter 17 effective April 25, 2023.

**SB1558/HB1569 LOCAL GOVERNMENT: Obion County - repeals Obion County Highway Commission.**

Sponsors: Sen. Stevens, John , Rep. Grills, Rusty

Summary: Local bill for Obion County that repeals the Obion County Highway Commission in 2026. Amends Chapter 202 of the Private Acts of 1984, as amended.

*Amendment* House amendment 1 (007006) allows the Obion County Highway Commission to sunset by a two-thirds (2/3) vote of the legislative body of Obion County at a meeting held within ninety (90) days of the passage of this act. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, or after Obion County votes whichever is soonest.

*Summary:* Obion County at a meeting held within ninety (90) days of the passage of this act. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, or after Obion County votes whichever is soonest.

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 04/10/23 - House passed with amendment 1 (007006).

*Executive Status:* 05/02/23 - Enacted as Private Chapter 25 effective April 28, 2023.

**SB1559/HB1573 LOCAL GOVERNMENT: Sullivan County - cases heard by general sessions court involving DUI.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hulseley, Bud

*Summary:* Local bill for Sullivan County that removes the prohibition on the general sessions court from hearing a case in which the defendant is charged with driving a motor vehicle under the influence of an intoxicant or drug. Amends Chapter 349 of the Private Acts of 1947, as amended.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/15/23 - Enacted as Private Chapter 0033 effective May 11, 2023.

**SB1560/HB1570 LOCAL GOVERNMENT: Greenbrier - alters duties of mayor and town administrator.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Kumar, Sabi

*Summary:* Local bill for Greenbrier that alters the duties of the mayor and the town administrator. Increases the salary of the mayor from \$400 per month to \$1,000 per month. Amends Chapter 158 of the Private Acts of 2002, as amended.

*Senate Status:* 04/20/23 - Senate passed.

*House Status:* 04/17/23 - House passed.

*Executive Status:* 05/15/23 - Enacted as Private Chapter 0031 effective May 11, 2023.

**SB1561/HB1564 LOCAL GOVERNMENT: Burns - meeting times for board of commissioners.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Littleton, Mary

*Summary:* Local bill for Burns that moves from the first Monday in April to the second Monday in December the date for the biennial organizational meeting of the incoming board of commissioners. Moves the monthly meeting of the board to the second Monday of each month. Amends Chapter 89 of the Private Acts of 2008.

*Senate Status:* 04/13/23 - Senate passed.

*House Status:* 04/10/23 - House passed.

*Executive Status:* 05/02/23 - Enacted as Private Chapter 21 effective April 28, 2023.

**SB1563/HB1572 LOCAL GOVERNMENT: Bolivar - threshold for purchases.**

*Sponsors:* Sen. Walley, Page , Rep. Shaw, Johnny

*Summary:* Local bill for Bolivar that increases the maximum threshold, from \$50,000 to \$100,000, that the board of directors of the Bolivar Energy Authority are authorized to set for purchases by the chief executive officer that do not require board approval. Amends Chapter 130 of the Private Acts of 2006.

*Senate Status:* 04/21/23 - Senate passed.

*House Status:* 04/19/23 - House passed.

*Executive Status:* 05/15/23 - Enacted as Private Chapter 0032 effective May 11, 2023.

**SB1571/HB1581 LOCAL GOVERNMENT: Pleasant Hill - purchasing limits for which competitive bids are not required.**

*Sponsors:* Sen. Bailey, Paul , Rep. Sexton, Cameron

*Summary:* Local bill for Pleasant Hill that authorizes purchasing limits for which competitive bids are not required be set by ordinance pursuant to state law requirements. Amends the Private Acts of 2021.

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0037, effective March 27, 2024.

**SB1572/HB1582 LOCAL GOVERNMENT: Madison County - repeals prohibition on possessing or selling pyrotechnics.**

*Sponsors:* Sen. Jackson, Ed , Rep. Todd, Chris

*Summary:* Local bill for Madison County that repeals the prohibition on possessing, storing, using, manufacturing, or selling pyrotechnics. Repeals Chapter 479 of the Private Acts of 1949.

*Senate Status:* 02/08/24 - Signed by Senate speaker.

*House Status:* 02/12/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Private Chapter 0034 effective February 21, 2024.

**SB1573/HB1597 MISCELLANEOUS: Designates hot slaw as the official state food.**

*Sponsors:* Sen. Lowe, Adam , Rep. Raper, Kevin

*Summary:* Designates hot slaw as the official state food.

*Amendment Summary:* Senate amendment 1 (013061) deletes from the amendatory language of Section 1 the language "the" and substituting instead the language "an."

*Fiscal Note:* FISCAL IMPACT: NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/18/24 - Enacted as Public Chapter 0546 effective March 11, 2024.

**SB1574/HB1598 MISCELLANEOUS: Designates Cleveland, Tennessee, as the hot slaw capital of this state.**

*Sponsors:* Sen. Lowe, Adam , Rep. Raper, Kevin

*Summary:* Designates Cleveland, Tennessee, as the hot slaw capital of this state.  
*Fiscal Note:* (Dated August 17, 2023) NOT SIGNIFICANT  
*Senate Status:* 02/26/24 - Signed by Senate speaker.  
*House Status:* 02/27/24 - Signed by House speaker.  
*Executive Status:* 03/18/24 - Enacted as Public Chapter 0547 effective March 11, 2024.

**SB1577/HB1602 CRIMINAL LAW: Audio or video recording required for interrogation of juvenile.**

*Sponsors:* Sen. Lamar, London , Rep. Chism, Jesse  
*Summary:* Requires an audio or video recording to be made of any formal interview or interrogation of a child who has been taken into custody on suspicion that the child committed a delinquent act or unruly conduct unless a technical issue with the equipment or exigent circumstances prevents the recording.  
*Fiscal Note:* (Dated December 19, 2023) NOT SIGNIFICANT  
*Senate Status:* 03/06/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0565 effective July 1, 2024.

**SB1583/HB2363 CRIMINAL LAW: Ledford's Law.**

*Sponsors:* Sen. Lowe, Adam , Rep. Carringer, Michele  
*Summary:* Enacts "Ledford's Law," which requires a prisoner convicted of vehicular homicide involving intoxication or aggravated vehicular homicide to attend substance abuse treatment as a condition of parole. Specifies that failure to attend required treatment shall be punished as a violation of the conditions of the defendant's parole. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (013120) adds behavioral counseling as an alternative to substance-abuse treatment. House amendment 1 (014380) removes behavioral counseling as an alternative to substance-abuse treatment, and requires the terms and conditions of parole for a prisoner convicted of vehicular homicide or aggravated vehicular homicide to specifically include that the prisoner, upon release is prohibited from possessing or consuming alcohol or a controlled substance for which the prisoner does not have a valid prescription for the duration of any period of parole. Possession or consumption of alcohol or a controlled substance for which the prisoner does not have a valid prescription during parole must be punished as a violation of the conditions of the prisoner's parole.  
*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/19/24 - Enacted as Public Chapter 0671 effective July 1, 2024.

**SB1585/HB2183 FAMILY LAW: Removal of provision repealing the Tennessee Zero to Three Court Initiative.**

*Sponsors:* Sen. Haile, Ferrell , Rep. White, Mark  
*Summary:* Removes the statutory provision that would repeal the Tennessee Zero to Three Court Initiative on January 1, 2025.  
*Fiscal Note:* (Dated February 5, 2024) Other Fiscal Impact Extending the Zero to Three Court Program will continue the recurring state funding for the program of \$2,650,000, with average annual expenditures of \$1,261,700, and an unknown amount of permissive local expenditures for administration of the program. Additionally, the balance of the non-recurring \$1,000,000 appropriation to the Administrative Office of the Courts (\$969,700) may continue to be expended for continuing legal education for attorneys providing representation to individuals in safe baby courts.  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0638 effective April 4, 2024.

**SB1586/HB2788 FAMILY LAW: Child protective teams - data sharing.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Littleton, Mary  
*Summary:* Permits the district attorneys general conference, the administrative office of the courts, the Tennessee chapter of children's advocacy centers, the department of children's services, and law enforcement agencies to enter into data sharing agreements that allow for the sharing of information necessary to ensure compliance with statutory reporting requirements. Specifies that data shared pursuant to an agreement retains its confidential status consistent with current law. Broadly captioned.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/29/24 - Signed by House speaker.  
*Executive Status:* 03/20/24 - Enacted as Public Chapter 0559 effective March 12, 2024.

**SB1587/HB1727 CRIMINAL LAW: Leaving a minor child in the care of a sexual offender.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Gant, Ron  
*Summary:* Specifies that a parent or guardian who knowingly allows their minor child to be under the care or supervision of a person who is required to register as a sexual offender commits a Class A misdemeanor. Broadly captioned.  
*Fiscal Note:* (Dated January 24, 2024) Increase Local Expenditures \$900/FY24-25 and Subsequent Years\*  
*Senate Status:* 04/25/24 - Signed by Senate speaker.  
*House Status:* 04/26/24 - Signed by House speaker.  
*Executive Status:* 05/13/24 - Enacted as Public Chapter 0952, effective July 1, 2024.

**SB1588/HB1610 PROFESSIONS & LICENSURE: Increases the minimum curriculum hours that an applicant for licensure in massage must complete.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Jernigan, Darren  
*Summary:* Increases from 500 to 650 the minimum number of curriculum hours that an applicant for licensure in massage must have completed at a board-approved institution for massage, bodywork, or somatic therapy in order to be eligible for licensure under the Massage Licensure Act of 1995.

*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/03/24 - Signed by Senate speaker.  
*House Status:* 04/02/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0718 effective March 25, 2024.

**SB1591/HB1636 TAXES BUSINESS: Submission of professional privilege tax documents and payments from person 65 years of age or older.**

*Sponsors:* Sen. Walley, Page , Rep. Haston, Kirk  
*Summary:* Allows persons who are 65 years of age or older to file professional privilege tax documents and payment in paper form in lieu of any required electronic form. Permits the commissioner of revenue to require that the paper filing or payment be accompanied by a manual handling fee. Broadly captioned.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/19/24 - Enacted as Public Chapter 0672 effective April 1, 2024.

**SB1593/HB1608 TRANSPORTATION VEHICLES: Applicants not meeting requirements for TN Sheriff's Association or Fraternal Order of Police license plate.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan  
*Summary:* Extends, from 30 days to 45 days, the time frame for an applicant who does not meet the requirements for a Tennessee Sheriff's Association or Fraternal Order of Police license plate to surrender the plate to the county clerk.  
*Amendment Summary:* Senate amendment 1 (015528) rewrites the bill to, instead, do the following: (1) Adds blacksmithing to the present law category of new specialty earmarked plates; (2) Requires an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, to be issued a blacksmithing new specialty earmarked license plate for a motor vehicle; (3) Requires the new specialty earmarked license plates to be designed in consultation with a representative of the Appalachian area chapter of blacksmiths; (4) Requires that funds produced from the sale of blacksmithing new specialty earmarked license plates be allocated to the Appalachian area chapter of blacksmiths. The funds must be used exclusively to support artisan blacksmith guilds in this state and promote the art of blacksmithing; (5) Requires a recipient of a combat badge, medal, or ribbon who is a resident of this state and who is an owner or lessee of a motor vehicle, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, to be issued a distinctive license plate corresponding to an awarded combat badge, medal, or ribbon for a motor vehicle; (6) Authorizes the following combat badge, medal, and ribbon license plates: (i) the Combat Action Badge plate, which must include an identification legend distinctive to recipients of the Combat Action Badge; (ii) the Combat Infantryman Badge plate, which must include an identification legend distinctive to recipients of the Combat Infantryman Badge; (iii) the Combat Medical Badge plate, which must include an identification legend distinctive to recipients of the Combat Medical Badge; (iv) the Combat Action Medal plate, which must include an identification legend distinctive to recipients of the Combat Action Medal; (v) the Combat Action Ribbon, Navy and Marine Corps plate, which must include an identification legend distinctive to recipients of the Combat Action Medal, Navy and Marine Corps; and (vi) the Combat Action Ribbon, Coast Guard plate, which must include an identification legend distinctive to recipients of the Combat Action Medal, Coast Guard; (7) Requires all applications pursuant to this heading to be accompanied by the following as proof of eligibility for issuance of a plate: (A) A valid military identification card or such other document as the commissioner designates as sufficient proof that the applicant is an active member of the United States armed forces; or (B) A certified copy of the veteran's certificate of release or discharge from active duty, department of defense form 214 (DD 214), honorable discharge certificate, department of defense form 256 (DD 256), or report of separation and record of service, NGB form 22, that indicates an honorable discharge characterization; a valid DD form 2 (Retired) military identification card; or a Tennessee driver license that indicates military service; and (C) Documentation certifying that the application for the plate is submitted by a recipient of the Combat Action Badge; Combat Infantryman Badge; Combat Medical Badge; Combat Action Medal; Combat Action Ribbon, Navy and Marine Corps; or Combat Action Ribbon, Coast Guard, to include: (i) Military orders awarding the Combat Action Badge; Combat Infantryman Badge; Combat Medical Badge; Combat Action Medal; Combat Action Ribbon, Navy and Marine Corps; or Combat Action Ribbon, Coast Guard, to the member or veteran; or (ii) The veteran's certificate of release or discharge from active duty, department of defense form 214 (DD 214), or report of separation and record of service, NGB form 22, indicating the awarding of the Combat Action Badge; Combat Infantryman Badge; Combat Medical Badge; Combat Action Medal; Combat Action Ribbon, Navy and Marine Corps; or Combat Action Ribbon, Coast Guard; (8) Requires an applicant to submit the documentation required by (A)-(C), above, only when initially applying for license plates under this heading. Subsequent license plates applied for under this heading must be issued to that person without the repeated presentation of documentation; (9) Adds holders of the following to present law groups that have multiple special license plates, under the military and emergency categories: (i) Combat Action Medal; (ii) Combat Action Ribbon, Navy and Marine Corps; and (iii) Combat Action Ribbon, Coast Guard; (10) Adds the Prince Hall Affiliated Masonic Family to the present law category of new specialty earmarked plates; (11) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, to be issued a Prince Hall Affiliated Masonic Family new specialty earmarked license plate for a motor vehicle; (12) Requires the application for a Prince Hall affiliated masonic family new specialty earmarked plate to be accompanied by proof, satisfactory to the commissioner, certifying that the applicant is a member, or the spouse of a member, of the Prince Hall masons; (13) Requires that the new specialty earmarked license plates provided for under this heading to be designed in consultation with a representative of the Prince Hall masons and contain a design distinctive to the Prince Hall masons; (14) Requires the funds produced from the sale of Prince Hall Affiliated Masonic Family new specialty earmarked license plates to be allocated to the Prince Hall masons. The funds must be used exclusively to support youth mentorship in this state by the Prince Hall masons; (15) Adds Rolling Thunder to the present law category of new specialty earmarked plates; (16) Requires an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, to be issued a Rolling Thunder new specialty earmarked license plate for a motor vehicle authorized for such by state law; (17) Requires that the new specialty earmarked license plates be designed in consultation with a representative of Rolling Thunder Charities, Inc; (18) Requires the

funds produced from the sale of Rolling Thunder new specialty earmarked license plates to be allocated to Rolling Thunder Charities, Inc. The funds must be used exclusively to support the organization's programs and activities in this state to help military veterans, active duty servicemembers, and their families, including the provision of financial aid, food, clothing, children's toys, and other essentials; (19) Authorizes and requires the commissioner to issue a registration plate to an owner or lessee of a motorcycle who is otherwise eligible for a Rolling Thunder new specialty earmarked license plate; however, the owner or lessee must comply with the state motor vehicle laws relating to registration and licensing of motorcycles and must pay the regular fee applicable to motorcycles and the applicable fee specified in state law prior to the issuance of the plate; (20) Requires the motorcycle plates to be substantially the same in design and configuration, allowing for variations due to size restrictions, as the regular Rolling Thunder new specialty earmarked license plate; (21) Adds Historic Rutherford to the present law category of new specialty earmarked plates; (22) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, to be issued an Historic Rutherford new specialty earmarked license plate for a motor vehicle authorized for such by state law; (23) Requires the new specialty earmarked plates to be of an appropriate design representative of historic Rutherford County and be designed in consultation with a representative of the Rutherford County Historical Society; (24) Requires that the funds produced from the sale of Historic Rutherford new specialty earmarked license plates be allocated to the Rutherford County Historical Society. The funds must be used exclusively to promote and assist in the preservation of history in Rutherford County, including financial support for history museums in the county; (25) In the context of license plates for service organizations, requires that new specialty earmarked plates be designed in consultation with representatives of the Madison/Goodlettsville Rotary club and the Promote Peace Foundation; (26) Requires that the funds produced from the sale of Promote Peace new specialty earmarked license plates be allocated to the Promote Peace Foundation. The funds must be used exclusively to support peacebuilding and conflict resolution initiatives across this state in cooperation with Tennessee Rotary organizations to provide outreach to their communities focusing on the importance of promoting peace and resolving conflicts, including providing funding to local schools and camps for educational materials related to peacebuilding, conflict resolution, and anti-bullying; (27) Adds Flatrock Motorsports Park to the present law category of new specialty earmarked plates; (28) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, be issued a Flatrock Motorsports Park new specialty earmarked license plate for a motor vehicle authorized for such by state law; (29) Requires that the new specialty earmarked license plates be designed in consultation with a representative of the Flatrock Foundation; (30) Requires that the funds produced from the sale of Flatrock Motorsports Park new specialty earmarked license plates be allocated to the Flatrock Foundation. The funds must be used exclusively to support local community education for STEM programs in Tennessee schools, including elementary, middle, and high school programs; (31) Adds Volunteerism and Service to the present law category of new specialty earmarked plates; (32) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, shall be issued a Volunteerism and Service new specialty earmarked license plate for a motor vehicle authorized for such by state law; (33) Requires the new specialty earmarked license plates to be of an appropriate design or logo representative of the mission of Friends of Volunteer Tennessee. The plates must be designed in consultation with a representative from Friends of Volunteer Tennessee; (34) Requires that the funds produced from the sale of Volunteerism and Service new specialty earmarked license plates be allocated to Friends of Volunteer Tennessee. The funds must be used exclusively to support the programs and services of Volunteer Tennessee, including fundraising and managing donations, overseeing grants, training services, and supporting the Tennessee Conference on Volunteerism and Service-Learning and the Governor's Volunteer Stars Awards; (35) Adds the Nashville Humane Association to the present law category of new specialty earmarked plates; (36) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, be issued a Nashville Humane Association new specialty earmarked license plate for a motor vehicle authorized for such by state law; (37) Requires the new specialty earmarked plates to be designed in consultation with a representative of the Nashville Humane Association; (38) Requires that the funds produced from the sale of Nashville Humane Association new specialty earmarked license plates be allocated to the Nashville Humane Association. The funds must be used exclusively to support the organization's mission of finding responsible homes for at-risk, homeless, and adoptable pets, controlling pet overpopulation, and promoting the humane treatment of animals, while supporting pets and pet families in the community, and specifically to fund and support the organization's community pet food bank through the purchase of food, litter, treats, leashes, collars, bedding, and other pet-related items provided to the public free of charge at community pet food bank events; (39) Adds Respiratory Care to the present law category of new specialty earmarked plates; (40) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a Respiratory Care new specialty earmarked license plate for a motor vehicle authorized for such by state law; (41) Requires that the new specialty earmarked plates be designed in consultation with a representative of the Tennessee Society for Respiratory Care; (42) Requires that the funds produced from the sale of Respiratory Care new specialty earmarked license plates must be allocated to the Tennessee Society for Respiratory Care. The funds must be used exclusively to support the organization's educational programs and provide scholarships and other educational opportunities for students focused on or specializing in respiratory care; (43) Adds End Overdose to the present law category of new specialty earmarked plates; (44) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and special license plate fees, be issued an End Overdose new specialty earmarked license plate for a motor vehicle authorized for such by state law; (45) Requires the new specialty earmarked plates to be designed in consultation with a representative of Hustle Recovery, Inc; (46) Requires the funds produced from the sale of End Overdose new specialty earmarked license plates to be allocated to Hustle Recovery, Inc. The funds must be used exclusively to support the organization's mission of helping persons struggling with addiction get into treatment, recovery programs, and housing, as well as with basic and immediate needs, including clothing, toiletries, and transportation to treatment; (47) Adds the Tennessee Grocers & Convenience Store Association to the present law category of new specialty earmarked plates; (48) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a Tennessee Grocers & Convenience Store Association new specialty earmarked license plate for a motor vehicle authorized for such by state law; (49) Requires the new specialty earmarked plates to contain an appropriate logo and be designed in consultation with the Tennessee Grocers & Convenience Store Association; (50) Requires that the funds produced from the sale of Tennessee Grocers & Convenience Store Association new specialty earmarked license plates be allocated to the Tennessee Grocers Education Foundation. The funds must be used exclusively in this state to support the higher education scholarship programs of the Tennessee Grocers Education Foundation; (51) Adds Adaptive Racing to the present law category of new specialty earmarked plates; (52) Requires an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to

registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, to be issued an Adaptive Racing new specialty earmarked license plate for a motor vehicle authorized for such by state law; (53) Requires the new specialty earmarked plates to be designed in consultation with a representative of Addie Ray Racing, Inc; (54) Requires that the funds produced from the sale of Adaptive Racing new specialty earmarked license plates be allocated to Addie Ray Racing, Inc. The funds must be used exclusively to support the organization's mission of assisting children with disabilities and special needs in participating in athletic races, including by providing adaptive race chairs and race entry fees; (55) Adds Ovarian Cancer Awareness to the present law category of new specialty earmarked plates; (56) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued an Ovarian Cancer Awareness new specialty earmarked license plate for a motor vehicle authorized for such by state law; (57) Requires the new specialty earmarked plates to be designed in consultation with a representative of Tennessee in Teal; (58) Requires that the funds produced from the sale of Ovarian Cancer Awareness new specialty earmarked license plates must be allocated to Tennessee in Teal. The funds must be used exclusively in this state to help women navigate the challenges of ovarian cancer through programs of research, education, support, and advocacy, including assisting with screening, prevention, and diagnostic services; (59) Adds Muse Knoxville to the present law category of new specialty earmarked plates; (60) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a Muse Knoxville new specialty earmarked license plate for a motor vehicle authorized for such by state law; (61) Requires the new specialty earmarked plates to be designed in consultation with a representative of The Muse Knoxville; (62) Requires that the funds produced from the sale of Muse Knoxville new specialty earmarked license plates must be allocated to The Muse Knoxville. The funds must be used exclusively to offer educational programming and exhibits to children at no cost through the Muse for All scholarship; (63) Adds Childhood Cancer Awareness to the present law category of new specialty earmarked plates; (64) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a Childhood Cancer Awareness new specialty earmarked license plate for a motor vehicle authorized for such by state law; (65) Requires the new specialty earmarked license plates to be of an appropriate design or logo representative of the mission of The Grayson Foundation. The plates must be designed in consultation with a representative from The Grayson Foundation; (66) Requires that the funds produced from the sale of Childhood Cancer Awareness new specialty earmarked license plates must be allocated to The Grayson Foundation. The funds must be used exclusively in this state to provide resources and financial assistance to families who have a child with cancer; (67) Adds Tennessee Ronald McDonald House Charities to the present law category of new specialty earmarked plates; (68) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a Tennessee Ronald McDonald House Charities new specialty earmarked license plate for a motor vehicle authorized for such by state law; (69) Requires the new specialty earmarked license plates to be of an appropriate design or logo representative of the mission of the Ronald McDonald House. The plates must be designed in consultation with a representative from Southern Appalachian Ronald McDonald House Charities Inc.; (70) Requires that the funds produced from the sale of Tennessee Ronald McDonald House Charities new specialty earmarked license plates must be allocated to Southern Appalachian Ronald McDonald House Charities Inc., and distributed to the Ronald McDonald Houses in Tennessee, including the Houses in Johnson City, the Greater Chattanooga area, Knoxville, Nashville, and Memphis. The funds must be used exclusively to allow families of sick children to stay at the House free of charge while they are in a local hospital; (71) Adds Grand Ole Opry to the present law category of new specialty earmarked plates; (72) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a Grand Ole Opry new specialty earmarked license plate for a motor vehicle authorized for such by state law; (73) Requires the new specialty earmarked license plates to be of an appropriate design or logo representative of the Grand Ole Opry. The plates must be designed in consultation with a representative from Opry Trust Fund, Inc.; (74) Requires that the funds produced from the sale of Grand Ole Opry new specialty earmarked license plates must be allocated to Opry Trust Fund, Inc. The funds must be used exclusively to provide financial assistance in time of extraordinary need, emergency, or catastrophe to individuals residing in this state who are or have been employed full time in a facet of the country music industry; (75) Adds The Hermitage to the present law category of new specialty earmarked plates; (76) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, be issued a The Hermitage new specialty earmarked license plate for a motor vehicle authorized for such by state law; (77) Requires that the new specialty earmarked plates be designed in consultation with a representative of the Andrew Jackson Foundation; (78) Requires that the funds produced from the sale of The Hermitage new specialty earmarked license plates must be allocated to the Andrew Jackson Foundation. The funds must be used exclusively to support the organization's mission to preserve the home place of Andrew Jackson and create learning opportunities, outreach, and scholarship about Jackson and Jacksonian America; (79) Removes the present law requirement that a motor vehicle owner or lessee and a resident of this state be certified as a member of Ducks Unlimited in order to be issued a Ducks Unlimited specialty earmarked license plate, after meeting other requirements; (80) Adds Northeast Community College to the present law category of new specialty earmarked plates; (81) Requires that an owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the special license plate fees, to be issued a Northeast State Community College new specialty earmarked license plate for a motor vehicle authorized for such by state law; (82) Requires the new specialty earmarked plates to contain an appropriate logo or design representative of Northeast State Community College and be designed in consultation with a representative of the Northeast State Community College Foundation; (83) Requires that the funds produced from the sale of Northeast State Community College new specialty earmarked license plates be allocated to the Northeast State Community College Foundation. The funds must be used exclusively to support student scholarships, programs, and services; and (84) Establishes that the following new specialty earmarked license plates have until July 1, 2025 to meet the applicable minimum issuance requirements: (A) Golfer; (B) Niswonger Children's Hospital; (C) Special Olympics; (D) Service Dogs Changing Lives; (E) Historic Maury; (F) Tennessee Councils of the Boy Scouts of America; (G) Fighting for the Bulls; (H) University of North Carolina; (I) Look Twice Save a Life; (J) Historic Jonesborough; (K) Bays Mountain; and (L) A Soldier's Child.

*Fiscal Note:*

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0804 effective July 1, 2024.

**SB1594/HB1607 TRANSPORTATION GENERAL: Change order to be included in quarterly report on status of road projects.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan  
*Summary:* Requires the commissioner of transportation to include any change orders in the commissioner's quarterly report submitted to the state building commission regarding the status of road projects. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015515) designates several bridges, highways, and road segments in Tennessee to honor individuals for their contributions and sacrifices. These include the Lewis R. Bradford Memorial Bridge in Bledsoe County, the James Marcus Teague Memorial Bridge in Fayette County, the W.G. 'Sonny' Dement, Jr. Interchange in Jackson, Madison County, the Grand Ole Opry Star Jeannie Seely Interchange in Nashville, the James Edward Clemons Memorial Highway in Smith County, the SSG Ira Lynn Meredith Memorial Bridge in Carter County, the Richard J. Eskind Memorial Bridge in Nashville, the Rick Schwartz Wild Works Way in Nashville, the Sammie Joe Durham Memorial Bridge in Hickman County, the Bill Rich Memorial Highway in the City of Celina and Clay County, the Ed Haley Bridge in the City of Millington, Shelby County, Lindsley Avenue in Davidson County, the Bishop William H. Graves, Sr. Memorial Highway in Haywood County, the Edgar R. 'Buddy' Bowers Memorial Bridge in the City of Harriman, Roane County, and the Dr. John A. Auxier Memorial Bridge on Interstate 40 at the exit for Industrial Park Road (Exit 362) in Roane County. The Department of Transportation is directed to erect suitable signs or markers according to guidelines, with costs covered by nonstate funds, and any excess cost must be paid within thirty days of receiving an invoice. These designations are honorary and do not affect addresses or governmental system.

*Fiscal Note:* (Dated December 8, 2023) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1015, effective May 28, 2024.

**SB1595/HB1635 RETAIL TRADE: Emotional support animals and indoor areas of food service establishments.**

*Sponsors:* Sen. Walley, Page , Rep. Haston, Kirk  
*Summary:* Specifies that a service animal accompanying a person with a disability is allowed into the indoor area of food service establishment. Defines "service animal" to mean an animal that is individually trained or being trained by an employee or puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability. Clarifies that an animal whose sole function is to provide comfort or emotional support is not a service animal. Broadly captioned.

*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/06/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0566 effective March 15, 2024.

**SB1596/HB1739 GOVERNMENT ORGANIZATION: Sunset - Tennessee State University, board of trustees.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the termination date for the Tennessee State University, board of trustees to June 30, 2024.

*Amendment Summary:* Senate amendment 1 (013145) adds to this bill by requiring the state university board for Tennessee State University ("board") to be vacated and reconstituted, as described below. This amendment provides that the board is vacated on the effective date of the bill and reconstituted to consist of 10 members of which nine members must be voting members and one member must be a nonvoting member. The nonvoting member must be a student representative. Of the nine voting members, at least six members must be residents of this state. Eight of the voting state university board members must be appointed by the governor. At least three of the members appointed by the governor must be alumni of the institution for which they are serving. In making appointments, the governor must strive to ensure that the state university boards are composed of members who are diverse in sex, race, perspective, experience, and honorable military service. One voting board member must be a faculty member of the institution who must be selected in a manner determined by the faculty senate of the respective institution. The nonvoting student member must be appointed by the state university board. This amendment prohibits employees of any public institution of higher education except those faculty members appointed to the board under this amendment, elected or appointed officials, state employees, and members of a governing body for a public institution of higher education from serving as a member of the board. This amendment requires the initial terms of the board members appointed by the governor to be three, four, and six years. Three members must serve a three-year term; three members must serve a four-year term; and two members must serve a six-year term. As the initial terms of the initial board members expire, successors must be appointed for six-year terms. The faculty member must serve a term of two years. The nonvoting student member must serve a term of one year. Board members appointed by the governor are eligible to serve for two consecutive terms. A member who serves two consecutive terms on a board may be reappointed after at least four years have elapsed since the member's last date of service. This amendment requires the eight members of the board appointed by the governor to be subject to confirmation by the senate and the house of representatives, but appointments must be effective until adversely acted upon by joint resolution of the senate and the house of representatives. This amendment requires vacancies occurring on the board to be filled as followed: (1) If a vacancy occurs by death or resignation, the vacancy must be filled for the remainder of the term; or (2) If a vacancy occurs by reason of expiration of term, the board member whose term is expiring must serve until a successor is appointed. This amendment requires the eight members appointed by the governor to serve on the board to attend orientation seminars coordinated and administered by the Tennessee higher education commission ("commission") within their first year of service. This amendment requires the governor to call the first meeting of the board, at which time the board must assume responsibility for the management and governance of Tennessee State University. Afterward, the board must meet at least four times each year and make its meetings available for public viewing as provided in the existing law. This amendment requires the board to elect from its members a chair, who must serve a term of two years, and other officers the board deems appropriate. The board must adopt bylaws and rules for the organization and conduct of its business, as well as a policy that facilitates ongoing professional development for its members.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/28/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0610 effective March 28, 2024.

**SB1597/HB1740 GOVERNMENT ORGANIZATION: Sunset - the advisory council on state procurement.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the advisory council on state procurement to June 30, 2028.  
*Fiscal Note:* (Dated January 8, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/17/24 - Signed by Senate speaker.  
*House Status:* 02/15/24 - Signed by House speaker.  
*Executive Status:* 03/01/24 - Enacted as Public Chapter 0514 effective March 1, 2024.

**SB1599/HB1742 GOVERNMENT ORGANIZATION: Sunset - board of funeral directors and embalmers.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of funeral directors and embalmers to June 30, 2030.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/05/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0490 effective February 21, 2024.

**SB1600/HB1743 GOVERNMENT ORGANIZATION: Sunset - board of physician assistants.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of physician assistants to June 30, 2030.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/05/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 03/06/24 - Enacted as Public Chapter 0491 effective February 21, 2024.

**SB1601/HB1744 GOVERNMENT ORGANIZATION: Sunset - bureau of workers' compensation.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the bureau of workers' compensation to June 30, 2029.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 03/06/24 - Enacted as Public Chapter 0492 effective February 21, 2024.

**SB1602/HB1745 GOVERNMENT ORGANIZATION: Sunset - child care agency licensing board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the child care agency licensing board of review to June 30, 2030.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/26/24 - Signed by Senate speaker.  
*House Status:* 02/26/24 - Signed by House speaker.  
*Executive Status:* 03/15/24 - Enacted as Public Chapter 0535 effective March 7, 2024.

**SB1603/HB1746 GOVERNMENT ORGANIZATION: Sunset - Tennessee collection service board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee collection service board to June 30, 2030.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/05/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0493 effective February 21, 2024.

**SB1604/HB1747 GOVERNMENT ORGANIZATION: Sunset - uniform law commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the uniform law commission to June 30, 2032. Changes name of the entity from the "national conference of commissioners on uniform state laws" to the "uniform law commission" wherever the name appears in statute to accurately reflect the entity's current name.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0494 effective February 21, 2024.

**SB1605/HB1748 GOVERNMENT ORGANIZATION: Sunset - commission on children and youth.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the commission on children and youth to June 30, 2028.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0825 effective May 1, 2024.

**SB1606/HB1749 GOVERNMENT ORGANIZATION: Sunset - Compact for Education.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John



*Summary:* Extends the Compact for Education to June 30, 2032.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0495 effective February 21, 2024.

**SB1607/HB1750 GOVERNMENT ORGANIZATION: Sunset - consumer advocate division in the office of the attorney general and reporter.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the consumer advocate division in the office of the attorney general and reporter to June 30, 2029.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 03/08/24 - Enacted as Public Chapter 0496 effective February 21, 2024.

**SB1608/HB1751 GOVERNMENT ORGANIZATION: Sunset - department of children's services.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of children's services to June 30, 2026. Requires the department to submit quarterly written reports to the government operations committees during 2024 and 2025 to provide updates on the department's progress in addressing the findings set forth in the December 2022 performance audit report.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0592 effective March 27, 2024.

**SB1609/HB1752 GOVERNMENT ORGANIZATION: Sunset - department of correction.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of correction to June 30, 2027. Requires the department to report back to the government operations committee by December 31, 2024, to update the committee on its progress in addressing the findings set forth in the December 2023 performance audit report.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0593 effective March 27, 2024.

**SB1610/HB1753 GOVERNMENT ORGANIZATION: Sunset - department of finance and administration.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of finance and administration to June 30, 2028.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/13/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0594 effective March 27, 2024.

**SB1611/HB1754 GOVERNMENT ORGANIZATION: Sunset - department of general services.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of general services to June 30, 2028.  
*Amendment Summary:* Senate amendment 1 (015583) reduces sunset extension, for purposes of the Tennessee Governmental Entity Review Law, for the department of general services from four years to one year.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0975, effective May 21, 2024.

**SB1612/HB1755 GOVERNMENT ORGANIZATION: Sunset - department of labor and workforce development.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of labor and workforce development to June 30, 2028.  
*Amendment Summary:* Senate amendment 1 (014616) extends the department of labor and workforce development to June 30, 2026, instead of June 30, 2028.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0595 effective March 27, 2024.

**SB1613/HB1756 GOVERNMENT ORGANIZATION: Sunset - department of transportation.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the department of transportation to June 30, 2028. Requires the department to report back to the government operations committee by December 31, 2024, to update the committee on its progress in addressing the findings and observations set forth in the December 2023 performance audit report.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT

*Senate Status:* 03/13/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0596 effective March 27, 2024.

**SB1614/HB1757 GOVERNMENT ORGANIZATION: Sunset - health facilities commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the health facilities commission to June 30, 2026.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0597 effective March 27, 2024.

**SB1615/HB1758 GOVERNMENT ORGANIZATION: Sunset - Interstate Mining Compact.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Interstate Mining Compact to June 30, 2032.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 03/08/24 - Enacted as Public Chapter 0497 effective February 21, 2024.

**SB1616/HB1759 GOVERNMENT ORGANIZATION: Sunset - medical advisory committee.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the medical advisory committee to June 30, 2029.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 03/08/24 - Enacted as Public Chapter 0498 effective February 21, 2024.

**SB1617/HB1760 GOVERNMENT ORGANIZATION: Sunset - medical payment committee.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the medical payment committee to June 30, 2029.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 01/29/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 03/08/24 - Enacted as Public Chapter 0499 effective February 21, 2024.

**SB1618/HB1762 GOVERNMENT ORGANIZATION: Sunset - Occupational Therapy Licensure Compact.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Occupational Therapy Licensure Compact to June 30, 2026.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/05/24 - Senate passed.  
*House Status:* 02/05/24 - House passed.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0500 effective February 21, 2024.

**SB1619/HB1761 GOVERNMENT ORGANIZATION: Sunset - professional art therapy advisory committee of the board of examiners in psychology.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the professional art therapist advisory committee of the board of examiners in psychology to June 30, 2026.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0501 effective February 21, 2024.

**SB1620/HB1763 GOVERNMENT ORGANIZATION: Sunset - public records commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the public records commission to June 30, 2032.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0502 effective February 21, 2024.

**SB1621/HB1764 GOVERNMENT ORGANIZATION: Sunset - real estate appraiser commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the real estate appraiser commission to June 30, 2030.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 03/13/24 - Enacted as Public Chapter 0503 effective February 21, 2024.

**SB1622/HB1765 GOVERNMENT ORGANIZATION: Sunset - Tennessee Real Estate Commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee Real Estate Commission to June 30, 2030.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0504 effective February 21, 2024.

**SB1623/HB1766 GOVERNMENT ORGANIZATION: Sunset - regional transportation authority of Middle Tennessee.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the regional transportation authority of Middle Tennessee to June 30, 2032.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0505 effective February 21, 2024.

**SB1624/HB1767 GOVERNMENT ORGANIZATION: Sunset - sports wagering council.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the sports wagering council to June 30, 2028.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0598 effective March 27, 2024.

**SB1625/HB1768 GOVERNMENT ORGANIZATION: Sunset - standards committee, department of children's services.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the standards committee, department of children's services to June 30, 2030.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/17/24 - Signed by Senate speaker.  
*House Status:* 02/15/24 - Signed by House speaker.  
*Executive Status:* 03/15/24 - Enacted as Public Chapter 0515 effective March 1, 2024.

**SB1627/HB1770 GOVERNMENT ORGANIZATION: Sunset - state election commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state election commission to June 30, 2032.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0617 effective March 27, 2024.

**SB1629/HB1772 GOVERNMENT ORGANIZATION: Sunset - state funding board.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state funding board to June 30, 2032.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0506 effective February 21, 2024.

**SB1630/HB1773 GOVERNMENT ORGANIZATION: Sunset - state procurement commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state procurement commission to June 30, 2028.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/17/24 - Signed by Senate speaker.  
*House Status:* 02/15/24 - Signed by House speaker.  
*Executive Status:* 03/01/24 - Enacted as Public Chapter 0516 effective March 1, 2024.

**SB1631/HB1774 GOVERNMENT ORGANIZATION: Sunset - state protest committee.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state protest committee to June 30, 2028. Removes requirement that the chief procurement officer send minutes of protest proceedings to the state protest committee and comptroller.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/17/24 - Signed by Senate speaker.  
*House Status:* 02/15/24 - Signed by House speaker.  
*Executive Status:* 03/01/24 - Enacted as Public Chapter 0517 effective March 1, 2024.

**SB1632/HB1775 GOVERNMENT ORGANIZATION: Sunset - Tennessee Auctioneer Commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Extends the Tennessee Auctioneer Commission to June 30, 2030.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Sent to House speaker for signature.  
*Executive Status:* 03/15/24 - Enacted as Public Chapter 0507 effective February 21, 2024.

**SB1633/HB1776 GOVERNMENT ORGANIZATION: Sunset - Tennessee Board of Court Reporting.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee Board of Court Reporting to June 30, 2025.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/19/24 - Enacted as Public Chapter 0673 effective April 1, 2024.

**SB1634/HB1777 GOVERNMENT ORGANIZATION: Sunset - Tennessee Central Economic Authority.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee Central Economic Authority to June 30, 2030.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 03/15/24 - Enacted as Public Chapter 0508 effective February 21, 2024.

**SB1635/HB1778 GOVERNMENT ORGANIZATION: Sunset - board of control of the Tennessee Corrections Institute.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the board of control of the Tennessee Corrections Institute to June 30, 2029.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/17/24 - Signed by Senate speaker.  
*House Status:* 02/15/24 - Signed by House speaker.  
*Executive Status:* 03/15/24 - Enacted as Public Chapter 0518 effective March 1, 2024.

**SB1636/HB1779 GOVERNMENT ORGANIZATION: Sunset - Tennessee-Tombigbee Waterway Development Compact.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Tennessee-Tombigbee Waterway Development Compact to June 30, 2032.  
*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/08/24 - Signed by Senate speaker.  
*House Status:* 02/12/24 - Signed by House speaker.  
*Executive Status:* 02/21/24 - Enacted as Public Chapter 0509 effective February 21, 2024.

**SB1637/HB1780 GOVERNMENT ORGANIZATION: Sunset - trial court vacancy commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the trial court vacancy commission to June 30, 2030.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/28/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0536 effective March 7, 2024.

**SB1638/HB1781 GOVERNMENT ORGANIZATION: Sunset - University of Tennessee, board of trustees.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the University of Tennessee, board of trustees, to June 30, 2028.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/22/24 - Signed by Senate speaker.  
*House Status:* 05/23/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0826 effective May 1, 2024.

**SB1639/HB1782 GOVERNMENT ORGANIZATION: Sunset - Tennessee Monuments and Memorials Commission.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Places the Tennessee Monuments and Memorials Commission in the sunset law with a scheduled termination date of June 30, 2025.  
*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0599 effective March 27, 2024.

**SB1640/HB1783 GOVERNMENT REGULATION: UAPA - permanent rules filed with secretary of state between January 1, 2023 and December 31, 2023.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Continues permanent rules filed with the secretary of state between January 1, 2023, and December 31, 2023, that are in effect on the effective date of this act until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

*Amendment Summary:* Senate amendment 1 (014569) rewrites the bill to, instead, do the following: (1) Except as provided in (3) below, establish that all permanent rules filed in the office of the secretary of state on or after January 1, 2023, that are in effect on the effective date of the bill, and that are scheduled for expiration on June 30, 2024, do not expire on June 30, 2024, but remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment; (2) Establish that the bill is not to be construed to justify the continued effectiveness of any rule that remains in effect under (1) above if the rule conflicts with the provisions of any legislative enactment other than the Uniform Administrative Procedures Act; (3) Require the following rules to expire on the effective date of the bill: (A) Board of Pharmacy Rule Number 1140-07-.01 through Rule Number 1140-07-.10, relative to sterile product preparation in pharmacy practice, and filed in the office of secretary of state on December 15, 2023; and (B) Board of Pharmacy Rule Number 1140-07-.01 through Rule Number 1140-07-.10, relative to compounding, and filed in the office of secretary of state on December 15, 2023.

*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0827 effective May 1, 2024.

### SB1641/HB1883 **HEALTH CARE: Patient visitation.**

*Sponsors:* Sen. Pody, Mark , Rep. Capley, Kip

*Summary:* Establishes the right of an attorney in fact designated to make healthcare decisions under a durable power of attorney for health care to conduct at least one in-person visitation with the principal for each day the principal is in a hospital. Allows the hospital to require the attorney in fact to submit to non-invasive health and safety protocols. Prohibits the visitation right of the attorney in fact from being terminated, suspended, waived, or otherwise limited during a declared disaster or state of emergency.

*Amendment Summary:* Senate amendment 3 (013310) makes the following changes to this bill: (1) Adds that the hours the attorney in fact designated to make healthcare decisions under a durable power of attorney for health care may visit the principal are during regular visitation hours, and that the hospital must make a reasonable effort to ensure that each visit is at least one hour long; (2) Clarifies that the exceptions to (1) above are as follows: (i) a hospital may require that an attorney in fact submit to non-invasive health and safety protocols before visitation; (ii) the visitation right described in (1) above does not apply to a principal who is detained by law enforcement or security while in the hospital; and (iii) the hospital may limit the visitation right of the attorney in fact while the principal is undergoing a surgery or other invasive procedure; (3) Adds that the hours an agent designated to make healthcare decisions under a power of attorney for health care may visit the principal are during regular visitation hours, and that the hospital must make a reasonable effort to ensure that each visit is at least one hour long; and (4) Clarifies that the exceptions to (3) above are as follows: (i) a hospital may require that an attorney in fact submit to non-invasive health and safety protocols before visitation; (ii) the visitation right described in (3) above does not apply to a principal who is detained by law enforcement or security while in the hospital; and (iii) the hospital may limit the visitation right of the attorney in fact while the principal is undergoing a surgery or other invasive procedure. House amendment 1 (014181) makes the following changes: (1) Authorizes the principal to limit the right of an attorney in fact designated to make healthcare decisions to in-person visitation with the principal at a hospital where the principal is located to evaluate the principal's condition at least one time per day by (i) indicating such limitation in the durable power of attorney for healthcare; or (ii) notifying the healthcare provider orally or in writing that the principal declines a visit; and (2) Authorizes the principal to limit the right of an agent designated to make healthcare decisions under a power of attorney for health care to in-person visitation with the principal at a hospital where the principal is located to evaluate the principal's condition at least one time per day by (i) indicating such limitation in the power of attorney for health care; or (ii) notifying the healthcare provider orally or in writing that the principal declines a visit.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0766, effective July 1, 2024.

### SB1644/HB2365 **GOVERNMENT ORGANIZATION: Members of the council on autism spectrum disorder to receive reimbursement for travel expenses.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele

*Summary:* Permits members of the council on autism spectrum disorder to receive reimbursement for travel expenses incurred for attendance at meetings of the council.

*Fiscal Note:* (Dated February 2, 2024) Increase State Expenditures \$5,800/FY24-25 and Subsequent Years

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0828 effective July 1, 2024.

### SB1645/HB1620 **CRIMINAL LAW: Use of drones by law enforcement.**

*Sponsors:* Sen. Massey, Becky , Rep. Gillespie, John

*Summary:* Deletes the July 1, 2024, termination date for Chapter 462 of the Public Acts of 2021, allowing a law enforcement agency to continue to use a drone to search for and collect evidence or obtain information with the consent of a private property owner, in case of a natural emergency, or to investigate a crime that is occurring or has occurred.

*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT

*Senate Status:* 02/17/24 - Signed by Senate speaker.

*House Status:* 02/20/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0524 effective March 1, 2024.

### SB1646/HB2047 **PROPERTY & HOUSING: Former public officials may contest liens on real property.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele

*Summary:* Adds former public officials to the list of officials who may contest liens on real property believed to lack any legal basis.

*Fiscal Note:* (Dated January 18, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0744, effective April 22, 2024.

**SB1657/HB1846 HEALTH CARE: Reporting on firearm injuries and deaths.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Clemmons, John  
*Summary:* Requires the department of health to make an annual report to the governor on the total number of firearm injuries and deaths in this state per 100,000 people. Requires the attorney general and reporter to assist the department, upon request, in collecting information necessary for the report.  
*Amendment Summary:* Senate amendment 1 (014521) requires the department of health to ensure that the information on firearm injuries and deaths reported pursuant to the bill is produced in accordance with applicable state and federal law to maintain the confidentiality of individually identifiable health information. House amendment 1 (017171) requires the Department of Health (DOH) to submit an annual report to the Governor, detailing the total number of firearm injuries and deaths, as well as certain demographics, caused by firearms in this state per 100,000 people that occurred in the previous calendar year. Requires the Attorney General and Reporter to assist in collecting information necessary for the reports, upon request. Requires DOH to ensure that the confidentiality of individually identifiable health information is maintained in the department's reporting. Requires the report to be submitted by August 1, 2025, and by each August 1 thereafter.  
*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0767, effective April 23, 2024.

**SB1659/HB2054 PROPERTY & HOUSING: Increase in acreage for tax jurisdiction purposes.**

*Sponsors:* Sen. Walley, Page , Rep. Eldridge, Rick  
*Summary:* Increases from 1,500 to 5,000 the number of acres of land that may be placed within one property tax jurisdiction for purposes of classification and assessment as agricultural, forest, or open space land. Increases from 1,500 to 5,000 the maximum acreage available to a real property owner that may be classified as forest or open space land.  
*Amendment Summary:* House amendment 1 (014703) increases from 1,500 to 3,000 the number of acres of land that may be placed within one property tax jurisdiction for purposes of classification and assessment as agricultural, forest, or open space land. Increases from 1,500 to 3,000 the maximum acreage available to a real property owner that may be classified as forest or open space land.  
*Fiscal Note:* (Dated January 17, 2024) Decrease Local Revenue Exceeds \$3,000,000/FY25-26 and Subsequent Years  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0978, effective May 21, 2024.

**SB1661/HB1707 COMMERCIAL LAW: Charitable Solicitations Act.**

*Sponsors:* Sen. Swann, Art , Rep. McCalmon, Jake  
*Summary:* Revises various provisions regarding the regulation of charitable solicitations regarding the age of organization to be regulated, public contributions, and tax exemption status. Allows a civil penalty to be assessed if violations occur.  
*Fiscal Note:* (Dated January 20, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/28/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0533 effective July 1, 2024.

**SB1662/HB1708 GOVERNMENT ORGANIZATION: Charitable organization fees and reporting.**

*Sponsors:* Sen. Swann, Art , Rep. McCalmon, Jake  
*Summary:* Changes certain fees payable to the secretary of state by certain charitable organizations from \$50 to \$10. Increases from \$500,000 to \$1,000,000 the amount of gross revenue received during a fiscal year to trigger certain reporting requirements. Assesses a late fee of \$25 per month on certain financial reports that are not timely filed.  
*Fiscal Note:* (Dated January 20, 2024) Decrease State Revenue \$1,734,700/FY24-25/Division of Charitable Solicitations and Gaming  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0615 effective July 1, 2024.

**SB1663/HB1697 EDUCATION: Pretest administered to students participating in an after-school learning mini-camp.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert  
*Summary:* Removes the requirement that LEAs administer a pretest to students participating in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp. Deletes various reporting, funding, and accountability provisions regarding such pretests. Broadly captioned.  
*Fiscal Note:* (Dated January 27, 2024) Decrease State Expenditures \$600/FY24-25 and Subsequent Years Decrease Local Expenditures \$3,800/FY24-25 and Subsequent Years  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0639 effective April 4, 2024.

**SB1664/HB1698 CRIMINAL LAW: Suspension of driver license for juveniles found to have made a threat to commit mass-violence at school.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert  
*Summary:* Requires the juvenile court to include in the disposition for a juvenile who has been found to have made a threat to commit mass violence on school property or at a school-related activity, in addition to any other disposition authorized by law, the suspension of the juvenile's driving privileges or ability to obtain a driver license for a period of one year. Broadly captioned.  
*Fiscal Note:* (Dated February 19, 2024) Increase State Revenue \$300/Driver Services/FY25-26 and Subsequent Years  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/08/24 - Signed by House speaker.  
*Executive Status:* 04/28/24 - Enacted as Public Chapter 0727 effective July 1, 2024.

**SB1666/HB1702 CONSTRUCTION: Sunset - Go Build Tennessee Act extension.**

*Sponsors:* Sen. Johnson, Jack , Rep. Williams, Ryan

*Summary:* Extends the Go Build Tennessee Act by changing the repeal date from July 1, 2024, to July 1, 2029.

*Fiscal Note:* (Dated February 5, 2024) Other Fiscal Impact The State Board of Licensing Contractors will continue annual payments to the Go Build Tennessee Corporation averaging approximately \$84,200 in FY24-25 through FY28-29. Additionally, the board will experience a one-time expenditure of \$250,000 in FY24-25 from the boards reserve fund. The Governors proposed FY24-25 budget, on page B-270, recognizes a non- recurring appropriation of \$250,000 from the reserves of the Contractors Board.

*Senate Status:* 03/06/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0567 effective March 15, 2024.

**SB1667/HB1921 LOCAL GOVERNMENT: County mayor compliance.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Specifies that the county mayor is not a member of the county commission for purposes of compliance with the Open Meetings Act.

*Fiscal Note:* (Dated January 18, 2024) NOT SIGNIFICANT

*Senate Status:* 03/07/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0580 effective March 15, 2024.

**SB1669/HB1651 LOTTERY: Application by nonprofit organization to operate a charitable gaming event.**

*Sponsors:* Sen. Johnson, Jack , Rep. Whitson, Sam

*Summary:* Establishes a five-day period after the effective date of this act during which a nonprofit organization may apply to operate a charitable gaming event during the annual period beginning July 1, 2023, until June 30, 2024.

*Amendment Summary:* House amendment 1 (013744) authorizes nonprofit organizations to submit an annual charitable gaming event application to the Secretary of State(SOS) within five calendar days after this proposed legislation becomes law for events being held from the period beginning July 1, 2023, and ending June 30, 2024, and for events being held in the period beginning July 1, 2024, and ending June 30, 2025. Requires the omnibus listing of any approved organizations for the period beginning July 1, 2023 to June 30, 2024, and for July 1, 2024 to June 30, 2025, to be transferred to the Clerk of the Senate and the Clerk of the House of Representatives within 10 calendar days after this proposed legislation becomes law.

*Fiscal Note:* (Dated January 20, 2024) Increase State Revenue \$300/FY23-24/Division of Charitable Solicitations and Gaming

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0587 effective March 21, 2024.

**SB1670/HB1922 FAMILY LAW: Newborn safety device locations.**

*Sponsors:* Sen. Massey, Becky , Rep. Butler, Ed

*Summary:* Adds certain assisted care living facilities, nursing homes, and emergency communications centers as locations where a newborn safety device may be located.

*Amendment Summary:* Senate amendment 1 (014589) rewrites the bill to, instead, do the following: (1) Establish that "facility" means a hospital, a birthing center, a community health clinic, an out-patient walk-in clinic, a fire department that is staffed 24 hours a day, a law enforcement facility that is staffed 24 hours a day, an emergency medical services facility, an emergency communications center, or a nursing home; (2) Establish that an "emergency communications center" means a location that is staffed 24 hours a day and that is primarily used for (i) receiving communications from the public requesting law enforcement, fire, medical, or other emergency services; (ii) dispatching law enforcement, fire, medical, or other emergency resources to respond to requests for service; and (iii) facilitating communications among law enforcement, fire, medical, or other emergency services personnel; (3) Establish that a "nursing home" means a nursing home that is located in a county that does not have a hospital or a fire station that is staffed continuously on a 24-hour basis every day by a licensed emergency medical services provider; (4) Revise the present law definition of "newborn safety device" to mean a device that (i) is approved by and located inside a participating police station, fire station, hospital, nursing home, or emergency communications center; or (ii) located in an area that is conspicuous and visible to staff of the police station, fire station, hospital, nursing home, or emergency communications center where the newborn safety device is located; (5) Authorize an emergency communications center without a newborn safety device to decline to receive possession of a newborn infant. An emergency communications center that declines to receive possession of a newborn infant is not a facility as that term is defined in (1) above; and (6) Require a nursing home to be approved by the health facilities commission for the installation of a newborn safety device.

*Fiscal Note:* (Dated January 18, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/08/24 - Signed by House speaker.

*Executive Status:* 04/28/24 - Enacted as Public Chapter 0728 effective April 4, 2024.

**SB1673/HB1625 MENTAL HEALTH: Duty to predict, warn or take precautions to provide protection - liability.**

*Sponsors:* Sen. Massey, Becky , Rep. Zachary, Jason

*Summary:* Requires a qualified mental health professional or behavior analyst to warn or protect an identified victim or group of people, including students at a day care or school, when the professional or analyst determines that a service recipient has communicated an intent for actual threat of bodily harm. Requires the professional or behavior analyst to take reasonable care to warn of or take precautions to protect the identified victim or group of people from the service recipient's violent behavior and to report the threat to a local law enforcement agency. Provides immunity from civil, criminal, and regulatory liability for a professional or analyst who takes reasonable action to warn or protect identified victims or groups and to report such threats.

*Amendment Summary:* House amendment 1 (013125) requires a qualified mental health professional or behavior analyst who determines that a service recipient has communicated an intent for actual threat of bodily harm against a clearly identified victim or group of people, if the service recipient has the apparent ability to commit such an act and is likely to carry out the threat unless prevented from doing so, to report the threat to local law enforcement, or, if the threat is general and not imminent, to 988 or local crisis response service. Establishes that a qualified mental health professional or behavior analyst who makes such a report is not liable for damages in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary action by a regulatory board. Senate amendment 1 (014093) adds that inpatient hospitalization of the service recipient discharges the duty to warn imposed on a qualified mental health professional or behavior analyst by state law.

*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0783, effective April 23, 2024.

**SB1674/HB2461 TENNCARE: Reimbursement of remote ultrasound procedures and remote fetal nonstress tests.**

*Sponsors:* Sen. Massey, Becky , Rep. Davis, Elaine

*Summary:* Directs the bureau of TennCare to amend existing or promulgate new rules by December 31, 2024, to allow for the reimbursement of qualifying remote ultrasound procedures and remote fetal nonstress tests utilizing established CPT codes for such procedures when the patient is in a residence or other off-site location that is separate from the patient's provider and the same standard of care is met.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/19/24 - Enacted as Public Chapter 0674 effective March 25, 2024.

**SB1676/HB2240 TAXES BUSINESS: Annual report on hotel-motel tax.**

*Sponsors:* Sen. Briggs, Richard , Rep. Cochran, Mark

*Summary:* Requires a municipality levying the hotel-motel tax under general law to submit a report annually detailing how the revenue earned from the tax is used by the municipality. Requires the comptroller of the treasury to audit the reports of the municipality. Requires a municipality found to have used the funds improperly to appropriate general funds in the same amount for promotion of tourism and tourism development. Prohibits a municipality, on and after July 1, 2025, from levying or increasing the hotel-motel tax if the aggregate total tax would exceed 8%.

*Amendment Summary:* Senate amendment 1 (017260) makes the following changes: (1) Not less than 30 days after the end of a municipality's fiscal year, requires each municipality that receives revenue from a tax levied under the motel-hotel tax to also provide an annual written report to the commissioner of the department of tourist development; (2) Deletes the provision in the bill requiring the comptroller of the treasury to use the reports to audit the expenditures of funds from the revenue received; (3) Deletes the provision of the bill prohibiting, on and after July 1, 2025, a municipality from levying or increasing the hotel-motel tax in an amount that results in the aggregate total tax on the privilege of occupancy in a hotel within the jurisdiction exceeding 8 percent.

*Fiscal Note:* (Dated March 1, 2024) Increase State Expenditures \$356,900/FY24-25 and Subsequent Years Increase Local Expenditures \$133,000/FY24-25 and Subsequent Years/ Permissive Other Fiscal Impact The timing and extent of the decrease and forgone local revenue cannot be determined with reasonable certainty.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1016, effective May 28, 2024.

**SB1677/HB1824 MENTAL HEALTH: Companies involved in pending or future claims regarding opioids.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Farmer, Andrew

*Summary:* Adds The Kroger Co. to the list of companies that are released by the attorney general and reporter for pending or future claims regarding opioids.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT Other Fiscal Impact - In the event that the state enters into and reaches a settlement with any of the entities outlined in this legislation, there will be an increase in foregone state revenue and a corresponding increase in local revenue. The precise amount of any such settlement cannot be reasonably determined.

*Senate Status:* 03/06/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0568 effective March 15, 2024.

**SB1678/HB1806 TRANSPORTATION VEHICLES: Motorcycle disabled decals.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Butler, Ed

*Summary:* Permits an owner or lessee of a motorcycle to receive a disabled decal to affix to a new specialty earmarked, cultural, or other special purpose plate that is authorized for motorcycles.

*Fiscal Note:* (Dated January 20, 2024) NOT SIGNIFICANT

*Senate Status:* 02/17/24 - Signed by Senate speaker.

*House Status:* 02/15/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0520 effective March 1, 2024.

**SB1679/HB1644 EDUCATION: Policy for responding to fire alarm activated on school premises outside of a scheduled fire drill.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Lamberth, William

*Summary:* Requires each LEA, public charter school, private school, and church-related school to develop a policy to direct how students, teachers, and staff are to respond when a fire alarm is activated on school premises outside of a scheduled fire drill to protect students, teachers, and staff in the event the fire alarm was activated due to the presence of an active shooter on school premises. Requires each LEA to coordinate with appropriate safety teams to incorporate the procedure. Specifies that the procedure must be implemented no later than July 1, 2024.



*Amendment Summary:* House amendment 1 (011585) rewrites this bill to, instead, require the following: (1) That each LEA, public charter school, private school, and church-related school develop a procedure for determining the cause of a fire alarm activation, including the potential for an active shooter event. The procedure must (i) be developed in consultation with local fire department and law enforcement officials, (ii) comply with applicable fire and building codes, and (iii) include response procedures for students and school staff, including substitute teachers and other part-time staff and school volunteers, after a determination is made regarding whether the emergency situation involves a fire, an active shooter, or other incident; (2) That each LEA, public charter school, private school, and church-related school annually train all school staff, including substitute teachers and other part-time staff and school volunteers, on the safety procedure; and (3) That each LEA, and to the extent applicable, each public charter school, coordinate with its district-wide school safety team and building-level school safety team to incorporate the procedure in its district-wide school safety plan and building-level school safety plan. Each procedure must be implemented no later than January 1, 2025, and must be annually reviewed and updated, if necessary, to ensure the procedure reflects best practices for the safety of students and school staff, including substitute teachers and other part-time staff and school volunteers.

*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0563 effective March 12, 2024.

#### SB1680/HB1700 **EDUCATION: School buses - procedures concerning persons improperly on bus.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Slater, William

*Summary:* Requires each LEA to post a conspicuous notice on all school buses in operation in the LEA notifying others that no person shall enter onto school buses except those authorized by law. Also requires the training standards for school bus drivers established by the department of education and the department of safety to include procedures concerning persons improperly on school buses. Requires student transportation management training for transportation supervisors appointed by local LEAs, charter schools, and charter management organizations to include procedures concerning persons improperly on school buses.

*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/18/24 - Enacted as Public Chapter 0548 effective July 1, 2024.

#### SB1681/HB2061 **MENTAL HEALTH: Notifications of mental health adjudications and commitments.**

*Sponsors:* Sen. Walley, Page , Rep. Hicks, Tim

*Summary:* Clarifies the meaning of "local law enforcement" for purposes of the required notification to law enforcement by an inpatient mental health treatment facility or hospital that a service recipient has been committed. Requires the clerk of court who maintains records of the adjudication as a mental defective or judicial commitment to a mental institution of a Tennessee resident to notify the clerk of court in the county of the person's permanent residence.

*Amendment Summary:* Senate amendment 1 (013656) establishes that when an individual is to be released from involuntary commitment due to a mental illness or serious emotional disturbance, the chief officer of the inpatient treatment facility must notify, by electronic means, the county sheriff with jurisdiction over the location where: (1) the service recipient permanently resides, if the service recipient is a resident of the state; or (2) the inpatient treatment facility is located, if the service recipient is not a resident of this state. House amendment 1 (014645) rewrites the bill to, instead, provide that, as of October 1, 2024, if a person is ordered into involuntary commitment under state law relative to mental health services, then this amendment requires the chief officer of the releasing facility to notify, by electronic means, local law enforcement prior to such release. As used in this amendment, "local law enforcement" means the county sheriff with jurisdiction over the location (i) where the service recipient permanently resides, if the service recipient is a resident of this state; or (ii) where the inpatient treatment facility is located, if the service recipient is not a resident of this state.

*Fiscal Note:* (Dated January 20, 2024) NOT SIGNIFICANT

*Senate Status:* 04/01/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/18/24 - Enacted as Public Chapter 0656 effective October 1, 2024.

#### SB1688/HB1831 **EDUCATION: Voluntary student retainment.**

*Sponsors:* Sen. Lowe, Adam , Rep. Raper, Kevin

*Summary:* Allows the parent or guardian of a student with a documented academic or behavioral delay to voluntarily retain the student in the student's current grade level. Requires the LEA or public charter school in which such student is enrolled to retain the student in the student's current grade level at the request of the student's parent or guardian unless the student has already been retained in that grade level. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014289) makes the following changes to the bill: (1) Authorizes a parent or guardian of a student enrolled in any of the grades K-2 to elect to retain the parent's or guardian's student in the student's current grade level if the student has a documented academic or behavioral delay and the parent or guardian believes that retention may benefit the student; (2) Clarifies that the bill does not supersede an LEA's or public charter school's obligation to comply with the Individuals with Disabilities Education Act, the Rehabilitation Act, the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974, or any other federal or state law related to students with disabilities and English language learners; and (3) Requires the state board of education to also promulgate emergency rules, if necessary.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0829 effective July 1, 2024.

#### SB1691/HB1797 **EDUCATION: Student member of the state board of education.**

*Sponsors:* Sen. Pody, Mark , Rep. Carringer, Michele

*Summary:* Requires the public high school in which the public high school student member of the state board of education is enrolled to count the student as present for time the student spends performing the student's duties as a member of the state board of education.

*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT

Senate Status: 02/26/24 - Signed by Senate speaker.

House Status: 02/27/24 - Signed by House speaker.

Executive Status: 03/20/24 - Enacted as Public Chapter 0549 effective March 11, 2024.

**SB1692/HB1731 COMMERCIAL LAW: Installation of vehicle immobilization devices - signage.**

Sponsors: Sen. Johnson, Jack , Rep. McCalmon, Jake

Summary: Decreases from two inches to one and one-half inches the minimum height of the lettering required to be used on the mandatory signage posted on property for which an agreement exists with a person engaged in the business of installing vehicle immobilization devices on parked motor vehicles. Broadly captioned.

Amendment

Summary:

Senate amendment 1 (015128) rewrites the bill to enact the "Modernization of Towing, Immobilization, and Oversight Normalization Act" ("act") as follows: (1) Establishes that it is an offense for a commercial parking lot owner to boot or tow a motor vehicle located on the lot owner's lot if the motor vehicle is not an abandoned, immobile, or unattended motor vehicle; (2) Establishes that it is not an offense for a licensed parking lot, or a licensed parking attendant on the licensed parking lot's behalf, to boot or tow motor vehicles located on the licensed parking lot if the licensed parking lot is located within the jurisdiction of a local government that has passed an ordinance pursuant to this act and the licensed parking lot or licensed parking attendant boots or tows a motor vehicle in compliance with the ordinance; (3) Establishes that a violation of the provisions under this heading also constitutes a violation of the Tennessee Consumer Protection Act (TCPA) and an unfair or deceptive act or practice, subject to the penalties and remedies of the TCPA as well as this act; (4) Establishes that the attorney general has all of the investigative and enforcement authority of the TCPA as relates to violations of this act. If the attorney general believes a person has violated this act, authorizes the attorney general to institute a proceeding under this act. Costs of any kind or nature must not be taxed against the attorney general or the state in actions commenced under this act; (5) In addition to the remedy provided under this heading, provides that a person injured as a result of a violation of the provisions under the heading is entitled to maintain a private right of action for injunctive relief and to recover actual damages, compensatory damages, punitive damages, and reasonable attorney fees against an alleged violator; (6) Establishes that it is an offense for a person, other than a licensed parking attendant, to knowingly boot a motor vehicle in this state. A violation of this offense is a Class B misdemeanor; however, a second or subsequent offense is a Class A misdemeanor; (7) If, after the effective date of this act, a local government passes an ordinance specifically opting to be governed by the provisions under this heading, authorizes the local government to permit a licensed parking lot, or a licensed parking attendant on the licensed parking lot's behalf, to boot or tow on the licensed parking lot; however, the ordinance must comply with the requirements as described under this heading; (8) Requires such local ordinance to, at a minimum, do the following: (A) Require the annual licensure of the commercial parking lot owner as a licensed parking lot and the issuance of a license number to the licensed parking lot; (B) Specify in the annual licensure whether the licensure permits the licensed parking lot to boot, tow, or both boot and tow; (C) Require the annual licensure of any employee authorized by the licensed parking lot to boot or tow from the lot as a licensed parking attendant and issue a license number and photo identification from the local government to the licensed parking attendant; (D) Prohibit any person from booting or towing a motor vehicle on a licensed parking lot except by a licensed parking attendant licensed by the local government; (E) Require licensed parking attendants licensed pursuant to (C) above to (i) prominently display the photo identification issued by the local government on the licensed parking attendant's person at all times when the licensed parking attendant is on duty and available to boot or tow a motor vehicle located on a licensed parking lot; and (ii) wear a distinctive uniform identifying the licensed parking attendant as an employee of the licensed parking lot at all times when the licensed parking attendant is on duty and available to boot or tow a motor vehicle located on the licensed parking lot; (F) Require a licensed parking lot and licensed parking attendant to accept credit cards and debit cards as methods of payment for the removal of a vehicle immobilization device from a motor vehicle; (G) Require a licensed parking lot to maintain a phone number that is monitored by a natural person 24 hours per day, seven days per week; (H) Require a licensed parking lot to post signage at the terminal end of each parking spot that is subject to being booted or towed bearing notice: (i) that the parking policy for the property is strictly enforced; (ii) that a violator's vehicle will be immobilized with a vehicle immobilization device with the owner of the vehicle having to pay to have the device removed, if the licensed parking lot has been licensed by the local government to boot vehicles pursuant to (B); towed at the owner's expense, if the licensed parking lot has been licensed by the local government to tow vehicles pursuant to (B); or both, if the licensed parking lot has been licensed by the local government to boot and tow vehicles pursuant to (B); of the name of the licensed parking lot, the licensed parking lot registration number issued by the local government pursuant to (A), and the phone number required by (G); and (iii) that this act protects consumers from booting and towing violations and that violations may be reported to the attorney general and reporter and the phone number for the enforcement division of the local government; (I) Require that the signage required by (H) be no less than 24 inches in height and 18 inches in width and contain lettering that is no less than two inches in height and be viewable from the driver's seat of an average motor vehicle parked in the parking spot; (J) Require that immediately upon booting a vehicle, the licensed parking attendant must place a notice conspicuously displayed on the windshield of the motor vehicle immediately in front of the driver's seat indicating: (i) that a vehicle immobilization device has been installed on the motor vehicle and that damage could occur if the vehicle is moved without first removing the vehicle immobilization device; (ii) the information in (H); (iii) the name, license number issued by the local government, and direct contact number for the licensed parking attendant who has booted the motor vehicle; and (iv) the date and time that the vehicle immobilization device was installed on the motor vehicle; (K) Require a licensed parking lot to pay for any damage done to a motor vehicle if the notice required by (J) is not posted; (L) Require a licensed parking lot to have a licensed parking attendant arrive at the licensed parking lot within 30 minutes of a call requesting the removal of a vehicle immobilization device and immediately remove the device upon satisfactory payment of any parking fee and vehicle immobilization device removal fee; (M) Prohibit a licensed parking lot from charging a vehicle immobilization device removal fee of greater than \$75; (N) Prohibit a licensed parking lot from charging any fee to remove a vehicle immobilization device to a person who had paid to park and who was improperly booted by the licensed parking lot or a licensed parking attendant; and (O) Provide for the revocation of any license issued pursuant to the ordinance for violations of the ordinance or this act; (9) Provides that the provisions under this heading do not prohibit a local government from passing an ordinance with requirements that are stricter than the minimum requirements; (10) Provides that the provisions under this heading do not prohibit a local government from booting a motor vehicle that is located on public property; however, if the local government boots a motor vehicle on public property, then the local government must immediately, upon booting the motor vehicle, place a notice conspicuously displayed on the windshield of the motor vehicle immediately in front of the driver's seat indicating (i) that a vehicle immobilization device has been installed on the motor vehicle and that damage could occur if the vehicle is moved without first removing the vehicle immobilization device; (ii) the name of the local government official who booted the motor vehicle; (iii) the date and time the motor vehicle was booted; and (iv) the contact number the owner of the motor vehicle must call to have the vehicle immobilization device removed from the vehicle. (11) Prohibits a commercial parking lot owner in this state from doing the following: (i) Utilizing an automatic license plate reader to enforce the lot owner's parking requirements without first posting a sign that contains red lettering that is no less than six inches in height displayed on a white background; contains the language "LICENSE PLATE READER IN USE"; and is located at each designated entrance to the property, or, if there is no

designated entrance, is erected in a place that is clearly visible from each parking space; and (ii) Charging a penalty for non-payment of parking fees for a first violation in excess of the actual cost of the unpaid cost to park; however, a commercial parking lot owner may charge a late fee of up to \$50 in addition to the actual cost of the unpaid cost to park if the actual cost of the unpaid cost to park is not paid within 30 calendar days; (12) Establishes that a violation of (i) and (ii) under these headings constitutes a violation of the TCPA and an unfair or deceptive act or practice affecting trade or commerce subject to the penalties and remedies provided in the TCPA, in addition to any penalties and remedies established under this act; (13) Establishes that the attorney general has all of the investigative and enforcement authority of the TCPA as relates to violations of this act. If the attorney general believes a person has violated this act, authorizes the attorney general to institute a proceeding under this act. Costs of any kind or nature must not be taxed against the attorney general or the state in actions commenced under this act; (14) Provides that, in addition to the remedy provided under this heading, a person injured as a result of a violation of the provisions under this heading is entitled to maintain a private right of action for injunctive relief and to recover actual damages, compensatory damages, punitive damages, and reasonable attorney fees against an alleged violator; (15) Authorizes a police department to take into custody a motor vehicle found abandoned, immobile, unattended, or used in curbstoning on public or private property; however, a motor vehicle used in curbstoning on residential property must not be taken into custody unless the police department provides notice on the motor vehicle at least 48 hours prior to the seizure; (16) Authorizes a police department to employ its own personnel, equipment, and facilities or hire persons, equipment, and facilities for the purpose of removing, preserving, and storing motor vehicles that are abandoned, immobile, unattended, or used in curbstoning; (17) Establishes that any motor vehicle used in curbstoning is subject to seizure and forfeiture in the same manner as provided by law for seizure and forfeiture of other items under state law; (18) Establishes that the provisions under this heading do not limit a local government's initiative for more restrictive requirements regarding the sale of curbstoned vehicles; (19) Provides that, for purposes of this amendment, "curbstoning" means selling, offering for sale, advertising for sale, or soliciting the sale of (i) a motor vehicle without a properly endorsed certificate of title by a person or entity engaged primarily in the sale of used motor vehicles if the person or entity is not licensed as a motor vehicle dealer; or (ii) more than five motor vehicles in any twelve-month period when the motor vehicles are titled in the person's name or the name of the entity engaged primarily in the sale of used motor vehicles if the person or entity is not licensed as a motor vehicle dealer; (20) Requires a police department that takes into custody an abandoned, immobile, or unattended motor vehicle, to, within three business days after taking the motor vehicle into custody, verify ownership of the motor vehicle. The police department must, within three business days after receiving verification of ownership, notify by a nationally recognized overnight delivery carrier, other than the United States postal service, requesting proof of delivery, the last known registered owner of the motor vehicle and all lienholders of record that the vehicle has been taken into custody. The notice must do the following: (i) Describe the year, make, model, and vehicle identification number of the abandoned, immobile, or unattended motor vehicle; (ii) Stipulate the location of the facility where the motor vehicle is being held; (iii) Inform the owner and any lienholders of the right to reclaim the motor vehicle within 20 days after the date of the notice, upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody; and (iv) State that the failure of the owner or lienholder to exercise the right to reclaim the vehicle within the time provided is deemed a waiver by the owner and all lienholders of all right, title, and interest in the vehicle and consent to the sale of the abandoned, immobile, or unattended motor vehicle at a public auction; (21) Establishes that a police department is not required to comply with the notice procedure described under this heading if it provides preseizure notice to the owner of the motor vehicle and all lienholders of record that the vehicle has been found to be abandoned, immobile, or unattended; (22) Requires that a preseizure notice be sent by a nationally recognized overnight delivery carrier, other than the United States postal service, requesting proof of delivery, to the last known address of the owner of record and to all lienholders of record; (23) Requires the preseizure notice to do the following: (A) Be written in plain language; (B) Contain the year, make, model, and vehicle identification number of the motor vehicle, if ascertainable; (C) Provide the location of the motor vehicle, and a statement advising the owner that the police department will take the abandoned, immobile, or unattended vehicle into custody in no less than 20 days, unless the owner appeals the determination by the police department that the vehicle is abandoned, immobile, or unattended or the owner removes the vehicle from the property within the twenty-day period; (D) Inform the owner and any lienholders of the right to reclaim the motor vehicle after it is taken into custody but before it is sold or demolished, upon payment of all towing, preservation, storage, or other charges resulting from placing the vehicle in custody; and (E) State that the failure of the owner or lienholders to exercise the right to reclaim the vehicle will be deemed a waiver by the owner and all lienholders of all right, title, and interest in the vehicle and consent to the demolition of the vehicle or its sale at a public auction; (24) Provides that, if the owner or lienholder cannot be located through the exercise of due diligence, then requires the notice on the motor vehicle portal to be given as set out under this heading; (25) Provides that, if the owner or lienholder of an abandoned, immobile, or unattended motor vehicle fails to appeal the determination that the vehicle is abandoned, immobile, or unattended or fails to remove the motor vehicle within 20 days from receipt of the preseizure notice, authorizes the police department to take the vehicle into custody; (26) Provides that, if an appeal is made, prohibits the police department from taking the motor vehicle into custody while the appeal is pending; (27) Establishes that without exception, failure to appeal within the specific time period constitutes a waiver of the right of appeal; (28) Provides that, if there is no response to the notice requesting proof of delivery, requires the police department to make notice within three business days of receipt of the delivery confirmation by posting the abandoned, immobile, or unattended motor vehicle on the motor vehicle portal; (29) Establishes that the consequences and effect of failure to reclaim an abandoned, immobile, or unattended motor vehicle must be as described in a valid notice; (30) Provides that, if the owner of a motor vehicle is not present at the time the motor vehicle is towed, then within 15 minutes of a person, firm, or entity towing the motor vehicle, requires such person, firm, or entity to notify local law enforcement of the vehicle identification number (VIN), registration information, license plate number, and description of the vehicle. A violation of this requirement is a Class B misdemeanor. A police department must keep a record of all information required by that the police department must make available for public inspection; (31) Provides that, if an employee of a public agency, a towing company contracting with a public agency, or a towing company authorized to tow by a private property owner or the private property owner's authorized agent, takes possession of a motor vehicle found abandoned, immobile, or unattended, requires an employee of the agency to verify ownership through the Tennessee information enforcement system (TIES) and place the ownership information on the towing sheet or form. The agency must also provide the ownership information to a garagekeeper with whom the agency has a contract or to a towing company authorized to tow by a private property owner or private property owner's authorized agent, as applicable. If a public agency attempts to verify ownership information through TIES and the response is "Not on File," requires the agency to contact the department of revenue title and registration division, which must search records not contained in TIES for the ownership information. If the title and registration division locates ownership information through this search, requires the division to notify the appropriate public agency and the agency must distribute the information. When any other person takes possession of a motor vehicle found abandoned, immobile, or unattended, the action must be reported immediately to the taxpayer and vehicle services division for verification of ownership on a form prescribed and provided by the registrar of motor vehicles; (32) Provides that, in addition to the notification requirements described under this heading, requires a garagekeeper that has in its possession an abandoned, immobile, or unattended motor vehicle taken into custody by a police department or authorized by a private property owner or the private property owner's authorized agent to be towed, and in whose possession the motor vehicle was lawfully placed by the police department or authorized to be placed by a private property owner or the private property owner's authorized agent, to, within three business days after the

motor vehicle is taken into its possession, verify ownership of the motor vehicle. The garagekeeper must, within three business days after receiving verification of ownership, provide notice to the last known registered owner of the motor vehicle and all lienholders of record. The notification requirements described under this heading apply to the notice required to be provided by a garagekeeper; (33) Establishes that a garagekeeper that does not verify ownership of a motor vehicle within three business days after taking possession of the motor vehicle or that does not notify by requesting proof of delivery the owner of the motor vehicle within three business days after receiving verification of ownership from the appropriate state department or agency is not entitled to receive more than six days of storage-related expenses. A garagekeeper that is found by a court of competent jurisdiction to have failed to release a motor vehicle upon the presentation of payment for towing and storage expenses is subject to civil liability to the motor vehicle owner, secured creditor, lessor, or lienholder who prevails in an action brought under this heading for reasonable costs and attorney fees incurred by the person instituting the action; (34) Provides that, if the owner of the motor vehicle or the owner's agent is present at the time a garagekeeper commences towing the owner's or agent's motor vehicle, establishes that the gatekeeper provisions described above do not apply to the garagekeeper; however, this does not exempt the garagekeeper from any other notification requirements under this heading or other provision of law; (35) Provides that, if an abandoned, immobile, or unattended motor vehicle has not been reclaimed, requires the police department to sell the abandoned, immobile, or unattended motor vehicle at a public auction; (36) Establishes that the purchaser of the motor vehicle takes title to the motor vehicle free and clear of all liens and claims of ownership, must receive a sales receipt from the police department, and, upon presentation of the sales receipt, requires the department of revenue to issue a certificate of title to the purchaser; (37) Establishes that the sales receipt only is sufficient title for purposes of transferring the motor vehicle to a demolisher for demolition, wrecking, or dismantling, and, in this case, further titling of the motor vehicle is not necessary; (38) Requires that the proceeds of the sale of an abandoned, immobile, or unattended motor vehicle be used for payment of the expenses of the auction, the costs of towing, preserving, and storing the abandoned, immobile, or unattended motor vehicle, and all notice and publication costs, including costs to post the motor vehicle on the motor vehicle portal, incurred pursuant to provisions under the heading "Notice and Penalty," above; (39) Requires that any remainder from the proceeds of a sale be held for the owner of the motor vehicle or entitled lienholder for 60 days, and then must be deposited in a special fund that must remain available for the payment of auction, towing, preserving, storage, and all notice and publication costs, including costs to post the motor vehicle on the motor vehicle portal, that result from placing other abandoned, immobile, or unattended vehicles in custody, whenever the proceeds from a sale of other abandoned, immobile, or unattended motor vehicles are insufficient to meet these expenses and costs; (40) Authorizes the police department through its chief officer, after complying with the provisions under the heading "Notice and Penalty," above, to execute a written waiver of its right to sell a vehicle taken into custody under this act in favor of a garagekeeper in whose possession the vehicle was lawfully placed by the police department under this act. If a garagekeeper has made repairs to a vehicle for which a waiver has been executed, then the garagekeeper may proceed to enforce the lien. If the garagekeeper has not made repairs to a vehicle for which a waiver has been executed, then the garagekeeper may proceed to sell the vehicle; (41) Establishes that as to third-party purchasers, the sale of the abandoned, immobile, or unattended vehicle is valid, but the garagekeeper must sell the vehicle in a commercially reasonable manner; (42) Establishes that a person injured as a result of a violation of the provisions under this heading is entitled to maintain a private right of action for injunctive relief and to recover actual damages, compensatory damages, punitive damages, and reasonable attorney fees against an alleged violator; (43) Authorizes a person, firm, corporation, or unit of government, upon whose property or in whose possession is found an abandoned, immobile, or unattended motor vehicle, or a person being the owner of a motor vehicle whose title certificate is faulty, lost, or destroyed, to apply to the police department of the jurisdiction in which the vehicle is situated for authority to sell, give away, or dispose of the vehicle to a demolisher; (44) Requires the application to set out the name and address of the applicant, the year, make, model, and vehicle identification number of the motor vehicle, if ascertainable, together with any other identifying features, and to contain a concise statement of the facts surrounding the abandonment, or that the title of the motor vehicle is lost or destroyed, or the reasons for the defect of title. The applicant must execute an affidavit stating that the facts alleged therein are true and that no material fact has been withheld; (45) Provides that, if the police department finds that the application is executed in proper form and shows that the motor vehicle has been abandoned, immobile, or unattended upon the property of the applicant or if it shows that the motor vehicle is not abandoned, immobile, or unattended but that the applicant appears to be the rightful owner, requires the police department to follow the notification procedures set forth under the heading "Notice and Penalty," above; (46) Provides that, if an abandoned, immobile, or unattended motor vehicle is not reclaimed, requires the police department to give the applicant a certificate of authority to sell the motor vehicle to any demolisher for demolition, wrecking, or dismantling. The demolisher must accept the certificate in lieu of the certificate of title to the motor vehicle; (47) Authorizes a person, firm, corporation, or unit of government upon whose property or in whose possession is found an abandoned, immobile, or unattended motor vehicle, or a person being the owner of a motor vehicle whose title certificate is faulty, lost, or destroyed, to dispose of the motor vehicle to a demolisher without that title and without the notification procedures of "Notice and Penalty," above, if the motor vehicle is over ten years old and has no engine or is otherwise totally inoperable; (48) Provides that, if a vehicle does have an engine, and is properly licensed but otherwise fits the description of this heading, requires such vehicle left on a public highway or street and pulled in at the direction of local or state law enforcement officials to be held at least ten days. If, at the end of that period, no claim has been received for the vehicle, then the vehicle may then be disposed of in accordance with this heading. This does not apply in counties with a metropolitan form of government, in which counties the authorization to dispose of a motor vehicle found abandoned, immobile, or unattended on a person, firm, or corporation's property, or which belongs to a person whose title certificate is faulty lost, or destroyed, remains in full force and effect; (49) Establishes that a demolisher who purchases or otherwise acquires a motor vehicle for purposes of wrecking, dismantling, or demolition is not required to obtain a certificate of title for the motor vehicle in the demolisher's name. After the motor vehicle has been demolished, processed, or changed so that it physically is no longer a motor vehicle, the demolisher must surrender for cancellation the certificate of title or auction sales receipt. The taxpayer and vehicle services division must issue forms and rules governing the surrender of auction sales receipts and certificates of title as are appropriate; (50) Requires a demolisher to keep an accurate and complete record of all motor vehicles purchased or received in the course of the demolisher's business. Such records must contain the name and address of the person from whom each motor vehicle was purchased or received and the date when the purchase or receipt occurred. The demolisher must make the records open for inspection by any police department at any time during normal business hours. Such a record must be kept by the demolisher for at least one year after the date of the transaction to which it applies; (51) Prohibits a vehicle from being towed without authorization by the owner of the vehicle until 12 hours have elapsed since it was first observed to be abandoned, immobile, or unattended unless the vehicle is creating a hazard, blocking access to public or private property, or parked illegally; (52) Requires a tow truck operator to immediately release a motor vehicle that the operator has begun to tow but which has not left the parking area if the motor vehicle owner arrives and pays a release fee; (53) Establishes that a violation under this heading is a Class B misdemeanor; (54) Establishes that a violation of the provisions under this heading also constitutes a violation of the Tennessee Consumer Protection Act (TCPA) and an unfair or deceptive act or practice, subject to the penalties and remedies of the TCPA as well as this act; (55) Establishes that the attorney general has all of the investigative and enforcement authority of the TCPA as relates to violations of this act. If the attorney general believes a person has violated this act, authorizes the attorney general to institute a proceeding under this act. Costs of any kind or nature must not be taxed against the attorney general or the state in actions commenced under this act; (56) Provides that, in order for a

garagekeeper to tow or store a vehicle, requires the garagekeeper to obtain an express written authorization for towing and storage of each vehicle from a law enforcement officer with appropriate jurisdiction, from the owner of the vehicle, or from the owner or the authorized agent of the owner, of the private property from which the vehicle is to be towed. The authorization must include all of the information required by state law relative to a garagekeeper's lien. In addition to any other penalty provided by this act or by state law relative to liens on vehicles, a violation under this heading is a Class B misdemeanor. This does not apply to new or used motor vehicle dealers; (57) Prohibits a towing firm from making, conferring, or offering any payment or other pecuniary benefit to an owner or manager of property from which the firm has towed a vehicle with the intent of rewarding the owner or manager for referring the vehicle for towing; (58) Prohibits an owner or manager of property from which a towing firm has towed a vehicle from soliciting or receiving any payment or other pecuniary benefit from a towing firm in exchange for referring a vehicle for towing to the firm; (59) Establishes that a violation under this heading is a Class B misdemeanor; (60) Requires the department of revenue to create and implement an electronic database or online platform that allows a police department to input abandoned, immobile, or unattended vehicle information for public notice to be made through the motor vehicle portal; (61) Authorizes the department of revenue to charge a police department a fee to cover the cost of creating and administering the motor vehicle portal; (62) Authorizes the commissioner of revenue to promulgate rules to effectuate the provisions under this heading; (63) Prohibits a person engaged in the business of towing motor vehicles by tow truck or otherwise or the storing of such motor vehicles for any type of remuneration, whether as the principal business of the person or as an incidence to the person's principal business, from charging the owner or lienholder of a stored motor vehicle a storage fee for a period exceeding 21 days without the consent of the owner or lienholder, except as otherwise provided by this act; (64) Prohibits a person engaged in a business described under this heading from charging a storage fee for any day on which the vehicle is not available for release to the owner, lienholder, or insurer, unless the failure to release is based on a hold placed on the vehicle by law enforcement; (65) Provides that, upon provision of documentation from an insurer or lienholder showing its right to take custody of a vehicle, requires a person engaged in a business described under this heading to release the vehicle to the insurer or lienholder, or an authorized agent or representative for such insurer or lienholder, upon the insurer's or lienholder's payment of reasonable charges due, without requiring additional consent from the owner of the motor vehicle. The insurer or lienholder must indemnify and hold harmless the releasing person or entity from any action, cause of action, claim, judgment, loss, liability, damage, or cost that it may incur due to wrongful release of the motor vehicle to an authorized agent or representative of the insurer or lienholder; (66) Authorizes a person engaged in the business of towing and storing motor vehicles to charge a storage fee for a period exceeding 21 days if the last known registered owner of the motor vehicle and all lienholders of record are notified using a nationally recognized overnight delivery carrier, other than the United States postal service, requesting proof of delivery, of the intent to charge a storage fee for a period to exceed 21 days. The notice must be given at least 10 days prior to the imposition of any additional storage fee; (67) Prohibits a person engaged in the business of towing motor vehicles by tow truck or otherwise or the storing of such motor vehicles for any type of remuneration, whether as the principal business of the person or incidental to the person's principal business, from charging a person for the towing or storage of a motor vehicle (i) a fee charged at a higher rate than the maximum fee that has been approved by the Tennessee highway patrol district to be charged for the same service by persons engaged in a business described under this heading that serve on the Tennessee highway patrol dispatch towing list; (ii) a gate, access, or release fee during normal business hours for any day during which daily storage is also being charged; or (iii) a release fee of more than \$100; (68) Establishes that garagekeepers are entitled to a lien upon all motor vehicles that lawfully come into their possession and are retained in their possession until all reasonable charges due are paid. A garagekeeper may, after 30 days, enforce such lien in the manner prescribed for the enforcement of artisans' liens under state law; except, that the garagekeeper: (i) is only required to advertise the sale on the department of revenue website developed pursuant to this act; and (ii) must include the vehicle identification number (VIN), if it is ascertainable, in the notice and in the advertisement of the sale described in state law relative to artisans' liens; (69) Provides that, if the motor vehicle, including any associated rental equipment, clearly identifies a rental vehicle company, the United States department of transportation (USDOT) number issued by the federal motor carrier safety administration (FMCSA), a registration plate issued and attached to the motor vehicle, or a registration plate issued and attached to a trailer, and a garagekeeper lawfully comes into possession of the vehicle and any associated equipment, requires the garagekeeper to notify the rental vehicle company, the owner of the motor vehicle identified by the USDOT number, or the owner assigned to the registration plate issued and attached to the motor vehicle or a registration plate issued and attached to the trailer, at the address identified with the USDOT number, rental equipment information, or the vehicle's registration within three business days of taking possession of such vehicle or equipment using a nationally recognized overnight delivery carrier, other than the United States postal service, requesting proof of delivery; (70) Requires the commissioner of commerce and insurance or the commissioner's designee to notify the commissioner of safety of violations under this heading. Upon receiving such notice, the commissioner of safety must suspend any contract that the state may have for towing services with the garagekeeper for a period of 60 days or notify the appropriate authority to suspend all such contracts with the state; (71) Provides that, in addition to any other penalty provided for a violation of this heading, such a violation is also a violation of the TCPA and an unfair or deceptive act or practice affecting trade or commerce, and is subject to the penalties and remedies as provided in the TCPA, in addition to the penalties and remedies provided under this heading; (72) Establishes that the attorney general has all of the investigative and enforcement authority that the attorney general has under the TCPA relating to alleged violations under this heading. The attorney general may institute any proceedings involving alleged violations of this act in Davidson County circuit or chancery court or any other venue otherwise permitted by law. Costs of any kind or nature must not be taxed against the attorney general or the state in actions commenced under this heading; (73) Authorizes a rental vehicle company, the owner of the motor vehicle identified by the USDOT number, or the owner assigned to the registration plate issued and attached to the motor vehicle or a registration plate issued and attached to the trailer to seek relief under the TCPA, in addition to remedies provided under this heading; (74) Prohibits a garagekeeper from collecting any storage or related fees for any period of time in which the garagekeeper was in violation of this heading with respect to a motor vehicle or associated equipment; (75) Authorizes the commissioner of commerce and insurance to promulgate rules to effectuate this heading; (76) Establishes that this heading does not apply to new or used motor vehicle dealers; (77) Establishes that a person, firm, or entity does not have a right to a lien on a vehicle that has been towed in violation of state law. If the owner of the vehicle is not present, then within 15 minutes of a person, firm, or entity towing the vehicle pursuant to this act, the person, firm, or entity must notify local law enforcement of the VIN, registration information, license plate number, and description of the vehicle. A violation of this paragraph by a person, firm, or entity is a Class A misdemeanor. Local law enforcement must keep a record of such information, which must be available for public inspection; (78) Establishes that any authorization made by a police department to tow a vehicle must be made in writing. Such authorization must include (i) the name of the officer giving authorization; (ii) the year, make, model, and color of the vehicle to be towed; (iii) the reason for the tow; (iv) the license plate number, if any; and (v) the VIN, if it is ascertainable; (79) Requires the officer giving authorization to post a copy of the authorization with the vehicle and the copy of the authorization must remain with the vehicle until the vehicle is claimed by the owner; (80) Establishes that person, firm, or entity, unless licensed and regulated under state law relative to vehicle sales, does not have a right to a lien against a lienor, who is also the seller of such motor vehicle or who retains title under a title retention or conditional sale agreement, for repairs in excess of \$250 made on such motor vehicle, unless the person, firm, or entity making the repairs has received a written authorization from the lienor or seller to make such repairs on the motor vehicle; and (81) Adds to the TCPA that violations of the following are unfair or deceptive practices: (i) provisions under the

heading "Booting and Towing Prohibited on Commercial Parking Lots"; (ii) provisions under the heading "Requirements of Commercial Parking Lots"; (iii) provisions under the heading "Time for Towing"; and (iv) state law relative to a garagekeeper's or towing firm's lien. House amendment 1 (015542) creates the "Modernization of Towing, Immobilization, and Oversight Normalization (MOTION) Act." Prohibits a commercial parking lot owner from: (1) booting or towing a motor vehicle located on the lot owner's lot if the motor vehicle is not an abandoned, immobile, or unattended motor vehicle; (2) utilizing an automatic license plate reader to enforce the lot owner's parking requirements without first posting a sign; and (3) charging a penalty for non-payment of parking fees for a first violation in excess of the actual cost of the unpaid cost to park; provided, however, that a commercial parking lot owner may charge a late fee of up to \$50.00 in addition to the actual cost of the unpaid cost to park if the actual cost of the unpaid cost to park is not paid within 30 calendar days. Prohibits a vehicle from being towed without authorization by the owner of the vehicle until 12 hours have elapsed since it was first observed to be abandoned, immobile, or unattended unless the vehicle is creating a hazard, blocking access to public or private property, or parked illegally. Requires a tow truck operator to immediately release a motor vehicle that the operator has begun to tow but which has not left the parking area if the motor vehicle owner arrives and pays a release fee. Establishes a violation of such is an unfair and deceptive act or practice under the Consumer Protection Act of 1977. Authorizes the Attorney General and Reporter (AG) to bring an action for an alleged violation. Prohibits costs of any kind or nature from being taxed against the AG or the state in actions commenced under this part. Creates a Class B misdemeanor for a person, other than a licensed parking attendant, to knowingly boot a motor vehicle in this state or for a person to knowingly boot a motor vehicle, whether on a commercial or private parking lot, if the motor vehicle is clearly identifiable by outlined criteria. The penalty is enhanced to a Class A misdemeanor for a second or subsequent violation. Authorizes a local government that passes an ordinance specifically opting to be governed by the proposed legislation to permit a licensed parking lot, or a licensed parking attendant on the licensed parking lot's behalf, to boot or tow on the licensed parking lot; provided, that the ordinance complies with outlined requirements. Creates a Class B misdemeanor, if a person, firm, or entity towing a motor vehicle where the owner of a motor vehicle is not present at the time the motor vehicle is towed, does not notify local law enforcement of the vehicle identification number, registration information, license plate number, and description of the vehicle within 15 minutes of a person, firm, or entity towing the motor vehicle. Enhances the penalty, from a Class C misdemeanor to a Class B misdemeanor, for a garage keeper who tows or stores a vehicle without obtaining an express written authorization for towing and storage of each vehicle from a law enforcement officer with appropriate jurisdiction, from the owner of the vehicle, or from the owner or the authorized agent of the owner, of the private property from which the vehicle is to be towed. Enhances the penalty, from a Class C misdemeanor to a Class B misdemeanor, for: (1) a towing firm who makes, confers, or offers any payment or other pecuniary benefit to an owner or manager of property from which the firm has towed a vehicle with the intent of rewarding the owner or manager for referring the vehicle for towing; or (2) an owner or manager of property from which a towing firm has towed a vehicle who solicits or receives any payment or other pecuniary benefit from a towing firm in exchange for referring a vehicle for towing to the firm. Requires the Department of Revenue (DOR) to create and implement an electronic database or online platform that, on or after July 1, 2025, allows a police department or other user to input abandoned, immobile, or unattended vehicle information for public notice to be made through the motor vehicle portal. Beginning July 1, 2025, authorizes the DOR to charge a police department or other user a fee to cover the cost of creating and administering the motor vehicle portal. House amendment 2 (015993) creates the "Modernization of Towing, Immobilization, and Oversight Normalization (MOTION) Act." Prohibits a commercial parking lot owner from: (1) booting or towing a motor vehicle located on the lot owner's lot if the motor vehicle is not an abandoned, immobile, or unattended motor vehicle; (2) utilizing an automatic license plate reader to enforce the lot owner's parking requirements without first posting a sign; and (3) charging a penalty for non-payment of parking fees unless all outlined requirements are met and the actual cost of parking owed remains unpaid after 72 hours from the time the motor vehicle exited the commercial parking lot. Limits the late fee a commercial parking lot owner may charge to no more than \$50.00 in addition to the actual cost of the unpaid cost to park if the actual cost of the unpaid cost to park is not paid within 30 calendar days, and no more than \$75 if the actual cost of the unpaid cost to park remains unpaid for more than 30 days. Prohibits a vehicle from being towed without authorization by the owner of the vehicle until 12 hours have elapsed since it was first observed to be abandoned, immobile, or unattended unless the vehicle is creating a hazard, blocking access to public or private property, or parked illegally. Requires a tow truck operator to immediately release a motor vehicle that the operator has begun to tow but which has not left the parking area if the motor vehicle owner arrives and pays a release fee. Establishes a violation of such is an unfair and deceptive act or practice under the Consumer Protection Act of 1977. Authorizes the Attorney General and Reporter (AG) to bring an action for an alleged violation. Prohibits costs of any kind or nature from being taxed against the AG or the state in actions commenced under this part. Creates a Class B misdemeanor for a person, other than a licensed parking attendant, to knowingly boot a motor vehicle in this state or for a person to knowingly boot a motor vehicle, whether on a commercial or private parking lot, if the motor vehicle is clearly identifiable by outlined criteria. The penalty is enhanced to a Class A misdemeanor for a second or subsequent violation. Authorizes a local government that passes an ordinance specifically opting to be governed by the proposed legislation to permit a licensed parking lot, or a licensed parking attendant on the licensed parking lot's behalf, to boot or tow on the licensed parking lot; provided, that the ordinance complies with outlined requirements. Creates a Class B misdemeanor, if a person, firm, or entity towing a motor vehicle where the owner of a motor vehicle is not present at the time the motor vehicle is towed, does not notify local law enforcement of the vehicle identification number, registration information, license plate number, and description of the vehicle within 15 minutes of a person, firm, or entity towing the motor vehicle. Enhances the penalty, from a Class C misdemeanor to a Class B misdemeanor, for a garage keeper who tows or stores a vehicle without obtaining an express written authorization for towing and storage of each vehicle from a law enforcement officer with appropriate jurisdiction, from the owner of the vehicle, or from the owner or the authorized agent of the owner, of the private property from which the vehicle is to be towed. Enhances the penalty, from a Class C misdemeanor to a Class B misdemeanor, for: (1) a towing firm who makes, confers, or offers any payment or other pecuniary benefit to an owner or manager of property from which the firm has towed a vehicle with the intent of rewarding the owner or manager for referring the vehicle for towing; or (2) an owner or manager of property from which a towing firm has towed a vehicle who solicits or receives any payment or other pecuniary benefit from a towing firm in exchange for referring a vehicle for towing to the firm. Requires the Department of Revenue (DOR) to create and implement an electronic database or online platform that, on or after July 1, 2025, allows a police department or other user to input abandoned, immobile, or unattended vehicle information for public notice to be made through the motor vehicle portal. Beginning July 1, 2025, authorizes the DOR to charge a police department or other user a fee to cover the cost of creating and administering the motor vehicle portal. Requires revenues received from the fees be earmarked and used for the administration and maintenance of the motor vehicle portal and be deposited into a special account earmarked solely for the purposes set forth in this legislation. Establishes that any unexpended funds do not revert to the General Fund and must be held in the account for use in accordance with this legislation.

*Fiscal Note:* ~~Consistent with this legislation~~ **NO SIGNIFICANT**

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1017, effective July 1, 2024.

**SB1694/HB1814 PROPERTY & HOUSING: Disclosure of information to residential tenant by landlord.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Thompson, Dwayne  
*Summary:* Requires a landlord, or another person authorized to enter into a rental agreement on the landlord's behalf, to disclose to a residential tenant certain contact information for the agent authorized to manage the premises and an owner of the premises, or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands. Broadly captioned.  
*Amendment Summary:* House amendment 1 (017502) rewrites the bill to, instead, require the landlord, or a person authorized to enter into a rental agreement on the landlord's behalf, to disclose to the tenant in writing at or before the commencement of the tenancy the following: (1) The name and address of (i) the agent authorized to manage the premises, which may include a third-party management company; and (ii) an owner of the premises or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands; and (2) A telephone number or electronic mail address for maintenance services; or an online portal system designed for landlord-tenant communication. Senate Commerce & Labor Committee amendment 1 (015380) requires a landlord, or any person authorized to enter into a rental agreement on the landlord's behalf, to disclose certain contact information and means of communication to a residential tenant at or prior to commencement of tenancy.  
*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/23/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0907, effective January 1, 2025.

**SB1698/HB2905 INSURANCE GENERAL: Contracts between a taxpayer and tax preparation service company.**

*Sponsors:* Sen. Bailey, Paul , Rep. Kumar, Sabi  
*Summary:* Expands the conditions under which certain contracts between a taxpayer and tax preparation service company are not considered contracts of insurance to include circumstances when the tax preparation service company obtains a contractual liability insurance policy or posts a bond.  
*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0640 effective July 2, 2024.

**SB1699/HB1645 FAMILY LAW: Lifetime orders of protection.**

*Sponsors:* Sen. Rose, Paul , Rep. Lamberth, William  
*Summary:* Expands the eligibility for filing a petition to obtain a lifetime order of protection to include victims of aggravated stalking, especially aggravated stalking, and felony harassment. Broadly captioned.  
*Amendment Summary:* House amendment 1 (012736) changes the effective date from July 1, 2024, to upon becoming a law.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/20/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0632 effective April 2, 2024.

**SB1701/HB1789 EDUCATION: Educator licensure actions taken by the state board of education.**

*Sponsors:* Sen. Powers, Bill , Rep. Slater, William  
*Summary:* Clarifies that any educator who has pleaded guilty or nolo contendere or convicted of certain criminal offenses are subject to an automatic revocation of an educator license. Requires a director of schools, public charter school, or nonpublic school to report the licensed educator to the state board following the director becoming aware of the educator's offense conviction or plea.  
*Fiscal Note:* (Dated January 20, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/07/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0577 effective March 15, 2024.

**SB1706/HB1799 CAMPAIGNS & LOBBYING: Training related to the administration of elections.**

*Sponsors:* Sen. Hensley, Joey , Rep. Rudd, Tim  
*Summary:* Requires each person, corporation, organization, partnership, or political party that seeks to provide training or conferences related to the administration of elections to county election commissions to be approved by the secretary of state prior to providing such training or conference. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (016897) rewrites the bill to, instead, provide that if an administrator of elections attends a training, seminar, conference, or other educational event related to elections and such event is outside of this state, then the administrator of elections must file a form prescribed by the coordinator of elections reporting, at a minimum, (i) the name of the event and the entity hosting or producing the event; (ii) the location and date of the event; (iii) the identity of the person or entity that paid for the attendance of the administrator of elections; (iv) number of days attended; and (v) the total amount of county, state, or federal funds used to attend the event, if any. The administrator of elections must file the form with the state election commission no later than 15 days after the date of the out-of-state training, seminar, conference, or other educational event related to elections.  
*Fiscal Note:* (Dated February 6, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0830, effective May 1, 2024.

**SB1708/HB1631 EDUCATION: Private schools - adoption of handgun carry policies.**

*Sponsors:* Sen. Hensley, Joey , Rep. Bulso, Gino  
*Summary:* Clarifies that a private school serving students in any of the grades pre-K through 12 is authorized to adopt a handgun carry policy for the private school's property.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/04/24 - Signed by House speaker.  
*Executive Status:* 04/29/24 - Enacted as Public Chapter 0738 effective March 28, 2024.

**SB1709/HB1628 CRIMINAL LAW: Creates new criminal offense of assault within a healthcare facility.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott  
*Summary:* Creates Class A misdemeanor offense of assault within a healthcare facility and specifies that the offense shall be punished by a mandatory fine of \$5,000 and a mandatory minimum sentence of 30 days incarceration. Also creates a Class A felony offense of aggravated assault within a healthcare facility and specifies that such offense shall be punished by a mandatory \$15,000 fine and a mandatory minimum sentence of 90 days incarceration. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (012403) enacts the "Dr. Benjamin Mauck Act." Creates the offenses of assault and aggravated assault committed within a healthcare facility.  
*Fiscal Note:* (Dated January 18, 2024) Increase State Expenditures \$1,700 Incarceration Increase Local Expenditures \$119,200/FY24-25 and Subsequent Years\*  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0928, effective July 1, 2024.

**SB1711/HB1630 EDUCATION: Policy regarding the use of artificial intelligence technology by students, teachers.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott  
*Summary:* Requires the board of trustees of the University of Tennessee, the board of regents, and each local governing board of trustees of a state university to promulgate rules regarding the use of artificial intelligence technology by students, faculty, and staff for instructional and assignment purposes. Also requires each local board of education and governing body of a public charter school to adopt a policy regarding the use of artificial intelligence technology by students, teachers, faculty, and staff for instructional and assignment purposes.  
*Amendment Summary:* Senate amendment 1 (012646) requires the board of trustees of each public institution of higher education and the governing body of each local education agency (LEA) and each public charter school to adopt a policy regarding the use of artificial intelligence by students, faculty, and staff for instructional and assignment purposes. Requires the board of trustees of each public institution of higher education to post the policy on each institution's website and to submit the policy to the Chair of the Education Committee of the Senate and the Chair of the Education Administration Committee of the House of Representatives no later than July 1, 2025. Requires the board of each LEA and public charter school to report to the Department of Education such adopted policies and methods of enforcement for the upcoming school year.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/26/24 - Signed by Senate speaker.  
*House Status:* 02/27/24 - Signed by House speaker.  
*Executive Status:* 03/20/24 - Enacted as Public Chapter 0550 effective March 11, 2024.

**SB1712/HB1655 EDUCATION: Mathematics Supports Act.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott  
*Summary:* Requires the department of education to identify and approve at least one standards-aligned professional development course on mathematics instruction skills that is available, at no cost, to teachers in kindergarten through grade eight. Requires the department to revise the standards for high school students participating in a teaching-as-a-profession career pathway to include standards-aligned mathematics instruction skills in alignment with the professional development course on mathematics instruction skills identified and approved by the department. Requires the department to review and evaluate the mathematics professional development options available in Tennessee. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (012356) creates the Mathematics Supports Act. Requires the Department of Education (DOE), by July 1, 2025, to: (1) conduct a landscape analysis of mathematics education; (2) convene a mathematics expert review committee to help identify a professional development course on mathematics instruction skills; and (3) identify and approve at least one standards-aligned professional development course on mathematics instruction skills that is available, at no cost, to teachers in kindergarten through grade eight. Requires the DOE to report the findings of the landscape analysis and the review committee to the education committees of the Senate and the House of Representatives by January 31, 2025. Requires the DOE to revise the standards for high school students participating in a teaching-as-a-profession career pathway to include standards-aligned mathematics instruction skills by August 1, 2025.  
*Fiscal Note:* (Dated January 19, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/26/24 - Signed by Senate speaker.  
*House Status:* 02/27/24 - Signed by House speaker.  
*Executive Status:* 03/20/24 - Enacted as Public Chapter 0551 effective March 11, 2024.

**SB1715/HB1664 EDUCATION: Law enforcement officers assigned as school resource officers.**

*Sponsors:* Sen. Hensley, Joey , Rep. Warner, Todd  
*Summary:* Authorizes a law enforcement agency to assign a law enforcement officer to serve as a school resource officer at a school within a local board of education's control that has not entered into a memorandum of understanding with a law enforcement agency to assign a school resource officer to the school. Broadly captioned.  
*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/08/24 - Signed by House speaker.  
*Executive Status:* 04/28/24 - Enacted as Public Chapter 0729 effective July 1, 2024.

**SB1720/HB2451 HEALTH CARE: Healthcare Provider Advertising Law.**

*Sponsors:* Sen. Hensley, Joey , Rep. Leatherwood, Tom



<i>Summary:</i>	Requires certain information to be included in a healthcare practitioner advertisement. Adds certain activities to and exempts certain activities from the definition of the practice of medicine. Broadly captioned.
<i>Amendment Summary:</i>	House Amendment 1 (017637) rewrites the bill to establish the "Healthcare Provider Advertising Law," as follows: (1) Requires an advertisement that includes a practitioner's name to prominently state the profession or license held by the practitioner; (2) Requires a written advertisement that includes a practitioner's name to prominently state the profession or license held by the practitioner in a font size and style that makes the information readily apparent to the reader; (3) Prohibits an advertisement from including any deceptive or misleading information; (4) Establishes that a practitioner who communicates or disseminates to the general public an advertisement that violates the bill is subject to disciplinary sanctions by the board that issued the practitioner's license; (5) Establishes that (1)-(4) under this heading do not prohibit the use of an advertisement using the practitioner's profession, title, or designation associated with the practitioner's educational degree if the advertisement meets the requirements of (1); (6) Establishes the "practice of medicine" as follows: (A) Includes attaching any of the following words or abbreviations to a name, either alone or in connection with other words or abbreviations indicating or inducing others to believe that the person is engaged in the practice of medicine or osteopathic medicine, including: (i) "Doctor of medicine"; (ii) "M.D."; (iii) "Doctor of osteopathy"; (iv) "D.O."; (v) "Physician"; (vi) "Osteopath" or "osteopathy"; (vii) "Osteopathic medical physician"; (viii) "Surgeon"; (ix) "Physician and surgeon"; (x) "Anesthesiologist" or "anesthesiology"; (xi) "Cardiologist" or "cardiology"; (xii) "Dermatologist" or "dermatology"; (xiii) "Endocrinologist" or "endocrinology"; (xiv) "Gastroenterologist" or "gastroenterology"; (xv) "Gynecologist" or "gynecology"; (xvi) "Hematologist" or "hematology"; (xvii) "Internist"; (xviii) "Laryngologist" or "laryngology"; (xix) "Nephrologist" or "nephrology"; (xx) "Neurologist" or "neurology"; (xxi) "Obstetrician"; (xxii) "Oncologist" or "oncology"; (xxiii) "Ophthalmologist" or "ophthalmology"; (xxiv) "Orthopedic surgeon"; (xxv) "Orthopedist"; (xxvi) "Otologist"; (xxvii) "Otolaryngologist"; (xxviii) "Otorhinolaryngologist"; (xxix) "Pathologist" or "pathology"; (xxx) "Pediatrician"; (xxxi) "Primary care physician"; (xxxii) "Proctologist" or "proctology"; (xxxiii) "Psychiatrist"; (xxxiv) "Radiologist" or "radiology"; (xxxv) "Rheumatologist" or "rheumatology"; (xxxvi) "Rhinologist" or "rhinology"; (xxxvii) "Urologist" or "urology"; (xxxviii) "Medical doctor"; (xxxix) "Family practice physician"; (xl) "Emergency physician" or "emergency medicine physician"; (xli) "Osteopathic surgeon"; or (xlii) "Allergy" or "allergist"; (B) Does not prohibit a practitioner from using the practitioner's name, title, or profession that is allowed under the practitioner's practice act or another state law; and (C) Does not apply to an optometrist licensed in this state who is performing lawful services according to the definition of "practice of optometry as a profession," and the rules adopted by the board of optometry; and (7) Requires every person licensed or registered to practice one of the healing arts, or any branch thereof as delineated under state law, to keep an original or copy of the person's license or certificate of registration displayed in the office or place in which the person practices, in a conspicuous place, and place and keep placed in a conspicuous place at the entrance of the person's office, a sign in intelligible lettering and not less than one inch in height, containing the name of such person immediately followed by the recognized abbreviation indicating the professional degree, if any, held by such person, and containing immediately below the person's name, in equal size lettering, the word or words: "dentist," "doctor of dental surgery," "oral surgeon," "doctor of dental medicine," "dentist anesthesiologist," and "anesthesiology" for practitioners of dentistry. House amendment 2 ((018003) makes the following changes: (1) Clarifies that the "practice of medicine" also includes attaching any of the following words or abbreviations to a name, either alone or in connection with other words or abbreviations indicating or inducing others to believe that the person is engaged in the practice of medicine or osteopathic medicine: (i) "plastic surgeon" or "plastic surgery" and (ii) "pulmonologist" or "pulmonology"; and (2) Revises the provision that provides that every person licensed or registered to practice one of the healing arts, or any branch thereof, as delineated in the present law must keep an original or copy of the person's license or certificate of registration displayed in the office or place in which the person practices, in a conspicuous place, and place and keep placed in a conspicuous place at the entrance of the person's office, a sign in intelligible lettering and not less than one inch in height, containing the name of such person immediately followed by the recognized abbreviation indicating the professional degree, if any, held by such person, and containing immediately below the person's name, in equal size lettering, the word or words: "dentist," "doctor of dental surgery" or "doctor of dental medicine" for practitioners of dentistry. This amendment, instead, for practitioners of dentistry, only places such requirement with regard to the following: "dentist," "doctor of dental surgery," "oral surgeon," "doctor of dental medicine," "dentist anesthesiologist," and "dental anesthesiology."
<i>Fiscal Note:</i>	(Dated February 19, 2024) NOT SIGNIFICANT
<i>Senate Status:</i>	04/22/24 - Signed by Senate speaker.
<i>House Status:</i>	04/22/24 - Signed by House speaker.
<i>Executive Status:</i>	05/08/24 - Enacted as Public Chapter 0893, effective May 1, 2024.

### SB1721/HB1633 **EDUCATION: Creation of de-escalation training for teachers, administrators, and other school personnel.**

<i>Sponsors:</i>	Sen. Hensley, Joey , Rep. Ragan, John
<i>Summary:</i>	Requires the department of safety to create de-escalation training for teachers, administrators, and other school personnel. Requires LEAs and public charter schools to ensure that the LEA's or public charter school's teachers, administrators, and other school personnel annually receive the de-escalation training beginning with the 2024-2025 school year. Broadly captioned.
<i>Fiscal Note:</i>	(Dated February 3, 2024) NOT SIGNIFICANT
<i>Senate Status:</i>	04/04/24 - Signed by Senate speaker.
<i>House Status:</i>	04/05/24 - Signed by House speaker.
<i>Executive Status:</i>	04/19/24 - Enacted as Public Chapter 0675 effective April 1, 2024.

### SB1723/HB1794 **CAMPAIGNS & LOBBYING: Uniform Faithful Presidential Electors Act.**

<i>Sponsors:</i>	Sen. Lowe, Adam , Rep. Rudd, Tim
<i>Summary:</i>	Sets requirements for electors of Tennessee including one of the individuals must be designated "elector nominee" and one the "alternate elector nominee." Details the pledge, process to replace if a vacancy occurs, and how the electors vote for president and vice president. Details controlling provisions when conflict exists. Broadly captioned.

*Amendment Summary:* House amendment 1 (014356) makes the following changes to the bill: (1) For each elector position in this state, requires a political party to submit to the secretary of state one qualified individual, rather than two, to be designated an "elector nominee"; (2) Authorizes a political party contesting the elector position, or an unaffiliated presidential candidate, to also submit to the secretary of state the names of additional qualified individuals, not to exceed the total number of elector positions, to be designated "alternate elector nominees"; (3) Authorizes the secretary of state's designee to preside at a meeting of electors; (4) Establishes that the position of an elector is vacant if the elector vacates the office by refusing to present a ballot, presenting an unmarked ballot, or presenting a ballot marked in violation of the elector's pledge to mark the elector's ballot as required by this amendment; (5) Requires the electors present to elect any resident citizen of the state to fill a vacancy if an alternate elector is not present to vote; (6) Requires the secretary of state's designee to carry out the secretary of state's elector voting duties at the time of voting if the secretary of state cannot be present due to an emergency; (7) For a meeting of electors, requires the governor or the governor's designee to immediately deliver to the electors present a certificate of all the name of the electors; (8) Removes from present law the authorization for electors to cast their ballots in the electoral college as the electors see fit if the presidential candidate of the party is dead or if both the presidential and vice-presidential candidates of the party are dead; and (9) If the vice presidential candidate of the party is dead, removes from present law the requirement for the electors to cast their ballots in the electoral college for the presidential candidate of the political party which nominated them as electors and the authorization to cast their ballots in the electoral college for vice president as they see fit.

*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0787, effective April 23, 2024.

### **SB1726/HB2826 EDUCATION: Development of a conflict resolution program to be implemented by LEAs and public charter schools.**

*Sponsors:* Sen. Lamar, London , Rep. Camper, Karen

*Summary:* Requires the department, using existing resources, to develop a conflict resolution program that may be adopted and implemented by LEAs and public charter schools to assist students in any of the grades K-12 in developing the skills necessary for nonviolent conflict resolution. Broadly captioned.

*Amendment Summary:* Senate Education Committee amendment 1 (013527) requires the Department of Education (DOE) to develop a conflict resolution program which local education agencies (LEAs) and public charter schools must adopt and implement for students in grade kindergarten to 12.

*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0676 effective March 25, 2024.

### **SB1727/HB1862 PROFESSIONS & LICENSURE: Physician Assistant (PA) Licensure Compact.**

*Sponsors:* Sen. Jackson, Ed , Rep. Faison, Jeremy

*Summary:* Enacts the Physician (PA) Licensure Compact and details who can participate and has privilege in the Compact. Details that a participating state in which a licensee is licensed shall have exclusive power to impose adverse action against the qualifying license issued by that participating state. Describes what participating states can do regarding the licenses. Creates a PA Licensure Compact Commission and details what the powers of the commission are including rulemaking and that the commission creates a coordinated data and reporting system containing licensure, adverse action, and the reporting of the existence of Significant Investigative Information on all licensed PAs and applicants denied a license in participating states. Describes the oversight, dispute resolution, and enforcement of the Compact. States that this Compact will come into effect on the date on which this Compact statute is enacted into law in the seventh participating state. Details the severability of the Compact if a state chooses to leave the Compact. Broadly captioned (34pp.).

*Amendment Summary:* Senate amendment 1 (013002) authorizes the department of health, in consultation with the board of physician assistants, to promulgate rules and requires the chair of the board of physician assistants to notify the chairs of the government operations committees of the senate and the house of representatives within 30 days of the date the compact comes into effect. House amendment 1 (013253) Enters the state into the Physician Assistant (PA) Licensure Compact (Compact), an interstate compact to recognize PA licenses from participating states. Establishes that the Compact will become effective on the date on which the Compact is enacted into law by the seventh participating state. Authorizes a PA with a qualifying license who meets certain criteria to be awarded compact privilege to practice as a PA in a remote state. Creates the PA Licensure Compact Commission (Commission) on or after the effective date of the Compact. Entitles each participating state to one delegate on the Commission. Authorizes the Commission to collect an annual assessment from each participating state and impose Compact Privilege fees on licensees of participating states to whom a Compact Privilege is granted. Authorizes the Department of Health (DOH), in consultation with the Board of Physician Assistants (Board) to promulgate rules to implement the legislation. Requires the chair of the Board to notify the chairs of each of the Government Operations Committees and the revisor of statutes within 30 days of the date the Compact comes into effect. For the purpose of promulgating rules, takes effect upon becoming law. Effective January 1, 2025 for all other purposes.

*Fiscal Note:* (Dated January 25, 2024) Other Fiscal Impact - A precise fiscal impact cannot be determined, but expenditures to the Board of Physician Assistants are reasonably estimated to exceed \$10,000 for participation once the Compact goes into effect. Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Physician Assistants had a surplus of \$100,032 in FY21-22, a deficit of \$29,153 in FY22-23, and a cumulative reserve balance of \$295,339 on June 30, 2023.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1018, effective May 28, 2024 & January 1, 2025.

### **SB1730/HB1648 TRANSPORTATION GENERAL: Issuance of lien-free salvage certificates of title.**

*Sponsors:* Sen. Massey, Becky , Rep. McCalmon, Jake

*Summary:* Authorizes, upon request, the department of revenue to issue lien-free salvage certificates of title to a salvage pool operator under certain circumstances based on the insurer of the salvaged vehicle.

*Amendment Summary:* Senate amendment 1 (013038) limits the requirement that an insurance company must provide the salvage pool operator notice authorizing the operator to release the vehicle to the vehicle's owner or lienholder only if the insurance company directs the operator to release the vehicle to the vehicle's owner or lienholder.

*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/28/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0528 effective July 1, 2024.

**SB1735/HB1807 GOVERNMENT REGULATION: Building inspection time frame for new construction or renovation.**

*Sponsors:* Sen. Rose, Paul , Rep. Butler, Ed  
*Summary:* Requires the state fire marshal or another state entity that receives an inspection request for new construction or the renovation of an existing building to conduct the inspection within 72 hours of receipt of the request. Broadly captioned.  
*Amendment Summary:* Senate amendment 2 (018315) requires, for an inspection of new construction or the renovation of an existing building that must be conducted by the state fire marshal or another state agency, department, or entity, the state fire marshal or appropriate state entity to conduct the requested inspection within 10 business days, instead of 72 hours, of receipt of the request.  
*Fiscal Note:* (Dated January 29, 2024) Increase State Expenditures \$342,500/FY24-25/General Fund \$332,800/FY25-26 and Subsequent Years/General Fund \$358,200/FY24-25/Health Facilities Commission \$348,600/FY25-26 and Subsequent Years/ Health Facilities Commission Other Fiscal Impact To the extent that current revenue is not sufficient to cover the cost of additional expenditures of the Health Facilities Commission, the commission may increase fees to cover the additional expenditures.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1019, effective July 1, 2024.

**SB1736/HB1796 TRANSPORTATION VEHICLES: Chiropractic physicians to issue certified statements of disability for motor vehicles.**

*Sponsors:* Sen. Rose, Paul , Rep. Martin, Brock  
*Summary:* Authorizes licensed chiropractic physicians to issue certified statements of disability in the same manner as physicians for a person's application for a disabled registration plate, decal, or placard.  
*Fiscal Note:* (Dated January 11, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/17/24 - Signed by Senate speaker.  
*House Status:* 02/15/24 - Signed by House speaker.  
*Executive Status:* 03/01/24 - Enacted as Public Chapter 0519 effective March 1, 2024.

**SB1738/HB2169 FAMILY LAW: Tennessee Foster and Adoptive Parent Protection Act.**

*Sponsors:* Sen. Rose, Paul , Rep. Littleton, Mary  
*Summary:* Prohibits the department of children's services from requiring a current or prospective adoptive or foster parent to affirm, accept, or support any government policy regarding sexual orientation or gender identity that conflicts with the parent's sincerely held religious or moral beliefs. Prohibits the department from denying a parent's eligibility to foster or adopt based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity. Specifies if a parent's rights are violated under this chapter, then the parent may bring a civil action for injunctive relief, compensatory damages, reasonable attorney's fees, court costs, and expenses in a judicial or administrative proceeding. Also, permits a parent to raise a defense under this chapter in a judicial or administrative proceeding.  
*Amendment Summary:* Senate amendment 2 (017102) rewrites the bill to, instead, enact the "Tennessee Foster and Adoptive Parent Protection Act," as described below. This amendment prohibits the department of children's services from doing the following: (1) Requiring a current or prospective adoptive or foster parent ("parent") to affirm, accept, or support any government policy regarding sexual orientation or gender identity that conflicts with the parent's sincerely held religious or moral beliefs; (2) Denying a parent's eligibility to foster or adopt based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity; and (3) Establishing or enforcing a standard, rule, or policy that precludes consideration of a parent for a placement based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity. Such beliefs do not create a presumption that any particular placement is contrary to the best interest of the child. However, this amendment does not preclude the department from considering the religious or moral beliefs of an adoptive or foster child or the child's family of origin, including in relation to the religious or moral beliefs of a prospective adoptive or foster parent, when determining the most appropriate placement for that child. Additionally, this amendment must be read in harmony with the duty of the department to make placements consistent with the best interests of the child.  
*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0677 effective July 1, 2024.

**SB1740/HB1723 TENNCARE: Annual Coverage Assessment Act of 2024.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Hazlewood, Patsy  
*Summary:* Enacts the "Annual Coverage Assessment Act of 2024" which imposes on each covered hospital an annual coverage assessment for fiscal year 2024-2025 of 4.87% of a covered hospital's annual coverage assessment base.

**Amendment Summary:** Senate amendment 1 (017745) creates the Annual Coverage Assessment Act of 2024, which establishes an annual coverage assessment on hospitals of 6.0 percent of a covered hospital's annual coverage assessment base for FY24-25, based on revenue from calendar year 2021 and weighted in accordance with the hospital's classification. Establishes that the Maintenance of Coverage Trust Fund (MCTF) may receive intergovernmental transfers (IGTs) of up to \$300,000,000 from public hospitals. Authorizes the use of funds within the MCTF for programs and initiatives developed by the Division of TennCare (Division) in consultation with the Tennessee Hospital Association to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency. Authorizes the use of funds within the MCTF to provide administrative funding to the Division for six full-time state employees to assist with implementation, operationalization, and ongoing management of hospital payment programs. House amendment 3 (018358) creates the Annual Coverage Assessment Act of 2024, which establishes an annual coverage assessment on hospitals of 6.0 percent of a covered hospital's annual coverage assessment base for FY24-25, based on revenue from calendar year 2021 and weighted in accordance with the hospital's classification. Establishes that the Maintenance of Coverage Trust Fund (MCTF) may receive intergovernmental transfers (IGTs) of up to \$300,000,000 from public hospitals. Authorizes the use of funds within the MCTF for programs and initiatives developed by the Division of TennCare (Division) in consultation with the Tennessee Hospital Association to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency. Authorizes the use of funds within the MCTF to provide administrative funding to the Division for six full-time state employees to assist with implementation, operationalization, and ongoing management of hospital payment programs.

**Fiscal Note:** (Dated March 8, 2024) Increase State Revenue \$699,239,900/FY24-25/ Maintenance Coverage Trust Fund The Governor's proposed budget for FY24-25, on page A-34, recognizes revenue in the amount of \$679,376,400 in state funds and \$1,256,350,600 in federal funds.

**Senate Status:** 04/25/24 - Signed by Senate speaker.

**House Status:** 04/26/24 - Signed by House speaker.

**Executive Status:** 05/13/24 - Enacted as Public Chapter 0953, effective May 9, 2024, & June 30, 2024.

### SB1742/HB1786 **MEDIA & PUBLISHING: Public inspection of procurement records.**

**Sponsors:** Sen. Powers, Bill , Rep. Vital, Greg

**Summary:** Requires proposals received in response to a solicitation of goods or services to be made available for public inspection following the completion of the evaluation.

**Fiscal Note:** (Dated January 24, 2024) NOT SIGNIFICANT

**Senate Status:** 02/26/24 - Signed by Senate speaker.

**House Status:** 02/27/24 - Signed by House speaker.

**Executive Status:** 03/20/24 - Enacted as Public Chapter 0552 effective March 11, 2024.

### SB1743/HB1788 **GOVERNMENT CONTRACTS: Time period extension of required record retention for state contract workers.**

**Sponsors:** Sen. Swann, Art , Rep. Capley, Kip

**Summary:** Expands the amount of time that state contract workers must retain all books and records of cost, pricing, and agreement from three years to five years.

**Fiscal Note:** (Dated January 26, 2024) NOT SIGNIFICANT

**Senate Status:** 03/04/24 - Senate passed.

**House Status:** 02/12/24 - House bumped from consent.

**Executive Status:** 04/03/24 - Enacted as Public Chapter 0576 effective July 1, 2024.

### SB1744/HB1790 **PUBLIC EMPLOYEES: Certified municipal finance officer requirements.**

**Sponsors:** Sen. Rose, Paul , Rep. Martin, Brock

**Summary:** Modifies the coursework required to receive a certified municipal finance officer (CMFO) designation. Requires examinations, including test questions, administered by MTAS and CTAS to be designated as a municipal or county finance officer, respectively, to be confidential.

**Fiscal Note:** (Dated January 17, 2024) NOT SIGNIFICANT

**Senate Status:** 02/26/24 - Signed by Senate speaker.

**House Status:** 02/26/24 - Signed by House speaker.

**Executive Status:** 03/07/24 - Enacted as Public Chapter 0539 effective March 7, 2024.

### SB1745/HB1837 **EDUCATION: Sharing of students' personal information.**

**Sponsors:** Sen. Walley, Page , Rep. Rudd, Tim

**Summary:** Prohibits a public institution of higher learning that holds personal information of students, including campus or home addresses and phone numbers, from sharing the personal information with a third party, unless the third party agrees in writing that the personal information will only be used for the purpose for which information is originally requested. Broadly captioned.

**Amendment Summary:** House amendment 1 (012682) prohibits a public institution of higher learning from sharing its students' personal information with a third party that has contracted with the public institution to input personal information of students for administrative purposes, unless the third party agrees in writing that the personal information will only be used for the purpose for which the information was originally provided to the third party.

**Fiscal Note:** (Dated January 17, 2024) NOT SIGNIFICANT

**Senate Status:** 03/19/24 - Signed by Senate speaker.

**House Status:** 03/18/24 - Signed by House speaker.

**Executive Status:** 04/02/24 - Enacted as Public Chapter 0619 effective March 27, 2024.

### SB1749/HB1816 **GOVERNMENT ORGANIZATION: Codification of the Acts of the 2023 regular and extraordinary sessions.**

**Sponsors:** Sen. Johnson, Jack , Rep. Lamberth, William

**Summary:** Codifies the Acts of the 2023 regular and extraordinary sessions.

**Fiscal Note:** (Dated January 15, 2024) NOT SIGNIFICANT

**Senate Status:** 02/26/24 - Signed by Senate speaker.

*House Status:* 03/27/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0553 effective March 11, 2024.

### SB1759/HB1669 **WELFARE: Notice required for closure of child care agency.**

*Sponsors:* Sen. Lamar, London , Rep. Behn, Aftyn

*Summary:* Requires a childcare agency to inform parents at least 60 days before permanent closure of the childcare agency. Applies to parents of enrolled children who are currently enrolled at the agency and for whom tuition or attendance fees are being paid, have attended the agency within the last 90 calendar days, or are on a wait list to be enrolled at the agency. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013594) makes the following changes to the bill: (1) Changes the meaning of "permanent closure" to mean the child care center ceases to do business as a child care center and discontinues all child care indefinitely; (2) Requires that the child care center provide notice of permanent closure to the parents or guardians of each enrolled child as early as practicable, instead of at least 60 days prior to permanent closure; (3) Removes the requirement that the child care center can only provide notice as described in (2) above through electronic means if the center regularly uses electronic means to communicate with parents and guardians; (4) Adds that the child care center may provide notice as described in (2) above with a posting of such notice at the child care center or a with a public posting of such notice that the child care center deems an appropriate means for communication with parents or guardians; and (5) Adds that the bill does not prohibit the department of human services from exercising any duty or power given to the department of human services by state law relative to welfare or by rule regarding the operational status or licensure of a child care center.

*Fiscal Note:* (Dated January 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/01/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/18/24 - Enacted as Public Chapter 0657 effective March 28, 2024.

### SB1762/HB1826 **TENNCARE: Coverage of rapid whole genome sequencing.**

*Sponsors:* Sen. Briggs, Richard , Rep. Martin, Brock

*Summary:* Requires TennCare coverage of rapid whole genome sequencing when certain clinical criteria are met including age, having an acute illness of unknown etiology, receiving intensive care in a hospital, and has symptoms that suggest a broad differential diagnosis that would require an evaluation by multiple genetic tests if rapid whole genome sequencing is not performed. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013686) rewrites this bill to make changes to the present law with regard to approved medical assistance to be provided to those classes of individuals eligible under TennCare. Present law requires medical assistance, including demonstration projects and programs designed to enhance the efficient and economic operation of the TennCare program, to be provided to those classes of individuals determined to be eligible under TennCare. Present law provides a number of specific kinds of services that constitute such medical assistance, in the amount, scope, and duration determined by the commissioner of health and to the extent permitted by federal law. This amendment adds rapid whole genome sequencing to such list in present law. As used in this amendment, "rapid whole genome sequencing" means an investigation of the entire human genome, including coding and non-coding regions and mitochondrial deoxyribonucleic acid, to identify disease-causing genetic changes that returns the preliminary positive results within seven days and final results within 15 days from the date of receipt of the sample by the lab performing the test. The term also includes patient-only whole genome sequencing, duo whole genome sequencing of the patient and one biological parent, and trio whole genome sequencing of the patient and both biological parents.

*Fiscal Note:* (Dated February 10, 2024) Increase State Expenditures - \$409,500/FY24-25 and Subsequent Years Increase Federal Expenditures - \$758,100/FY24-25 and Subsequent Years Other Fiscal Impact - Rapid whole genome sequencing of critically ill children could provide significant cost savings by reducing the hospital stay times and the amount of procedures undergone by those with rare acute illnesses. Such savings are dependent on a number of unknown factors and cannot be reasonably estimated.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1020, effective May 28, 2024, & July 1, 2024.

### SB1766/HB1882 **HEALTH CARE: Providing of patient medical records to patient or patient's authorized representative.**

*Sponsors:* Sen. Hensley, Joey , Rep. Capley, Kip

*Summary:* Requires a healthcare provider to provide to a patient or the patient's authorized representative a full copy of the patient's medical records within 10 working days of receipt of a written request by the patient or representative, instead of providing a full copy or a summary of the records. Requires a healthcare provider to provide to a principal or an attorney in fact acting pursuant to a durable power of attorney for health care a full copy of the principal's medical records within 10 working days of receipt of a written request by the principal or attorney in fact, instead of providing a full copy or a summary of the records. Broadly captioned.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0831, effective July 1, 2024.

### SB1768/HB1897 **CAMPAIGNS & LOBBYING: Disqualifies elected officials and their family from being election officials.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Rudd, Tim

*Summary:* Disqualifies administrator of elections who qualifies as a candidate for public office from continuing in office as an administrator of elections. Specifies if an immediate family member of an administrator of elections is on the ballot for public office in the county in which the administrator serves, the administrator is recused from the official duties of the administrator at least 30 days before the election. Specifies that the recused administrator of elections is to be reinstated to the office after the election in question is certified.

*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT

*Senate Status:* 02/29/24 - Senate passed.

*House Status:* 03/07/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0579 effective March 15, 2024.

### SB1769/HB1640 **MENTAL HEALTH: Adjudication as a mental defective.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Lamberth, William

**Summary:** Expands the definition of "adjudication as a mental defective" to include a person who has been found incompetent to stand trial in a criminal proceeding and requires the clerk of court in such a proceeding to collect and report any such finding to the federal bureau of investigation-NICS Index and the department of safety. Establishes a rebuttable presumption that a person who has been charged with a criminal offense and found incompetent to stand trial poses a substantial likelihood of serious harm. Prohibits the purchase or possession of a firearm by a person who has been adjudicated as a mental defective. Broadly captioned.

**Amendment Summary:** House amendment 1 (013322) makes the following changes to the bill: (1) Names the bill "Jillian's Law"; (2) Permits a person who has been adjudicated as a mental defective or judicially committed to a mental institution under this bill to petition the appropriate court that entered the judicial commitment or adjudication order for relief from the firearm disabilities imposed by the adjudication or judicial commitment. However, the person may not petition the court until three years from the date of release from commitment or the date of the adjudication order, whichever is later; (3) Clarifies that there is a rebuttable presumption that a person meets the standards for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to an intellectual disability, and this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (4) Adds that a person judicially committed must remain committed until the competency of the person to stand trial is restored or, if competency is unable to be restored but the person no longer meets the standard set in present law, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community; (5) Clarifies that there is a rebuttable presumption that a person meets the standard for admission to treatment facility for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, and the presumption established in this amendment may only be rebutted by clear and convincing evidence that the person does not pose an immediate substantial likelihood of serious harm; (6) Clarifies that the rebuttable presumption is for a person who meets the standard for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness and that this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (7) Adds that if a person is committed involuntarily by a criminal or juvenile court after being found incompetent to stand trial or if the criminal or juvenile court determines at the time of commitment that, due to the nature of the person's criminal conduct that created a serious risk of physical harm to other persons, the person must not be discharged from the commitment without proceedings under present law to review eligibility for discharge, then the hospital must proceed under present law to effect discharge from the commitment; and (8) Adds that an admission must remain in effect until the competency of the person to stand trial is restored or, if competency is unable to be restored, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community. House amendment 2 (015789) revises the bill to authorize a rebuttable presumption that a person meets the standard for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, to only be rebutted by clear and convincing evidence that the person does not pose an imminent, instead of immediate, substantial likelihood of serious harm. House amendment 3 (017844) directs that if Senate Bill 2098 / House Bill 2089 becomes law, the Tennessee Code Commission is directed to incorporate the language from SECTIONS 10-12 into the newly created §§ 52-5-404, 52-5-411, and 52-5-501.

**Fiscal Note:** (Dated February 6, 2024) Based on additional information provided by the Department of Intellectual and Developmental Disabilities, the fiscal note, issued on February 6, 2024, is being corrected as follows: (CORRECTED) Increase State Expenditures - Net Impact - \$2,117,100/FY24-25 and Subsequent Years HB 1640 - SB 1769 (CORRECTED) Other Fiscal Impact - If the number of new admissions to involuntary commitment under the Department of Intellectual and Developmental Disabilities exceeds the department's current capacity, there will be a significant increase in expenditures for additional staff and supplies to accommodate such increase in services.

**Senate Status:** 04/15/24 - Signed by Senate speaker.

**House Status:** 04/15/24 - Signed by House speaker.

**Executive Status:** 05/01/24 - Enacted as Public Chapter 0784, effective July 1, 2024.

### SB1771/HB2808 **CORRECTIONS: Makes the state responsible for paying for HIV medication for inmates.**

**Sponsors:** Sen. Lundberg, Jon , Rep. Hulse, Bud

**Summary:** Requires a county jail or workhouse to provide HIV medication for an inmate if the inmate is known or determined to be HIV positive or if the inmate previously received prescription medication to treat the condition through a state department, agency, or program, including TennCare. The state may use federal funding to pay the medication expenses.

**Amendment Summary:** House amendment 2 (016012) requires the Department of Correction (DOC) to provide payment to county legislative bodies for the human immunodeficiency virus (HIV) medication for inmates committed to a county jail or workhouse who previously received prescription medication to treat HIV or AIDS through a state department, agency, or program, including the Division of TennCare. Excludes the Ryan White HIV/AIDS program administered by the Department of Health (DOH). Requires a sheriff or the sheriff's designee to file a claim to receive such payment or reimbursement. Authorizes the DOC to use federal funding to pay the medication expenses. Authorizes a sheriff or sheriff's designee to transport an inmate housed in a local jail who was participating in the Ryan White HIV/AIDS program immediately prior to incarceration to the location of the healthcare provider that was treating the patient immediately prior to incarceration for HIV treatment under the Ryan White HIV/AIDS program. Requires the healthcare provider to continue HIV treatment for the inmate for the duration of the inmate's incarceration in a county jail or workhouse. Authorizes the healthcare provider to treat the inmate via telemedicine upon request. Excludes the state sponsored health insurance plans unless an inmate is an enrolled member under such a plan. Specifies that an inmate is required to be a currently enrolled member of the TennCare program in order for the Division of TennCare to be liable for the cost of HIV medications.

**Fiscal Note:** (Dated February 17, 2024) Increase State Expenditures \$98,400/FY24-25 and Subsequent Years Decrease Local Expenditures \$98,400/FY24-25 and Subsequent Years Other Fiscal Impact The extent and timing of any decrease in state expenditures associated with additional federal funding cannot reasonably be determined.

**Senate Status:** 05/09/24 - Signed by Senate speaker.

**House Status:** 05/01/24 - Signed by House speaker.

**Executive Status:** 05/24/24 - Enacted as Public Chapter 0999, effective July 1, 2024.

### SB1773/HB1936 **EDUCATION: Career readiness assessments for high school seniors.**

**Sponsors:** Sen. Lundberg, Jon , Rep. Haston, Kirk

**Summary:** Extends the option for high school seniors attending LEAs and public charter schools to take nationally recognized assessments to each subsequent school year beginning with the 2023-2024 school year.

**Fiscal Note:** (Dated February 5, 2024) Increase State Expenditures Exceeds \$85,000/FY24-25 and Subsequent Years

**Senate Status:** 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0908, effective May 3, 2024.

**SB1775/HB1858 CRIMINAL LAW: Home address confidentiality program for victims.**

*Sponsors:* Sen. Swann, Art , Rep. Davis, Elaine  
*Summary:* Expands the ways in which applicants may apply for the home address confidentiality program to include moving to a new address unknown to the offender and not previously identified in a public record.  
*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0620 effective March 27, 2024.

**SB1776/HB1647 LOCAL GOVERNMENT: Requests for amendments to county budgets.**

*Sponsors:* Sen. Swann, Art , Rep. Moon, Jerome  
*Summary:* Requires all requests for amendments to county budgets by county departments and other entities to be approved by the department or entity seeking the amendment prior to being submitted to the county legislative body for consideration. Applies only to counties that have adopted the Local Option Budgeting Law of 1993. Broadly captioned.  
*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/07/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0572 effective July 1, 2024.

**SB1779/HB1639 HEALTH CARE: Obtaining a patient's hospital records.**

*Sponsors:* Sen. Swann, Art , Rep. Moon, Jerome  
*Summary:* Specifies if an incapacitated or deceased patient has no authorized representative then the patient's surviving spouse, child, or parent will be treated as an authorized representative for the patient for the purposes of obtaining the patient's hospital records. Broadly captioned.  
*Amendment Summary:* House amendment 1 (012324) applies to other healthcare facilities licensed or regulated by the board for licensing healthcare facilities the requirements in the bill about furnishing to a patient or a patient's authorized representative, such part or parts of the patient's hospital records without unreasonable delay upon request in writing by the patient or the representative.  
*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/04/24 - Signed by House speaker.  
*Executive Status:* 04/29/24 - Enacted as Public Chapter 0739 effective July 1, 2024.

**SB1787/HB2327 MENTAL HEALTH: Annual report on suicide by the department of health.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Freeman, Bob  
*Summary:* Requires the department of health to submit an annual report to the governor, and post the report on the department's website, stating the total number of attempted suicides and completed suicides in the previous calendar year. Requires the report to include the county in which it occurred, demographic information, historical trends, and the method of the attempted or completed suicide.  
*Amendment Summary:* Senate amendment 1 (013982) requires the Department of Health (DOH) to publish an annual report by May 31, 2025, and each May 31 thereafter, stating the total number of attempted suicides and completed suicides that occurred in the state in the previous calendar year. Requires the DOH to submit the report electronically to all members of the General Assembly within seven calendar days of its publication.  
*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0678 effective March 25, 2024.

**SB1791/HB1973 HEALTH CARE: Newborn screening.**

*Sponsors:* Sen. Massey, Becky , Rep. Hawk, David  
*Summary:* Requires all infants born in this state to be screened for specific genetic, metabolic, or other heritable conditions, including, but not limited to, conditions listed on the Recommended Uniform Screening Panel (RUSP). Allows the department of health to require newborn screening for conditions not listed on the RUSP. Requires certain implementation and reporting requirements regarding such newborn screening.  
*Amendment Summary:* Senate amendment 1 (014247) rewrites the bill to, instead, provide that, when screening for a condition is not implemented within 36 months of being added to the Recommended Uniform Screening Panel, the department of health ("department") must provide a report on the status and the reason for delay to the health and welfare committee of the senate, the health committee of the house, the genetics advisory committee of the department, and the Tennessee rare disease advisory council. The report is required no later than six months after the 36-month period has expired, and by January 1 of each year thereafter until screening for the condition is implemented.  
*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0768, effective July 1, 2024.

**SB1792/HB1614 CRIMINAL LAW: Protect Tennessee Minors Act.**

*Sponsors:* Sen. Massey, Becky , Rep. Hazlewood, Patsy

*Summary:* Enacts the Protect Tennessee Minors Act, which requires an individual or commercial entity that publishes or distributes in this state a website that contains a substantial portion of material harmful to minors to perform reasonable age-verification methods to verify the age of individuals attempting to access the material. Requires a website owner, commercial entity, or third party that executes a required age-verification method to (1) retain at least seven years of historical anonymized age-verification data; and (2) not retain any personally identifying information of the active user after access to the content harmful to minors has been granted. Specifies that a violation of age-verification or data retention requirements is a Class C felony.

*Amendment Summary:* Senate amendment 2 (016023) makes the following changes: (1) Changes the definition of "substantial portion," as used in the bill, from 10 percent or more of the total amount of data available on a website to 33 1/3 percent or more of the total amount of data available on a website; (2) Changes the entity responsible for enforcement of the bill from the department of safety to the attorney general, who is authorized to bring any appropriate action or proceeding in a court of competent jurisdiction against a commercial entity that fails to comply with the bill; and (3) Changes the effective date to January 1, 2025

*Fiscal Note:* (Dated March 1, 2024) Increase State Expenditures \$29,900 Incarceration \$4,139,800/FY24-25/General Fund \$2,020,000/FY25-26 and Subsequent Years/ General Fund

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1021, effective January 1, 2025.

### SB1793/HB2081 **HEALTH CARE: Administration of medications by unlicensed persons.**

*Sponsors:* Sen. Massey, Becky , Rep. Alexander, Rebecca

*Summary:* Allows unlicensed persons who have completed a competency-based training program and are employed by certain personal support service agencies licensed under Title 33 to administer certain medications to individuals who are incapable of self-administration in the individual's home. Prohibits the personnel referenced in this bill from administering intravenous, intramuscular, or certain subcutaneous injectable medications.

*Amendment Summary:* House amendment 1 (014291) provides that, in the context of a person who is employed by a personal support service agency (PSSA) who may administer medications, with training, to an individual who is incapable of self-administration in the person's place of residence, the training must only be provided to unlicensed individuals who are employed by agencies that are both licensed under state law and under contract to provide residential or adult day programs for persons with intellectual disability, to unlicensed individuals employed by community-based licensed intermediate care facilities for persons who have intellectual disability who will administer medication only at a location other than the community-based facility, and to unlicensed individuals employed by PSSAs licensed under state law.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/08/24 - Signed by House speaker.

*Executive Status:* 04/28/24 - Enacted as Public Chapter 0730 effective April 4, 2024.

### SB1798/HB1870 **ALCOHOLIC BEVERAGES: Training for applicants for a server permit.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Freeman, Bob

*Summary:* Requires applicants for a server permit who are involved in the direct service of intoxicating liquids to have successfully completed a program of alcohol awareness training within one year prior to the submission of the application. Also provides that the training must be longer than three and one-half hours long and must include training to recognize the signs that someone is under the influence of a date rape drug or a victim of sex trafficking or labor trafficking. Broadly captioned.

*Amendment Summary:* House amendment 1 (015519) rewrites the bill to, instead, require an applicant for a server permit to have successfully completed a program of alcohol awareness training, for persons involved in the direct service of alcohol, wine, or beer by an entity certified by the alcoholic beverage commission ("commission") to have an adequate training curriculum for alcohol awareness, within one year prior to the submission of the application. The program must consist of not less than 3.5 hours of training. The curriculum must include training to understand the role of alcohol in sexual assault and harassment, best practices for ensuring patron safety and bystander intervention, recognizing the role of drugs in assault, and strategies to prevent patron drugging in establishments. The curriculum must also educate servers on recognizing and reporting signs of human trafficking. If, in the determination of the commission, a state other than Tennessee is deemed to have an adequate program of alcohol awareness training, then the successful completion of such training in that state within one year prior to the submission of an application to the commission for a server permit must satisfy the requirement of alcohol awareness training.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/08/24 - Signed by House speaker.

*Executive Status:* 04/28/24 - Enacted as Public Chapter 0731 effective January 1, 2025.

### SB1801/HB1906 **JUDICIARY: Limitations of actions for minor victims of trafficking for a commercial sex act.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Allows a minor victim 30 years after the victim turns 18 years of age to sue the alleged perpetrator for any injury or illness stemming from the offense of trafficking for a commercial sex act. Broadly captioned.



*Amendment Summary:* House amendment 1 (013397) revises the bill to, instead, require the injured person to offer clear and convincing evidence corroborating the claim of abuse or trafficking by the alleged perpetrator if an action is brought against someone other than the alleged perpetrator of the child sexual abuse or trafficking for a commercial sex act, and if the action is brought more than one year from the date the injured person attains the age of majority. Senate amendment 1 (017236) rewrites the bill and house amendment # 1 to, instead, make the following changes, in the context of an action for injury or illness based on child sexual abuse: (1) Establishes that "trafficking for a commercial sex act" means, if the victim was a minor, that a person (i) knowingly subjects or attempts to subject, benefits from, or attempts to benefit from the victim's provision of a commercial sex act; or (ii) recruits, entices, harbors, transports, provides, purchases, or obtains by any other means the victim for the purpose of providing a commercial sex act; (2) After references to "child sexual abuse," adds the language "or trafficking for a commercial sex act"; (3) If an action is brought against someone other than the alleged perpetrator of the child sexual abuse or trafficking for a commercial sex act, and if the action is brought more than one year from the date the injured person attains the age of majority, requires the injured person to offer admissible and credible evidence corroborating the claim of abuse or trafficking by the alleged perpetrator; and (4) Requires that a civil action for an injury or illness based on trafficking for a commercial sex act that occurred when the injured person was a minor be brought (i) for a commercial sex act that occurred before July 1, 2024, but was not discovered at the time of the commercial sex act, within three years from the time discovery of the abuse by the injured person; or (ii) for a commercial sex act that occurred on or after July 1, 2024, within 30 years from the date the person becomes 18.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0790, effective July 1, 2024.

### SB1802/HB2611 **JUDICIARY: Authorizes AG to investigate human trafficking offenses and organized crime offenses.**

*Sponsors:* Sen. Taylor, Brent , Rep. Zachary, Jason

*Summary:* Authorizes the attorney general and reporter to investigate human trafficking offenses, organized crime offenses, and related criminal activity. Authorizes the attorney general and reporter to prosecute such offenses either with the consent of the district attorney general or after appointment as district attorney general pro tempore by the Supreme Court. Requires the Tennessee Bureau of Investigation to assist the attorney general and reporter as needed.

*Amendment Summary:* Senate amendment 1 (014460) rewrites the bill to, instead, enact "The District Attorney General Second Opinion Act," which provides that in any investigation involving a human trafficking offense, an organized crime offense, or an offense classified as a Class A or Class B felony, in which a district attorney general declines prosecution, an investigating state or local law enforcement agency may report and submit evidence of the offense to the district attorney general for another judicial district, in which jurisdiction and venue over the offense are proper, according to law and consistent with venue rules in the Tennessee Rules of Criminal Procedure, for consideration and action. However, this amendment does not affect, impair, or limit the sole, exclusive, and absolute discretion of a district attorney general in the performance of duties and responsibilities, or in the allocation of any investigatory, prosecutorial, administrative, staffing, and fiscal resources available to the district attorney general.

*Fiscal Note:* (Dated March 7, 2024) Other Fiscal Impact To the extent the Attorney General seeks to prosecute a criminal offense, there will be an increase in expenditures for additional staff and supplies to accommodate the increase in workload. Additionally, there will be an increase in state expenditures to the District Attorneys General Conference to retain outside counsel. The timing and amount of any increase in expenditures is dependent upon multiple unknown factors and cannot be determined with reasonable certainty.

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0805 effective April 29, 2024.

### SB1806/HB2046 **FAMILY LAW: DCS to submit written summaries of policies and guidelines adopted.**

*Sponsors:* Sen. Oliver, Charlane , Rep. Chism, Jesse

*Summary:* Requires the department of children's services to submit written summaries of policies and guidelines adopted by it to the chairs of the government operations committees of each house, with the policies and guidelines to be posted on the subsequent joint rule review committee agenda for the month following the submission of the summaries. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (014086) adds the senate and house of representatives government operations committees to the list of committees the department of children's services must submit new departmental policy changes within 60 days of adoption of the policies.

*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1022, effective May 28, 2024.

### SB1807/HB2070 **TRANSPORTATION GENERAL: Establishing an office of rail and public transportation within TDOT.**

*Sponsors:* Sen. Campbell, Heidi , Rep. Powell, Jason

*Summary:* Establishes an office of rail and public transportation within the department of transportation. The office must be established using existing resources and focus on passenger and freight rail and public transportation within this state. The office of rail and public transportation shall determine the costs and requirements, including engineering, needed to implement passenger rail service on railways servicing major cities including Nashville to Chattanooga to Atlanta, Georgia, Memphis to Nashville, Chattanooga to Knoxville to Bristol, Memphis to Chicago, Illinois, via Carbondale, Illinois, and Nashville to Louisville, Kentucky. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014337) requires the Department of Transportation (TDOT), on or before January 1, 2025 and each subsequent year, to submit a report on TDOT's progress on passenger and freight rail and public transportation efforts at the state and federal levels to the Transportation Committee of the House of Representatives and the Transportation and Safety Committee of the Senate, the chief clerks of each chamber, and the legislative librarian.

*Fiscal Note:* (Dated February 25, 2024) Increase State Expenditures - \$750,000/FY24-25/Highway Fund

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0679 effective March 25, 2024.

**SB1810/HB2165 EDUCATION: Request for accommodating to affirm the student's gender identity.**

*Sponsors:* Sen. Rose, Paul , Rep. Littleton, Mary  
*Summary:* Requires teachers at an LEA or charter school to notify administration and for the administration to notify the parents of a child who seeks to be called a different name or use different pronouns than the sex written on their birth certificate. Employees are prohibited from knowingly giving false information to the parents of a student regarding the student's gender identity. A parent who is affected, or whose student is affected, by a violation of this order may bring a civil action against the LEA or public charter school in a court of competent jurisdiction.  
*Amendment Summary:* Senate amendment 1 (015632) corrects a spelling error. House amendment 1 (017930) clarifies that, as used in the bill, a "student" means a student under 18.  
*Fiscal Note:* (Dated March 9, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0832, effective May 1, 2024.

**SB1811/HB2943 CRIMINAL LAW: Expands offense of indecent exposure and increases penalties.**

*Sponsors:* Sen. Kyle, Sara , Rep. Towns Jr., Joe  
*Summary:* Increases the penalty for indecent exposure if the victim is between 13 and 17 years of age. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (014445) rewrites the bill to, instead, revise indecent exposure law, as follows: (1) Provides that a person commits the offense of indecent exposure who knowingly invites, entices, or fraudulently induces a minor into the person's residence for the purpose of attaining sexual arousal or gratification by intentionally engaging in the following conduct in the presence of the minor without the consent of the minor: (i) exposure of such person's genitals, buttocks, or female breasts; or (ii) masturbation; (2) Provides that a person commits the offense of indecent exposure who knowingly engages in the person's own residence, in the intended presence of any minor, without the consent of the minor, for the defendant's sexual arousal or gratification the following intentional conduct: (i) exposure of the person's genitals, buttocks, or female breasts; or (ii) masturbation; and (3) Clarifies that for (1) and (2) above to apply, the defendant must be 18 or older and the child victim must be at least 13 but no more than 17.  
*Fiscal Note:* (Dated February 21, 2024) Increase State Expenditures \$416,500 Incarceration Increase Local Expenditures \$13,700/FY24-25 and Subsequent Years\*  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1023, effective July 1, 2024.

**SB1814/HB2839 JUDICIARY: Personal property exempted from execution, seizure, or attachment.**

*Sponsors:* Sen. Kyle, Sara , Rep. Towns Jr., Joe  
*Summary:* Makes various revisions to provisions related to property that is exempt from execution, seizure, or attachment.  
*Fiscal Note:* (Dated March 4, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0833, effective May 1, 2024.

**SB1820/HB2000 PUBLIC EMPLOYEES: Compensation of employees of the office of the attorney general and reporter.**

*Sponsors:* Sen. Rose, Paul , Rep. Farmer, Andrew  
*Summary:* Empowers the attorney general to fix the attorney general's and their assistant's compensation. Limits the attorney general's salary to an associate justice on the supreme court or a Class 1 official. Permits the attorney general to pay salaries in periodic installments.  
*Fiscal Note:* (Dated February 3, 2024) Increase State Expenditures \$50,200/FY24-25 and Subsequent Years/Attorney General  
*Senate Status:* 04/23/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0909, effective May 3, 2024.

**SB1822/HB1828 STATE GOVERNMENT: Designates the official state books of Tennessee.**

*Sponsors:* Sen. Rose, Paul , Rep. Bulso, Gino  
*Summary:* Designates as official state books of Tennessee "Farewell Address to the American People" by George Washington; "Democracy in America" by Alexis de Tocqueville; "Aitken Bible"; "The Papers of Andrew Jackson"; "Roots" by Alex Haley ; "A Death in the Family" by James Agee; "All the King's Men" by Robert Penn Warren; "American Lion" by Jon Meacham; "The Civil War: A Narrative" by Shelby Foote; and "Coat of Many Colors" by Dolly Parton. Requires the secretary of state to list the books in the Tennessee Blue Book.  
*Amendment Summary:* House amendment 1 (011965) rewrites the bill to designate the following as the official state books: (1) Farewell Address to the American People, George Washington (1796); (2) The Papers of Andrew Jackson, College of Arts and Sciences, University of Tennessee, Knoxville; (3) Democracy in America, Alexis de Tocqueville (1835 and 1840); (4) All the King's Men, Robert Penn Warren (1947); (5) A Death in the Family, James Agee (1958); (6) Roots, Alex Haley (1977); (7) The Civil War: A Narrative, Shelby Foote (1958-1974); (8) American Lion, Jon Meacham (2009); (9) Coat of Many Colors, Dolly Parton (2016); and (10) Aitken Bible, Journals of Congress (1782). This amendment also requires the secretary of state to list the foregoing as the official state books in the Tennessee Blue Book.  
*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/03/24 - Signed by Senate speaker.  
*House Status:* 04/02/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0720 effective July 1, 2024.

**SB1823/HB1971 WELFARE: Tennessee opportunity pilot program grants.**

*Sponsors:* Sen. Watson, Bo , Rep. Hawk, David  
*Summary:* Authorizes the department of human services to enter into contracts as needed in order to ensure successful implementation and completion of the Tennessee opportunity pilot program.

*Amendment Summary:* Senate amendment 1 (014680) rewrites the bill to, instead, authorize the department of human services to enter into, or amend an existing, grant contract or other contract as necessary to ensure successful implementation and completion of the Tennessee opportunity pilot program, except that the department must not enter into or amend a contract in a manner that causes the contract to extend beyond December 31, 2026.

*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0769, effective April 23, 2024.

### SB1824/HB2074 **TAXES BUSINESS: Extension of time for filing or payment.**

*Sponsors:* Sen. Watson, Bo , Rep. Hicks, Gary

*Summary:* Allows a request for an extension of time to file a business tax return and pay the tax to be signed by the taxpayer or the taxpayer's representative. Broadly captioned.

*Amendment Summary:* House amendment 1 (018247) rewrites the bill to make the additions described below to the present law relevant to exemptions from sales and use tax for natural disaster claimants. Present law requires a claimant to be entitled to a refund equal to the total amount of Tennessee state and local sales and use tax paid by the claimant to one or more retailers as a result of the claimant's purchases of major appliances, residential furniture, or residential building supplies from such retailers. However, the total amount refunded in connection with any one residence must not exceed \$2,500. To receive a refund, a claimant may file only one natural disaster claim for refund with the department of revenue ("department"), and must file such claim for refund within one year from the date shown on the FEMA decision letter received by the claimant. The claimant must also certify on the natural disaster claim for refund form that purchases for which the refund is claimed were to replace, repair or restore property damaged in a federally declared natural disaster occurring in Tennessee. Auch refund must be made by the department directly to the claimant and must not be made by the retailer to the claimant. All natural disaster claims for refund shall include satisfactory proof of receipt of federal disaster assistance. Present law requires each claimant to keep and preserve suitable records of the purchases for which a refund is claimed. Such records must be kept and preserved for a period of three years from December 31 of the year in which the natural disaster claim for refund was filed. Such records must be open to the inspection of the commissioner, or the duly authorized delegates of the commissioner, at all reasonable hours. The commissioner of revenue has the authority to conduct audits or require the filing of additional information necessary to substantiate the amount of any refund due to the claimant. Present law authorizes the department to assess a civil penalty not to exceed \$25,000 against any person that knowingly files a false or fraudulent application for refund. Any claimant that is assessed a penalty must be entitled to the remedies provided in existing law. All refunds must be paid from the state's general fund. This amendment provides that the above present law applies to all refund claims in connection with a primary residence under this amendment; except, that: (1) A claimant is not required to include proof of receipt of federal disaster assistance; (2) The claimant must file the claim for a refund by November 1, 2024; and (3) The natural disaster certified by the claimant is not required to be a federally declared natural disaster. This amendment requires the claimant to certify that the primary residence was damaged or destroyed by a tornado that occurred during the period of April 1, 2024, to April 3, 2024, in Morgan County, or in a municipality located within such county. As used in this amendment, a "claimant" means a natural person whose primary residence was damaged or destroyed as a result of a natural disaster that occurred during the period of April 1, 2024, to April 3, 2024, in Morgan County, or in a municipality located within such county.

*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0979, effective May 21, 2024.

### SB1825/HB1733 **STATE GOVERNMENT: Prohibits a state governmental entity from contracting with or paying an entity that is a system hacker.**

*Sponsors:* Sen. Watson, Bo , Rep. Lamberth, William

*Summary:* Prohibits a state governmental entity from contracting with, negotiating with, or paying an individual or entity if the state governmental entity has proof satisfactory after a proper inquiry that the individual or entity is a system hacker. Broadly captioned.

*Amendment Summary:* House amendment 1 (013478) rewrites the bill to, instead: (1) Prohibit a state entity from submitting payment with an entity that has engaged in a cybersecurity incident on an information technology system by encrypting data and then subsequently offering to decrypt that data in exchange for a ransom payment; and (2) Require a state entity experiencing a ransom request in connection with a cybersecurity incident to immediately notify and consult with the technology and innovation division of the Tennessee bureau of investigation.

*Fiscal Note:* (Dated January 24, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Sent to House speaker for signature.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0534 effective March 7, 2024.

### SB1832/HB2226 **HEALTH CARE: Tennessee Maternal Health Equity Advisory Committee Act.**

*Sponsors:* Sen. Lamar, London , Rep. Love Jr., Harold

*Summary:* Enacts the "Tennessee Maternal Health Equity Advisory Committee Act," which creates within the department of health the Tennessee Maternal Health Equity Advisory Committee composed of 11 members appointed by the governor. Specifies that the purpose of the committee is to systematically review maternal health data, identify disparities in maternal healthcare delivery, and formulate recommendations to the department aimed at enhancing maternal health outcomes, with a specific focus on minority women and women residing in urban and rural communities within this state. Requires the committee to make recommendations to the department based on its findings. Also requires the committee to submit an annual report to the governor, the chair of the health and welfare committee of the senate, and to the chair of the house health committee summarizing its findings and recommendations.

*Amendment Summary:* Senate amendment 1 (015087) rewrites the bill to, instead, add to the composition of the Tennessee maternal mortality review and prevention team four members appointed by the commissioner of health who are from community-based organizations and include the following: (1) One member from the middle grand division of this state; (2) One member from the eastern grand division of this state; and (3) Two members from the western grand division of this state, including one member from Memphis; and one member from Jackson.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0834, effective July 1, 2024.

**SB1834/HB1663 CRIMINAL LAW: Authorization of the death penalty as a punishment for rape of a child.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes the death penalty as a punishment for rape of a child, aggravated rape of a child, or especially aggravated rape of a child.

*Amendment Summary:* Senate amendment 1 (013184) revises the punishment in the bill for the offense of rape of a child when the defendant was a juvenile at the time of the offense to punishing the defendant as a Range II offender. However the sentence imposed may, if appropriate, be within Range III, but in no case can it be lower than Range II. House amendment 2 (018241) requires an individual convicted of rape of a child be sentenced to death, imprisonment for life without possibility of parole, or imprisonment for life. Requires the sentence for a juvenile convicted of rape of a child be as a Range II offender. Authorizes a sentence of death for an individual convicted of aggravated rape of a child and especially aggravated rape of a child. Changes the age at which a person can be a victim of especially aggravated child rape, from less than 18 years old, to more than 12 years but less than 18 years. Prohibits a defendant with intellectual disability from a sentence of death for any offense.

*Fiscal Note:* (Dated January 20, 2024) Other Fiscal Impact Passage of the proposed legislation may result in future increases in expenditures to the Public Defenders Conference, Office of the Post-Conviction Defender and Indigent Defense Fund. The extent and timing of any such increases cannot be determined with reasonable certainty.

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0951, effective July 1, 2024.

**SB1836/HB1649 CAMPAIGNS & LOBBYING: Closure of schools on presidential primary election days.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Requires LEAs and public charter schools of a county to be closed for instruction on presidential primary election days if the county election commission uses such schools as a polling place.

*Fiscal Note:* (Dated January 24, 2024) NOT SIGNIFICANT

*Senate Status:* 03/07/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0573 effective March 15, 2024.

**SB1837/HB2075 STATE GOVERNMENT: Implementation of an electronic lien and title system.**

*Sponsors:* Sen. Johnson, Jack , Rep. Bricken, Rush

*Summary:* Requires the department to, on or before December 31, 2025, procure and implement an electronic lien and title system to be used throughout the state. Broadly captioned.

*Amendment Summary:* House amendment 1 (014689) rewrites the bill to, instead, (i) require the department of revenue to, on or before December 31, 2025, procure an electronic lien and title system to be used throughout the state; and (ii) revise "electronic lien and title system" to mean a program that allows the exchange of lien and title information with lienholders and is used to create, save, alter, and transfer titles to property. Senate amendment 1 (016041) revises the provision that requires the department of revenue to, on or before December 31, 2025, procure an electronic lien and title system to be used throughout the state by changing the date to June 30, 2026.

*Fiscal Note:* (Dated February 19, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0745, effective April 22, 2024.

**SB1838/HB2715 JUDICIARY: Creates one additional trial court in the 18th judicial district.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Garrett, Johnny

*Summary:* Creates one additional trial court in the 18th judicial district.

*Fiscal Note:* (Dated February 10, 2024) Increase State Expenditures \$346,200/FY24-25 \$380,100/FY25-26 and Subsequent Years

*Senate Status:* 03/13/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0600 effective March 27, 2024.

**SB1842/HB2053 JUDICIARY: Notification to TBI of final disposition of criminal proceedings.**

*Sponsors:* Sen. Walley, Page , Rep. Capley, Kip

*Summary:* Requires clerks of circuit court, criminal court, general sessions courts, other special courts created by law, and municipal courts exercising concurrent general sessions jurisdiction, to notify the Tennessee Bureau of Investigation of the final disposition in criminal proceedings within three business days of the disposition, rather than 72 hours.

*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0554 effective March 11, 2024.

**SB1843/HB2004 HEALTH CARE: Department of health to report on frequency of diagnoses of cancer and Parkinson's disease.**

*Sponsors:* Sen. Walley, Page , Rep. Leatherwood, Tom

*Summary:* Requires the department of health, in conjunction with the department of environment and conservation, to investigate reports of the inordinate frequency of diagnoses of cancer, Parkinson's disease, and other significant health-related issues in this state and, if confirmed, any environmental factors that may be associated with such diagnoses. Limits bill to certain counties based on population reference. Requires the department to report its findings to the general assembly no later than July 1, 2025.

*Amendment Summary:* Senate amendment 1 (013893) makes the following changes to the bill: (1) Removes the requirement that the department of health work in conjunction with the department of environment and conservation while investigating reports of the amount of diagnoses of cancer and Parkinson's disease, and removes the requirement that the department of health investigate other significant health-related issues in this state, as well as any environmental factors that may be associated with cancer, Parkinson's disease, and other significant health-related issues; (2) Amends the requirement that the department of health submit a report of its findings and recommendations to the health and welfare committee of the senate, the health committee of the house, the energy, agriculture and natural resources committee of the senate, and the agriculture and natural resources committee of the house no later than July 1, 2025 by removing the energy, agriculture, and natural resources committee of the senate and the agriculture and natural resources committee of the house from the list of entities to whom the report must be submitted; and (3) Adds that the information reported in (2) above must be produced in accordance with applicable state and federal law to maintain the confidentiality of individually identifiable health information.

*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0680 effective March 25, 2024.

**SB1844/HB1937 ALCOHOLIC BEVERAGES: Deletes an obsolete pilot project that expired in 2014 related to the alcoholic beverage commission.**

*Sponsors:* Sen. Briggs, Richard , Rep. Holsclaw, Jr., John

*Summary:* Deletes an obsolete pilot project that expired in 2014 related to the exchange of notifications of violations of alcohol laws between the alcoholic beverage commission and the county beer boards. Broadly captioned.

*Amendment Summary:* House amendment 1 (015307) rewrites the bill as follows: (1) Establishes that a "premier type tourist resort" also means a commercially operated facility whether open to the public or limited to members and guests that (i) is a for-profit social club, organized and existing under the laws of this state that has at least 250 members paying dues on a monthly, quarterly, annually, or other basis; (ii) is located within or adjacent to a residential development consisting of at least 275 residential units, and the club property and such residential development consists of at least two acres, inclusive of the facility; (iii) is at least 7,500 square feet with a maximum occupancy of at least 200 guests; (iv) is organized and operated to offer its members, their guests, and others a live entertainment venue, an artistic environment for networking, a unique culinary experience, and philanthropic opportunities; (v) does not discriminate against members, potential members, or guests of such members on the basis of age, gender, race, religion, or national origin; and (vi) is located in Davidson County; (2) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) offers a versatile, mixed-use event venue to host live performances, small workshops, community events, professional development conferences, continuing education seminars, and oral histories; (ii) is located in a historic downtown building in a previous professional office consisting of 3,977 square feet; (iii) offers restaurant seating for approximately 40 to 60 patrons, with additional patio seating for approximately 15 patrons; (iv) contains a singer-songwriter listening room and a dedicated storytelling venue; and (v) is located in Davidson County; (3) Establishes that a "premier type tourist resort" also means a commercially operated bed and breakfast establishment that (i) was established in 2020 on approximately .5 acre and contains approximately 12,324 square feet of building space; (ii) includes a former church that was built in 1895 with chapel seating for 200 persons; (iii) has at least six rooms available for overnight accommodations and seating for at least 50 in a restaurant, 50 on a patio, and 20 in a lounge; (iv) is a venue for weddings, community events, and musical performances; and (v) is located in Gibson County; (4) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) was established in 2021 on approximately 60 acres; (ii) includes a hotel with at least 13 rooms, day spa facility, hiking trails, and indoor and outdoor event spaces; (iii) is used for weddings, corporate meetings, and other events; and (iv) is located in Scott County; (5) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) was established in 1963 and is situated on approximately 0.57 of an acre; (ii) contains approximately 4,000 square feet; (iii) operates a restaurant with seating for approximately 75 patrons and patio seating for approximately 50 patrons; (iv) contains an outdoor patio and music venue with two stages for live music with stage and sound equipment; (v) serves as a venue for private events, concerts, and community events; (vi) is situated approximately 2,000 feet North of Big Spring Creek between Highway 46 and Tidwell Loop; and (vii) is located in Hickman County; (6) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) was established in 2019, is situated on approximately 22.5 acres, and contains facilities with approximately 3,914 square feet; (ii) is an outdoor hospitality resort with a community building, a pool, a slide, a barn, and tiny home, RV, and glamping tent rentals; (iii) operates a restaurant or food service with seating for at least 12 patrons and patio seating for an additional 32 patrons; (iv) was formerly operated as a farm and a campground, and that has a facility theme reflecting that history consistent with farm heritage and outdoor recreation; (v) serves as a periodic event venue; (vi) offers recreational activities, including camping, fishing, kayaking, biking, and hiking; (vii) offers approximately seven rooms for lodging; (viii) is located within 500 feet to the East of the Piney River off of Piney River Road North; and (ix) is located in Hickman County; (7) Establishes that a "premier type tourist resort" also means a commercially or privately operated recreational facility that (i) is located at the confluence of Rutherford and Aeon creeks and is named after an indigenous sparrow; (ii) operates a golf course having at least 18 holes for use by its members and their guests and that may also be open to the public; (iii) has at least 225 dues-paying members who pay dues of at least \$300 per year; (iv) operates a clubhouse with not less than 5,000 square feet with a suitable kitchen, dining facilities, and equipment, serving at least one meal daily, at least five days a week; (v) does not discriminate against a person on the basis of age, gender, race, religion, or national origin; and (vi) is located in Maury County; and (A) Establishes that the premises of a facility licensed as a premier type tourist resort means any or all of the property that constitutes the facility. The licensee must designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; (B) Establishes that the premises of a facility licensed as a premier type tourist resort means, for beer permitting purposes, any or all of the property that constitutes the facility as designated in present law relative to premier type tourist resorts. The licensee must designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and (C) Authorizes a facility licensed as a premier type tourist resort to grant a franchise for the provision of food or beverages, including alcoholic beverages, on its premises, and the holder of such franchise is deemed to be a license; (8) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) is situated on approximately 148 acres between Interstate 40 and Rocky Branch surrounding Genesis Lake; (ii) operates an eighteen-hole golf course with a clubhouse, pro shop, and driving range; (iii) includes a restaurant with approximately 6,000 square feet with seating for 112 patrons, patio seating for approximately 40 patrons, and bar seating for 35 patrons; (iv) serves as an event venue for parties, reunions, engagements, weddings, and similar events; and (v) is located in Cumberland County; (9) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) operates as a hotel and is located in a historic building constructed in 1898 that originally served as a shoe store and became a jewelry store in 1908, for which the building is named; (ii) offers sleeping accommodations for adequate pay to travelers and guests, whether transient, permanent, or residential, totaling 12 or more rooms; (iii) has a restaurant where

meals are regularly served with one or more public dining rooms, adequate and sanitary kitchen facilities, and seating at not less than 40 tables; (iv) is located less than 500 feet from a historic theater that first opened in 1928 as a movie theater and is operated by a nonprofit organization as a performing arts center; (v) is located less than 400 feet from a historic market square founded prior to 1860; and (vi) is located in Knox County; and (A) Requires that a facility licensed as a premier type tourist resort comply with all the requirements of state law relative to consumption of alcoholic beverages on premises and is subject to the restrictions imposed upon licenses; and (B) Authorizes a facility licensed as a premier type tourist resort to grant a franchise for the provision of food or beverages, including alcoholic beverages, on its premises, and the holder of such franchise is deemed to be a licensee; (10) Establishes that a "premier type tourist resort" also means a commercially operated facility that (i) operates a recreation and event center situated on approximately 33 acres within approximately one mile of the Merchant's Greene Shopping Center; (ii) was established in 2023; (iii) has approximately 115,000 square feet of facility space; (iv) has a patio of approximately 4,516 square feet; (v) serves as a community event center, an athletics venue, and meeting and conference venue; (vi) hosts parties, weddings, board meetings, lunch and learn events, expositions, fitness classes and training, tournaments, athletic activities, and job fairs; (vii) is newly constructed with modern amenities designed to recognize the importance of local aviation history; and (viii) is located in Hamblen County; (11) Establishes that an "urban park center" also means a facility or designated area that (i) is located at the former site of a 1.5 million-square-foot warehouse that was part of a chain of retail department stores that was once the nation's largest retailer and was the municipality's largest employer; (ii) is located on approximately one acre of real property adjacent to a nineteen-acre mixed-use development that offers multi-family housing, commercial offices, restaurants, and retail stores; (iii) is an entertainment complex with at least one facility having a capacity for at least 500 patrons that is used for live music performances; and (iv) is located in Shelby County; and (A) Authorizes an urban park center licensed as such to grant a franchise for the provision of food or beverages, including alcoholic beverages, on its premises, and the holder of such franchise is deemed to be an urban park center; (B) Establishes that the premises of a facility licensed as an urban park center means any or all of the property that constitutes the facility. The licensee must designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one license; and (C) Establishes that the premises of a facility licensed as an urban park center means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee must designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one beer permit; (12) Requires that "urban park centers" pay an annual privilege tax of \$4,000 to be earmarked for and allocated to the commission for the purpose of administration and enforcement of the duties, powers, and functions of the alcoholic beverage commission; NOTE: Sec. 13 refers to 57-4-104(28), but seems to mean to refer to 57-4-102 (28). (13) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) was established in 2023 and is situated on 125 acres; (ii) operates a golf course, clubhouse, pro shop, pool, and maintenance barn; (iii) operates a restaurant with seating for 80 patrons and additional patio seating for 20 patrons, situated in a building with approximately 4,500 square feet; (iv) serves as a sports, entertainment, and mixed-use venue that hosts golf tournaments, weddings, birthdays, anniversaries, and similar events; (v) is located within 20 miles of the Great Smoky Mountains National Park and the Cherokee National Forest, and approximately 4,000 feet west of the Pigeon River; and (vi) is located in Cocke County; (14) Establishes that a "premier type tourist resort" also means commercially operated facility that (i) was established in 2023 on 46 acres on the shores of Watts Bar Lake; (ii) contains a marina with at least 100 boat slips, sites for at least 145 recreational vehicles, a gas dock, a pool, laundry and bathing facilities, a store, and a restaurant with indoor seating for at least 18 patrons and outdoor seating for at least 30 patrons; and (iii) is located in Roane County; and (A) Establishes that the premises of a facility licensed as a premier type tourist resort means any or all of the property that constitutes the facility. The licensee must designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The designated premises may include property owned or leased by the facility and property that is contiguous to the property of the facility. The entire designated premises is covered under one license; (B) Establishes that the premises of a facility licensed as a premier type tourist resort means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee must designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one beer permit; (C) Authorizes a facility licensed as a premier type tourist resort to obtain a license as a caterer; (D) Authorizes a facility licensed as a premier type tourist resort to grant a franchise right to one or more entities that can hold a caterer's license; (E) Authorizes a facility licensed as a premier type tourist resort to deliver alcoholic beverages to any area within the licensed premises of the facility; and (F) Establishes that a facility licensed as a premier type tourist resort is not required to meet a gross revenue percentage requirement for food service as a prerequisite to the issuance of a license to serve liquor by the drink; however, a facility applying for the renewal of its license must pay the appropriate license fee due when the gross revenue from the previous year derived from food sales is 50 percent or less than the gross revenue from the sale of alcoholic beverages; (15) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) operates a restaurant that is open to the public in the clubhouse of a golf course; (ii) contains a commercial-grade kitchen and seating for at least 85 persons inside of the clubhouse at tables; (iii) overlooks a golf course which is bordered by State Highway 55 between Harvest Farm Lake Road and Lakeland Drive; (iv) does not discriminate against any patron on the basis of gender, race, religion, or national origin; and (v) is located within Warren County; and (A) Authorizes a licensee to grant a franchise for the provision of food or beverages, including alcoholic beverages, on its premises, and the holder of the franchise is deemed to be a licensee; (16) Establishes that a "premier type tourist resort" also means a commercially operated facility that is located within a downtown art district that meets all of the requirements under state law for a restaurant or limited service restaurant other than the applicable seating requirements; however, such facility must have seating for at least five patrons at tables; and (A) Requires the company that owns the property within the downtown art district to designate the premises of the downtown art district by filing a drawing of the premises with the commission, which may be amended to expand or contract from time to time by the company filing a new drawing with the commission; (B) Authorizes the downtown art district to also include art studios. An art studio that does not sell food or beverages and 90 percent of its revenue is from the sale of art created within the art studio may serve beer and wine to visitors to such art studio without a charge. Such art studio must not serve beer or wine to a patron who is intoxicated or believed to be intoxicated. Such art studio does not need to offer the retail sale of art at the art studio. An art studio permitted to serve beer and wine is not required to pay any fees or taxes related to the privilege of serving beer and wine; (C) Requires each facility licensed as a premier type tourist resort to designate an exclusive licensed premises and any non-exclusive common areas in the downtown art district by filing a drawing of the exclusive licensed premises and the non-exclusive common areas in the downtown art district with the commission, which may be amended by filing a new drawing. The non-exclusive common areas may include contiguous and non-contiguous seating areas with or without table service, bars to serve alcoholic beverages, and may deliver alcoholic beverages to any area within its licensed premises, subject to limitations imposed by the lease, which may specify the times, the locations, and other restrictions on the service of alcoholic beverages and beer. The non-exclusive common areas may include art studios, public sidewalks, and the alley identified in \_\_\_\_\_. Barriers controlling the ingress and egress of the downtown art district are not required as long as adequate security, signage, or other measures sufficient to deter customers from leaving the facility and premises with alcoholic beverages are used and maintained; (D) Establishes that a facility licensed as a premier type tourist resort does not have to use labeled cups and glassware inside the

exclusive licensed premises. The service of alcoholic beverages and beer outside the exclusive licensed premises, or consumed by guests outside the exclusive licensed premises, must otherwise be in compliance with the requirements state law relative to premises on which certain alcohol sales and consumption are authorized; however, a sticker identifying the facility selling such beverage, which is reasonably designed to stay affixed to an original container, is deemed to comply with state law; (E) Establishes that the premises licensed as a premier type tourist resort means, for beer permitting purposes, any or all of the property that constitutes the premises. The licensee must designate the premises to be permitted by the local beer board by filing a drawing of the premises with such board, which may be amended by the licensee filing a new drawing. The entire designated premises are covered under one beer permit; (F) Authorizes the licensee and any other entity licensed as a premier type tourist resort that holds a beer permit issued by the local beer board to, upon filing notice with the beer board, share a common permitted area; (G) Establishes that any and all terms of state law relative to premier type tourist resorts that apply to licensees also apply to the beer permits of such licensees; and (H) Establishes that facility licensed as a premier type tourist resort is not required to meet the seating or restroom requirements imposed by the local municipality or beer board; (I) Establishes that each licensee under state law relative to premier type tourist resorts is independently liable for violations committed by such licensee or art studio, and a separate licensee must not be held liable for the actions of another licensee or art studio. This (I) applies to actions brought by the commission and the local beer board; (J) Establishes that as used in this (16), the following meanings apply: (i) "art studio" means a work space for artists that is located in the downtown art district; and (ii) "downtown art district" means an area with specific boundaries that possesses the following characteristics: (a) One square block bounded by Fourth Avenue North, Church Street, Representative John Lewis Way, and Union Street, excluding the following properties known as: (AA) Lots 2, 3, 6, 7, and 8 from the plan of Nichol Heirs subdivision of part of Lot 76 of the urban services district; (BB) Lot 1, known as the Third National Bank Tower; (CC) Part of Lot 65 of the urban services district at the corner of Fourth Avenue North and Church Street; and (DD) Part of Lot 64 of the urban services district at the corner of Fourth Avenue North and Union Street; (b) Includes an interior plaza with entrances located at Fourth Avenue and Representative John Lewis Way that is marked by identical Palladian facades and was once known as Overton Alley; (c) Includes the section of the alley named for the interior plaza marked by identical Palladian facades parallel to Fourth Avenue and Representative John Lewis Way that extends from Union Street to the southern end of the property known by the municipal tax assessor tax map and parcel number as 09306105500. The alley may be used for the purpose of guests carrying properly labeled open containers of beer or alcoholic beverages, or for such other purposes as may be allowed by the municipality, including tables, chairs, table service, and bars serving beer and alcoholic beverages in the alley; (d) Includes sidewalks connecting the structures in the downtown arts district for the limited purpose of guests carrying properly labeled open containers of beer or alcoholic beverages between licensed establishments; (e) Does not discriminate against any guest on the basis of age, gender, race, religion, or national origin; and (f) Is located in Davidson County; and (K) Requires a facility licensed as a premier type tourist resort that has seating for between five and 20 patrons at tables to pay an annual license fee of \$650 and a one-time application fee of \$300; (17) Establishes that "premier type tourist resort" also means a commercially operated facility that, upon completion of construction, which may occur in phases, (i) is located on approximately 4.18 acres of real property that is less than 250 feet from a navigable waterway and connected to a municipal greenway; (ii) offers between 200,000 square feet and 300,000 square feet of office space in two buildings and between 325 and 375 residences in a single building; (iii) is located less than 100 feet from a municipal garage constructed beginning in 1939 and partially funded from a federal works progress administration appropriation; (iv) is located less than 100 feet from a municipal district energy system originally constructed in 1974 to convert solid waste to steam for heating and cooling buildings; and (v) is located less than 250 feet from a bridge constructed beginning in 2001 that crosses a navigable waterway; (vi) does not discriminate against any guest on the basis of age, gender, race, religion, or national origin; and (vii) is located in Davidson County; and (A) Authorizes an agent to hold a license for a premier type tourist resort, and may offer food items for sale and seating for its customers, but is not required to do so. The agent may grant a franchise for such privileges. The agent is not required to hold a license in order for licenses to be issued to plaza restaurants; (B) Requires that each plaza restaurant be granted an exclusive licensed premises, and also have such rights to serve alcoholic beverages and beer on the plaza as designated by the agent, which is collectively the licensed premises of each plaza restaurant. Barriers controlling the ingress and egress to the exclusive licensed premises are not required as long as the plaza restaurant has adequate security, signage, or other measures to reasonably deter customers from leaving the exclusive licensed premises with alcoholic beverages or beer. Each plaza restaurant is responsible for alcoholic beverages and beer leaving the exclusive licensed premises. Each plaza restaurant must submit a diagram to the commission which identifies the exclusive licensed premises and all portions of the plaza on which the plaza restaurant intends to have the right to sell alcoholic beverages and beer, which is collectively the licensed premises, and which may be amended by the plaza restaurant filing a new drawing. A plaza restaurant may have exclusive or non-exclusive use of contiguous and non-contiguous seating, including table service, may set up bars to serve alcoholic beverages and beer, and may deliver alcoholic beverages and beer to any area within its licensed premises, subject to limitations imposed by the agent. The agent may specify the times, locations, alcoholic content, and container size for purposes of alcoholic beverages and beer sold on the premises, and may impose any other restrictions on the service of alcoholic beverages and beer by plaza restaurants on the plaza; (C) Establishes that the premises licensed as premier type tourist resorts by the agent and each plaza restaurant means, for beer permitting purposes, any or all of the property that constitutes the premises. The licensee must designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises are covered under one beer permit. The licensee and any other entity in the plaza that holds a beer permit issued by the local beer board may, upon filing notice with the beer board, share a common permitted area on the premises of the plaza. The terms that apply to alcoholic beverage licensees also apply to beer permittees; (D) Establishes that except for alcoholic beverages and beer sold or served directly to consumers by the agent through the agent's employees, the agent does not have any liability for an injury, damage, loss, or claim based on the action or inaction of a plaza restaurant or franchisee, or agents, contractors, or employees of such plaza restaurant or franchisee, including those arising under theories of negligent hiring, negligent retention, or vicarious liability for alcoholic beverages or beer served or otherwise provided under any license issued for a premier type tourist resort; (E) Authorizes the agent and a plaza restaurant licensed as a premier type tourist resort to serve wine, high gravity beer, and alcoholic beverages in original containers that do not exceed 375 milliliters and an alcohol content that does not exceed 15 percent by volume, for on-premises consumption. The agent and a plaza restaurant licensed as a premier type tourist resort may serve beer in original containers not to exceed 750 milliliters; (F) Establishes that the agent does not have to use labeled cups and glassware. A plaza restaurant does not have to use labeled cups and glassware inside the exclusive licensed premises. Alcoholic beverages and beer served by a plaza restaurant outside the exclusive licensed premises, or consumed by guests outside the exclusive licensed premises, are subject to the requirements of state law relative to alcohol consumption on premises; however, a sticker identifying the plaza restaurant, which is reasonably designed to stay affixed to an original container, is deemed to comply with such law. A plaza restaurant may prohibit from the exclusive licensed premises food, beer, or alcoholic beverages that were not purchased from the licensee; (G) Establishes that each separate operating entity, whether the agent, a plaza restaurant, or a franchisee, is independently liable for violations committed by a respective licensee, and another licensee must not be held liable for the actions of another licensee, which applies to actions brought by the commission and the beer board; (H) Authorizes a plaza restaurant or agent licensed as a premier type tourist resort that also holds a catering license may file a notice for a catered event at an adjacent premises, including upon the

municipal greenway with the consent of the parks and recreation board, and alcoholic beverages and beer may be carried between the plaza, greenway, or other adjacent premises. The plaza, greenway, and adjacent premises must be deemed as one licensed premises for the duration of the catered event; (I) Establishes that a plaza restaurant licensed as a premier type tourist resort is not required to meet any gross revenue percentage requirements for food service as a prerequisite to the issuance of a plaza restaurant license to serve liquor by the drink, and the license fee for a plaza restaurant must be based upon seating; however, a plaza restaurant applying for renewal of its license must pay the appropriate license fee due when the gross revenue from the previous year derived from food sales is 50 percent or less than the gross revenue from the sale of alcoholic beverages. The license fee for an agent or its franchisee is that amount prescribed by state law; and (J) As used in state law relative to premier type tourist resort, the following meanings apply: (i) "agent" means the property owner of the facility or its designee, as may be designated from time to time by filing notice with the commission; (ii) "plaza" means all areas of the facility designated by the agent by the filing of a drawing of the plaza with the commission, which may be amended by the agent filing a new drawing. A plaza may contain areas that are separated by sidewalks or other public or private rights-of-way; and (iii) "plaza restaurant" means the holder of a franchise granted by the agent that offers prepared food items for sale, seating for its customers, and is licensed as a premier type tourist resort; (18) Establishes that "premier type tourist resort" also means a commercially operated restaurant that (i) was established in 2021 and is situated on approximately 1.5 acres; (ii) has approximately 1,500 square feet; (iii) has seating for approximately 57 patrons and additional patio seating for approximately 54 patrons; (iv) is located approximately 10 miles from the Piney River and Canoe Camp, and approximately two miles from Storytellers Museum; and (v) is located in Dickson County; (19) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) is a restaurant and private club; (ii) is located on real property on the southern corner of Fourth Avenue South and Molloy Street; (iii) includes a building that is no less than three stories tall; (iv) contains a restaurant with at least 15 seats combined, both indoors and outdoors, that serves meals on a weekly basis, except during closures for private groups or events and during general maintenance and remodeling by the owners or managers, if food services are available during times that alcoholic beverages are being served; and (v) is located in Davidson County; and (A) Authorizes a facility licensed as a premier type tourist resort to obtain a private club license from the commission and a beer permit, and sell alcoholic beverages and beer to members and guests on an exclusive basis, and allow access to the private club to be on a limited basis, and not accessible to the general public; (B) Authorizes a facility licensed as a premier type tourist resort to provide alcoholic beverage services to patrons or allow private locker services to members as permitted by the commission, and provide bottle service to members, subject to complying with age requirements and preventing overconsumption by patrons; (C) Requires a facility licensed as a premier type tourist resort to designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; (D) Authorizes a facility licensed as a premier type tourist resort to obtain a license as a caterer; (E) Authorizes a facility licensed as a premier type tourist resort to designate the third floor of the facility as a cigar lounge for the use of private club patrons who are 21 or older; and (F) Requires the facility to provide adequate security during the regular hours of operation; (20) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) is located within a designated area inside of a historic brick building, originally constructed prior to 1910, in the Victorian eclectic commercial style of architecture; (ii) is located west of the Cumberland River; (iii) is included or has been included in an area designated by the United States department of the interior as the Broadway Historic District; (iv) upon the completion of construction, which may occur in phases, offers an indoor dining and hospitality experience and any outdoor rooftop dining and hospitality experience overlooking Broadway; and (v) is located in Davidson County; and (A) Establishes the following in relation to facilities and individual licensees located within such designated area and licensed as premier type tourist resorts (i) may offer prepared food items for sale and seating for its customers but are not required to do so; (ii) may include in its licensed premises, solely for purposes of on-premises consumption of alcoholic beverages, any or all of the property that constitutes the facility, and the building in which the facility is located, which may include other separately licensed premises located within the boundaries of the facility, its restaurants, or other food service establishments that are not licensed; (iii) are not required to be contiguous; (iv) are not required to contain barriers controlling the ingress and egress of the facility or such separate premises located in the same building as the facility if adequate security or other measures sufficient to prevent customers from leaving such facility and premises with alcoholic beverages are used and maintained; (v) do not have to use labeled cups and glassware, but must serve alcoholic beverages and beer in compliance with the requirements of state law, which must include affixing a sticker to the alcoholic beverage or beer container in lieu of serving the beverage in a labeled cup or glassware; however, a sticker identifying the franchisee or licensee, which is reasonably designed to stay affixed to a container, is deemed to comply with state law; (vi) must submit a diagram to the commission that details any portion of the facility where the licensee intends to serve alcoholic beverages; (vii) may serve wine, high gravity beer, and beer in its original container, and spirit-based beverages in original containers that do not exceed 375 milliliters with an alcohol content that does not exceed 15 percent by volume, for on-premises consumption; (viii) may be open to the public or to only members and authorized guests of members; and (ix) may offer to members secure alcoholic beverage lockers for the storage of bottles of alcoholic beverages, if the design and plan for the lockers is approved by the commission; and (B) Authorizes a facility located within a designated area, irrespective of whether or not the facility is licensed as a premier type tourist resort, to apply for and obtain a catering license and is exempt from the requirement to have a complete and adequate commercial kitchen facility. A licensee located in such a facility is not required to obtain a catering license in order to sell or serve alcoholic beverages or beer in any portion of the building in which the facility is located. If a licensee wishes to serve alcoholic beverages in the facility and outside of the licensee's licensed premises, the licensee must provide notice to the commission of the dates of service and the location of any areas of service; (C) Prohibits construing state law relative to premier type tourist resorts to prohibit a person or entity located within the facility from obtaining any other license under this title that the person or entity is eligible to obtain pursuant to law; (D) Establishes that each individual licensee on the facility premises or in the building in which the facility is located is independently liable for violations committed by such licensee, and a separate licensee or unlicensed business must not be held liable for the actions of another licensee; (E) Establishes that the premises of a licensee means for beer permitting purposes any or all of the premises that constitutes the facility. The provisions state law relative to premier type tourist resorts that apply to alcoholic beverage licensees also apply to beer permittees; and (F) Authorizes a licensee licensed to hold any of the licenses authorized under state law relative to premier type tourist resorts and a beer permit, or to grant a franchise to one or more entities for any or all such licenses or beer permits. The facility may also contract with a third party for the management of all of the facility's food and beverage operations and service, or for a portion of the facility's food and beverage operations and service, which contracting does not require the licensure of the third-party management company; (21) Removes from present law the definition of "club" as meaning a for-profit membership-based social club, organized and existing under the laws of this state, that is located in the municipalities of Memphis or Nashville, and further possesses the following characteristics: (A) Is located within a building containing three floors and a rooftop area, totaling approximately six thousand square feet 6,000 square feet that houses a bar, coffee bar, cigar lounge with lockers, meeting and relaxation space, conference rooms, private call rooms, and workstations; (B) Is within a central business improvement district as of 2020; (C) Is organized and operated exclusively for offering an upscale business club environment for learning and networking, where members receive exclusive access to amenities and opportunities in the city; (D) Has at least 10 members paying monthly or annual dues, as of January 1, 2020, with a copy of membership applications on file on the premises and that issues to its members a proximity reader security access card which authorizes admittance of the member and bona fide guests of such member; (E) Offers its members the ability to



purchase all club-related services and experiences through cash or credit card; (F) Offers its members access to multiple locations across the United States, each tailored to its city and located in prime business districts, and offers its members access to experience specialists, who arrange for its members' needs, ranging from dinner reservations, vacation rentals, and unique travel amenities and luxury experiences; and (G) Does not discriminate against members or potential members or bona fide guests of such members on the basis of gender, race, creed, color, sex, age, religion, or national origin; (22) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) is a for-profit membership-based social club, organized and existing under the laws of this state, that is located in Davidson County; (ii) is located within a building containing three floors and a rooftop area, totaling approximately 6,000 square feet per floor that houses a bar, lockers, meeting and relaxation space, and conference rooms; (iii) is within a central business improvement district as of 2024; (iv) is organized and operated exclusively for offering an upscale business club environment for learning and networking, where members receive exclusive access to amenities and opportunities in the city; (v) has at least 10 members paying monthly or annual dues, as of January 1, 2024, with a copy of membership applications on file on the premises, and that issues to its members a proximity reader security access card which authorizes admittance of the member and bona fide guests of such member; (vi) offers its members the ability to purchase all club-related services and experiences through cash or credit card; (vii) offers its members access to multiple locations across the United States, each tailored to its city and located in prime business districts; (viii) does not discriminate against members or potential members or bona fide guests of such members on the basis of gender, race, creed, color, sex, age, religion, or national origin; (ix) may be open to the public or may limit access to areas within the premises to members only; and (x) the premises of which include all floors of the singular building constituting the club, whether contiguous or not, and connected through stairwells and elevators; the rooftop area; and any area within the building designated by the club in its application for licensure for consumption of alcoholic beverages on the premises; (23) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) operates a motor speedway with an asphalt racetrack that is 0.4 of a mile long, and an event center on approximately 32 acres; (ii) was established in 1977; (iii) has renovated concession stands and restrooms, and building space of approximately 3,000 square feet; (iv) offers patio seating for 200 patrons and concrete seating for an additional 2,200 patrons; (v) serves as an event venue for outdoor concerts, car shows, festivals, and community events; and (vi) is located in Cocke County; (24) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) was established in 2023 on approximately 33 acres that contains a lodge, a bunkhouse, a café, and bar with seating for at least 40 patrons, a bath house, a twenty-stall horse barn, and a sand riding arena; (ii) provides accommodations for guests, musical entertainment, space for private events, hiking trail access to the Cherokee National Forest, and pastures for horses; and (iii) is located in Cocke County; (25) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) was established in 2022 on 1.5 acres in a building containing at least 20,000 square feet that dates to the 1940s and was originally a grocery store; (ii) has seating for at least 120 patrons in the restaurant and seating for an additional 25 patrons outside the restaurant and contains a stage, bar, brewery, kitchen, and taproom; and (iii) is located in the municipality of Harriman; (26) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) operates a bed and breakfast establishment; (ii) is located within one mile of the Great Smoky Mountains National Park and situated on a tract or combination of contiguous tracts totaling not less than one acre; (iii) is adjacent to a trolley stop and a cemetery, and is situated between Winfield Heights Drive and Ski Mountain Road; (iv) offers lodging for at least 12 patrons in unique overnight rooms; (v) does not discriminate against patrons based on age, gender, race, religion, or national origin; and (vi) is located within Sevier County; and (A) Establishes that the premises of a facility licensed as a premier type tourist resort means any or all of the property that constitutes the facility. A licensee must designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and (B) Establishes that the premises of a facility licensed as a premier type tourist resort means, for the purpose of obtaining a beer permit, any and all of the property that constitutes the facility. The licensee must designate the premises to be licensed by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing; (27) Establishes that a "premier type tourist resort" also means commercially operated facility that (i) was established in 2012 on four acres that contains a coffee shop and a restaurant with indoor seating for at least 90 patrons and outdoor seating for at least 20 patrons; (ii) contains an event space used for private parties, wedding showers, and other similar events; and (iii) is located approximately 1,000 feet from Douglas Lake in Jefferson County; (28) Establishes that "premier type tourist resort" also means a commercially or privately operated recreational facility that (i) is situated on one or more parcels of land that totals at least 360 acres; (ii) has some or all of the facility located within two miles of Interstate 24 and within two miles of Briley Parkway; (iii) operates a golf course having at least 18 holes for use by its members and their guests; (iv) has at least 100 dues-paying members who pay dues of at least \$3,000 per year; (v) operates a building with not less than 5,000 square feet with suitable kitchen, dining facilities, and equipment, serving at least one meal daily, at least five days a week except for during seasonal closures; (vi) does not discriminate against any person on the basis of age, gender, race, religion, or national origin; and (vii) is located in Davidson County; and (A) Establishes that the premises of a facility licensed as a premier type tourist resort means any or all of the property that constitutes the facility. The licensee must designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; (B) Establishes that the premises of a facility licensed as a premier type tourist resort means, for beer permitting purposes, any or all of the property that constitutes the facility. The licensee must designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; (C) Authorizes a facility licensed as a premier type tourist resort to serve alcoholic beverages and beer anywhere on the premises, including to occupants of cottages and other overnight accommodations located on the premises; (D) Authorizes a facility licensed as a premier type tourist resort to include as part of the overnight accommodations the provision of up to four 750 milliliter or smaller complimentary sealed packages of wine or alcoholic beverages for which all applicable taxes have been paid; (E) Authorizes a facility licensed as a premier type tourist resort to dispense sealed alcoholic beverages and beer to adult guests staying in overnight accommodations at the facility through locked, in-room units. Distilled spirits so dispensed must be in bottles not exceeding 50 milliliters. A person under 21 must not be issued or supplied with a key for such units; (F) Authorizes a facility licensed as a premier type tourist resort to offer self-service of beer at one or more locations on the premises with an honor system for use only by members and who are 21 and older and limited to cans and bottles up to 16 ounces; and (G) Authorizes a facility licensed as a premier type tourist resort to grant a franchise for the provision of food or beverage, including alcoholic beverages, on its premises, and the holder of such franchise is deemed a licensee; (29) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) is a historic movie theatre purchased in 2014 for renovations and that received its occupancy permit in 2023; (ii) is situated on 0.14 of an acre; (iii) is comprised of 5,533 square feet; (iv) has seating for 80 patrons and additional balcony seating for 45 patrons; (v) serves as an event venue for public and private events, including concerts, plays, movies, comedy routines, weddings, retirement and birthday parties, and similar events; and (vi) is located in the municipality of Smyrna; (30) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) was established in 2006 on approximately 50 acres; (ii) operates a marina, campground, restaurant, bar, store, and fuel station; (iii) has restaurant seating for 50 patrons; (iv) offers live music events, camping, boat rentals, and transient boat slips; and (v) is located adjacent to Norris Lake in Anderson County; and (31) Establishes that "premier type tourist resort" also means a commercially operated facility that (i) was established on June 11, 2021; (ii) is situated on at least 18 acres along the western edge of a bluff that rises more than 1,000 feet above the valley to the east of the bluff; (iii) has occupancy for at least 28 guests in the form of at least eight dome units and at least two

treehouse units; (iv) has a stream traversing the property with at least two waterfalls and bluff views; (v) is situated less than two miles from the Sequatchie River, between eight and nine miles from a bend in Nickajack Lake, and less than three miles from the Chimneys State Natural Area; and (vi) is located in Marion County; and (A) Establishes that premises of a facility licensed under this (31) means any and all of the property that constitutes the facility. A licensee must designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and (B) Authorizes a facility licensed under this (31) to engage in any activity related to the sale, dispensing, or giving away of alcoholic beverages and beer authorized under the authority granted to a hotel licensed under state law, notwithstanding that the facility is not located in a jurisdiction that has approved the consumption of alcoholic beverages on the premises by referendum. A facility licensed under this (31) may deliver sealed bottles and cans of alcoholic beverages and beer to any area within the licensed premises of the facility. House amendment 2 (017261) also establishes Southern Turf as a "premier type tourist resort." House amendment 3 (018857) makes a technical correction. Senate amendment 2 (015311) authorizes locations to sell alcoholic beverages for on-premises consumption including: Electric Jane, The Bard Room, Magnolia Manor, Timber Rock Lodge, Deer Creek Golf Club/ Grundy's Bar and Grill, Dillenger's, The Hideout, Piney River Resort, Towhee Club, Hotel Cleo and Lilou Restaurant, Morristown Landing, Rockwood Marina and RV Resort, The Arcade Downtown, Nashville City club, Javi's Restaurant, Peabody Union, Raising Cane's Bar, The Blue Parrot Supper Club, Murdock's/ McMinnville Country Club, Crosstown Memphis, Smokey Mountain Country Club, Newport Speedway and Event Center, Tri Dog Brewery, The Farm, Briggs Brothers' Ranch and Winery, The Timber at Holly Branch, Stardust Marina, (Dated February 20, 2024) NOT SIGNIFICANT, and The Register. Seante amendment 3 (017261) authorizes the Southern Turf Club.

*Fiscal Note:*

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1024, effective May 28, 2024.

**SB1846/HB1787 PUBLIC FINANCE: Rating services that grade potential investments for idle funds of local governments.**

*Sponsors:* Sen. Stevens, John , Rep. Baum, Charlie

*Summary:* Specifies that the ratings services that grade potential investments for idle funds of local governments be nationally recognized statistical rating organizations as identified by the United States securities and exchange commission.

*Fiscal Note:* (Dated January 25, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0538 effective March 7, 2024.

**SB1853/HB2059 EDUCATION: Number of credits a student may earn in a work-based learning program.**

*Sponsors:* Sen. Lowe, Adam , Rep. Hicks, Tim

*Summary:* Increases from three to six the maximum number of credits a student may earn in a work-based learning program in one school year. Broadly captioned.

*Amendment Summary:* House amendment 1 (013764) rewrites the bill to, instead, establish that in a work-based learning program, a maximum of six credits may be earned in one school year. At least one credit must be earned through related classroom experience, which must include a minimum of two periods per week of classroom instruction. A minimum of five hours per week of supervised work experience is required for each additional credit earned. Students earning credits for work experience must be supervised by a certified work-based learning coordinator. Additionally, work-based learning programs must adhere to all state and federal child labor laws.

*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Signed by House speaker.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0543 effective March 7, 2024.

**SB1859/HB1920 CRIMINAL LAW: Extends the percentage of a misdemeanor sentence a defendant may be required to serve.**

*Sponsors:* Sen. Rose, Paul , Rep. Lamberth, William

*Summary:* Extends the percentage of a sentence a court may require a defendant to serve for a misdemeanor offense from 75% to 100%.

*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0743, effective April 22, 2024.

**SB1860/HB1950 VETERANS & MILITARY AFFAIRS: Designates June 6 as a day of special observance for D-Day.**

*Sponsors:* Sen. Pody, Mark , Rep. Clemmons, John

*Summary:* Designates June 6 as a day of special observance for D-Day.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0601 effective March 27, 2024.

**SB1862/HB1863 PROFESSIONS & LICENSURE: Dietitian Licensure Compact.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Faison, Jeremy

*Summary:* Establishes the Dietitian Licensure Compact for the purpose of increasing public access to dietetics services and for the purpose of providing opportunities for interstate practice by licensed dietitians who meet uniform requirements. Specifies that nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license. Also specifies that at no point shall the compact commission have the power to define the requirements for the issuance of a single state license to practice dietetics. The member states shall retain sole jurisdiction over the provision of these requirements. Specifies requirements for applicants to exercise compact privilege, including education requirements for dietitians. Specifies requirements for dietitians who are active military members or their spouses. Establishes the dietitian licensure compact commission and specifies membership requirements (35pp.).

*Amendment Summary:* Senate amendment 1 (013319) authorizes the department of health, in consultation with the board of dietitian/nutritionist examiners, to promulgate rules to implement this compact, and requires the chair of the board of dietitian/nutritionist examiners to notify the chairs of the government operations committees of the senate and the house of representatives, and the revisor of statutes, within 30 days of the date the compact comes into effect.

*Fiscal Note:* (Dated February 3, 2024) Other Fiscal Impact - A precise fiscal impact cannot be determined, but expenditures to the Board of Dietitian/Nutritionist Examiners are reasonably estimated to exceed \$10,000 for participation once the compact goes into effect. Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Dietitian/Nutritionist Examiners had a surplus of \$39,354 in FY21-22, a surplus of \$33,535 in FY22- 23, and a cumulative reserve balance of \$ \$372,921 on June 30, 2023.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1025, effective May 28, 2024 & January 1, 2026.

#### **SB1864/HB1977 TRANSPORTATION VEHICLES: Detainment regarding tinted motor vehicle windows.**

*Sponsors:* Sen. Hensley, Joey , Rep. Capley, Kip

*Summary:* Authorizes a POST-certified law enforcement officer of this state to detain a motor vehicle when the officer has a reasonable belief that the motor vehicle is in violation of state law regarding tinted motor vehicle windows. Broadly captioned.

*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT

*Senate Status:* 03/13/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0602 effective March 27, 2024.

#### **SB1866/HB1907 LABOR LAW: Determining whether a person is an illegal alien for employment purposes.**

*Sponsors:* Sen. Hensley, Joey , Rep. Bulso, Gino

*Summary:* Clarifies that illegal alien means anyone who is not lawfully admitted for permanent residence in the United States or authorized to be employed by the federal Immigration and Naturalization Act or the United States attorney general.

*Fiscal Note:* (Dated March 10, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1026, effective July 1, 2024.

#### **SB1867/HB1908 EDUCATION: Beyond Ordinary Learning Opportunities (BOLO) Act.**

*Sponsors:* Sen. Hensley, Joey , Rep. Bulso, Gino

*Summary:* Requires the department of education to establish a one-year pilot program to place a therapy dog in five public schools in the 2024-2025 school year. Requires the department to select at least one public school from each grand division to participate in the pilot program and requires the department to strive to select public charter schools and public schools from a variety of LEAs that serve students in a variety of grade levels.

*Amendment Summary:* Senate amendment 1 (013771) enacts the "Beyond Ordinary Learning Opportunities (BOLO) Act." Requires the Department of Education (DOE) to establish a one-year pilot program to place a therapy dog in five public schools, with at least one school in each grand division of the state, in the 2024-25 school year. Prohibits the DOE from selecting a school that does not agree to participate in the pilot program. Requires the DOE to submit a report providing the outcomes of the pilot program to the General Assembly by July 1, 2025. Repeals the act on July 1, 2025.

*Fiscal Note:* (Dated February 2, 2024) Increase State Expenditures \$50,000/FY24-25

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0954, effective May 9, 2024.

#### **SB1868/HB1909 CRIMINAL LAW: Self-defense - adult person carrying pepper spray or taser.**

*Sponsors:* Sen. Hensley, Joey , Rep. Bulso, Gino

*Summary:* Specifies that it is not a criminal offense for an adult person to carry or possess pepper spray, a taser, mace, stun gun, or another similar device for purposes of self-defense when on property owned, operated, or in use by any college or university board of trustees, regents, or directors for the administration of any public or private educational institution. Prohibits the adoption of a policy by a college, university, or other educational institution prohibiting an adult person from carrying pepper spray, a taser, mace, or another similar device for purposes of self-defense when on property owned, operated, or in use by any college or university board of trustees, regents, or directors for the administration of any public or private educational institution.

*Amendment Summary:* House amendment 1 (013495) rewrites the bill to make changes to law relative to carrying weapons on school property, as described below: This amendment prohibits a public college or university or other public institution of higher education, an adult person, including, but not limited to, a staff member, student, employee, and other adult person lawfully present on the property of the college, university, or institution from carrying a non-lethal weapon for purposes of self-defense when in any building or bus, on the campus, grounds, recreation area, athletic field, or any other property owned, operated, or while in use by any college or university board of trustees, regents, or directors for the administration of any public higher educational institution. This amendment defines a "non-lethal weapon" as pepper spray, a pepper spray gun, pepper gel, mace, a stun gun, an electronic control device, or other conducted energy device. This amendment authorizes a public college or university or other public institution of higher education to prohibit the carrying of non-lethal weapons on the grounds of any pre-K-12 school located on its campus. This amendment authorizes a public college or university or other public institution of higher education to prohibit the carrying of non-lethal weapons in any building where armed security is provided or where such carrying is prohibited by contract. Senate amendment 1 (015821) enacts the "Laken Riley Act of 2024." Restricts a public college, university, or other public institution of higher education from prohibiting an adult person, including but not limited to, a staff member, student, employee, and other adult person lawfully present on the institution's property from carrying pepper spray, a pepper spray gun, pepper gel, mace, a stun gun, an electronic control device, or other conducted energy device when in any building, grounds, or bus owned, operated, or in use by the institution or its administration. Authorizes these public institutions to prohibit the carrying of such non-lethal weapons on the grounds of any pre-kindergarten through grade twelve school located on its campus or in any building where armed security is provided or where such carrying is prohibited by contract.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0791, effective July 1, 2024.

### SB1874/HB1853 **HEALTH CARE: Definition of home health services does not include services certain home therapy services.**

*Sponsors:* Sen. Watson, Bo , Rep. Williams, Ryan

*Summary:* Exempts from the definition of "home health service" services provided by a person or entity that solely provides services of occupational and physical therapy or communication disorders and sciences by healthcare professionals if provided only on an outpatient basis and therapy outpatient services provided by a person or entity under the social security act and reimbursed under Medicare part B or a similar Medicare advantage plan for the purposes of regulation of health and related facilities. Broadly captioned.

*Amendment Summary:* House amendment 1 (014724) rewrites the bill as follows: (1) Establishes that "home health services" does not include services that are (i) provided by a person or entity that provides solely the services of a healthcare professional licensed under state law relative to occupational therapy, physical therapy, and communication disorders and sciences; (ii) provided solely on an outpatient basis; (iii) provided to individuals who are not certified by a physician as meeting the definition of homebound as defined in the federal Social Security Act; and (iv) reimbursed under medicare part A; (2) Establishes that (1) above does not exclude a therapist or entity from the requirements of state law relative to professional support services; and (3) Establishes that a "home health service" does not include physical, occupational, or speech therapy services provided by a person or entity that provides solely the services of a healthcare professional licensed under state law relative to occupational therapy, physical therapy, and communication disorders and sciences when provided in the room or residence of an assisted-care living facility resident.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0741, effective July 1, 2024.

### SB1881/HB2857 **INSURANCE HEALTH: Provider-based telemedicine requirements.**

*Sponsors:* Sen. Massey, Becky , Rep. Hill, Timothy

*Summary:* Removes from the definition of "provider-based telemedicine" the requirement that the healthcare service provider or the provider's practice group or healthcare system have an established provider-patient relationship that is documented by an in-person encounter within 16 months prior to the interactive visit.

*Amendment Summary:* Senate amendment 1 (013830) rewrites the bill to, instead, make the changes described below to the present law relevant to provider-based telemedicine. Present law provides for the use of HIPAA-compliant real-time, interactive audio, video telecommunications, or electronic technology, or asynchronous computer-based communications or transfer of medical data ("store-and-forward telemedicine services"), used over the course of an interactive visit by a healthcare services provider to deliver healthcare services to a patient within the scope of practice of the healthcare services provider when the following conditions are met: (1) The healthcare services provider is at a qualified site other than the site where the patient is located and has access to the relevant medical record for that patient; (2) The patient is located at a location the patient deems appropriate to receive the healthcare service that is equipped to engage in telecommunications as described under present law; (3) The healthcare services provider makes use of HIPAA-compliant real-time, interactive audio, video telecommunications or electronic technology, or store-and-forward telemedicine services to deliver healthcare services to a patient within the scope of practice of the healthcare services provider as long as the healthcare services provider, the healthcare services provider's practice group, or the healthcare system has established a provider-patient relationship by submitting to a health insurance entity evidence of an in-person encounter between the healthcare service provider, the healthcare services provider's practice group, or the healthcare system and the patient within 16 months prior to the interactive visit; (4) The requirement of an in-person encounter between the healthcare services provider, the healthcare services provider's practice group, or the healthcare system and the patient within 16 months prior to the interactive visit is tolled for the duration of a state of emergency declared by the governor if the healthcare services provider or the patient, or both, are located in the geographical area covered by the applicable state of emergency; and (5) The requirement of an in-person encounter between the healthcare services provider, the healthcare services provider's practice group, or the healthcare system and the patient within 16 months prior to the interactive visit does not apply to a patient who is receiving an initial behavioral health evaluation or assessment. This amendment revises the present law in (3) above requiring that the evidence be submitted prior to the interactive visit and removes "within 16 months". This amendment deletes the present law in (4) above and, instead, requires that the healthcare services provider, the healthcare services provider's practice group, or the healthcare system is able to render the healthcare services through an in-person encounter. Finally, this amendment revises the present law in (5) above by removing "within 16 months."

*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1027, effective May 28, 2024.

**SB1882/HB1980 TAXES PROPERTY: Exemption - charitable nonprofit corporation in Knox County.**

*Sponsors:* Sen. Massey, Becky , Rep. Wright, Dave  
*Summary:* Authorizes a charitable nonprofit corporation located in Knox County or within a municipality located within Knox County that acquires replacement property which is operated as a licensed residential home for the aged, to claim and file a property tax exemption as a religious, charitable, scientific, or nonprofit educational institution.  
*Amendment Summary:* Senate amendment 1 (014621) revises the provision in the bill providing that this bill applies to properties acquired before the effective date of this bill, so that the properties are not subject to property taxes while owned by the qualifying corporation and used for one or more of the exempt purposes for which the corporation was created or exists and any property taxes paid on the property that were collected prior to the effective date of this bill must be refunded by also requiring any interest, fees, penalties, postage, expenses, and all other related costs paid on the property that were collected prior to the effective date of this act to be refunded.  
*Fiscal Note:* (Dated March 8, 2024) Increase Local Expenditures \$422,500/FY23-24/City of Knoxville\* \$360,900/FY23-24/Knox County\*  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1028, effective May 28, 2024.

**SB1887/HB2590 CRIMINAL LAW: Bullying and cyberbullying considered harassment.**

*Sponsors:* Sen. Lowe, Adam , Rep. Russell, Lowell  
*Summary:* Makes bullying and cyberbullying offenses subject to the same penalties as harassment. Requires an officer to make a report of bullying and notify a parent or guardian when victim is a minor. Broadly captioned.  
*Amendment Summary:* House amendment 1 (014523) makes the following changes to the bill: (1) Revises the definition of "bullying" to, instead, mean an act committed by a student that substantially interferes with another student's educational benefits, opportunities, or performance; and (i) if the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of physically harming the other student or damaging the other student's property, or knowingly placing the other student or students in reasonable fear of physical harm to the other student or damage to the student's property; or (ii) if the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at another student or students and has the effect of creating a substantial disruption to the education environment or learning process; (2) Clarifies that, as used in the bill, a "school" means a public or private school that conducts classes in any grade from K-12; (3) Clarifies that, as used in the bill, a "student" means a person, regardless of age, enrolled in a public or private school that conducts classes in any grade from K-12; (4) Provides that the provisions in the bill relevant to making an official report do not apply to incidents reported to the department of safety through the SafeTN application or a successor application; and (5) Provides that when a person intentionally engages in cyber-bully, that person commits a delinquent act and must be punished as provided for in the existing law relevant to delinquent children.  
*Fiscal Note:* (Dated February 9, 2024) Increase Local Expenditures \$13,500/FY24-25 and Subsequent Years\*  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 04/23/24 - Enacted as Public Chapter 0797, effective July 1, 2024.

**SB1894/HB1832 COMMERCIAL LAW: Automatic renewal of subscription services.**

*Sponsors:* Sen. Oliver, Charlane , Rep. Freeman, Bob  
*Summary:* Requires a business that makes an automatic renewal offer or continuous service offer to a consumer to obtain affirmative consent to the agreement containing the automatic renewal offer terms or continuous service offer terms no less than 60 days before the business charges the consumer's credit or debit card, or the consumer's account through a third party. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (014108) deletes the language in the bill requiring a business that makes an automatic renewal offer or continuous service offer to a consumer in this state to obtain the consumer's affirmative consent again no less than 60 days before the business charges the consumer's credit or debit card, or the consumer's account with a third party. House amendment 3 (018328) revises the provision in the bill requiring a business that makes an automatic renewal offer or continuous service offer to a consumer in this state to, if the charge to the consumer for the automatic renewal or continuous service will occur more than 60 days after affirmative consent is obtained, provide a clear and conspicuous notice to the consumer of when the business will charge the consumer for an automatic renewal or continuous service by, instead, clarifying that if the automatic renewal will occur more than 60 days after affirmative consent is obtained, then the entity with the direct billing relationship with the consumer must provide a clear and conspicuous notice to the consumer of when the business will charge the consumer for the automatic renewal or continuous service.  
*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0835, effective July 1, 2024.

**SB1902/HB1928 EDUCATION: Operation of school buses.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott  
*Summary:* Clarifies, for purposes of obtaining a school bus endorsement on a driver license and for other purposes, that a school bus is a vehicle designed to transport 16 or more passengers, including the driver. Makes other revisions relative to the operation of school buses.  
*Fiscal Note:* (Dated February 4, 2024) Decrease State Revenue \$2,100/FY24-25 and Subsequent Years/Drivers Services  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0836, effective July 1, 2024.

**SB1903/HB1894 RETAIL TRADE: Definition of a drug to include foods containing a vaccine.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott

*Summary:* Defines food that contains a vaccine or vaccine material as a drug for purposes of the Tennessee Food, Drug and Cosmetic Act. Broadly captioned.

*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0742, effective April 22, 2024.

**SB1905/HB2168 FAMILY LAW: Order of protection to remain in effect during an appeal.**

*Sponsors:* Sen. Jackson, Ed , Rep. Littleton, Mary

*Summary:* States that an order of protection issued by a general sessions court or other official remains in effect during the appeal to circuit or chancery court unless otherwise ordered by the general sessions judge or official.

*Amendment Summary:* House amendment 1 (013676) specifies that an order of protection related to allegations of domestic abuse remains in effect during the appeal unless the order expires by operation of law.

*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0751, effective April 22, 2024.

**SB1910/HB2006 MISCELLANEOUS: Designates "Tennessee, Tennessee" by Wayne Jerrolds as an official state song.**

*Sponsors:* Sen. Walley, Page , Rep. Haston, Kirk

*Summary:* Designates "Tennessee, Tennessee" by Wayne Jerrolds as an official state song.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 03/13/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0603 effective March 27, 2024.

**SB1913/HB1944 TRANSPORTATION VEHICLES: Class B misdemeanor offense - operation of motor vehicle with altered height of front fender.**

*Sponsors:* Sen. Niceley, Frank , Rep. Carr, Dale

*Summary:* Makes it a Class B misdemeanor offense for a person to operate a passenger motor vehicle on a street, road, or highway in this state if, by alteration of the suspension, frame, or chassis, the height of the vehicle's front fender is four or more inches greater than the height of the rear fender. Broadly captioned.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Signed by House speaker.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0541 effective July 1, 2024.

**SB1914/HB2480 AGRICULTURE: Annual report provided by licensees and registrants under the Dairy Law.**

*Sponsors:* Sen. Niceley, Frank , Rep. Cochran, Mark

*Summary:* Changes from February 1 to February 15 the date by which licensees and registrants under the Dairy Law must provide an annual report concerning their business to the commissioner of agriculture. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013583) rewrites the bill to, instead, enact the "Whole Milk for Healthy Kids Act," which authorizes each local board of education and public charter school governing body to establish policies for its public schools to offer students whole milk options through bulk milk dispensers.

*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0681 effective April 1, 2024.

**SB1915/HB1859 PROFESSIONS & LICENSURE: Occupational licensing for individuals with a criminal record.**

*Sponsors:* Sen. Niceley, Frank , Rep. Davis, Elaine

*Summary:* Prohibits certain licensing authorities from automatically barring an individual from licensure because of the individual's criminal record. Requires the licensing authority to provide individualized consideration of an individual's criminal record and circumstances. Specifies which convictions a licensing authority may consider in deciding for licensure. Makes other changes related to licensure determinations and criminal records including not using a vague term in its consideration and its notice or decision, including good moral character, moral turpitude, or character and fitness. (11pp). Broadly captioned.

*Amendment Summary:* House amendment 1 (016022) prohibits a licensing authority under the Division of Health-Related Boards or a licensing authority under the Department of Commerce and Insurance from using vague terms including terms such as good moral character or character and fitness, in its considerations and its notices or decisions without also explaining how a prior conviction directly relates to the applicable occupation, profession, business, or trade, if such prior conviction serves as a basis for the licensing authority's consideration and notice or decision.

*Fiscal Note:* (Dated March 9, 2024) Other Fiscal Impacts Due to multiple unknown variable, the net impact on state license fee revenue cannot be quantified with reasonable certainty.

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0788, effective July 1, 2024.

**SB1917/HB2041 FAMILY LAW: Prohibition of marriage between first cousins.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Jernigan, Darren

*Summary:* Expands the list of prohibited degrees of relationship to include marriage between first cousins. Broadly captioned.

*Fiscal Note:* (Dated March 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0806 effective April 29, 2024.

**SB1919/HB2635 INSURANCE HEALTH: Coverage for contraceptives.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Camper, Karen  
*Summary:* Requires a health benefit plan that amends, renews, or delivers a policy of coverage on or after July 1, 2024, and that provides coverage for prescription contraceptives, to provide coverage for a 12-month refill of contraceptives obtained at one time by an insured person, unless the insured requests a smaller supply or the prescriber instructs that the insured must receive a smaller supply.  
*Amendment Summary:* Senate amendment 1 (014457) makes the following changes to the bill: (1) Revises the definition of a "health benefit plan" as used in the bill to, instead, mean a policy or contract for health insurance coverage provided under (i) the TennCare program administered under the Medical Assistance Act of 1968 or (ii) the CoverKids Act of 2006 or a successor program; (2) Revises the definition of a "health insurance entity" as used in the bill to, instead, mean a managed care organization contracting with the state to provide insurance through (i) the TennCare program administered under the Medical Assistance Act of 1968 or (ii) the CoverKids program administered under the CoverKids Act of 2006 or a successor program; and (3) Provides that the bill takes effect January 1, 2025.  
*Fiscal Note:* (Dated February 25, 2024) Increase State Expenditures Up to \$1,873,200/FY24-25 and Subsequent Years Increase Federal Expenditures Up to \$202,600/FY24-25 and Subsequent Years Increase Local Expenditures Up to \$332,800/FY24-25 and Subsequent Years\*  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/08/24 - Signed by House speaker.  
*Executive Status:* 04/28/24 - Enacted as Public Chapter 0732 effective January 1, 2025.

**SB1929/HB2223 CRIMINAL LAW: Creates an Amber+ Alert system.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold  
*Summary:* Creates a missing person alert program called the Amber+ Alert system which is to be used for missing persons between the ages of 12 and 25 who are reported missing under either unexplained or suspicious circumstances, are at risk of harm, or are developmentally disabled or cognitively impaired.  
*Amendment Summary:* Senate amendment 1 (015559) rewrites the bill to, instead, revise the present law providing that for purposes of any endangered child and young adult alert program implemented by the Tennessee bureau of investigation that is distinct from the America's Missing Broadcast Emergency Response (AMBER) Alert system and that is used to notify local media about a missing child or young adult, along with any additional available information, such program must be applied to a person who is under 21 and who meets the criteria of being endangered, as established or determined by the bureau by, instead, requiring such program to be applied to a person who is under 25 years of age and who meets the criteria of being endangered, as established or determined by the bureau.  
*Fiscal Note:* (Dated March 14, 2024) Increase State Expenditures \$975,700/FY24-25 \$718,500/FY25-26 and Subsequent Years  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0837, effective July 1, 2024.

**SB1930/HB2222 HEALTH CARE: Addition of variants of the Apolipoprotein L1 (APOL1) gene for screening programs developed by department of health.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold  
*Summary:* Adds testing for variants of the Apolipoprotein L1 (APOL1) gene associated with increased risk of developing chronic kidney disease and end-stage renal disease to the conditions for which the department of health must develop screening programs.  
*Amendment Summary:* Senate amendment 1 (017788) rewrites the bill to, instead, require the department of health to conduct a review and issue a report to the general assembly on variants of the apolipoprotein L1 (APOL1) gene associated with increased risk of end-stage renal disease. The report must include (i) recommendations on how to increase awareness for APOL1, including screening and genetic testing; (ii) an analysis of strategies and funding to increase screening and genetic testing for APOL1 in this state; and (iii) other relevant information or issues identified by the department.  
*Fiscal Note:* (Dated March 17, 2024) Increase State Expenditures \$10,459,000/FY24-25 and Subsequent Years Increase Federal Expenditures \$18,721,500/FY24-25 and Subsequent Years Increase Local Expenditures \$690,700/FY24-25 and Subsequent Years\*  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0838, effective May 1, 2024.

**SB1931/HB2224 EDUCATION: State and federal grant program notifications for LEA.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold  
*Summary:* Requires the department of education to annually notify each LEA in writing of all state and federal grant programs available to assist the LEA in expanding mental health services and resources in schools. Broadly captioned.  
*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1029, effective May 28, 2024.

**SB1936/HB2366 HEALTH CARE: Application requirements for international medical school graduates applying for special licenses.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele

*Summary:* Changes requirements for international medical school graduates applying for special licenses to satisfactory completion of a one-year United States post-graduate training program approved by the American Medical Association or its extant accreditation program for medical education, or its successor. Previously international medical school graduates required Evidence of satisfactory completion of a three-year post-graduate training program approved by the American Medical Association or its extant accreditation program for medical education, or its successor. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (018209) rewrites the bill as follows: (1) Authorizes the board of medicine ("board") to issue a foreign training license of limited duration to an international medical school graduate who has successfully completed a licensing examination approved under state law, upon finding sufficient evidence that the international medical school graduate demonstrates competency as determined by the board, and (i) completed a postgraduate training program of a minimum of three years in the graduate's licensing country; and (ii) has otherwise practiced as a medical professional performing the duties of a physician for the last three years outside the United States; (2) Requires an applicant under (1), above, to submit sufficient evidence that the applicant is an international medical school graduate and has an offer for employment as a physician at a healthcare provider that operates in this state and has a postgraduate training program accredited by the accreditation council for graduate medical education in place; (3) Requires that an international medical school graduate who is granted a foreign training license under (1), above, only provide medical services at a healthcare provider that has in place a postgraduate training program accredited by the accreditation council for graduate medical education; (4) Authorizes the board to grant a full and unrestricted license to practice medicine to a foreign training licensee under (1), above, who is in good standing and has actively practiced medicine in this state for two years after the date of foreign training licensure; (5) Defines, as used in the bill, a "healthcare provider" as an individual, entity, corporation, person, or organization, whether for profit or nonprofit, that furnishes, bills, or is paid for a healthcare procedure or service delivery in the normal course of business, and includes a health system, hospital, hospital-based facility, freestanding emergency facility, and urgent care clinic; (6) Authorizes the board to issue a temporary license of limited duration to an international medical school graduate who has successfully completed a licensing examination approved under state law, upon finding sufficient evidence that the international medical school graduate demonstrates competency as determined by the board and has completed a one-year postgraduate training program in the United States; (7) Establishes that (3), above, does not apply to an international medical school graduate who is granted a temporary license under (6), above; and (8) Authorizes the board to grant a full and unrestricted license to practice medicine to a temporary licensee under (6) who is in good standing and has actively practiced medicine in this state for two years after the date of temporary licensure.

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0929, effective May 6, 2024, & January 1, 2025.

#### **SB1938/HB2155 EDUCATION: Michael Maren Paycheck Protection Act.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Moody, Debra

*Summary:* Names the law prohibiting an LEA from deducting dues from the wages of the LEA's employees for a professional employees' organization the "Michael Maren Paycheck Protection Act."

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0770, effective April 23, 2024.

#### **SB1939/HB1919 VETERANS & MILITARY AFFAIRS: Clarification of what qualifies under the Mutual Aid and Emergency Disaster Assistance Agreement Act.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Slater, William

*Summary:* Clarifies that an occurrence, under the Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004, means the imminent threat of an event or an actual event and its aftermath that could lead to or results in bodily injury or property damage.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0641 effective April 4, 2024.

#### **SB1941/HB2143 PUBLIC EMPLOYEES: Foster parent training and in-service training completed by state employees.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Martin, Greg

*Summary:* Allows for employees within the executive, legislative, or judicial branches of the state government to participate in Tennessee foster parent training once for up to 25 hours without using paid time off. Also allows for state employees to complete annual in-service training for up to 8 hours without using paid time off. Broadly captioned.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0642 effective April 4, 2024.

#### **SB1943/HB1812 EDUCATION: Payment for all LEA and public charter school employees for personal injury at work.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Alexander, Rebecca

*Summary:* Allows all LEA and public charter school employees, instead of only teachers, to receive their full salary, or average pay, and full benefits in the event they sustain a personal injury as the result of a physical assault or other violent criminal act committed against them while they are acting in the course and scope of their employment. Broadly captioned.

*Fiscal Note:* (Dated February 11, 2024) Other Fiscal Impact For employees at LEAs or public charter schools who become injured and absent due to an assault or other violent criminal act, an increase in mandatory local expenditures may occur. However, the extent and timing of any such increase cannot be reasonably determined. \*

*Senate Status:* 05/22/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0839, effective July 1, 2024.



**SB1945/HB2174 GOVERNMENT REGULATION: Food service establishment.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Alexander, Rebecca  
*Summary:* Redefines "food service establishment" to exclude an establishment whose primary business is other than food service, that incidentally makes casual, occasional food sales for two days or less while an organized temporary event is being conducted less than one-quarter mile from the establishment, for the purposes of exempting such establishments from regulation by the department of health and local governments. Broadly captioned.  
*Amendment Summary:* House amendment 1 (017269) revises the provision in the bill providing that "food service establishment" does not include an establishment whose primary business is other than food service, that incidentally makes casual, occasional food sales for two days or less while an organized temporary event is being conducted less than one-quarter mile from the establishment by, instead, providing that "food service establishment" does not include grocery stores that may, incidentally, make infrequent casual sales of uncooked foods for consumption on the premises, or any establishment whose primary business is other than food service, that may, incidentally, make infrequent casual sales of coffee or prepackaged foods, or both, for consumption on the premises or on the road and sidewalk in front of the establishment while an organized temporary event is being conducted less than one-quarter mile from the establishment.  
*Fiscal Note:* (Dated February 10, 2024) Decrease State Revenue - Up to \$4,700/FY24-25 and Subsequent Years Decrease Local Revenue - Up to \$1,700/FY24-25 and Subsequent Years  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0840, effective May 1, 2024 & July 1, 2024.

**SB1947/HB2058 EDUCATION: Course requirements for high school graduation.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hicks, Tim  
*Summary:* Requires the board, in collaboration with the department of education, to identify math courses that may be substituted for Algebra II for purposes of satisfying high school graduation requirements and to submit a report to the education committees by October 15, 2024. Broadly captioned.  
*Amendment Summary:* House amendment 1 (013398) requires the State Board of Education (SBE), in collaboration with the Department of Education (DOE) and the Tennessee Higher Education Commission (THEC), to conduct a study to identify math courses that may be substituted for Algebra II for purposes of satisfying high school graduation requirements and to submit a report of their findings to the education committees of the Senate and the House of Representatives by January 31, 2025.  
*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/07/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0583 effective March 15, 2024.

**SB1948/HB2584 ENVIRONMENT & NATURE: Permitting fees for culverts.**

*Sponsors:* Sen. Swann, Art , Rep. Russell, Lowell  
*Summary:* Requires the department of environment and conservation to refund half of the appropriate permit fee to a local government that applies for and receives a general or individual permit to replace or otherwise maintain a culvert if the department inspects the culvert and finds that it complies with applicable state and federal law.  
*Amendment Summary:* Senate amendment 1 (014433) rewrites the bill to prohibit the department of environment and conservation from charging a permit application fee to a local government entity for a general aquatic resource alteration permit for emergency infrastructure repair, or a general aquatic resource alteration permit for maintenance activities, necessary to replace or otherwise maintain a culvert.  
*Fiscal Note:* (Dated February 9, 2024) Decrease State Revenue - \$13,800/FY24-25 and Subsequent Years/ Environmental Protection Fund Decrease Local Expenditures - \$13,800/FY24-25 and Subsequent Years  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0930, effective July 1, 2024.

**SB1952/HB2003 ESTATES & TRUSTS: Charge for an attorney ad litem in a guardianship or conservatorship proceeding.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew  
*Summary:* Allows a court to charge the cost of an attorney ad litem in a guardianship or conservatorship proceeding against the property of the respondent, the petitioner, or any other party or partially to any one or more of them as determined in the court's discretion. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (015762) rewrites the bill to, instead, make the changes described below to the present law relevant to an attorney ad litem. Present law requires the cost of the attorney ad litem to be charged against the assets of the respondent. This amendment adds to the present law by authorizing the costs of an attorney ad litem to, in the court's discretion, be charged against the petitioner if the court dismisses a conservatorship petition because of a finding of fraud, bad faith, or deception by the petitioner. This amendment authorizes the cost of the attorney ad litem in an emergency guardianship or conservatorship proceeding to, in the court's discretion, be charged against the assets of the respondent or against the petitioner. The costs charged must not exceed \$1,500 except when the court dismisses an emergency guardianship or conservatorship proceeding because of a finding of fraud, bad faith, or deception by the petitioner or when the court determines there are unusually complex factual issues, in which case there is no cap on the attorney ad litem fees. The maximum amount of the fee for the attorney ad litem must be adjusted annually for inflation based upon the percentage of change in the average consumer price index (all items-city average), as published by the United States department of labor, bureau of labor statistics, for the calendar year immediately preceding. The adjustment must take effect on February 1, 2025, and on February 1 of each year thereafter. This amendment authorizes the cost of the attorney ad litem in an expedited limited healthcare fiduciary proceeding to, in the court's discretion, be charged against the assets of the respondent or against the petitioner. The costs charged must not exceed \$1,500 except when the court dismisses an expedited limited healthcare fiduciary proceeding because of a finding of fraud, bad faith, or deception by the petitioner or when the court determines the proceeding involves unusually complex factual issues, in which case there is no cap on the attorney ad litem fees. The maximum amount of the fee for the attorney ad litem must be adjusted annually for inflation based upon the percentage of change in the average consumer price index (all items-city average), as published by the United States department of labor, bureau of labor statistics, for the calendar year immediately preceding. The adjustment must take effect on February 1, 2025, and on February 1 of each year thereafter.

*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0807 effective April 29, 2024.

**SB1953/HB2546 CRIMINAL LAW: Offense of stalking - harassment committed by defendant.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Bulso, Gino  
*Summary:* States that, as used in the offense of stalking, harassment must be committed by the defendant with reckless disregard for whether the victim will suffer emotional distress as a result of the conduct and the victim does suffer emotional distress as a result of the conduct. Broadly captioned.  
*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0682 effective July 1, 2024.

**SB1957/HB2079 ANIMALS & ANIMAL HUSBANDRY: Process for veterinarians to report suspected animal cruelty.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Terry, Bryan  
*Summary:* Establishes a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability. Broadly captioned.  
*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/07/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0584 effective March 15, 2024.

**SB1959/HB1785 EDUCATION: Uniform accounting policy manual for local school systems.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Martin, Greg  
*Summary:* Replaces the uniform accounting policy manual for local school systems with an internal school funds manual. Removes the requirement that the commissioner of finance and administration approve the manual so that only the comptroller of the treasury's approval of the manual is required.  
*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/26/24 - Signed by Senate speaker.  
*House Status:* 02/26/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0537 effective March 7, 2024.

**SB1960/HB2121 CAMPAIGNS & LOBBYING: Election of at-large delegates date change.**

*Sponsors:* Sen. Walley, Page , Rep. Rudd, Tim  
*Summary:* Moves the period during which a political party must meet to elect at-large delegates and alternates for the party convention from between the second Tuesday in February and the first Tuesday in March to between the first Thursday in April and the first Thursday in May.  
*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0624 effective November 6, 2024.

**SB1963/HB2176 PUBLIC EMPLOYEES: Awarding of court costs to petitioner proving that governing body violated public meetings laws.**

*Sponsors:* Sen. Pody, Mark , Rep. Lynn, Susan  
*Summary:* Allows for the courts to award the petitioners all or part of the reasonable costs incurred by the petitioners if the court finds that a governing body willfully refused to comply with requirements imposed on a meeting of the body.  
*Amendment Summary:* Senate amendment 1 (013844) clarifies that a "meeting" means the convening of a governing body of a public body to make a decision or to deliberate toward a decision on any matter. However, the term does not include any on-site inspection of any project or program.  
*Fiscal Note:* (Dated February 23, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1030, effective May 28, 2024.

**SB1967/HB2294 CAMPAIGNS & LOBBYING: Request for an absentee ballot.**

*Sponsors:* Sen. Briggs, Richard , Rep. Rudd, Tim  
*Summary:* Requires that any request for an absentee ballot request the ballot and file any applicable materials not later than 10 days before an election instead of not later than seven days before an election.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/29/24 - Signed by House speaker.  
*Executive Status:* 03/20/24 - Enacted as Public Chapter 0560 effective November 6, 2024.

**SB1969/HB2693 MENTAL HEALTH: Persons found incompetent to stand trial.**

*Sponsors:* Sen. Rose, Paul , Rep. Doggett, Clay

<i>Summary:</i>	Requires the court that finds a person incompetent to stand trial for a criminal offense due to intellectual disability to also determine whether the person is subject to involuntary care and treatment at the hearing in which the person is declared incompetent. States that the district attorney general is not required to file a complaint to require involuntary care and treatment for a person who is found incompetent to stand trial due to intellectual disability in order to commit the person.
<i>Amendment Summary:</i>	Senate amendment 1 (016694) adds to the provision requiring that if a person is declared incompetent to stand trial for a criminal offense based on intellectual disability, then the court must determine whether the person is subject to involuntary care and treatment at the hearing in which the person is declared incompetent by requiring two certificates of need have been submitted to the court. If no such certificates of need have been submitted prior to the hearing in which the person is declared incompetent, then the court must direct the department to conduct an evaluation to determine if the person meets the criteria for involuntary care and treatment. If the court subsequently receives two certificates of need, then the court must conduct a hearing to determine if the person must be committed to the custody of the department.
<i>Fiscal Note:</i>	(Dated March 11, 2024) Increase State Expenditures - \$934,200/FY24-25 and Subsequent Years Other Fiscal Impact - If the number of new admissions to involuntary commitment under the Department of Intellectual and Developmental Disabilities exceeds the department's current capacity, there will be a significant increase in expenditures for additional staff and supplies to accommodate such increase in services.
<i>Senate Status:</i>	05/09/24 - Signed by Senate speaker.
<i>House Status:</i>	05/15/24 - Signed by House speaker.
<i>Executive Status:</i>	05/29/24 - Enacted as Public Chapter 1031, effective May 28, 2024.

### SB1971/HB1895 **CRIMINAL LAW: Criminal offense - abortion trafficking of a minor.**

<i>Sponsors:</i>	Sen. Rose, Paul , Rep. Zachary, Jason
<i>Summary:</i>	Creates the Class C felony offense of abortion trafficking of a minor if an adult, who is not the legal parent or guardian, recruits, harbors, or transports a pregnant unemancipated minor within the state for the purpose of concealing an act, procuring an act, or obtaining an abortion-inducing drug that would constitute a criminal abortion.
<i>Amendment Summary:</i>	Senate amendment 1 makes the following changes: (1) Revises the provision in the bill that classifies the offense of abortion trafficking of a minor as a Class C felony by, instead, classifying such offense as a Class A misdemeanor and must be punished by imprisonment for 11 months and 29 days; (2) Clarifies that this bill also does not apply to a person who has obtained the written, notarized consent of the unemancipated minor's parent or legal guardian; (3) Revises the provision in the bill authorizing the civil action to be brought on behalf of the unborn child by the biological father of the unborn child, unless the pregnancy resulted from an act of rape or incest committed by the biological father by adding the following offenses to the exception of bring a civil action mentioned above: (i) aggravated rape; (ii) statutory rape or aggravated statutory rape; (iii) rape of a child; (iv) aggravated rape of a child; (v) statutory rape by an authority figure; (vi) especially aggravated rape; or (vii) especially aggravated rape of a child; (4) Revises the provision in the bill that provides, as used in the bill, an "unborn child" means an individual living member of the species, homo sapiens, throughout the entire embryonic and fetal stages of the unborn child from fertilization until birth by, instead, providing that an "unborn child" means an individual living member of the species, homo sapiens, at any stage of gestation in utero; (5) Clarifies that the bill does not apply to the provision of a medical diagnosis or consultation regarding pregnancy care of an unemancipated minor. As used in this amendment, a "medical diagnosis or consultation regarding pregnancy care" does not include performing or attempting to perform an abortion, or arranging for travel for the unemancipated minor to procure an abortion or an abortion-inducing drug without the consent of the unemancipated minor's parent or legal guardian; (6) Clarifies that the bill does not prohibit a licensed physician or another person from calling an ambulance for a minor patient if a medical emergency exists. As used in this amendment, a "medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the pregnant woman or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. No condition is a medical emergency if based on a claim or diagnosis that the woman will engage in conduct that the woman intends to result in the death or in substantial and irreversible physical impairment of a major bodily function of the woman; and (7) Clarifies that the bill applies to acts committed on or after July 1, 2024. House amendment 3 (018376) creates the Class A misdemeanor offense of abortion trafficking of a minor. Requires punishment of 11 months and 29 days incarcerated. Establishes the offense does not apply to: (1) the parents or legal guardian of an unemancipated minor; (2) a person who has obtained the written, notarized consent of the unemancipated minor's parent or legal guardian; (3) a common carrier transporting passengers in the course and scope of their business; or (4) an ambulance driver or operator and any corresponding emergency medical services personnel acting within the course and scope of their duties. States that a medical diagnosis or consultation regarding pregnancy care does not include performing or attempting to perform an abortion, or arranging for travel for the unemancipated minor to procure an abortion or an abortion-inducing drug without the consent of the unemancipated minor's parent or legal guardian. States that it is not a defense to a prosecution that the pregnant minor consented to the actions that led to the offense. Provides for a civil action against a person committing the offense of abortion trafficking of a minor for the wrongful death of an unborn child that was aborted.
<i>Fiscal Note:</i>	(Dated February 4, 2024) Increase State Expenditures \$55,300 Incarceration
<i>Senate Status:</i>	05/09/24 - Signed by Senate speaker.
<i>House Status:</i>	05/15/24 - Signed by House speaker.
<i>Executive Status:</i>	05/29/24 - Enacted as Public Chapter 1032, effective July 1, 2024.

### SB1972/HB2692 **CRIMINAL LAW: GPS device for domestic violence abuser.**

<i>Sponsors:</i>	Sen. Rose, Paul , Rep. Doggett, Clay
<i>Summary:</i>	Requires the court to order an offender to wear a global positioning monitoring system device under certain circumstances unless the court finds the offender no longer poses a threat to the alleged victim or public safety. Specifies that a cellular device application or electronic receptor device provided to the victim must be capable of notifying the victim if the offender is within a prescribed proximity of the victim's cellular device or electronic receptor device. Requires a county or municipality utilizing global positioning monitoring system devices to enter into a written agreement with a qualified contract service provider. Removes civil and criminal liability under certain circumstances. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013874) makes the following changes: (1) Names this bill "The Debbie and Marie Domestic Violence Protection Act"; (2) Revises present law that provides that if the magistrate determines that the defendant is indigent, then the magistrate must order the defendant to pay any portion of the costs associated with operating a global positioning monitoring system device that the defendant has the ability to pay, as determined by the magistrate. Any portion of the costs that the defendant is unable to pay must come from the electronic monitoring indigency fund, subject to the availability of funds. This amendment deletes such provisions and, instead, requires a defendant ordered to wear a global positioning monitoring system device, or to provide the victim with a cellular device application or an electronic receptor, to pay all costs associated with operating that system in relation to the defendant and all costs associated with providing the victim with such application or device. This amendment clarifies that the defendant is not eligible for assistance from the electronic monitoring indigency fund, regardless of whether the defendant is indigent; and (3) Removes any exceptions for a defendant paying the costs associated with (i) operating a global positioning monitoring system device or (ii) providing the victim with a cellular device application or an electronic receptor device from this bill. Senate amendment 2 (015338) revises the provision providing that if a defendant is released without a global positioning monitoring system device, then the court or magistrate must make reasonable efforts to directly contact the victim and notify the victim that the offender will be released without a global positioning monitoring system device and the victim will not be provided with access to notifications of the offender's proximity by, instead, only requiring the court to make such reasonable efforts. House amendment 2 (016967) enacts The Debbie and Marie Domestic Violence Protection Act. Requires the court to order a person charged with aggravated assault to wear a global positioning monitoring system (GPS) as a condition of bail if the alleged victim is a domestic abuse victim and the alleged assault involved certain specified actions. Requires the GPS to be worn by the defendant, rather than carried or worn. Requires a defendant ordered to wear a GPS or to provide a victim with a GPS mobile application or receptor device as a condition of bail to pay all costs associated with operating the system for the defendant and the victim. Establishes that such defendants are no longer eligible to receive assistance from the Electronic Monitoring Indigency Fund (EMIF) to help pay for the GPS service, regardless of whether or not a defendant is indigent. Requires, if a defendant is released without a GPS, the court to make reasonable efforts to directly notify the defendant of such release and that the defendant will not be provided with access to notifications of the offender's proximity. Requires every county and municipality to enter into a written agreement with a qualified GPS provider. Requires such a GPS system to be able to notify the victim through a cellular device application or electronic receptor device if the defendant is within a prescribed proximity of the victim's device. Requires the entity that provides the GPS service to notify a designated law enforcement employee and the appropriate emergency communications dispatch center when a defendant violates a condition of bond. Provides civil and criminal immunity to GPS providers and manufacturers if the victim voluntarily chooses not to utilize a device that provides proximity notifications or is noncompliant in the device's correct usage, and when the actions of those entities and the entities' employees are in accordance with the law and done in good faith and without gross negligence or malice.

*Fiscal Note:* (Dated February 10, 2024) Increase State Expenditures \$65,800/FY24-25 and Subsequent Years/ Electronic Indigency Monitoring Fund Increase Local Expenditures \$65,800/FY24-25 and Subsequent Years\*

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1033, effective July 1, 2024.

#### SB1975/HB2362 **GOVERNMENT REGULATION: Average of total recurring annual revenue year updates.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele

*Summary:* Changes the years, from 2010, 2011, and 2012 to 2021, 2022, and 2023, that the emergency communications board must use to calculate the average of total recurring annual revenue the district received from certain sources for purposes of determining the base amount of funding to distribute to an emergency communications district each year.

*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT

*Senate Status:* 03/13/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0604 effective July 1, 2024.

#### SB1976/HB1990 **TRANSPORTATION VEHICLES: Changes in phrases used in the Disabled Drivers Law of 1975.**

*Sponsors:* Sen. Massey, Becky , Rep. Hale, Michael

*Summary:* Extends the definition of a disabled driver to a person using a wheelchair. Replaces references in the Disabled Drivers Law of 1975 to persons "who are permanently and totally confined to a wheelchair" with references to persons "who use a wheelchair because of a permanent incapacity for ambulation."

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0555 effective March 11, 2024.

#### SB1979/HB1861 **EDUCATION: Participation in athletic activities by home school students.**

*Sponsors:* Sen. Niceley, Frank , Rep. Faison, Jeremy

*Summary:* Declares if a public school established under the jurisdiction of an LEA offers students the opportunity to participate in interscholastic athletic competition without the school being a member of an organization or an association that regulates interscholastic athletic competition, then the LEA shall permit participation in interscholastic athletics at such school by home school students who are zoned to attend the school.

*Amendment Summary:* House amendment 1 (013438) rewrites the bill to, instead, provide that if a public school established under the jurisdiction of an LEA offers students the opportunity to participate in interscholastic athletic competition without the school being a member of an organization or an association that regulates interscholastic athletic competition, then the LEA must permit participation in interscholastic athletics at such school by home school students who are zoned to attend the school, which does not prevent or interfere with the application and enforcement of eligibility requirements of an organization or association that regulates interscholastic athletic competition if the school at which the home school student desires to participate is a member of such an organization or association.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/01/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/18/24 - Enacted as Public Chapter 0658 effective March 28, 2024.

**SB1983/HB2119 PROPERTY & HOUSING: Condemned property.**

*Sponsors:* Sen. Niceley, Frank , Rep. Faison, Jeremy

*Summary:* Specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation. Creates a right for property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use.

*Amendment Summary:* House amendment 1 (014194) specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation of a property. Authorizes property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use. Provides that the act does not apply to condemnation actions for projects or uses regarding streets, highways, roads, bridges, transportation, utilities, utility water, public water projects, sewer, and electricity. Senate amendment 1 (014742) specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation of a property. Authorizes property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use. Provides that the act does not apply to condemnation actions for projects or uses regarding streets, highways, roads, bridges, transportation, utility water, public water projects, sewer, electricity, and utilities, including, but not limited to, gas and natural gas utilities.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0748, effective April 22, 2024.

**SB1984/HB2120 PROPERTY & HOUSING: Definition of "public use" as it applies to eminent domain.**

*Sponsors:* Sen. Niceley, Frank , Rep. Faison, Jeremy

*Summary:* Excludes recreational facilities, recreational purposes, and parks from the definition of "public use" as it applies to eminent domain.

*Amendment Summary:* Senate amendment 1 (013928) adds to the bill by providing that "public use" also does not include recreational facilities, recreational purposes, or parks; private use or benefit; or the indirect public benefits resulting from private economic development and private commercial enterprise, including increased tax revenue and increased employment opportunity, except for the acquisition of any interest in land for parks or natural areas by this state, in accordance with the law relevant to natural areas and recreation; brownfield projects; or the redevelopment of brownfield sites. As used in this amendment, a "brownfield project" means the screening, investigation, monitoring, control and/or remediation of any abandoned, idled, under-utilized, or other property whose re-use, growth, enhancement or redevelopment is complicated by real or perceived adverse environmental conditions.

*Fiscal Note:* (Dated February 11, 2024) Other Fiscal Impact Due to multiple unknown factors, any fiscal impact to state or local government cannot be determined with reasonable certainty.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1034, effective May 28, 2024.

**SB1985/HB2267 JUDICIARY: Postponed trial for forcible entry and detainer.**

*Sponsors:* Sen. Swann, Art , Rep. Boyd, Clark

*Summary:* Decreases from 15 to seven the number of days that a general session judge may postpone a trial for forcible entry and detainer. Also removes the ability to be moved to circuit court by writs of certiorari and superseseas. Broadly captioned.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0755, effective July 1, 2024.

**SB1987/HB1613 MISCELLANEOUS: Rockin' Around the Christmas Tree as official state holiday song.**

*Sponsors:* Sen. Swann, Art , Rep. Powell, Jason

*Summary:* Designates "Rockin' Around the Christmas Tree" by Brenda Lee as the official state holiday song.

*Amendment Summary:* Senate amendment 2 (015510) designates "Rockin Around the Christmas Tree" as the state official Christmas song. Requires the secretary of state to include the song as designated in the Tennessee Blue Book.

*Fiscal Note:* (Dated December 19, 2023) NOT SIGNIFICANT

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0719 effective March 25, 2024.

**SB1993/HB2289 HEALTH CARE: Scope of a medication aide's authority.**

*Sponsors:* Sen. Massey, Becky , Rep. Boyd, Clark

*Summary:* Removes a medication aide's authority, pursuant to a nursing delegation, to administer oral medications and topical medications prescribed with a designation authorizing or requiring administration on an as-needed basis. Removes prohibition against a medical aide administering medications delivered by aerosol, nebulizers, or metered hand-held inhalers without a spacer.

*Amendment Summary:* House amendment 1 (015058) rewrites the bill to, instead, provide that, in exercising the authority to administer medications pursuant to a nursing delegation, a medication aide may administer oral or topical medications prescribed with a designation authorizing or requiring administration on an as-needed basis, regardless of whether a nursing assessment of the patient has been completed by a licensed nurse before administration. This amendment also removes the present law prohibition against a medication aide administering medications delivered by aerosol/nebulizers or metered hand-held inhalers without spacers.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0756, effective April 22, 2024.

**SB1994/HB2360 CRIMINAL LAW: Appointment of magistrates in Knox County.**

*Sponsors:* Sen. Massey, Becky , Rep. Carringer, Michele  
*Summary:* Establishes that in Knox County one magistrate judge must be appointed by a majority of the county's general sessions judges and the length of their term is decided by a majority of the county's general sessions judges. Specifies the duties of magistrates include, but are not limited to, the issuance of arrest warrants and the setting of bonds and recognizances.  
*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0683 effective March 25, 2024.

**SB1995/HB2588 PUBLIC EMPLOYEES: TCRS member who has been elected or appointed as member of a city or county board.**

*Sponsors:* Sen. Walley, Page , Rep. Russell, Lowell  
*Summary:* Authorizes that under certain conditions a member of the Tennessee consolidated retirement system who has been elected or appointed as a member of a city or county board on or after January 1, 2012, and who simultaneously holds that position and another position with a different employer as a retirement system member, to continue service in the elected or appointed board member position while receiving a retirement allowance.  
*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/28/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0544 effective March 7, 2024.

**SB1998/HB2008 EDUCATION: Payment at school athletic events.**

*Sponsors:* Sen. Jackson, Ed , Rep. Haston, Kirk  
*Summary:* Requires the organizer of a public school athletic event to accept cash as a form of payment for admission to, purchase of concessions, or other items sold at the event and cannot charge a cash price that exceeds the price to purchase the same item if payment is made by a credit or debit card.  
*Amendment Summary:* Senate amendment 1 (013488) prohibits an LEA or public charter school governing body from participating in a public-school athletic activity that is hosted by an organizer who does not allow participating students to purchase tickets for admission to the athletic activity with cash, either in advance of the athletic event or at the site of the athletic event, or both.  
*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0841, effective May 1, 2024.

**SB2001/HB2146 TRANSPORTATION VEHICLES: Auctions in Hamilton County of previously titled motor vehicles that are antique or unique.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Martin, Greg  
*Summary:* Authorizes the sale or purchase of previously titled antique or unique motor vehicles without a motor vehicle dealer license through auction formats held in Hamilton County that meet certain criteria.  
*Amendment Summary:* Senate amendment 1 (014036) changes the effective date of the bill to October 11, 2024.  
*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/11/24 - Signed by Senate speaker.  
*House Status:* 03/12/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0590 effective October 11, 2024.

**SB2002/HB2305 TRANSPORTATION VEHICLES: Display of official vintage license plates on motor vehicles.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan  
*Summary:* Requires official vintage license plates that are issued and registered by the state in lieu of the standard antique motor vehicle registration plate to be displayed on antique motor vehicles when they are being operated on public roads and highways or are stationary. Allows holders of standard antique motor vehicle registration plates to display unofficial, unregistered vintage license plates only when the vehicle is stationary. Requires such holders to display the standard plate while the vehicle is being operated on public roads and highways.  
*Fiscal Note:* (Dated February 18, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/06/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0569 effective July 1, 2024.

**SB2004/HB2328 PROFESSIONS & LICENSURE: Compensation for therapists and counselors for services rendered in free health clinic.**

*Sponsors:* Sen. Rose, Paul , Rep. Freeman, Bob  
*Summary:* Prohibits a licensed professional counselor, licensed marital and family therapist, or licensed clinical pastoral therapist from receiving compensation for services rendered in a free health clinic, including, but not limited to, reimbursement from an individual or from any third-party payor. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014729) rewrites the bill to, instead, do the following: (1) Add licensed professional counselors, licensed marital and family therapists, and licensed clinical pastoral therapists to the present law description of a "medical practitioner"; (2) Require the board of professional counselors, marital and family therapists, and clinical pastoral therapists ("board"), to choose one of its members president, one vice-president, and one secretary-treasurer thereof, at an annual meeting, at such place as may be selected or designated by the board. The board may meet more often if necessary, in the discretion of the board, at such times and places as it may deem proper, for the examination of applicants and for the transaction of any business that may come before it; (3) Require the board to review the credentials of licensure of professional counselor applicants to determine if they are eligible for licensure, upon payment of a nonrefundable fee as set by the board; (4) Require the board to license as professional counselor applicants who satisfy the requirements of state law relative to fees, qualifications, educational and examination requirements, and professional licensure, and establish by rule any additional qualifications of the applicants necessary for the practice of professional counseling as provided in the bill; (5) Require the board to license as marital and family therapist applicants who satisfy the requirements of state law relative to fees, qualifications, educational and examination requirements, and professional licensure, or satisfy the requirements of reciprocity; and (6) Require an applicant for licensure as a professional counselor to pay the board a nonrefundable fee as set by the board and to satisfy the board that the applicant (i) has a conferred graduate degree in counseling or a closely related field; (ii) has obtained a total of 60 graduate hours in counseling or a closely related field; (iii) has completed a supervised field experience as either a practicum or internship; (iv) has had at least two years of professional experience of a type judged to be acceptable by the board subsequent to being granted a graduate degree and has not violated state law relative to professional licensure; (v) has passed the examination offered by the National Board for Certified Counselors or such other examination approved by the board; (vi) has passed the Tennessee jurisprudence exam; and (vii) has met any additional criteria of the board established by rule.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1035, effective July 1, 2024.

### SB2006/HB2230 MISCELLANEOUS: Reverend Kelly Miller Smith, Sr. Week of Service.

*Sponsors:* Sen. Oliver, Charlane , Rep. Love Jr., Harold

*Summary:* Designates the calendar week that includes October 28 as the "Reverend Kelly Miller Smith, Sr. Week of Service."

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0842, effective May 1, 2024.

### SB2007/HB1960 HEALTH CARE: Public hospital state employee incentive programs.

*Sponsors:* Sen. Campbell, Heidi , Rep. Jernigan, Darren

*Summary:* Authorizes public hospitals, upon approval of the hospital's governing body, to establish a state employee and retiree healthcare incentive program that will allow for the waiver of applicable out-of-pocket expenses associated with medical care at the public hospital for state employees and retirees and their covered dependents participating in the state group insurance plan.

*Amendment Summary:* Senate amendment 1 (013823) rewrites the bill as follows: (1) Authorizes public hospitals, upon approval of the hospital's governing body, to establish a state employee and retiree healthcare incentive program that will allow for the waiver of applicable out-of-pocket expenses associated with medical, surgical, or mental health care at the public hospital, including deductibles, except those deductibles associated with a high deductible plan, copays, and co-insurance, for state employees and retirees and their covered dependents participating in the state group insurance plan under the bill; and (2) Establishes that a "public hospital" means a hospital located in Shelby or Davidson County, and that is owned by a metropolitan hospital authority created under the Metropolitan Hospital Authority Act.

*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact The proposed legislation could result in an increase in costs and premiums to the State Group Insurance Program. Such increases are dependent on the number of participating hospitals and the decisions of state employees and retirees and cannot be reasonably determined.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1036, effective July 1, 2024.

### SB2009/HB2269 HEALTH CARE: Inspection or investigation of nursing home by health facilities commission.

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Requires the health facilities commission to mail the executive director's order within 10 working days after concluding an inspection or investigation of a nursing home, which must detail the alleged facts and pertinent law with particularity, and must also inform the nursing home of its right to contest the action and must detail the procedure for contesting the action. Broadly Captioned.

*Amendment Summary:* House amendment 2 (018373) rewrites the bill as follows: (1) Except after applying for and receiving a permit granted by the health facilities commission ("commission") for those services specified ("certificate of need"), prohibits a person from establishing a satellite emergency department facility or a satellite inpatient facility by a hospital at a location other than the hospital's main campus; (2) Establishes that the Tennessee Health Services and Planning Act of 2021 ("act") does not require a certificate of need for actions in a county that has no acute care hospital that is actively licensed under state law relative to health and located within the county; (3) Establishes that the exception created by (2) does not apply to (i) a rehabilitation facility; (ii) a home care organization other than a home care organization; (iii) hospice; (iv) opiate addiction treatment provided through a nonresidential substitution-based treatment center for opiate addiction; (v) a nursing home; or (vi) organ transplantation; (4) If the action to be taken pursuant to (2) is the establishment by a hospital of a satellite emergency department facility at a location other than such affiliate hospital's main campus, requires the satellite emergency department facility must be at least 10 miles away from any actively licensed acute care hospital or satellite emergency department facility located in another county; (5) In a county other than an economically distressed eligible county without a licensed hospital or a county as described in (2), above, establishes that the act does not require a certificate of need for a hospital to establish a satellite emergency department facility at a location that is within 10 miles of such affiliate hospital's main campus, if such location is 10 miles or more from another actively licensed acute care hospital or satellite emergency department facility; (6) If, on June 30, 2025, the initiation or provision of a service or the establishment or operation of a facility was subject to the requirement to obtain a certificate of need pursuant to the act but was not subject to the requirement to obtain a license pursuant to state law, and, on or after July 1, 2025, the initiation or provision of such service or the establishment or operation of such facility becomes subject to the requirement to obtain both a certificate of need pursuant to the act and a license pursuant to state law, authorizes a person to begin

initiating or providing the service or establishing or operating the facility upon receiving the certificate of need or obtaining the license, whichever occurs first; (7) Removes "intellectual disability institutional habilitation facility" and "ambulatory surgical treatment center" from the present law definition of "healthcare institution"; (8) Removes from the list of healthcare actions or services that are prohibited except after applying for and receiving a certificate of need (i) burn unit services; (ii) neonatal intensive care unit services; (iii) providing MRI services or increasing the number of MRI machines except in Williamson, Rutherford, Hamilton, Knox, Davidson, and Shelby counties; (iv) initiating PET scan services in counties other than Williamson, Rutherford, Hamilton, Knox, Davidson, and Shelby; (v) linear accelerator services; and (vi) open heart surgery services; (9) Requires a person who initiates MRI services to notify the commission in writing that imaging services are being initiated and indicate whether MRI services will be provided to a patient who is 14 or younger on more than five occasions per year; (10) Requires a provider of PET scan services established without a certificate of need to become accredited by the American College of Radiology and provide to the commission proof of the accreditation within two years of the date of licensure; (11) Establishes that a provider of PET scan services established without a certificate of need that fails to comply with the accreditation requirement is subject to licensure sanction; (12) Prohibits a person, partnership, association, or corporation, this state, a county or local government unit, and any division, department, board, or agency of a government unit, from establishing, conducting, operating, or maintaining the following in this state without a license: (i) a hospital; (ii) a recuperation center; (iii) a nursing home; (iv) a home for the aged; (v) a residential HIV supportive living facility; (vi) an assisted-care living facility; (vii) a home care organization; (viii) a residential hospice; (ix) a birthing center; (x) a prescribed child care center; (xi) a renal dialysis clinic; (xii) an outpatient diagnostic center; (xiii) an ambulatory surgical treatment center; (xiv) an adult care home; (xv) a traumatic brain injury residential home; (xvi) a burn unit; (xvii) a neonatal intensive care unit; (xviii) MRIs; (xix) PET scans; (xx) linear accelerator services; or (xxi) open heart surgery; (13) In addition to applicable licensing standards and requirements applicable to all ambulatory surgical treatment centers, authorizes the commission to adopt by rule licensing standards for non-hospital ambulatory surgical treatment centers licensed on or after December 1, 2027. Such standard much include, at a minimum, requirements that a non-hospital ambulatory surgical treatment center (i) participate in the TennCare medical assistance program and provide an amount of care to patients who are TennCare enrollees that is comparable to similarly situated hospital-based ambulatory surgical treatment centers, taking into account the types of outpatient surgeries, procedures, and treatments being performed in the facility; and (ii) provide an amount of charity care that is comparable to similarly situated hospital-based ambulatory surgical treatment centers, taking into account the types of outpatient surgeries, procedures, and treatments being performed in the facility; (14) In developing licensing standards, requires the commission to complete a report by December 1, 2025, that includes a compilation of payor mix information, by geographical area and type of surgery or procedure, for outpatient surgeries, procedures, and treatments performed in hospitals and hospital-based ambulatory surgical surgery centers. The payor mix information must include percentages of patients who are TennCare enrollees, medicare patients, or charity care patients. The report must be developed with participation from and input of various stakeholders, including existing ambulatory surgical treatment centers, physicians, nonprofit hospitals, rural hospitals, investor-owned hospitals, and others in the discretion of the commission; (15) Establishes that "long-term care hospital" means a hospital with a primary focus on patients with an average length of stay of more than 25 days; (16) Establishes that the act does not require a certificate of need to establish or operate a long-term care hospital; (17) Requires the commission to create a plan to study, for at least six years, the impact of certificate of need reform and facilities licensure in the healthcare industry. The commission MUST submit such plan to the speaker of the senate, the speaker of the house of representatives, the chair of the health committee of the house of representatives, and the chair of the health and welfare committee of the senate by December 31, 2024; (18) While conducting the study, requires the commission to consult with the chair of the health committee of the house of representatives or the chair's designee who must be a member of the house of representatives, the chair of the health and welfare committee of the senate or the chair's designee who must be a member of the senate, and hospital, physician, and community leaders from each of the three grand divisions of this state to produce a report on the findings of the study; (19) By December 31, 2026, and by December 31 of each even-numbered year thereafter through 2030, requires the commission to submit the report to the speaker of the senate, the speaker of the house of representatives, the chair of the health committee of the house of representatives, and the chair of the health and welfare committee of the senate on the progress and impact of certificate of need reform and facilities licensure in the healthcare industry; (20) Requires the commission to conduct the study and compile the reports required by the bill using existing resources within the commission's budget; (21) Requires an application filed with the commission to be accompanied by a nonrefundable examination fee fixed by the rules of the commission. The examination fee may be applied to a second application for the same project if the letter of intent for the first application is voided for non-compliance with law or rule by the executive director, the commission, or a court. The second application must be filed with the commission within 90 days of the voiding of the first letter of intent for the examination fee to be applied; (22) Within 15 days of a denial by the commission of all or part of an application, authorizes an applicant to petition the commission in writing for a hearing. The petition must be filed with the executive director. An applicant is barred from filing a petition for a contested case hearing after the fifteen-day period, and the commission has no jurisdiction to consider a late-filed petition. Upon receipt of a timely filed petition, the commission must initiate a contested case proceeding; (23) Requires that the contested case hearing be conducted in accordance with the Uniform Administrative Procedures Act; (24) Requires that contested cases be heard by an administrative law judge sitting alone. Petitions for contested cases received by the commission must be forwarded immediately to the administrative division of the secretary of state's office for assignment to an administrative law judge; (25) Requires the administrative law judge to whom a case has been assigned to convene the parties for a scheduling conference within 15 days of the date the petition for a contested case is filed. At the scheduling conference, the parties must state their respective positions on the mediation alternative described in the bill. If the parties are unable to agree on a mediation alternative, then the scheduling order for the contested case adopted by the administrative law judge must establish a schedule that results in a hearing completed within 180 days of the date on which the petition for a contested case was received by the commission, with the initial order to be entered within 60 days of the date the hearing is completed. Extensions of time or variances from the scheduling order must be granted sparingly, and only because of unforeseen developments that would cause substantial prejudice to a party; (26) As an alternative to the contested case process, authorizes the parties to agree to mediation of the issues raised in the contested case. The mediator must be designated by mutual agreement of the parties. The parties may designate a mediator who is not listed as a qualified Supreme Court Rule 31 mediator, but such mediator must observe the standards of professional conduct set forth in Appendix A to Supreme Court Rule 31, to the extent applicable. The mediator's fee must be shared equally among the parties, except that the state is not required to contribute to payment of the mediator's fee. If mediation results in agreement of the parties, then the agreement must be memorialized in the order terminating the contested case. A mediation proceeding under this bill is not subject to the scheduling order requirements set forth in (25); (27) Declares the general assembly that the public policy of this state is that certificate of need contested cases should be resolved through mediation, and the parties to such proceedings are encouraged to pursue this alternative; (28) Establishes that judicial review of the commission's final order in a contested case is as provided by law; (29) Requires that costs of the contested case proceeding and appeals, including the administrative law judge's costs, deposition costs, expert witness fees, and reasonable attorney fees, be assessed against the losing party in the contested case. If there is more than one losing party, then the costs must be divided equally among the losing parties. Costs must not be assessed against the commission; (30) Establishes that the provisions under this heading govern all contested cases relative to approval or denial decisions by the



commission; and (31) Requires that one member of the commission be the commissioner of disability and aging, or an employee of the department of disability and aging, designated by the commissioner.

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0985, effective May 21, 2024, July 1, 2024, July 1, 2025, December 1, 2025, December 1, 2027, & December 1, 2029.

### SB2011/HB2903 **TENNCARE: Use of drugs for the treatment of pain.**

*Sponsors:* Sen. Reeves, Shane , Rep. Kumar, Sabi

*Summary:* Requires the division of TennCare to ensure that a non-opioid drug approved by the United States food and drug administration for the treatment or management of pain is not disadvantaged or discouraged with respect to coverage relative to an opioid or narcotic drug for the treatment or management of pain on the preferred drug list. Makes other changes regarding the use of opioids and non-opioid drugs including notification to the patient and potential addiction if the person has a high risk of, or has a history of, controlled substance abuse or misuse. Broadly captioned.

*Amendment Summary:* House amendment 1 (015009) rewrites the bill to, instead, do the following: (1) Authorize the division of TennCare ("division"), in its sole discretion, to adopt or amend a state preferred drug list (PDL). The adoption or amendment of a PDL, and the recommendations of the TennCare pharmacy advisory committee to the division, are not agency actions and do not require rulemaking; (2) In establishing and maintaining the PDL, require the division to ensure that a non-opioid drug approved by the FDA for the treatment or management of pain is not disadvantaged or discouraged with respect to coverage relative to any opioid or narcotic drug for the treatment or management of pain on the PDL. However, this provision does not prohibit an opioid medication from being preferred over other opioid medications, or a non-opioid medication from being preferred over other non-opioid medications; (3) Establish that the bill applies to a non-opioid drug immediately upon its approval by the FDA for the treatment or management of pain, regardless of whether the drug has been reviewed by the division for inclusion on the PDL. The bill also applies to drugs being provided under a contract between the division and any managed care organization; (4) Define, for purposes of the bill, a "non-opioid treatment" as a drug or biological product that is indicated to produce analgesia without acting on the body's opioid receptors; (5) Require the division to ensure that reimbursement is provided to a healthcare provider who provides a non-opioid treatment to a recipient under the medical assistance program; (6) Require the division to ensure that, to the extent permitted by law, a hospital that provides either inpatient or outpatient services to a recipient is reimbursed under the medical assistance program for any medically necessary non-opioid treatment provided as a part of those services; and (7) When a licensed physician prescribes a non-opioid medication for the treatment of acute or chronic pain, prohibit a managed care organization or other health insurance issuer from denying coverage of the non-opioid prescription drug in favor of an opioid prescription drug. House amendment 2 (015364) revises the bill to prohibit a managed care organization or other health insurance issuer from denying coverage of a non-opioid prescription drug in favor of an opioid prescription drug when a healthcare prescriber, instead of a licensed physician, prescribes a non-opioid medication for the treatment of acute or chronic pain.

*Fiscal Note:* (Dated February 16, 2024) Increase State Expenditures \$2,412,200/FY24-25 \$1,886,200/FY25-26 and Subsequent Years Increase Federal Expenditures \$4,465,700/FY24-25 \$3,491,800/FY25-26 and Subsequent Years

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0762, effective July 1, 2024.

### SB2012/HB2011 **HEALTH CARE: Broadens the electronic health care records modernization act.**

*Sponsors:* Sen. Reeves, Shane , Rep. Vaughan, Kevin

*Summary:* Broadens the electronic health care records modernization act to include subjecting healthcare entities to injunctive relief and civil penalties for interfering with their patients accessing electronic health information and prohibiting healthcare entities from disclosing electronic health reports or tests, including certain pathology or radiology reports, to patients until 72 hours after the results have been finalized unless the healthcare provider directs the release of the results. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (015883) rewrites the bill to, instead, do the following: (1) Require a healthcare professional subject to state law on professions of the healing arts, who is considered a business associate, as that term is defined in federal regulations, to comply with (i) HIPAA and standards for privacy of individually identifiable health information required by federal regulations; and (ii) federal laws regulating information blocking, as that term is defined in federal regulations; (2) Prohibit a healthcare provider requesting a medical laboratory test for a patient from engaging in information blocking; (3) Establish that the following reports, test results, and any other related results must not be disclosed by a designated entity, as defined in state law, to a patient as part of the patient's electronic health record until 72 hours after the results are finalized, unless the healthcare provider directs the release of the results before the end of that 72-hour period: (i) pathology reports or radiology reports that have a reasonable likelihood of showing a finding of new or recurring malignancy; (ii) tests that could reveal genetic markers; (iii) a positive HIV test, except that this section does not prevent the disclosure of HIV test results, including viral load and CD4 count test results, to a patient living with HIV by secure internet website or other electronic means if the patient has previously been informed about the results of a positive HIV test pursuant to the requirements of this section; or (iv) presence of antigens indicating a hepatitis infection; (4) Establish that (1)-(3) above do not apply to a person or entity that is licensed under state law relative to professions of the healing arts and health, safety, and environmental protection; (5) Require a business associate, as that term is defined in federal regulations, to comply with (i) HIPAA and standards for privacy of individually identifiable health information required by federal regulations; and (ii) federal laws regulating information blocking; (6) Authorize the attorney general to institute an action for injunctive relief to restrain a violation of (5) above; (7) In addition to the injunctive relief provided in (6) above, authorize the attorney general to institute an action for civil penalties against a business associate for a violation of (5). A civil penalty assessed under this section must not exceed (i) \$5,000 for each violation committed negligently that occurs in one year, regardless of how long the violation continues during that year; (ii) \$25,000 for each violation committed knowingly or intentionally that occurs in one year, regardless of how long the violation continues during that year; or (iii) \$250,000 for each violation in which the covered entity knowingly or intentionally committed the violation for financial gain; (8) If the court in a pending action under (7) above finds that the violations occurred with a frequency as to constitute a pattern or practice, authorize the court to assess additional civil penalties for each violation; (9) In determining the amount of a penalty imposed under (7) above, require the court to consider (i) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the disclosure or blocking of information; (ii) the business associate's compliance history; (iii) whether the violation poses a significant risk of financial, reputational, or other harm to an individual whose protected health information is involved in the violation; (iv) the amount necessary to deter a future violation; (v) the business associate's efforts to correct the violation; (vi) the size and geographic location of the business associate; and (vii) the financial impact the penalty would have on the business associate's financial viability and ability to adequately serve an underserved community or population; (10) Establish that (5)-(9) above do not apply to (i) persons or entities licensed under state law relative to professions of the healing arts and health, safety, and environmental protection; or (ii) a body, authority, board, bureau, commission, district, or agency of this state or a political subdivision of this state; (11) Prohibit a business associate from entering into a contract with a person or entity that includes terms that restrict a patient or the patient's representative from accessing the patient's electronic health records. Any contract clause or provision that restricts a patient's access to the patient's electronic health records is void and unenforceable; (12) Establish that it is an unlawful restraint of trade or commerce for a person to intentionally violate federal laws regulating information blocking, and such violations are subject to the same civil and criminal penalties as a violation of state law on lessening competition and controlling prices; (13) Define, for purposes of the bill, a "health insurance entity" as an entity subject to the insurance laws of this state, or subject to the jurisdiction of the commissioner of commerce and insurance ("commissioner"), that contracts or offers to contract to provide health insurance coverage, including an insurance company, a health maintenance organization and a nonprofit hospital and medical service corporation; (14) To facilitate patient and provider access to health information, require a health insurance entity to establish and maintain the following application programming interfaces (API) for the benefit of all insureds and contracted providers, as applicable, (i) patient access API; (ii) provider directory API; and (iii) payer-to-payer exchange API; (15) In addition to the API described in (14) above, authorize the department of commerce and insurance to require a health insurance entity to establish and maintain the following APIs if and when final rules are published by the federal government: (i) provider access API; and (ii) prior authorization support API; (16) Require that an API described in (14)(iii) above be established in accordance with standards published in a final rule issued by the federal centers for Medicare and Medicaid services and published in the Federal Register, and align with federal effective dates, including enforcement delays and suspensions, issued by the federal centers for Medicare and Medicaid services; (17) Establish that (13)-(16) above do not limit existing requirements under state law relative to the department; and (18) Authorize the commissioner to promulgate rules to effectuate the bill.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0931, effective May 6, 2024, & July 1, 2024.

**SB2013/HB2268 PROFESSIONS & LICENSURE: Public automobile auctions.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Clarifies that a public automobile auction means a person that offers motor vehicles for sale to the highest bidder, where buyers are members of the public, by a motor vehicle dealer licensed to sell used motor vehicles that holds a public auto auction license and uses the services of a public automobile auctioneer licensed by the commission.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 03/07/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0585 effective March 15, 2024.

**SB2015/HB1988 TENNCARE: Extension of the nursing home annual assessment fee.**

*Sponsors:* Sen. Reeves, Shane , Rep. Johnson, Curtis

*Summary:* Extends the nursing home annual assessment fee to June 30, 2025.

*Fiscal Note:* (Dated March 9, 2024) Increase State Revenue \$168,641,500/FY24-25/ Nursing Home Assessment Trust Fund Increase State Expenditures \$168,641,500/FY24-25/ Nursing Home Assessment Trust Fund Increase Federal Expenditures \$312,202,100/FY24-25/ Nursing Home Assessment Trust Fund The Governors proposed budget for FY24-25 includes \$163,173,500 in state funds and \$302,079,400 in federal funds for the Nursing Home Assessment on page A-34.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1037, effective July 1, 2024.

**SB2016/HB2086 HEALTH CARE: Requirements for 340B entities receiving federal grant funds.**

*Sponsors:* Sen. Reeves, Shane , Rep. Helton-Haynes, Esther

*Summary:* Requires a 340B entity that receives federal grant funds through § 317 or § 318 of the Public Health Service Act to enter into an agreement with the department on such terms and conditions as the commissioner may require in order to be eligible to receive in-kind funds from the state or a political subdivision of the state on or after July 1, 2024. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015039) rewrites the bill to, instead, prohibit the department of health from permitting a corporation to receive in-kind contributions paid for by federal grant funds through the federal Public Health Service Act.

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0684 effective April 1, 2024.

**SB2017/HB2113 TORT LIABILITY: Property tort cause of action for unpaid wages.**

*Sponsors:* Sen. Reeves, Shane , Rep. Powers, Dennis

*Summary:* Requires a property tort cause of action for unpaid wages for hours worked, overtime, minimum wage, salary, bonuses, commissions, or other compensation owed to an employee or independent contractor, including causes of action for breach of contract, unjust enrichment, or quantum merit to be brought within three years of accruing.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0747, effective July 1, 2024.

**SB2018/HB2434 TORT LIABILITY: Class action resulting from a cybersecurity event - civil liability.**

*Sponsors:* Sen. Reeves, Shane , Rep. Terry, Bryan

*Summary:* Declares that a private entity is not liable in a class action resulting from a cybersecurity event unless the cybersecurity event was caused by willful, wanton, or gross negligence on the part of the private entity. Broadly captioned.

*Amendment Summary:* House amendment 1 (017202) establishes that a private entity is not liable in a class action lawsuit resulting from a cybersecurity event unless the cybersecurity event was caused by willful and wanton misconduct or gross negligence on the part of the private entity.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0991, effective May 21, 2024.

**SB2019/HB2060 HEALTH CARE: Prescribed buprenorphine products.**

*Sponsors:* Sen. Reeves, Shane , Rep. Hicks, Tim

*Summary:* Increases from 50 to 100 the number of patients to whom a licensed nurse practitioner or physician assistant who is authorized to prescribe Schedule II or III drugs may prescribe buprenorphine products. Increases from four to 10 the maximum number of licensed nurse practitioners or physician assistants who prescribe buprenorphine products that a physician may supervise or collaborate with at one time. Makes other changes relative to the use of buprenorphine products. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015859) clarifies that a healthcare provider who is not licensed under state law relative to medicine and surgery, or to osteopathic physicians, and who is otherwise permitted to prescribe Schedule II or III drugs under state law, is prohibited from prescribing any buprenorphine product for the treatment of opioid use disorder unless the provider is supervised by or collaborates with a physician who is limited to the supervision of, or collaboration for, a maximum of five, rather than four, licensed nurse practitioners or physician assistants.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0808 effective July 1, 2024.

**SB2020/HB1695 CRIMINAL LAW: Autopsy reports of minors who were victims of violent crimes.**

*Sponsors:* Sen. Reeves, Shane , Rep. Alexander, Rebecca

*Summary:* States that reports of county medical examiners and autopsy reports of victims of violent crime who are minors are not public documents. Authorizes the release of these records if the parent or legal guardian consents to the release. Broadly captioned.

*Amendment Summary:* House amendment 1 (013524) makes the following changes to the bill: (1) Provides that reports of county medical examiners and autopsy reports of minors whose manner of death is listed as a homicide are not public documents; (2) Allows for the report of a county medical examiner or autopsy report of a minor whose death is listed as a homicide to be released if another state or federal law requires such release; and (3) Deletes the definition of a "violent crime." House amendment 7 (018220) makes the following changes: (1) Authorizes the report of a county medical examiner or autopsy report of a minor whose manner of death is listed as a homicide to also be inspected, instead of just released, if (i) the minor's parent or legal guardian is not a suspect in the circumstances of the minor's death, and the parent or legal guardian consents to the release; (ii) a court orders the release of the report upon a showing of good cause; or (iii) another state or federal law requires such release; and (2) Allows for the report of a county medical examiner or autopsy report of a minor whose death is listed as a homicide to be released or inspected, as applicable, if the reports are only available for in-person inspection and no photographs, photocopies, or electronic images are taken of the reports. Senate State & Local Government Committee amendment 1 (015628) establishes reports of the county medical examiners, toxicological reports, and autopsy reports as public records with the exception of medical records of deceased persons, law enforcement investigative reports, and images of deceased persons. Specifies that a person shall not make or knowingly receive any image of autopsy reports of minors whose manner of death is listed as a homicide with an exception for the minor's parents or legal guardian that is not a suspect in the minor's death, a court order for the release with good cause, and another state or federal law requires such release.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

House Status: 04/23/24 - Signed by House speaker.

Executive Status: 05/08/24 - Enacted as Public Chapter 0906, effective May 3, 2024.

**SB2021/HB2020 ALCOHOLIC BEVERAGES: Tastings of alcoholic beverages for educational purposes.**

Sponsors: Sen. Reeves, Shane , Rep. Marsh, Pat

Summary: Removes the requirement for a student to taste alcohol for academic purposes in a qualified academic institution to be obtaining a bachelor's degree and replaces it with a program of study in fermentation that includes the specification that the program leads to a certificate, diploma, associate degree, bachelor's degree, or part of an apprenticeship program.

Fiscal Note: (Dated February 1, 2024) NOT SIGNIFICANT

Senate Status: 04/01/24 - Signed by Senate speaker.

House Status: 04/02/24 - Signed by House speaker.

Executive Status: 04/18/24 - Enacted as Public Chapter 0659 effective March 28, 2024.

**SB2022/HB2650 HEALTH CARE: Extension of notice by temporary healthcare staffing agencies.**

Sponsors: Sen. Reeves, Shane , Rep. Helton-Haynes, Esther

Summary: Extends the notice temporary healthcare staffing agencies are required to send to the health facilities commission to identify its business entity and any controlling person from no later than December 31, 2023, to no later than December 31 of each year. Broadly captioned.

Amendment Summary: Senate amendment 2 (018203) establishes that the home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Health Facilities Commission (HFC) or Board for Licensing Healthcare Facilities (Board) whose duties include the investigation of complaints filed against healthcare facilities, or the inspection of healthcare facilities licensed or certified by the HFC or the Board, as well as the personal information of the spouses and children of such personnel, including the names and locations of schools and day care facilities attended by the children of such personnel are not a public record open to inspection and are exempt from public disclosure. Establishes that fees collected by the HFC from healthcare construction plans reviews must not revert to the General Fund, but must remain available for expenditure in subsequent fiscal years. Authorizes these funds to be expended for operating expenses of the HFC as authorized in the annual appropriations act. Requires the executive director of the HFC to establish and maintain an assisted-care living facility trust fund known as the "ACLF Quality Improvement Fund", to be administered by a panel of at least seven and no more than eleven individuals. Requires the ACLF Quality Improvement Fund to be created by the deposit of all civil monetary penalties collected from assisted-care living facilities. Requires funds deposited in the ACLF Quality Improvement Fund to be used solely for the support of assisted-care living facility residents. Requires the executive director and the panel to jointly create a formal process to allow licensed assisted-care living facilities and providers of services to assisted-care living facility residents to apply for funds from the ACLF Quality Improvement Fund for one-time projects designed to improve care to residents of such facilities. Requires the executive director of the HFC to establish and maintain an ACLF Resident Protection Fund for the purpose of protecting the residents of an assisted-care living facility whose noncompliance with the conditions of continued licensure, applicable state rules, and contractual standards threatens the residents' continuous care, the residents' property, the assisted-care living facility's continued operation, or the assisted-care living facility's continued participation in the TennCare program. Requires the ACLF Resident Protection Fund to be funded by depositing 25 percent of each penalty collected from assisted-care living facilities and individuals until the ACLF Resident Protection Fund reaches a balance of \$75,000. Requires any penalties collected while the balance of the ACLF Resident Protection Fund is \$75,000 or more to be deposited to the ACLF Quality Improvement Fund. Requires the HFC to deposit any civil monetary penalties held by the HFC on the effective date of the legislation into the ACLF Quality Improvement Fund or the ACLF Resident Protection Fund. Establishes that appropriations deposited in the Trauma System Fund (TSF) may be funded with appropriations and any appropriations deposited in the TSF must remain in the TSF until expended and do not revert to the General Fund. Establishes that the executive director of the HFC has appointing authority of the Trauma Care Advisory Council (Council). Establishes that fees and civil penalties authorized by the Certificate of Need (CON) program, including those currently held in reserve, may be used to defray expenses incurred in the operation of the HFC, rather than expenses incurred specifically from the administration of the CON program. Removes the requirement that the HFC adjust prescribed CON fees to provide that revenues from fees do not exceed necessary and required expenditures. Removes the intent of the General Assembly that the HFC establish and collect fees in an amount sufficient to pay the costs of operating the commission. Removes the requirement that the HFC be subject to self-sufficiency review by the Joint Government Operations Committee. Requires the HFC to develop an independent informal dispute resolution (IIDR) program. Authorizes nursing homes entitled to an informal dispute to request an opportunity for IIDR. Requires the HFC to submit a report on the IIDR process, no later than December 1st of each year, to the chair of the Senate Health and Welfare Committee, the House Health Committee, and the legislative librarian, and to publish the report on its website in a manner accessible to the public. Authorizes the Attorney General and Reporter (AG) to petition a court for appointment of a receiver for a facility, either on the AG's own initiative or upon request of the HFC. Requires the HFC to provide training for surveyors and investigators who perform duties related to nursing facilities. Authorizes the HFC to seek approval from the federal Centers for Medicare and Medicaid Services (CMS) to utilize money from the Civil Money Penalty Reinvestment Program to cover the costs of joint training for surveyors and staff of long-term care facilities. Requires the HFC and the and the long-term care provider associations to share in the cost of providing the training, if CMS denies such application. Removes the requirement that HFC must conduct an annual needs assessment report that measures access to healthcare in the state. Establishes that only documents assessing civil penalties that have been appealed by a facility must be filed with the Secretary of State (SOS). Increases, from five working days to ten working days, the time period after a nursing home's actual receipt of a notice of a penalty by the HFC that the nursing home must pay the penalty assessed or file an answer demanding a contested case hearing. Requires a demand for a contested case to be filed only with the HFC, rather than the SOS. Establishes that the executive director of the HFC has a duty to promulgate rules in accordance with the Uniform Administrative Procedures Act. Increases the membership of the Board of Examiners for Nursing Home Administrators, from eight members to ten members. Adds the executive director of the HFC to the board and establishes the Commissioner of Health as a full member, rather than an ex-officio member. Authorizes the HFC to adopt in whole, or in part by reference, nationally or regionally accredited surgical technology programs. Requires the HFC to maintain a list of approved accredited surgical technology programs. Makes changes to the qualifications for employment of surgical technologists.

Fiscal Note: (Dated March 1, 2024) NOT SIGNIFICANT

Senate Status: 04/24/24 - Signed by Senate speaker.

House Status: 04/24/24 - Signed by House speaker.

Executive Status: 05/08/24 - Enacted as Public Chapter 0932, effective May 6, 2024, July 1, 2024, & July 1, 2024.

**SB2023/HB2019 LOCAL GOVERNMENT: Annual budget for county mayor's office.**

Sponsors: Sen. Reeves, Shane , Rep. Marsh, Pat

*Summary:* Requires the county legislative body to set the annual budget for the county mayor's office at a minimum of no less than the average of the budgeted amount for the office for the preceding 5 fiscal years. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014275) rewrites the bill to prohibit the county legislative body from adopting a budget that reduces the budget for the county mayor's office below the budgeted amount for the previous fiscal year for office personnel salaries and benefits, office supplies, communication expenses, postal charges, duplicating services, professional development training, and membership dues and fees, unless the reduction is approved by the county mayor.

*Fiscal Note:* (Dated February 4, 2024) Other Fiscal Impact A precise increase in mandatory local government expenditures beginning in FY24-25 cannot be estimated with reasonable certainty. \*

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0933, effective May 6, 2024.

#### **SB2024/HB2048 INSURANCE GENERAL: Requirement for number of incorporators or organizers for a captive insurance company.**

*Sponsors:* Sen. Reeves, Shane , Rep. Martin, Brock

*Summary:* Changes from three to one the number of incorporators or organizers a captive insurance company that is incorporated or organized in this state must have when being organized; deletes the requirement that the incorporator or organizer of the captive insurance company must be a resident of this state when being organized. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013741) makes changes to the revised Tennessee Captive Insurance Act. Adds regulations related to agency captive insurance companies. Prohibits a captive insurance company from being issued a license unless it maintains a surplus of \$250,000 of paid-in capital. Removes the requirement, upon certain approval, that a captive insurance company's board must meet once a year, if the captive insurance company utilizes at least two service providers with physical office locations in this state. Reduces from three incorporators or three organizers to one incorporator or one organizer the number that a captive insurance company must have to incorporate or organize in this state. Removes the requirement that an incorporator or organizer be a resident of the state. Clarifies that a material change does not include adding an additional line of coverage or increasing or decreasing premiums for a line of coverage, provided such increase or decrease is less than 15 percent. Authorizes the Commissioner of the Department of Commerce and Insurance (DCI) to approve an alternative date for filing and paying the premium tax due under this section for captive insurance companies. Requires the alternative filing and payment date to be no later than 75 days after the captive insurance company's fiscal year-end.

*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0643 effective April 4, 2024.

#### **SB2027/HB2110 LABOR LAW: Clarification of "work."**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* For purposes of this bill, "work" has the same meaning as interpreted by the U.S. Supreme Court in relation to the Fair Labor Standards Act. The U.S. Supreme Court has held that "work," broadly, means services rendered for which remuneration is owed. "Work" includes all time that an employee is required to be on the employer's premises, on duty, or at a prescribed workplace. For example, time spent at a workplace putting on or removing work-related gear qualifies as "work." This bill provides that "work" does not include the time an employee spends on the following: (1) Walking, riding, or traveling to and from the actual place of performance of the principal activity or activities that the employee is employed to perform; (2) Activities that are preliminary to or postliminary to the principal activity; or (3) Activities that require insubstantial or insignificant periods of time beyond the employee's scheduled working hours. This bill prohibits an employee from joining as a party plaintiff in any civil action brought under this bill by an employee, person acting on behalf of an employee, or person acting on behalf of all similarly situated employees unless that employee first gives written consent to become such a party plaintiff and that consent is filed with the court in which the action is brought. This bill establishes a statute of limitations of two years for filing any such action.

*Amendment Summary:* House amendment 1 (013622) removes the following provisions from the bill: (1) The two-year statute of limitations; and (2) The prohibition on an employee joining as a party plaintiff in a civil action that is brought under state human rights law by an employee, person acting on behalf of an employee, or person acting on behalf of all similarly situated employees unless that employee first gives written consent to become such a party plaintiff and that consent is filed with the court in which the action is brought.

*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0623 effective July 1, 2024.

#### **SB2028/HB1643 MENTAL HEALTH: Mental health evaluation and treatment for criminal defendants.**

*Sponsors:* Sen. Reeves, Shane , Rep. Lamberth, William

*Summary:* Requires the state to pay the cost of a court-ordered mental health evaluation and treatment for criminal defendants who have been charged with a misdemeanor and are believed to be incompetent to stand trial or for whom there is a question about mental capacity at the time of the offense. Broadly captioned.

*Fiscal Note:* (Dated January 19, 2024) Increase State Expenditures - \$3,313,600/FY24-25 and Subsequent Years Decrease Local Expenditures - \$1,381,200/FY24-25 and Subsequent Years

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0905, effective July 1, 2024.

#### **SB2030/HB2266 PROPERTY & HOUSING: Documentation related to service and support animals.**

*Sponsors:* Sen. Reeves, Shane , Rep. Boyd, Clark

*Summary:* Specifies that documents provided through a website with the primary function of providing certificates, registrations, licenses, or similar documents for assistance animals in exchange for payment of a fee are not reliable documentation in seeking an exemption to a prohibition on animals in rental property. Broadly captioned.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0754, effective July 1, 2024.

**SB2032/HB2489 EDUCATION: Temporary teaching permits to teach physical education classes in elementary schools.**

*Sponsors:* Sen. Hensley, Joey , Rep. Hurt, Chris

*Summary:* Grants authorization for the issuance of temporary teaching permits for the instruction of physical education courses at elementary schools.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0843, effective May 1, 2024.

**SB2036/HB1939 TENNCARE: Payment for home care services and community-based long-term care services.**

*Sponsors:* Sen. Briggs, Richard , Rep. Parkinson, Antonio

*Summary:* Prohibits an individual from being ineligible to receive payment for TennCare Medicaid-reimbursed home- and community-based long-term care services to an eligible individual on the basis that the individual providing care and the individual receiving care reside in the same home.

*Amendment Summary:* House amendment 1 (014050) limits the bill's application to an individual who enters an employment agreement with a provider agency participating in the TennCare program.

*Fiscal Note:* (Dated February 13, 2024) Based on additional information provided by the Division of TennCare, the original fiscal analysis was determined to be in error. The updated fiscal impact is as follows: (CORRECTED) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0621 effective March 27, 2024.

**SB2039/HB2263 ENVIRONMENT & NATURE: Appointees to the fish and wildlife commission.**

*Sponsors:* Sen. Rose, Paul , Rep. Darby, Tandy

*Summary:* Requires that appointees to the fish and wildlife commission participate in activities regulated by the commission. Requires the commission and wildlife resource agency to encourage hunting, angling, and trapping as preferred methods of wildlife management and conservation within this state. Broadly captioned.

*Amendment Summary:* House amendment 1 (014171) clarifies that the fish and wildlife commission has exclusive authority over the taking of game and fish, except to the extent such authority involves the regulation of the alteration of aquatic resources or other matters regulated under title 69, part 3.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0626 effective July 1, 2024.

**SB2040/HB2265 CRIMINAL LAW: Offense of committing criminal infrastructure vandalism.**

*Sponsors:* Sen. Rose, Paul , Rep. Boyd, Clark

*Summary:* Adds using, altering, encrypting, ransoming, destroying, or otherwise rendering unavailable without authorization, electronic data, electronic devices, or network providers of critical infrastructure or of a farm to the offense of committing criminal infrastructure vandalism. Broadly captioned.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0627 effective July 1, 2024.

**SB2043/HB2572 CRIMINAL LAW: Aggravated rape when defendant is infected with HIV.**

*Sponsors:* Sen. Lamar, London , Rep. Parkinson, Antonio

*Summary:* Extends the definition of aggravated rape to include rape when the defendant is knowingly infected with HIV.

*Amendment Summary:* Senate amendment 1 (014397) revises the bill to provide that aggravated rape is unlawful sexual penetration of a victim by the defendant or the defendant by a victim when the defendant both (i) knows that the defendant is infected with HIV and (ii) transmits HIV to the victim. House amendment 1 (018319) removes the requirement that the defendant transmits HIV to the victim.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0844, effective July 1, 2024.

**SB2044/HB2188 CRIMINAL LAW: Sentence reduction credits usage.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Lamberth, William

*Summary:* States that, for inmates serving a sentence of two years or more for an offense committed on or after July 1, 2024, sentence reduction credits shall not operate to alter the defendant's sentence expiration date but may be used to reduce the percentage of the sentence imposed by the court that the person must serve before becoming eligible for release on parole. Requires release eligibility for each defendant to occur when the defendant becomes eligible for parole or upon expiration of the entire sentence imposed on a defendant. Broadly captioned.

*Amendment Summary:* House amendment 1 (018301) prohibits sentence reduction credits from altering the sentence expiration date for an inmate with a felony sentence of two years or more for an offense committed on or after July 1, 2024. Authorizes sentence reduction credits to reduce the percentage of the sentence imposed by the court that the person is required to serve before becoming eligible for release on parole. Requires a defendant released on or following the release eligibility date to serve the remainder of the actual sentence imposed on parole. Deletes statute related to sentencing alternatives specific for defendants who commit specific nonviolent property offenses.

*Fiscal Note:* (Dated February 10, 2024) Other Fiscal Impact Due to a number of unknown factors, the extent and timing of any fiscal impact to state expenditures associated with a change in sentence reduction credits resulting from the proposed legislation cannot be quantified.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1038, effective July 1, 2024.

**SB2046/HB2103 ENVIRONMENT & NATURE: Rules of the fish and wildlife commission governing the numbering, safety equipment, and operation of vessels.**

*Sponsors:* Sen. Stevens, John , Rep. Howell, Dan

*Summary:* Requires rules of the fish and wildlife commission governing the numbering, safety equipment, and operation of vessels to be published in the newspaper at least 20 days, instead of 15 days, before the rules become effective.

*Amendment Summary:* Senate amendment 1 (014683) rewrites the bill to, instead, do the following: (1) Authorize the executive director to establish a special temporary, slow no wake zone, if such zone is necessary because of an immediate danger to the public health, environment, safety, or welfare, and the nature of the necessity is such that an emergency rule under the Uniform Administrative Procedures Act ("act"), cannot immediately be sought. A special temporary, slow no wake zone authorized must be published at least one time in newspapers with circulation that generally covers the areas affected by the establishment of the zone. However, this amendment does not remove the requirement to subsequently file an emergency rule in accordance with the act, as soon as practicable; and (2) Change the present law provision establishing that it is unlawful for any person or persons to operate any vessel subject to registration or any commercial vessel on the public waters of the state while under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system to, instead, refer to the "waters of Tennessee, as defined in state law" instead of the "public waters of the state."

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0845, effective July 1, 2024.

**SB2048/HB1825 CRIMINAL LAW: Increase in the limit on the amount of products containing ephedrine or pseudoephedrine base that a pharmacy may sell.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew

*Summary:* Increases the limit on the amount of products containing ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers that a pharmacy may sell or a person may purchase in a 30-day period from 5.76 grams to 7.2 grams. Removes the limit on the amount of such products that may be purchased or sold within a one-year period.

*Amendment Summary:* Senate amendment 1 (015567) makes the following changes: (1) Prohibits a pharmacy from selling products containing ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers to the same person in an amount more than 43.2 grams in any one-year period; and (2) Prohibits a person from purchasing products containing ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers in an amount more than 43.2 grams in any one-year period.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0846, effective July 1, 2024.

**SB2059/HB2791 JUDICIARY: Report on juvenile court noncompliance regarding data collection.**

*Sponsors:* Sen. Walley, Page , Rep. Littleton, Mary

*Summary:* Requires the administrative office of the courts to submit a report, by July 1 and January 1 of each year, listing each juvenile court, if any, that is not in compliance with quality statewide data collection requirements, including the dates of noncompliance and steps that could be taken to bring the court into compliance. Requires the report to be filed with the juvenile court judge for the court that is not in compliance with this section and the chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.

*Amendment Summary:* Senate amendment 1 (013998) rewrites the bill to, instead, require the administrative office of the courts to submit a report, by October 1 of each year, listing each juvenile court, if any, that is not in compliance with quality statewide data collection requirements, including the dates of noncompliance and steps that could be taken to bring the court into compliance. The report must be submitted to the juvenile court judges of the courts that are not in compliance and the chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.

*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0685 effective April 1, 2024.

**SB2060/HB2216 CRIMINAL LAW: Extends the statute of limitations for sexual assault of an adult.**

*Sponsors:* Sen. Walley, Page , Rep. Whitson, Sam

*Summary:* Establishes the statute of limitations for a civil action for an injury or illness based on a sexual assault that occurred when the person was 18 years of age or older to be within three years of the last act of sexual assault if law enforcement was not notified or within five years of the last sexual assault if law enforcement was notified. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014336) enacts "Danielle's Law." Extends the statute of limitations for bringing a civil suit for an injury or illness based on a sexual assault occurring when the injured person is at least 18 years old to three years from the date of the assault if law enforcement was not notified or to five years from the date of the assault if law enforcement was notified.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 03/26/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - House passed.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0644 effective April 4, 2024.

**SB2061/HB1803 EDUCATION: Tennessee Promise Scholarship - eligibility requirements.**

*Sponsors:* Sen. White, Dawn , Rep. Butler, Ed  
*Summary:* Clarifies when a student must be enrolled in an eligible postsecondary program to be eligible to receive a Tennessee Promise scholarship.  
*Fiscal Note:* (Dated January 26, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/28/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0540 effective July 1, 2024.

**SB2062/HB1881 CRIMINAL LAW: Penalty for assault against a law enforcement officer.**

*Sponsors:* Sen. White, Dawn , Rep. Capley, Kip  
*Summary:* Establishes a penalty for assault against a law enforcement officer that is a Class E felony and mandates a \$10,000 fine and a minimum of 60 days incarceration. Broadly captioned.  
*Amendment Summary:* House amendment 1 (018655) enacts the "Back the Blue Act." Enhances the penalty for assault against a law enforcement officer, from a Class A misdemeanor with a mandatory minimum 30-day sentence and \$5,000 fine, to a Class E felony with a mandatory minimum 60-day sentence and \$10,000 fine.  
*Fiscal Note:* (Dated February 21, 2024) Increase State Expenditures \$2,360,600 Incarceration Decrease Local Expenditures \$352,100/FY24-25 and Subsequent Years  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0976, effective July 1, 2024.

**SB2063/HB2232 HEALTH CARE: Pilot project to invest in the self-sufficiency of employees of childcare agencies.**

*Sponsors:* Sen. Oliver, Charlane , Rep. Freeman, Bob  
*Summary:* Creates a pilot project to place a moratorium on the loss of public assistance benefits for childcare workers based solely on wage increases that cause their income to exceed program eligibility limits. Requires TACIR to study wages and related issues for childcare workers, including the benefits cliff. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (017090) rewrites the bill to, instead, direct the Tennessee advisory commission on intergovernmental relations (TACIR) to conduct a study on the following: (1) The current landscape of child care workers in this state, including (i) demographic and racial makeup of the child care workforce; (ii) salary and wage compensation; (iii) tenure of employment at a child care agency; (iv) amount of child care workers on public assistance or working second employment; and (v) whether the child care workers have children enrolled in a child care agency; (2) The establishment, feasibility, and impact of implementing a program that covers the cost of child care for a child care worker who (i) works at least 20 hours per week at a licensed child care agency, regardless of the employee's role at the agency; (ii) has worked continuously at a child care agency for at least 90 days; (iii) is eligible to have their children attend the child care agency at no cost, or has children that attend a licensed, certified, or registered provider that accepts and is approved to receive child care assistance payments; and (iv) is a resident of this state; and (3) For the purpose of excluding a child care worker's income or household income level from being considered when determining eligibility as a protected population and addressing the workforce shortage by incentivizing child care workers to remain employed in the early education industry: (i) the feasibility and impact of expanding financial supports for early educators, such as through the use of the child care WAGE\$ program, bonuses, and other public benefit eligibility options; (ii) the establishment and feasibility of a target compensation scale for employees of child care agencies; and (iii) the benefits cliff and whether public benefits program eligibility thresholds are in alignment with state program income eligibility requirements. For purposes of this (3), "benefits cliff" means the loss of public benefits by employees of child care agencies whose incomes exceed public benefits eligibility thresholds following wage increases. This amendment requires all appropriate departments and agencies of this state to provide assistance to TACIR in connection with the analysis required in (1)-(3) above. This amendment requires TACIR to submit a report disclosing the findings of the study and recommendations to the speaker of the senate, the speaker of the house of representatives, and the legislative librarian no later than January 31, 2025.  
*Fiscal Note:* (Dated February 19, 2024) Increase State Revenue \$3,400/FY24-25/Strategic Technology Systems Increase State Expenditures \$103,700/FY24-25/General Fund Increase Federal Expenditures \$137,800/FY24-25 Other Fiscal Impact The proposed legislation may put the Department of Human Services out of compliance with requirements for federal funding for the Child Care and Development Fund and the Supplemental Nutrition Assistance Program, and may put the Department of Education out of compliance with requirements for federal funding for the National Nutrition Program. The precise amount of federal funding that may be jeopardized and any corresponding increase in state expenditures to cover lost federal funding is dependent on future actions of the federal government and cannot be reasonably estimated. The continued TANF payments to child care employees will result in an increase in federal expenditures; however, due to multiple unknown variables related to these employees, the precise increase cannot be reasonably determined.  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0934, effective May 6, 2024.

**SB2066/HB1969 WELFARE: Installation of carbon monoxide alarms in childcare agencies.**

*Sponsors:* Sen. Bailey, Paul , Rep. Jernigan, Darren  
*Summary:* Requires installation of carbon monoxide alarms in each room of a childcare agency where care is provided to a child. Requires the alarms to meet certain national certification standards and be installed in accordance with national fire safety recommendations or manufacturer instructions. Establishes dates by which the alarms must be installed in new and existing childcare agencies.



*Amendment Summary:* Senate amendment 1 (014029) makes the following changes to the bill: (1) Removes the definition of an "approved carbon monoxide alarm" ("alarm"); (2) Removes the requirement that the alarm be installed in accordance with either the standards of the National Fire Protection Association or the manufacturer's directions, unless the standards or directions conflict with applicable law; (3) Requires the alarm to be listed according to the International Building Code and International Fire Code for the purpose of carbon monoxide detection; (4) Adds the penalty for a violation of the bill, which is a Class C misdemeanor and clarifies that each day on which a violation continues constitutes a separate offense. (5) Removes the requirement that a child care agency in operation on July 1, 2024, have alarms installed no later than September 30, 2024; (6) Removes the requirement that a child care agency that begins operating on or after July 1, 2024, have alarms installed prior to the first day that child care is provided to children on the premises of the agency; and (7) Authorizes the state fire marshal to promulgate rules to effectuate the bill.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/08/24 - Signed by House speaker.

*Executive Status:* 04/29/24 - Enacted as Public Chapter 0733 effective July 1, 2024.

**SB2070/HB1676 FAMILY LAW: Juvenile court proceedings - taking of child into custody or removal of child from parent.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Specifies that a juvenile court proceeding may be commenced by the taking of a child into custody or the removal of custody from a parent or legal guardian. Requires the juvenile court in a dependency and neglect proceeding to determine whether a parent, guardian, relative, or caregiver of the child cannot be excluded as a perpetrator of severe child abuse against the child. Prohibits a juvenile court from returning a child victim of severe child abuse to the custody of a person who cannot be excluded as the perpetrator unless certain circumstances are met. Makes various other changes regarding abuse, severe child abuse, and token support

*Amendment Summary:* House amendment 1 (013967) makes the following changes to the bill: (1) Clarifies that support is presumptively token support if it is less than the amount of the minimum child support order established by the department of human services child support guidelines under the definition of "abandonment" under adoption; (2) Adds that a parent or guardian bears the burden of proving by a preponderance of the evidence that any support provided was more than token support; (3) Removes the clarification that support is token support if it is less than the amount of the minimum child support order established by the department of human services child support guidelines from the definition of token support under foster care; (4) Specifies that a court must look at each of the child's parents, guardians, relatives, and caregivers who provided care during the relevant time period of abuse if a petition alleged a child was dependent and neglected or if the court finds the child was dependent and neglected regardless of the ground alleged in the petition; and (5) Removes the specification that a home is not suitable if the parent or guardian resides with or maintains an ongoing relationship with an individual who has been determined by the court to be a perpetrator of severe child abuse, or who a court has determined cannot be excluded as a perpetrator of severe child abuse.

*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0613 effective July 1, 2024.

**SB2071/HB1675 FAMILY LAW: Expands eligibility for reimbursement as a relative caregiver.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Expands the eligibility for reimbursement as a relative caregiver by removing the income limitations and including a relative caregiver who meets the eligibility requirements and has been awarded custody by an order of any court. Part of Administration Package.

*Fiscal Note:* (Dated February 6, 2024) Increase State Expenditures \$18,636,000/FY24-25 and Subsequent Years/Fosters Hope Fund

*Senate Status:* 03/07/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0574 effective March 15, 2024.

**SB2072/HB2087 BANKING & CREDIT: Calculation of annual assessments for trust companies by department of finance and administration.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Changes how the department calculates annual assessments for trust companies, including differentiating between public and private trust companies. Changes the threshold at which a bank may obtain an evaluation in lieu of an appraisal for real property acquired by the bank.

*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0556 effective July 1, 2024.

**SB2073/HB1885 STATE GOVERNMENT: Reporting requirements - owning and leasing motor vehicles purchased by the commissioner of general services.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Removes the annual reporting requirements associated with acquiring, owning, and leasing motor vehicles purchased by the commissioner for use as state vehicles. Removes the requirement that information collected by the commissioner regarding energy-efficient and alternative fuel motor vehicles be shared on the department's website. Part of Administration Package.

*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT

*Senate Status:* 03/04/24 - Signed by Senate speaker.

*House Status:* 03/04/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0564 effective March 14, 2024.

**SB2074/HB1678 HEALTH CARE: Data reported by health facilities.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Transfers certain duties and authority regarding data reported by health facilities from the executive director of the health facilities commission to the department of health. Requires licensed birthing centers to report claims data on discharges to the department of health at least quarterly. Removes requirement that an owner of a hospital that closes must submit to the department a report of the statistical particulars relative to the hospital's patients for the fiscal year. Requires, regarding the reporting of hospital statistics, all hospitals to submit accurate and complete data. Clarifies that the department of health is not responsible for validating hospitals' internal data as reported in accordance with this section. Part of Administration Package.

*Fiscal Note:* (Dated January 25, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0557 effective March 11, 2024.

#### **SB2075/HB1679 PROFESSIONS & LICENSURE: Amount of dental hygienists under the supervision of one licensed dentist.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Increases the amount of dental hygienists, from three to five, that can work under the supervision of a licensed dentist at one time. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (013509) rewrites this bill to, instead: (1) Generally prohibit a licensed dentist from allowing, under general supervision, more than three dental hygienists to work at any one time; (2) Authorize a dentist to supervise, under direct supervision, no more than 10 dental hygienists while the dentist and each hygienist are providing dental services on a volunteer basis through a nonprofit provider of free mobile clinics in this state; and (3) Authorize a dentist to supervise, under general supervision, no more than five dental hygienists if the dentist and dental hygienists work for the department of health, a county or metropolitan health department, or an entity that participates in the state safety net program for the uninsured. A dentist supervising dental hygienists under this provision must do so in accordance with protocols established by the department of health or a county or metropolitan health department.

*Fiscal Note:* (Dated January 16, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/29/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0561 effective March 12, 2024.

#### **SB2076/HB1680 WELFARE: Expansion of the definition of abuse or neglect for adults.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Expands the definition of abuse or neglect to include situations when an adult is unable to provide or obtain the services necessary to maintain the adult's personal health or welfare. Part of Administration Package.

*Fiscal Note:* (Dated January 24, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 02/28/24 - Enacted as Public Chapter 0512 effective February 28, 2024.

#### **SB2077/HB1681 GOVERNMENT ORGANIZATION: Terminates the statewide advisory board for community-based vocational rehabilitation.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Terminates the statewide advisory board for community-based vocational rehabilitation services. Part of Administration Package.

*Fiscal Note:* (Dated January 27, 2024) Decrease State Expenditures \$700/FY24-25 \$700/FY25-26 Decrease Federal Expenditures \$2,800/FY24-25 \$2,800/FY25-26

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/27/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0558 effective July 1, 2024.

#### **SB2078/HB1886 WELFARE: Revisions to TANF program.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Implements penalties for certain offenses for beneficiaries of the temporary assistance for needy families (TANF) program and food stamp program, including penalties for fraudulent receipt of benefits. Removes an exemption from the TANF work requirement for a parent or caretaker relative who proves to the satisfaction of the department the existence of the person's temporary incapacity or permanent disability. Removes the requirement that the TANF maximum payment standard must not increase when a caregiver relative becomes pregnant while receiving assistance. Part of Administration Package.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 03/06/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0570 effective July 1, 2024.

#### **SB2079/HB1682 MENTAL HEALTH: CON for care and treatment - person's need for involuntary admission to inpatient treatment.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Adds a certificate of need for care and treatment that was completed by a licensed physician and a qualified advanced practice provider as a suitable certification for filing with a court for the purpose of a probable cause hearing on a person's need for involuntary admission to inpatient treatment, and as a prerequisite to judicial commitment. Part of Administration Package.

*Amendment Summary:* House amendment 1 (014768) rewrites the bill as follows: (1) Requires the person with overall authority for a public or private hospital, developmental center, treatment resource, or developmental disabilities service or facility, or the person's designee ("chief officer") to file with the court, by the time of the probable cause hearing for emergency involuntary admission to inpatient treatment, certificates of need for care and treatment from (i) two licensed physicians; (ii) one licensed physician and one psychologist; or (iii) one licensed physician and one qualified advanced practice provider, who is not in a collaborating agreement with the licensed physician who signed the other certificate of need filed with the court as required by state law, certifying that the defendant satisfies the prerequisites for judicial commitment for involuntary care and treatment, and certifying that if involuntary treatment is not continued, the defendant's condition resulting from mental illness or serious emotional disturbance is likely to deteriorate rapidly to the point that the defendant would again be admissible for emergency involuntary inpatient treatment, and showing the factual foundation for the conclusions on each item of the certificates; and (2) Prohibits a defendant from being judicially committed for nonemergency involuntary inpatient treatment unless (i) two licensed physicians; (ii) one licensed physician and one licensed psychologist; or (iii) one licensed physician and one qualified advanced practice provider, who is not in a collaborating agreement with the licensed physician who signed the other certificate required by state law, file in the commitment proceeding certificates of need for care and treatment certifying that the defendant satisfies the prerequisites for nonemergency involuntary admission to inpatient treatment and showing the factual foundation for the conclusions on each item. A defendant who is a child under 16 must not be judicially committed for nonemergency involuntary inpatient treatment unless one of the certificates is filed by a physician, psychologist, or qualified advanced practice provider with experience with children.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0785, effective July 1, 2024.

**SB2080/HB1683 GOVERNMENT REGULATION: Obsolete references to federal law pertaining to prescription of controlled substances.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Removes obsolete references to federal law that pertain to the prescription of certain controlled substances. Part of Administration Package.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 03/07/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0575 effective March 15, 2024.

**SB2081/HB2088 VETERANS & MILITARY AFFAIRS: Critical skills retention bonus program for Tennessee National Guard members.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes the military department to administer a critical skills retention bonus program to be used to award retention bonuses of up to \$10,000 to enlisted service members in the Tennessee national guard. Entitles certain state employees who are members of a reserve component of the armed forces of the United States or the national guard to special leave with partial pay during a period in which the members have been called to active duty.

*Fiscal Note:* (Dated February 10, 2024) Increase State Expenditures - \$300,000/FY24-25 and Subsequent Years Other Fiscal Impact This legislation codifies existing partial pay policies enacted through numerous executive orders, going back for more than 20 years. It is assumed that, in lieu of this legislation, similar executive orders would continue to be signed into law, in perpetuity; therefore, the codification of current policies is estimated to have no significant fiscal impact to state government. The Governors proposed FY24-25 budget, on page A-35, recognizes a recurring increase in general fund state expenditures in the amount of \$300,000 for the Department of Military and \$128,000 in recurring interdepartmental expenditures for the Department of Human Resources for a National Guard recruiting incentives package. HB 2088 - SB 2081

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0847, effective May 1, 2024.

**SB2082/HB1684 VETERANS & MILITARY AFFAIRS: Resilient Tennessee Revolving Loan Fund Act.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Creates the Resilient Tennessee Revolving Fund Act. Declares that disaster mitigation and resiliency are of the highest priority to the state. Ensures that Tennessee is ready and able to receive federal funds from the Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act. Requires the following money to be deposited into the fund: money received through FEMA and the STORM Act, money appropriated by the general assembly, investment and interest earnings, money received as repayment of loan principal and interest, and all money received by the fund. Requires money in the fund to be used to provide loans at an interest rate not exceeding 1% to eligible recipients. Allows money in the fund to be used to provide loans and financial assistance to recipients that mitigate the impacts of natural hazards. Requires TEMA to administer the fund and adopt rules and regulations for the fund's administration. Requires the agency to publish information about all projects receiving funding. Part of Administration Package.

*Fiscal Note:* (Dated February 10, 2024) Increase State Expenditures - \$384,900/FY24-25 and Subsequent Years The Governors proposed FY24-25 budget, on page A-35, recognizes a recurring increase in state expenditures of \$357,000 for five emergency management specialist-3 positions.

*Senate Status:* 04/05/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0686 effective July 1, 2024.

**SB2083/HB1887 VETERANS & MILITARY AFFAIRS: Employment benefits for Tennessee service members.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Expands the types of duty that qualify a member of the national guard, state guard, or civil air patrol who is also a state employee for employment protections. Specifies a calculation to determine the amount of monetary benefits for a national guard member who is injured or killed in the line of duty based on the member's average salary. Part of Administration Package.

*Fiscal Note:* (Dated February 12, 2024) Increase State Expenditures Exceeds \$10,000/FY24-25 and Subsequent Years The Governors proposed FY24-25 budget, on page A-35, recognizes a recurring increase in state expenditures in the amount of \$87,600 for the Department of Military for workers compensation and the Uniformed Services Employment and Reemployment Act.

*Senate Status:* 04/05/24 - Signed by Senate speaker.

*House Status:* 04/01/24 - House passed.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0687 effective April 1, 2024.

#### **SB2086/HB1687 HEALTH CARE: Requirements for public safety dispatchers - mandatory physical exam.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes a nurse practitioner or physician assistant to perform the mandatory physical examination of a public safety dispatcher or emergency call taker if the physical examination is included in the written protocol developed by the supervising physician and nurse practitioner or physician assistant. Part of Administration Package.

*Fiscal Note:* (Dated January 15, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 03/15/24 - Enacted as Public Chapter 0529 effective July 1, 2024.

#### **SB2087/HB1688 TRANSPORTATION VEHICLES: Deposit of driver licenses in lieu of bail.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Deletes the provision authorizing municipalities and counties to grant the option permitting a person charged with violating certain traffic ordinances to deposit the person's driver license in lieu of bail. Part of Administration Package.

*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Signed by House speaker.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0530 effective March 7, 2024.

#### **SB2088/HB1888 ENVIRONMENT & NATURE: Expansion of the definition of park operations.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Expands the definition of park operation to include park facilities used in connection with fee-based recreational activities or intended to be revenue-generating.

*Fiscal Note:* (Dated February 5, 2024) Decrease State Revenue \$250,000/FY24-25 and Subsequent Years/Central Procurement Office Increase State Expenditures \$92,600/FY24-25/General Fund \$91,100/FY25-26 and Subsequent Years/General Fund Decrease State Expenditures \$250,000/FY24-25 and Subsequent Years/State Parks Fund The Governors proposed FY24-25 budget, on page A-35, recognizes a recurring appropriation of \$107,100 to fund the additional position for the Department of Environment and Conservation.

*Senate Status:* 03/06/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0578 effective March 15, 2024.

#### **SB2089/HB1689 ENVIRONMENT & NATURE: Removal of illegally disposed waste tires.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Expands the permitted uses for money received by a county for each tire sold in the county to include removal of illegally disposed waste tires from public or private property. Authorizes the department of environment and conservation to provide funds to a local government for the investigation and clean-up of privately owned, unpermitted waste tire disposal sites. Makes other changes regarding waste tire haulers. Part of Administration Package.

*Fiscal Note:* (Dated January 28, 2024) Increase State Revenue \$7,200/FY25-26 and Subsequent Years/Solid Waste Management Fund

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0614 effective July 1, 2025.

#### **SB2091/HB1691 TENNCARE: Compliance with federal law regarding third-party liability.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires a third party for medical services to accept the state's right of recovery and the assignment to the state of the right of an individual to payment from the party for an item or service for which payment has been made under the state plan, accept authorization provided by the state that an item or service is covered under the state plan, and agree to not deny a claim submitted by the state solely on the basis of the date, type, or format of the claim form. Part of Administration Package.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/28/24 - Sent to House speaker for signature.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0531 effective March 7, 2024.

#### **SB2092/HB1693 GOVERNMENT ORGANIZATION: Tennessee Commission for the United States Semiquincentennial Commission - appointing of designees.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes ex officio members of the Tennessee Commission for the United States Semiquincentennial Commission to appoint designees to serve on the commission. Transfers the administrative attachment for the commission from the department of tourist development to the Tennessee State Museum. Part of Administration Package.

*Fiscal Note:* (Dated January 30, 2024) Other Fiscal Impact Upon its transfer from the Department of Tourist Development to the Tennessee State Museum, the Commissions carryforward amount of \$149,400 will transfer along with it, to be used by the Commission to fulfill its duties. Further, an additional \$29,900 will be allocated to the Commission in FY24-25 and in FY25-26.

*Senate Status:* 02/28/24 - Signed by Senate speaker.

*House Status:* 02/29/24 - Signed by House speaker.

*Executive Status:* 03/20/24 - Enacted as Public Chapter 0562 effective March 12, 2024.

**SB2093/HB1692 TOURISM: Policy for maintenance of records by the department of tourist development.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires information and documents maintained or produced by the department of tourism to be made open to the public. Authorizes information to be held from the public for up to five years if the information is of a sensitive nature. Excludes marketing information and capital plans from this requirement. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (015709) makes the following changes: (1) Revises the provisions in the bill that provide that a record, documentary materials, or other information, including proprietary information, received, produced, or maintained by the department is a public record and open for public inspection unless the commissioner of tourist development, with the affirmative agreement of the attorney general and reporter, determines that a document or information is of such a sensitive nature that its disclosure would adversely impact the department's ability to carry out its statutory functions to, instead, provide that the materials mentioned above are a public record and open for public inspection unless the commissioner, with the affirmative agreement of the attorney general, determines that a document or information is of such a sensitive nature that its disclosure or release would seriously harm the ability of this state to negotiate events, contracts, agreements, or administer grant programs; and (2) Revises the provisions in the bill that provide if the commissioner, with the agreement of the attorney general, determines that a document or information should not be released or disclosed because of its sensitive nature, then such document or information is confidential for a period of five years from the date such determination is made. After the five-year period, the confidential document or information is a public record and open for public inspection unless the process is effectuated again. However, such document or information must not be deemed confidential for more than 10 years. This amendment, instead, provides that such document or information is confidential until whichever of the following occurs first: (i) 10 years from the date such determination is rendered; (ii) after the disbursement of state funds; (iii) after the conclusion of the event in which the contract or event was negotiated; or (iv) upon the expiration of a contract entered into by this state.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0740, effective April 22, 2024.

**SB2094/HB1694 WORKERS COMPENSATION: Reporting of accident that results in a work-related death or personal injury.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires an employer to report to the bureau of workers' compensation each accident that results in a work-related death or personal injury within 14 calendar days of the date the employer is notified of the accident or has knowledge of the accident, whichever is earlier, instead of reporting accidents at different intervals based upon the nature of the injury and whether the injured employee is able to return within seven days of the accident. Specifies if temporary disability payments have been made without an award, and the employer subsequently elects to controvert the employer's liability for any of those benefits, then the employer shall electronically file the required information with the administrator within 15 calendar days of the due date of the first omitted payment. Current law specifies 15 days rather than calendar days. Makes other revisions. Part of Administration Package.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 02/26/24 - Signed by Senate speaker.

*House Status:* 02/26/24 - Sent to House speaker for signature.

*Executive Status:* 03/07/24 - Enacted as Public Chapter 0532 effective July 1, 2024.

**SB2095/HB1855 EDUCATION: Higher education institutions to establish policies to promote security of academic research.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Ragan, John

*Summary:* Requires each public institution of higher education to establish a policy framework to promote the security of academic research conducted at the institution to mitigate against the risk of foreign influence. Each policy framework must designate an individual to serve as the research security officer for the institution, who is responsible for maintaining classified information, maintaining controlled unclassified information, reporting on any foreign influence at the institution, and addressing other issues at the institution relative to the goals established in the institution's policy framework.

*Amendment Summary:* Senate amendment 1 (015368) requires each public institution of higher education to safeguard its academic research from foreign adversaries by establishing a research security policy to be implemented no later than January 1, 2025, and make the policy available on the institution's website. The research security policy must comply with legal, regulatory and contractual requirements and standards; promote an institutional cultural of compliance; address efforts to maintain publicly accessible contact information, a process to regularly update the policy and establish internal processes to ensure compliance; comply with state and federal distributions of communications on research security matters; make processes to identify and address compliance concerns at the institution. Requires the governing board of each public institution of higher education to submit a report on the institution's compliance no later than July 1, 2025, to the chairs of the education committees of the Senate and House.

*Fiscal Note:* (Dated February 22, 2024) Increase State Expenditures \$491,700/FY24-25 and Subsequent Years /Locally Governed Institutions

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0955, effective July 1, 2024.

**SB2096/HB2091 COMMERCIAL LAW: Ensuring Likeness, Voice, and Image Security Act of 2024.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Enacts the "Ensuring Likeness, Voice, and Image Security Act of 2024" (ELVIS Act). Specifies that any person who knowingly uses or infringes upon the use of an individual's voice, in any manner directed to any person other than such individual, for purposes of advertising products, merchandise, goods, or services, or for purposes of fundraising, solicitation of donations, purchases of products, merchandise, goods, or services, without such individual's prior consent, or, in the case of a minor, the prior consent of such minor's parent or legal guardian, or in the case of a deceased individual, the consent of the executor or administrator, heirs, or devisees of such deceased individual, is liable to a civil action. Provides that a person is liable to a civil action if the person publishes, performs, distributes, transmits, or otherwise makes available to the public an individual's voice or likeness, with knowledge that use of the voice or likeness was not authorized by the individual or, in the case of a minor, the minor's parent or legal guardian, or in the case of a deceased individual, the executor or administrator, heirs, or devisees of such deceased individual. Also provides that a person is liable to a civil action if the person distributes, transmits, or otherwise makes available an algorithm, software, tool, or other technology, service, or device, the primary purpose or function of which is the production of an individual's photograph, voice, or likeness without authorization from the individual or, in the case of a minor, the minor's parent or legal guardian, or in the case of a deceased individual, the executor or administrator, heirs, or devisees of such deceased individual. Authorizes the chancery and circuit court having jurisdiction for any action arising pursuant to existing law to grant injunctions on such terms as it may deem reasonable to prevent or restrain the unauthorized use of an individual's voice. Provides that where a person has entered into a contract for an individual's exclusive personal services as a recording artist or an exclusive license to distribute sound recordings that capture an individual's audio performances, an action to enforce the rights set forth in present law may be brought by the person or the individual. Broadly captioned. Part of Administration Package.

*Amendment Summary:* House amendment 1 (014405) makes the following changes to the bill: (1) Provides that a person is liable to a civil action if the person distributes, transmits, or otherwise makes available an algorithm, software, tool, or other technology, service, or device, the primary purpose or function of such algorithm, software, tool, or other technology, service, or device is the production of a particular, identifiable individual's photograph, voice, or likeness, with knowledge that distributing, transmitting, or otherwise making available the photograph, voice, or likeness was not authorized by the individual or, in the case of a minor, the minor's parent or legal guardian, or in the case of a deceased individual, the executor or administrator, heirs, or devisees of such deceased individual; and (2) Revises the present law that provides that it is deemed a fair use and no violation of an individual's rights shall be found, for purposes of this part, if the use of a name, photograph, or likeness is in connection with any news, public affairs, or sports broadcast or account. This amendment replaces the present law and, instead, provides that to the extent such use is protected by the First Amendment to the U.S. Constitution, it is deemed a fair use and not a violation of an individual's right if the use of a name, photograph, voice, or likeness is: (A) In connection with any news, public affairs, or sports broadcast or account; (B) For purposes of comment, criticism, scholarship, satire, or parody; (C) A representation of the individual as the individual's self in an audiovisual work unless the audiovisual work containing the use is intended to create, and does create, the false impression that the work is an authentic recording in which the individual participated; (D) Fleeting or incidental; or (E) In an advertisement or commercial announcement for a work.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/01/24 - Enacted as Public Chapter 0588 effective July 1, 2024.

### SB2097/HB1891 **COMMERCIAL LAW: Protecting Children from Social Media Act.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Enacts the "Protecting Children from Social Media Act," which requires a social media company to verify the age of an individual who attempts to become an account holder or is an account holder. Requires the social media company to obtain parental consent if the individual is a minor in order for the individual to obtain an account or to continue as an account holder. Requires a social media company to allow a parent to revoke consent for a minor to become or continue as an account holder. Prohibits a social media company or third party from retaining personally identifying information that was used to verify age or parental consent. Part of Administration Package.

*Amendment Summary:* House amendment 1 (015588) makes the following changes: (1) Revises the definition of "account holder" to, instead, mean a person who has an account or profile to use a social media company's platform, with such account or profile having been created on or after January 1, 2025; (2) Clarifies that, as used in the bill, "content" means text, image, or video, but does not include interactive gaming or educational entertainment; (3) Clarifies that, as used in the bill, a "social media platform" does not include an online shopping service, if the interaction with other account holders or users is limited to the ability to send, receive, request, or settle funds, comment on transactions, display goods for sale, engage as consumers about products and reviews, or post a wish list; (4) Clarifies that, as used in the bill, a "social media platform" does not include an internet service, internet application, or website that primarily provides career development opportunities; and (5) Changes the effective date to January 1, 2025. Senate Amendment 1 (015722) requires a social media company to verify the age of an individual before the individual can become an account member. Requires parental consent for a minor to become an account holder.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0899, effective January 1, 2025.

### SB2098/HB2089 **HEALTH CARE: Tennessee Disability and Aging Act of 2024.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Enacts the "Tennessee Disability and Aging Act of 2024," which creates the department of disability and aging and specifies powers and duties of department. Requires the department to plan, coordinate, administer, monitor, and evaluate state and federally funded services and supports as a community-based system within the total system of services and supports for persons with an intellectual or developmental disability, or at risk for those conditions, and for their families. Permits the department to license services and facilities operated for the provision of disability services and for personal support services. Specifies persons who are exempt from licensing by the department. Specifies that it is unlawful for a person, partnership, association, or corporation to own or operate a service or facility that provides intellectual or developmental disability services or personal support services without having obtained a license as required by this part. Makes a violation of this requirement a Class B misdemeanor and specifies that each day of operation without a license constitutes a separate offense. Specifies grounds that department may suspend or revoke a license and allows department to assess a civil penalty on a licensee for violation of this title or of a department rule. Establishes licensing process for personal support services. Makes other revisions. Part of Administration Package (171 pp.).

*Amendment Summary:* Senate amendment 1 (015302) creates the Department of Disability and Aging which combines the current Department of Intellectual and Developmental Disabilities (DIDD) and the Tennessee Commission on Aging and Disability (TCAD). Revises various statutes to implement the change. Moves the Alzheimer's Disease and Related Dementia Advisory Council under the administration of the Department of Health. Requires the department to assess in writing the fiscal impact on licensees under chapter 2, part 4 of this title, of any change to any rule, regulation, policy, or guideline relating to the staffing, physical plant, or operating procedures of the licensee for rendering services pursuant to a contract, grant, or agreement with the department. Specifies that unless exigent circumstances require the change to be implemented sooner, no less than 30 days before the change in the rule, regulation, policy, or guideline is to take effect, the commissioner of intellectual and developmental disabilities shall transmit the department's estimate of fiscal impact to the finance, ways and means committee of the house of representatives, the finance, ways and means committee of the senate, and the comptroller of the treasury for any appropriate review. Makes other changes related to the creation of the new department.

*Fiscal Note:* (Dated February 18, 2024) Other Fiscal Impact The proposed legislation combines two executive branch entities; therefore, the fiscal impact will be to shift two entity appropriations into one. The overall net effect will be not significant. The Governors proposed FY24-25 budget shifts the Commission on Aging and Disability under the Department of Intellectual and Developmental Disabilities.

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0688 effective July 1, 2024.

### SB2100/HB1892 **CONSTRUCTION: Use of third-party examiners, inspectors, or engineers.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Authorizes the use of certain third-party examiners, inspectors, engineers, and professionals in lieu of a local or state examiner, inspector, engineer, or professional for certain permitted processes and requirements. Establishes procedures and requirements for the use of a third-party examiner, inspector, engineer, or professional in building construction. Part of Administration Package (22 pp.).

*Amendment Summary:* Senate amendment 1 (013987) requires a local jurisdiction, which has adopted its building standards and codes authorized in statute, but outside of the minimum state-wide standards, to perform any examinations of construction plans and specifications and inspections within 30 days of a request. Authorizes the State Fire Marshal to require an inspection during construction or alteration of certain types of buildings or structures. Authorizes a person in a local jurisdiction to engage with third-party inspectors or third-party plans examiners to examine plans and specifications prior to construction or to complete locally required building construction inspections and inspection reports during construction, in lieu of examinations or inspections by the local jurisdiction. Clarifies that engaging with a third party is not applicable to state buildings, educational occupancies, or any other occupancy requiring an inspection by the State Fire Marshal for initial licensure, except agencies licensed by the Department of Human Services. Removes the requirement that a local jurisdiction that accepts an electrical engineer inspection by a registered inspector must maintain a record of an inspection performed by an engineer for no less than three audit years. Authorizes a person to engage a third-party water resource engineer to prepare a permit package to install a subsurface sewage disposal system or to inspect the final inspection of a subsurface sewage disposal system in lieu of the Department of Environment and Conservation (TDEC) or contract county. Authorizes a person to engage a third-party water resource engineer to conduct a final inspection or to review engineering reports, plans, and specifications to construct, install, or modify a non-discharging treatment works or sewerage system, including the collection system, treatment facility, and land application components. Authorizes a person to engage a third-party wetland professional to review an application for the alteration of the physical, chemical, radiological, biological, or bacteriological properties of any waters of the state in lieu of TDEC review. Authorizes the third party to submit a permit application review after the applicant has submitted an aquatic resource inventory and TDEC has concurred with this inventory. Creates requirements and guidelines for engaging with each applicable third party under the applicable departments. Prohibits third parties from conducting an inspection, examination, review or permit package if the third-party inspector or third-party examiner has a conflict of interest. Requires any fees charged by the local government or department for a third-party plans examinations, inspection, reviews or permit packaging to be the same amount charged by the local government, or departments to perform the same service. Senate amendment 2 (014959) requires a person who engages a third-party inspector to complete locally required building inspections are required to continue using a third-party inspector for any subsequent inspections. Requires the person to submit the building plans, inspection reports, third-party inspector's name and registration, and a sworn written statement by the third-party inspector stating any deficiencies in the applicable code. House amendment 1 (017076) makes the following changes: (1) Authorizes a soil scientist certified by the department to submit an application for a permit for a subsurface sewage disposal system with a capacity of less than 750 gallons per day that includes the completed application, application fee, proposed design, an appropriate intensity soils map signed by a soil scientist certified by the department, and a completed but unsigned permit for construction of the subsurface disposal system; and (2) When a local jurisdiction or the state fire marshal's office accepts a final inspection under the provisions in the bill summary regarding third-party inspectors, then requires the local jurisdiction to issue a certificate of occupancy.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0771, effective October 1, 2024.

### SB2101/HB2090 **GOVERNMENT CONTRACTS: Revises provisions related to informal solicitations, small purchases and other procurement related matters.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Requires certain information to be made available to each respondent for solicitation of a contract upon request. Revises provisions relating to informal solicitations and small purchases. Revises provisions relating to protests by aggrieved respondents to solicitations. Broadly captioned. Part of Administration Package.

*Amendment Summary:* House amendment 1 (014737) requires a protesting party to show by clear and convincing evidence that the facts and grounds set forth in the protest warrant either of the following actions by the chief procurement officer: (i) the award of a contract to a protesting party; or (ii) the cancellation of a solicitation, whether in whole or in part.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/20/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0634 effective April 2, 2024.

### SB2103/HB1893 **TAXES BUSINESS: Value of tangible property as minimum tax base.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Deletes the provision requiring that the measure of the franchise tax must not be less than the actual value of the real or tangible property owned or used by a taxpayer in this state. Authorizes the commissioner of revenue to issue refunds under certain conditions to taxpayers who properly file a claim for refund for taxes paid under that provision.

*Amendment Summary:* Senate amendment 2 (003515) makes the following changes to the bill: (1) Requires the tax subject to refund to have been reported to the department of revenue ("department") on a return filed on or after January 1, 2021, covering a tax period that ended on or after March 31, 2020, and the refund claim must be filed between May 1, 2024 and February 3, 2025, instead of requiring the refund to be claimed within three years from December 31 of the year in which the payment was made or within any period covered by an extension; (2) Requires all refunds paid pursuant to the bill to be paid from an appropriately designated fund established by the commissioner of finance and administration. Except as otherwise provided in this (2), any unexpended balance at the end of a fiscal year must not revert to the general fund but must be carried forward to be expended in the subsequent fiscal year. On or before June 30, 2025, the commissioner of finance and administration and the commissioner of revenue must jointly certify to the chairs of the finance, ways and means committees of the senate and the house of representatives the amount claimed pursuant to the bill. On July 1, 2025, any funds in excess of the certified amount must revert to the general fund. The fund specified in this (2) expires upon final payment of all refunds due pursuant to this section, and any remaining balance must revert to the general fund. It is the legislative intent that the beginning balance in the fund must be from funds appropriated by the general assembly in the general appropriations act for the purposes of the bill; and (3) On or before December 31, 2024, requires the department of revenue to report in writing to the chairs of the finance, ways and means committees of the senate and the house of representatives, and to the directors of the office of legislative budget analysis, the total number of refund claims filed and the total amount paid pursuant to the bill; this removes the requirement to report annually until December 31, 2027. House amendment 1 (017753) makes the following changes: (1) Revises the provision in the bill requiring the tax subject to refund to have been reported to the department of revenue ("department") on a return filed on or after January 1, 2021, covering a tax period that ended on or after March 31, 2020, and the refund claim must be filed between May 1, 2024 and February 3, 2025, by, instead, requiring the tax subject to refund must have been reported to the department on a return filed on or after January 1, 2023, covering a tax period that ended on or after March 31, 2022, and the refund claim must be filed pursuant to this section between May 1, 2024, and February 3, 2025; (2) Adds to the provision in the bill requiring the claim for refund, including information necessary to determine the proper amount due, to be filed on a form prescribed by the commissioner exclusively for the purpose of seeking a refund and must not include a claim for refund on any other basis by requiring the form to include a statement that upon acceptance of a refund, the taxpayer knowingly waives any claim by the taxpayer or the right to file suit alleging that the franchise tax in the Franchise Tax Law of 1999 is unconstitutional by failing the internal consistency test; (3) If a taxpayer is due a refund under this bill and the taxpayer is a party to an agreement with the department of economic and community development and, as a result of such agreement, has received or is entitled to a tax credit administered by the department of revenue, requires the tax credit must first be used to offset and reduce the amount of the refund due to the taxpayer (4) Requires the name of each taxpayer issued a refund and the amount of the refund issued to be published on the department's website; (5) Prohibits attorneys' fees from being added to the amount of refund due; (6) Requires the office of the attorney general to review and approve the department's process for reviewing refund claims under this bill before the department is authorized to review and approve such claims; (7) If the application of the Franchise Tax Law of 1999 to a tax period results in a lower tax base than the minimum tax base of the value of tangible property, as it existed prior to the effective date of this bill, and as it applied to tax periods ending before December 31, 2023, then this amendment authorizes a taxpayer to annually elect to use the minimum tax base of the value of tangible property as it applied to tax periods ending before December 31, 2023. However, the election must result in a higher tax levied for the tax period under the law relevant to the rate of tax under the Franchise Tax Law of 1999, and the taxpayer waives any claim that the minimum tax base of the value of tangible property is unconstitutional by failing the internal consistency test; (8) Adds to the present law providing that the commissioner of revenue, with the approval of the attorney general is empowered and directed to refund to taxpayers all taxes collected or administered by the commissioner that are, on the date of payment, paid in error or paid against any statute, rule, regulation or clause of the constitution of this state or of the United States. The commissioner is also authorized to automatically issue a credit or refund, without the necessity of the approval for the portion of estimated taxes paid in excess of the actual liability established by the initial and subsequently filed return for the tax period. The authority granted in this present law extends only to taxes for which a claim is filed, with the commissioner under penalties of perjury, within three years from December 31 of the year in which the payment was made. However, this amendment provides that with regard to the payment of a franchise tax levied under the Franchise Tax Law of 1999, the authority granted in the present law in (8) above extends only to taxes for which a claim is filed, with the commissioner under penalties of perjury, within one year from December 31 of the year in which the payment was made; and (9) Requires a suit that contains a claim or allegation that the franchise tax in the Franchise Tax Law of 1999, or any provision of that act is unconstitutional by failing the internal consistency test to be filed on or before February 3, 2025.

*Fiscal Note:* (Dated February 12, 2024) Increase State Revenue \$1,561,577,600/FY24-25/Franchise Tax Refund Fund Decrease State Revenue \$393,400,000/FY24-25/General Fund \$405,200,000/FY25-26 and Subsequent Years/General Fund Increase State Expenditures \$1,561,577,600/FY24-25/General Fund Other Fiscal Impact Should taxpayers amend estimated tax payments as a result of the proposed legislation in FY23-24, decreases in state franchise tax revenue will be realized prior to FY24-25. The amount of any decrease is dependent on multiple unknown factors and cannot be reasonably determined. An amount of up to \$1,561,577,600 will be expended from the Franchise Tax Refund Fund beginning in FY24-25 and ending in FY27-28. The Governors FY24-25 proposed budget includes a one-time appropriation of \$1,200,000,000 in FY23-24 and recognizes a decrease in recurring revenue of \$410,000,000, beginning in FY24-25.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/10/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0950, effective May 10, 2024.

**SB2106/HB2272 EDUCATION: Directives from the U.S. Department of Education regarding the implementation of department rules.**

*Sponsors:* Sen. Pody, Mark , Rep. Slater, William

*Summary:* Requires the Tennessee Department of Education to submit the U.S. Department of Education's interpretations and directives on the implementation of department rules providing guidance to this state to the chairs of the house and senate government operations committees, in addition to the chair of the education instruction committee of the house, the chair of the education administration committee of the house, the chair of the education committee of the senate, the speaker of the house, and the speaker of the senate. Requires such information to be submitted to each member of the joint government operations rule review committee prior to each rule review meeting. Broadly captioned.

*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT

*Senate Status:* 03/25/24 - Senate passed.



*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0722 effective July 1, 2024.

**SB2109/HB2346 EDUCATION: Management and governance functions of local governing board of trustees for a state university.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Ragan, John

*Summary:* Creates a mechanism for the management and governance functions of a local governing board of trustees for a state university to be transferred and assumed by the commission in the event a state university board ceases to exist under the Tennessee Governmental Entity Review Law. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013453) transfers the management, governance, powers, and duties of a state university board to the Tennessee Higher Education Commission (THEC) on June 29 of the year in which a state university board ceases to exist or one minute prior to the effective date of an act of the General Assembly vacating the board, if the act does not provide for the simultaneous reconstitution of the board. Requires THEC to execute and assume the same powers and duties of the previous state university board. Requires THEC to delegate to THEC's Executive Director any duties that conflict with regard to the academic programs, capital projects, or operating budget requests for a state university for which the Commission is serving as the state university board. Authorizes the Executive Director to perform the delegated duties with same force and effect as if the action was taken by THEC. Authorizes appointed or elected officials serving on the THEC to serve as a member of a state university.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0848, effective May 1, 2024.

**SB2112/HB2244 LOCAL GOVERNMENT: Persons appointed to charter commission.**

*Sponsors:* Sen. Niceley, Frank , Rep. Farmer, Andrew

*Summary:* Expresses legislative intent that the persons appointed to a charter commission for the consolidation of the functions of the county and creation of a metropolitan government be representative of both incorporated and unincorporated areas of the county. Broadly captioned.

*Amendment Summary:* House amendment 1 (015328) rewrites the bill to, instead, make the following changes relative to the Local Tourism Development Zone Business Tax Act: (1) Adds to the definition of a "qualified public use facility" or "public use facility" to mean a mixed-use development initially including a sports facility containing 10 or more sports fields and including any retail, office, hotel, apartment, condominium, and other commercial or residential uses that is located in a tourism development zone and requiring a capital investment of \$500 million; (2) Relative to present law establishing that making sales by engaging in business in a public use facility is subject to a privilege tax, authorizes a municipality to levy, modify, or repeal a privilege tax levied upon the privilege of engaging in any business or business activity in a qualified public use facility by amending the ordinance authorizing the privilege tax. A municipality may designate by ordinance classes of businesses or business activities and levy the privilege tax at different rates for each class, so long as the tax does not exceed 5 percent for any class; and (3) Prohibits an ordinance authorizing the privilege tax, or an amendment or modification of the privilege tax, from taking effect unless it is approved by a 2/3 vote of the municipal legislative body at two consecutive, regularly scheduled meetings, or unless it is approved by a majority of the number of qualified voters of the municipality voting in an election of whether or not the tax should be levied.

*Fiscal Note:* (Dated March 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0912, effective May 3, 2024.

**SB2116/HB2302 CRIMINAL LAW: Notification regarding a defendant's conviction of aggravated cruelty to animals.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan

*Summary:* Changes the number of days the court may send notification of a defendant's animal cruelty conviction to the appropriate protective agencies if the defendant lives with minor children or elderly individuals from within 15 days to 15 business days. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (017972) establishes that evidence that a person was suspected to be impaired secondary to the sedative or otherwise intoxicating effects of a controlled substance and was administered an opioid antagonist within 24 hours prior to the time of an alleged Driving Under the Influence (DUI) offense, creates a presumption that the defendant's ability to drive was sufficiently impaired by the controlled substance that caused the opioid-related overdose. Authorizes a first responder who administers an opioid antagonist to an individual experiencing an opioid-related overdose to provide information on the risks associated with driving for a 24-hour period following administration, in an effort to ensure that the individual is informed of the potential dangers and legal responsibilities.

*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1039, effective July 1, 2024.

**SB2117/HB2261 HEALTH CARE: Tier 1 homes for the aged defined.**

*Sponsors:* Sen. Massey, Becky , Rep. Wright, Dave

*Summary:* Defines a home for the aged that houses three or fewer nonrelated persons as a tier 1 home for the aged that is subject to licensure and regulation by the department of intellectual and developmental disabilities. Defines a home for the aged that houses four or more nonrelated persons as a tier 2 home for the aged that is subject to licensure and regulation by the health facilities commission. Makes other related changes to the meaning of a home for the aged. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013436) adds to the present law definition for a "home for the aged," to authorize a tier 2 home for the aged that is licensed by the health facilities commission to administer medications to residents only if the home employs or contracts with a physician, an advanced practice registered nurse, a physician assistant, a licensed practical nurse, or a registered nurse to administer medications to residents in a manner that complies with such practitioner's practice act.

*Fiscal Note:* (Dated February 18, 2024) Increase State Revenue \$2,000/FY23-24 and Subsequent Years Increase State Expenditures \$213,200/FY24-25 \$203,200/FY25-26 and Subsequent Years Other Fiscal Impact The Department of Intellectual and Developmental Disabilities may need additional resources including, but not limited to, eventually employing additional staff. The extent and timing of the needed resources will be dependent on the growth of the licensing program and cannot be reasonably quantified at this time.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0984, effective July 1, 2024.

**SB2118/HB2293 CAMPAIGNS & LOBBYING: Absentee voting for a person with a print disability.**

*Sponsors:* Sen. Massey, Becky , Rep. Davis, Elaine

*Summary:* Prescribes a process by which a person with a print disability may apply for and receive an absentee ballot and vote by mailing in the absentee ballot.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0689 effective August 2, 2024.

**SB2127/HB2475 CRIMINAL LAW: Truancy - additional info required by parent or guardian to be provided to court.**

*Sponsors:* Sen. Lowe, Adam , Rep. Raper, Kevin

*Summary:* Authorizes the court to require a parent or guardian to provide additional information addressing the child's circumstances, educational barriers, and root causes of truancy in cases where a child is adjudicated unruly, either in whole or in part, due to habitual and lawful absence.

*Amendment Summary:* House amendment 1 (014597) rewrites the bill to, instead, change the present law that provides that a teen court has the authority to conduct proceedings and to receive evidence and hear testimony related to the dispositional stage. This amendment clarifies that such authority includes the authority to request detailed documentation signed by a licensed physician regarding absenteeism in truancy matters.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0849, effective May 1, 2024.

**SB2129/HB2200 ALCOHOLIC BEVERAGES: Tennessee Wine and Grape Board promulgated rules report.**

*Sponsors:* Sen. Lowe, Adam , Rep. McCalmon, Jake

*Summary:* Requires the Tennessee Wine and Grape Board to file an annual report no later than March 1 with the governor, the commissioner of finance and administration, the chair of the agriculture and natural resources committee of the house, the chair of the energy, agriculture and natural resources committee of the senate, the chair of the state and local government committee of the senate, and the chair of the state government committee of the house if the board promulgates rules with detailed specifications of each rule promulgated during the previous year and rationale for the rule. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (014123) rewrites the bill to, instead, make the changes described below to the present law regarding intoxicating liquors starting January 1, 2025. Present law prohibits a retail food store wine license holder engaging in the business regulated under the law regarding sale of wine in retail food store, or any employee thereof, from making or permitting to be made any sales to minors. Prior to making a sale of wine for off-premises consumption, the adult consumer must present to the license holder or any employee of the license holder a valid, government-issued document, such as a driver license or other form of identification deemed acceptable to the license holder that includes the photograph and birth date of the adult consumer attempting to make a wine purchase. Persons exempt under state law from the requirement of having a photo identification must present identification that is acceptable to the license holder. The license holder or employee must make a determination from the information presented whether the purchaser is an adult. In addition to the prohibition of making a sale to a minor, no sale of wine for off-premises consumption must be made to a person who does not present such a document or other form of identification to the license holder or any employee of the license holder in a face-to-face transaction; however, it is an exception to any criminal punishment or adverse administrative action, including license suspension or revocation, for a violation if the sale was made to a person who is or reasonably appears to be over 50 and who failed to present an acceptable form of identification. A violation of above provisions is a Class A misdemeanor. This amendment adds to the present law by clarifying that as used in the above present law, "other form of identification" includes a secure identity verification system that uses an electronic scan of a unique physical characteristic identifiable to the individual that is used by a license holder for the purpose of aiding the employee in determining whether or not the person is at least 21 when such person desires to purchase alcoholic beverages procured from a license holder if the system demonstrates that (i) the adult consumer is at least 21; and (ii) the adult consumer had previously registered with a secure identity verification system provider a valid, government-issued document that includes the photograph and birth date of the adult consumer attempting to make a wine purchase. Present law prohibits a permit holder engaging in the business regulated under the law relevant to beer or any employee thereof from making or permitting to be made any sales to minors or persons visibly intoxicated. Prior to making a sale of beer for off-premise consumption, the adult consumer must present to the permit holder, or any employee of the permit holder, a valid, government-issued document, such as a driver's license, or other form of identification deemed acceptable to the permit holder, that includes the photograph and birth date of the adult consumer attempting to make a beer purchase. Persons exempt under state law from the requirement of having a photo identification must present identification that is acceptable to the permit holder. The permit holder or employee must make a determination from the information presented whether the purchaser is an adult. In addition to the prohibition of making a sale to a minor, no sale of beer for off-premises consumption must be made to a person who does not present such a document or other form of identification to the permit holder or any employee of the permit holder; however, it is an exception to any criminal punishment or adverse administrative action, including license suspension or revocation, as provided for a violation if the sale was made to a person who is or reasonably appears to be over 50 years of age and who failed to present an acceptable form of identification. Responsible vendors must post signs on the vendor's premises informing customers of the vendor's policy against selling beer to underage persons. Neither the person engaging in such business nor persons employed by that person must be a person who has been convicted of any violation of the laws against possession, sale, manufacture and transportation of intoxicating liquor or any crime involving moral turpitude within the 10 years. A violation of these provisions is a Class A misdemeanor. This amendment adds to the present law by clarifying that as used in the above present law, "other form of identification" includes a secure identity verification system that uses an electronic scan of a unique physical characteristic identifiable to the individual that is used by a permittee for the purpose of aiding the employee in determining whether or not the person is at least 21 when such person desires to purchase beer procured from a permittee if the system demonstrates that (i) the adult consumer is at least 21; and (ii) the adult consumer had previously registered with a secure identity verification system provider a valid, government-issued document that includes the photograph and birth date of the adult consumer attempting to make a beer purchase. Present law prohibits a retailer or any employee thereof from making or permitting to be made any sales of alcoholic beverages or beer to minors. Prior to making a sale of alcoholic beverages for off-premises consumption, the adult consumer whose physical appearance does not reasonably demonstrate an age of 50 or older must present to the retailer or any employee of the retailer a valid, government-issued document, such as a driver license or other form of identification deemed acceptable to the retailer that includes the photograph and birth date of the adult consumer attempting to make an alcoholic beverage purchase. Persons exempt under state law from the requirement of having a photo identification must present identification that is acceptable to the retailer. The retailer or employee must make a determination from the information presented whether the purchaser is an adult. In addition to the prohibition of making a sale to a minor, no sale of alcoholic beverages for off-premises consumption must be made to a person whose physical appearance does not reasonably demonstrate an age of 50 or older who does not present such a document or other form of identification to the license holder or any employee of the license holder in a face-to-face transaction. A violation of these provisions is a Class A misdemeanor. This amendment adds to the present law by clarifying that as used in the above present law, "other form of identification" includes a secure identity verification system that uses an electronic scan of a unique physical characteristic identifiable to the individual that is used by a retailer for the purpose of aiding the employee in determining whether or not the person is at least 21 when such person desires to purchase alcoholic beverages or beer procured from a retailer if the system demonstrates that (i) the adult consumer is at least 21; and (ii) the adult consumer had previously registered with a secure identity verification system provider a valid, government-issued document that includes the photograph and birth date of the adult consumer attempting to make an alcoholic beverage or beer purchase. This amendment authorizes the Tennessee Alcoholic Beverages Commission to promulgate rules to effectuate this amendment.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0850, effective January 1, 2025.

**SB2130/HB1880 PUBLIC FINANCE: Issuance of general obligation refunding bonds that will repay a public building authority loan.**

*Sponsors:* Sen. Lowe, Adam , Rep. Wright, Dave  
*Summary:* Exempts general obligation refunding bonds that will repay a public building authority loan which was used as interim financing from the requirement of submitting a plan of refunding. Also requires that the general refunding bond resolution must be adopted prior to or simultaneously with the resolution that authorizes a public building authority loan to be used as interim financing for a general obligation refunding bond.  
*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0690 effective April 1, 2024.

**SB2133/HB2479 STATE GOVERNMENT: Regulation of intrastate commercial goods.**

*Sponsors:* Sen. Lowe, Adam , Rep. Cochran, Mark

*Summary:* Specifies that an intrastate commercial good that is produced in this state and that remains within the borders of this state is not subject to federal law or federal regulation under the authority of congress to regulate interstate commerce. Defines an "intrastate commercial good" as goods that are grown, harvested, manufactured, or otherwise produced within this state, using raw materials sourced within this state, remains within the borders of this state, and is offered for sale and sold to another within this state.

*Amendment Summary:* House amendment 1 (017272) declares an intrastate commercial good that is produced in this state and that remains within the borders of this state is not subject to federal law or federal regulation under the authority of Congress to regulate interstate commerce; provided, if there is not a state law or state regulation applicable to an intrastate commercial good, then such intrastate commercial good is still subject to the appropriate federal law or federal regulation, if any.

*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Public Chapter 1040, effective May 28, 2024.

**SB2134/HB2405 PROFESSIONS & LICENSURE: Social Work Licensure Compact.**

*Sponsors:* Sen. Walley, Page , Rep. Freeman, Bob

*Summary:* Establishes the Social Work Licensure Compact for the purpose of increasing public access to social work services and reducing overly burdensome and duplicative requirements associated with holding multiple licenses. Specifies criteria for a potential member state to meet in order to participate in the compact. Specifies requirements for an applicant to meet in order to be eligible for a multistate license under the terms and provisions of this compact. Establishes the social work licensure compact commission. Details authority of interstate compact commission and member state licensing authorities (38 pp.).

*Amendment Summary:* Senate amendment 1 (014077) makes the following changes to the bill: (1) Authorizes the department of health, in consultation with the board of social work licensure, to promulgate rules to implement the bill; and (2) Requires the chair of the board of social work licensure to notify the chair of the government operations committee of the senate, the chair of the government operations committee of the house of representatives, and the revisor of statutes in the general assembly's office of legal services within 30 days of the date the compact comes into effect.

*Fiscal Note:* (Dated February 16, 2024) Other Fiscal Impact - A precise fiscal impact cannot be determined, but expenditures to the Board of Social Workers are reasonably estimated to exceed \$10,000 for participation once the compact goes into effect. Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Social Workers Examiners had a surplus of \$203,816 in FY21-22, a surplus of \$202,696 in FY22- 23, and a cumulative reserve balance of \$2,222,805 on June 30, 2023.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1041, effective July 1, 2024.

**SB2136/HB2318 HEALTH CARE: Scope of practice of physician assistants and advanced practice nurses.**

*Sponsors:* Sen. Reeves, Shane , Rep. Williams, Ryan

*Summary:* Makes revisions to the authorized scope of practice of physician assistants and advanced practice nurses who meet certain qualifications (35 pp.).

*Amendment Summary:* House amendment 2 (017953) rewrites the bill as follows: (1) Authorizes a physician assistant to do the following: (A) Perform medical diagnosis and treatment as a physician assistant pursuant either to a protocol or collaborative agreement, as applicable, for which the physician assistant has been prepared by education, training, and experience, and that the physician assistant is competent to perform only if licensed by the board of physician assistants ("board") and only within the usual scope of practice of the collaborating physician; (B) Perform minor surgical procedures, including (i) simple laceration or surgery repair; (ii) excision of skin lesions, moles, warts, cysts, or lipomas; (iii) incision and draining of superficial abscesses; (iv) skin biopsies; (v) arthrocentesis; (vi) thoracentesis; (vii) paracentesis; (viii) endometrial biopsies; (ix) IUD insertion; and (x) colposcopy; (C) Assist a physician who performs procedures considered Level II office-based surgery or Level III office-based surgery, as those are defined in state law, or a more complex procedure, if (i) the physician assistant is credentialed or receives privileges from the medical staff of the facility to assist a physician with enumerated procedures; (ii) the physician performing the procedure is credentialed or privileged to perform the procedure by the medical staff of the facility; and (iii) the physician is present or immediately available for consultation with the physician assistant during and after the procedure; (D) Issue drugs authorized by law pursuant to protocols or collaborative agreement, and as applicable, (i) prescribe, dispense, order, administer, and procure appropriate medical devices, legend drugs, and controlled substances that are within the physician assistant's scope of practice if the physician assistant has registered and complied with all applicable requirements of state law and rule and the federal drug enforcement administration; and (ii) only prescribe or issue a Schedule II or Schedule III opioid for a maximum of a nonrefillable, thirty-day course of treatment. This (1)(D) does not apply to a prescription issued in a hospital, a licensed nursing home, or a licensed inpatient facility; (E) Unless a physician assistant's protocols or collaborative agreement indicate otherwise, plan and initiate a therapeutic regimen that includes ordering and prescribing non-pharmacological interventions, including (i) durable medical equipment; (ii) nutrition; (iii) blood and blood products; and (iv) diagnostic support services that include, but are not limited to, home health care, hospice, and physical and occupational therapy; and (F) Complete, sign, and file medical certifications of death, if authorized to do so in the physician assistant's protocol or collaborative agreement; (2) Requires a physician assistant who has not received endorsement from the board to practice under protocols jointly developed by the collaborating physician and the physician assistant; (3) Requires the physician assistant to maintain a copy of the protocols either on paper or electronically at each of the physician assistant's practice locations and make the protocols available upon request by the board, the licensing board of the collaborating physician, or an authorized agent thereof; (4) Requires the protocols to set forth the range of services that may be provided by the physician assistant and must also contain a discussion of the problems and conditions likely to be encountered by the physician assistant and the appropriate treatment for such problems and conditions; (5) Establishes that physician assistant practice under protocols requires active and continuous overview of the physician assistant's activities to ensure that the physician's directions and advice are implemented, but does not require the continuous and constant physical presence of the collaborating physician; (6) Authorizes a physician assistant to perform only those tasks that are within the physician assistant's range of skills and competence, that are within the usual scope of practice of the collaborating physician, and that are consistent with the protection of the health and well-being of the patients; (7) Requires protocols to also

include, at a minimum, the following: (A) The physician assistant's name, license number, and primary practice location; (B) The collaborating physician's name, license number, medical specialty, and primary practice location; (C) A general description of the oversight of the physician assistant by the collaborating physician; (D) A general description of the physician assistant's process for collaboration with physicians and other members of the healthcare team; (E) A process by which 100 percent of patient charts are reviewed by the collaborating physician within 10 days when a prescription for a controlled drug is issued by the physician assistant; (F) A process by which at least 20 percent of the physician assistant's patient charts are reviewed by the collaborating physician every 30 days; (G) If the physician assistant changes practice settings to practice in a new medical specialty, a description of a process by which the patient medical charts prepared by the physician assistant are reviewed by the collaborating physician for a minimum of six months or until the physician assistant becomes eligible for endorsement, whichever period is longer; (H) If the physician assistant practices in a remote location site from the collaborating physician's practice site, that the collaborating physician conduct a remote site visit at least every 30 days; (I) That the physician assistant collaborates with, consults with, or refers to, the collaborating physician or appropriate healthcare professional as indicated by the patient's condition and the applicable standard of care when a patient presents with a condition that is outside of the competence, scope of practice, or experience of the physician assistant or collaborating physician; and (J) Designation of one or more alternative physicians for consultation in situations in which the collaborating physician is not available for consultation; (8) Requires a physician assistant who has received an endorsement from the board to have a collaborative agreement with a physician; (9) Requires the physician assistant to maintain a copy of the collaborative agreement either on paper or electronically at each of the physician assistant's practice locations and make the collaborative agreement available upon request by the board of physician assistants, the licensing board of the collaborating physician, or an authorized agent of such boards; (10) To be eligible to receive endorsement from the board, requires a physician assistant to, at a minimum, have 6,000 hours of documented postgraduate clinical experience, have a physician willing to enter into a collaborative agreement with the physician assistant, and meet such other requirements as set forth in rules promulgated by the board. A physician assistant with 6,000 hours or more of documented postgraduate clinical experience must not practice pursuant to the requirements in state physician assistant law or rules promulgated thereto for endorsed physician assistants without first receiving endorsement by the board. State physician assistant law does not require a physician assistant to become endorsed by the board. Unless a physician assistant has received an endorsement from the board, the requirements under this heading apply; (11) Requires collaborative agreements governing physician assistants who have 6,000 or more hours of documented postgraduate clinical experience and are endorsed by the board to include, at a minimum, the following: (i) the physician assistant's name, license number, and primary practice location; (ii) the collaborating physician's name, license number, medical specialty, and primary practice location; (iii) that the physician assistant performs only those services that are within the physician assistant's competence, knowledge, and skills that are within the usual scope of practice of the collaborating physician, and that are consistent with the protection of the health and well-being of patients; (iv) a process by which 100 percent of patient charts are reviewed by the collaborating physician within 30 days when a prescription for any drug containing buprenorphine for use in recovery or medication treatment or a Schedule II controlled drug is issued by the physician assistant; (v) that if the physician assistant changes practice settings to practice in a new medical specialty, a description of a process by which a sample of patient medical charts prepared by the physician assistant are reviewed by the collaborating physician, or a physician designated by the collaborating physician, for a minimum of six months; (vi) that the physician assistant collaborates with, consults with, or refers to the collaborating physician or appropriate healthcare professional as indicated by the patient's condition and the applicable standard of care; (vii) methods of communication between the physician assistant and collaborating physician; and (viii) requirements of patient chart review and remote site visits, if any, established at the practice level and commensurate with the level of training, experience, and competence of the physician assistant within the expected scope of practice of the physician assistant; (12) Establishes that, regarding a physician assistant practicing in collaboration with a licensed podiatrist, in addition to meeting the requirements of other relevant state law, the following apply: (i) prohibits providing services that are outside the scope of practice of a podiatrist; (ii) requires complying with the requirements of, and rules adopted pursuant to, the bill and other relevant state law governing the collaboration with a physician assistant; and (iii) authorizes only prescribing drugs that are rational to the practice of podiatry; (13) Authorizes a physician assistant to render emergency medical services in cases where immediate diagnosis and treatment are necessary to avoid patient death or disability; (14) Establishes that the standard of care for a physician assistant is the same standard of care as applicable to a physician who performs the same service; (15) Requires that the initial rules governing the collaborative agreements of physician assistants with licensed physicians be established and promulgated in accordance with the Uniform Administrative Procedures Act, by a task force composed of (i) one member from the board of medical examiners; (ii) one member from the board of osteopathic examination; (iii) one member from the board of podiatric medical examiners; and (iv) three members from the board of physician assistants; (16) Requires the task force to create uniform rules governing the collaboration of physician assistants with licensed physicians, which are binding on each board listed in (15); (17) Requires the rules created by the taskforce to create standard procedures to determine the responsibility for the review of patient medical charts; (18) Requires each board listed in (15) to select and appoint by a majority vote of its members a board member to serve on the task force before September 1, 2024; (19) Requires the task force to select and appoint a member to serve as chair of the task force; (20) Establishes that a majority of the task force constitutes a quorum, and a majority vote of the task force members present is required for any action; (21) Requires the task force to hear public comment at any required hearing on behalf of all boards listed in (15) when a hearing is required. The task force is authorized to vote to promulgate the rules governing the collaboration of physician assistants with licensed physicians for each board listed in (15); (22) Requires the task force to terminate upon the effective date of a permanent rule establishing collaboration pursuant to the bill. All future rules regarding collaboration pursuant to the bill after the termination of the task force must be adopted jointly by each relevant board in (15); (23) Establishes that the bill does not prohibit the licensing boards listed in (15) from promulgating additional rules regarding the licensees of such boards; (24) Requires a licensed physician collaborating with a physician assistant to comply with the following practices: (A) Ensure that protocols or a collaborative agreement, as applicable, is in place for each physician assistant with whom the physician collaborates and that such protocols or collaborative agreement meets the requirements of the bill and the duly promulgated rules. More than one physician may collaborate with the same physician assistant if alternative collaborating physicians are available to collaborate with the physician assistant in the absence or unavailability of the primary collaborating physician. Each physician assistant must notify the board of physician assistants of the name, address, and license number of the physician assistant's primary collaborating physician and notify the board of physician assistants of a change in the primary collaborating physician within 15 days of the change. The number of physician assistants for whom a physician may serve as the collaborating physician must be determined by the physician at the practice level, consistent with good medical practice. The collaborating physician must designate one or more alternate physicians who have agreed to accept the responsibility of collaborating with the physician assistant on a prearranged basis in the collaborating physician's absence; (B) Complete the patient chart reviews of each physician assistant with whom the collaborating physician collaborates as set forth in the bill, in rules promulgated pursuant to the bill, and in protocols or a collaborative agreement, as applicable; (C) Conduct reviews of charts submitted to the collaborating physician by the physician assistant deemed by the physician assistant medically indicated for consultation. The collaborating physician is responsible for reviewing 100 percent of patient charts within 30 days when the physician assistant issues a prescription for a controlled drug pursuant to protocols. The collaborating physician is responsible for reviewing 100 percent of patient charts within 30 days when the physician assistant

issues a prescription for any drug containing buprenorphine for use in recovery or medication-assisted treatment or a Schedule II controlled drug pursuant to a collaborative agreement; (D) Conduct the requisite remote site visits with each physician assistant with whom the physician collaborates, as set forth in the bill or by rule, and in protocols or a collaborative agreement, as applicable; (E) Each physician assistant must notify the board of the name and address of the physician assistant's primary practice location and notify the board within 15 days of a practice location change; (F) The board of physician assistants is authorized to monitor the prescriptive practices of the physician assistant through site visits by members of the board or their authorized agents; (G) Complaints against physician assistants must be reported to the office of investigations of the division of health related boards; (H) Every prescription order issued by a physician assistant pursuant to the bill must be entered in the medical records of the patient, and every handwritten prescription must be written on a preprinted prescription pad bearing the name, address, and telephone number of the physician assistant, and the physician assistant must sign each prescription order so written; (I) A handwritten prescription order for a drug prepared by a physician assistant who is authorized by law to prescribe a drug must be legible so that it is comprehensible by the pharmacist who fills the prescription. The handwritten prescription order must contain the name of the prescribing physician assistant, the name and strength of the drug prescribed, the quantity of the drug prescribed, handwritten in letters or in numerals, instructions for the proper use of the drug and the month and day that the prescription order was issued, recorded in letters or in numerals or a combination thereof. The prescribing physician assistant must sign the handwritten prescription order on the day it is issued, unless it is a standing order issued in a hospital, a nursing home, or an assisted-care living facility; (J) A typed or computer-generated prescription order for a drug issued by a physician assistant who is authorized by law to prescribe a drug must be legible so that it is comprehensible by the pharmacist who fills the prescription order. The typed or computer-generated prescription order must contain the name of the prescribing physician assistant, the name and strength of the drug prescribed, the quantity of the drug prescribed, recorded in letters or in numerals, instructions for the proper use of the drug, and the month and day that the typed or computer-generated prescription order was issued, recorded in letters or in numerals or a combination thereof. The prescribing physician assistant must sign the typed or computer-generated prescription order on the day it is issued, unless it is a standing order issued in a hospital, a nursing home, or an assisted-care living facility; (K) The bill does not prevent a physician assistant from issuing a verbal prescription order; (L) Handwritten, typed, or computer-generated prescription orders must be issued on either tamper-resistant prescription paper or printed utilizing a technology that results in a tamper-resistant prescription that meets the current centers for Medicare and Medicaid services guidance to state Medicaid directors regarding § 7002(b) of the federal United States Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007, and meets or exceeds specific TennCare requirements for tamper-resistant prescriptions; (M) Establishes that (L) does not apply to prescriptions written for inpatients of a hospital, outpatients of a hospital where the doctor or other person authorized to write prescriptions writes the order into the hospital medical record and then the order is given directly to the hospital pharmacy and the patient never has the opportunity to handle the written order, a nursing home or an assisted-care living facility, inpatients or residents of a mental health hospital or residential facility, or individuals incarcerated in a local, state, or federal correctional facility; (N) A physician assistant authorized to prescribe drugs under the bill who provides services in a free or reduced fee clinic under the Volunteer Health Care Services Act may arrange for required personal review of the physician assistant's charts by a collaborating physician in the office or practice site of the physician or remotely via HIPAA-compliant electronic means rather than at the site of the clinic; (O) A physician assistant authorized to prescribe drugs under the bill who provides services in a community mental health center, or federally qualified health center, or solely via telehealth, may arrange for the required personal review of the physician assistant's charts by a collaborating physician, with the same authority to render prescriptive services that the physician assistant is authorized to render, in the remote office or practice site of the physician, or any required visit by a collaborating physician to any remote site, or both, via HIPAA-compliant electronic means rather than at the site of the clinic; (P) A physician assistant licensed to prescribe drugs who provides services at a remote healthcare setting may arrange for any required personal review of the physician assistant's charts by a collaborating physician either via HIPAA-compliant electronic means or in person; (Q) A physician assistant licensed to prescribe drugs may arrange for up to 10 of the required annual remote site visits by a collaborating physician by HIPAA-compliant electronic means rather than at the site of the clinic. All other of the required site visits by a collaborating physician to a remote site must take place in person at the site of the clinic. As used in this subdivision, "annual" means a rolling twelve-month period; (R) A patient receiving services from a physician assistant must be fully informed that the individual is a physician assistant and a sign must be conspicuously placed within the office indicating that certain services may be rendered by a physician assistant; (S) A physician who does not normally provide patient care must not enter into protocols with, collaborate with, or utilize the services of a physician assistant; (T) A physician assistant must only perform invasive procedures involving a portion of the spine, spinal cord, sympathetic nerves of the spine, or block of major peripheral nerves of the spine in any setting not licensed as a health facility or resource, under the direct supervision of a licensed physician licensed who is actively practicing spinal injections and has current privileges to do so at a licensed facility. The direct supervision provided by a physician in this (T) must only be offered by a physician who meets the qualifications established in state law relative to interventional pain management; (U) For purposes of subdivision (T), "direct supervision" means being physically present in the same building as the physician assistant at the time the invasive procedure is performed; and (V) This (V) does not apply to a physician assistant performing major joint injections, except sacroiliac injections, or to performing soft tissue injections or epidurals for surgical anesthesia or labor analgesia in unlicensed settings; (25) Requires that the board exercise its powers under state law on the grounds of holding oneself out as board-certified in a medical specialty, or utilizing a medical specialty designation with (i) a title or title reference; (ii) an advertisement; (iii) the name of any healthcare setting that is majority-owned by physician assistants; (iv) credentialing with any licensed healthcare facility or health insurance entity; or (v) an application for healthcare liability insurance coverage; (26) Establishes that (25) is not grounds for discipline of a licensee who worked in a healthcare setting that used a medical specialty designation prior to January 1, 2024, as long as: (A) The licensee's collaborating physician (i) is board-certified or board eligible in the designated specialty; (ii) owns part of the practice that provided the services in such healthcare setting; and (iii) sees patients in such healthcare setting on a regular basis; (B) Ownership of the practice has not changed on or after January 1, 2024; (C) Prior to March 1, 2025, a licensee who practices in a healthcare setting described in (26) must submit proof satisfactory to the board that the licensee's healthcare setting meets the requirements of (26); and (D) If a licensee who, prior to March 1, 2025, meets the requirements of (26), ceases to meet such requirements on or after March 1, 2025, then the licensee must notify the board within 30 days; (27) Authorizes the funeral director who first assumes custody of a dead body, medical examiner, attending or pronouncing physician in a hospital, or physician assistant authorized by protocol or collaborative agreement to sign and file the death certificate. The funeral director, medical examiner, attending or pronouncing physician in a hospital, or physician assistant authorized by protocol or collaborative agreement must obtain the personal data from the next of kin or the best qualified person or source available, and obtain the medical certification from the person responsible for medical certification; (28) Requires medical certification to be completed, signed, and returned to the funeral director by the physician or physician assistant in charge of the patient's care for the illness or condition that resulted in death within 48 hours after death, except when inquiry is required by the county medical examiner or to obtain a veteran's medical records. In the absence of the physician or physician assistant, the certificate may be completed and signed by another physician designated by the physician, by the chief medical officer of the institution in which the death occurred, or by a physician assistant authorized by protocol or collaborative agreement. In cases of deaths that occur outside of a medical institution and are either unattended by a physician or physician

assistant, or not under hospice care, the county medical examiner must investigate and certify the death certificate when one of the following conditions exists: (A) There is no physician or physician assistant who had attended the deceased during the four months preceding death, except that a physician or physician assistant authorized by protocol or collaborative agreement who had attended the patient more than four months preceding death may elect to certify the death certificate if the physician or physician assistant authorized by protocol or collaborative agreement can make a good faith determination as to cause of death and if the county medical examiner has not assumed jurisdiction; or (B) The physician who had attended the deceased during the four months preceding death or physician assistant authorized by protocol or collaborative agreement communicates, orally or in writing, to the county medical examiner that, in the physician's or physician assistant's best medical judgment, the patient's death did not result from the illness or condition for which the physician or physician assistant was attending the patient; (29) If the cause of death cannot be determined within 48 hours after death, requires that the medical certification be completed as provided by rule. The attending physician, medical examiner, or physician assistant authorized by protocol or collaborative agreement must give the funeral director notice of the reason for the delay, and final disposition of the body must not be made until authorized by the attending physician, medical examiner, or physician assistant authorized by protocol or collaborative agreement; (30) For purposes of this heading, "referral" means a written or telecommunicated authorization for genetic counseling services from a physician licensed to practice medicine in all its branches or a physician assistant who has protocols or a collaborative agreement with a supervising physician that authorizes referrals to a genetic counselor; (31) Authorizes a physician order for scope of treatment (POST) to be issued by a physician assistant for a patient with whom the physician assistant has a bona fide physician assistant-patient relationship only if, among other conditions, such authority to issue is contained in the physician assistant's protocols or collaborative agreement; (32) Authorizes a POST to be issued by a physician assistant for a patient with whom the physician assistant has a bona fide physician assistant-patient relationship only if, among other conditions, the patient is a minor or is otherwise incapable of making an informed decision regarding consent for such an order and the agent, surrogate, or other person authorized to consent on the patient's behalf under the Tennessee Health Care Decisions Act is not reasonably available and such authority to issue is contained in the physician assistant's protocols or collaborative agreement, and the physician assistant determines that the provision of cardiopulmonary resuscitation would be contrary to accepted medical standards; (33) Requires that a licensed physician assistant have the same authority that a physician has under this heading to issue certified statements of disability or deafness to accompany the application of disabled or deaf persons to obtain the appropriate registration, license plates, placards and decals from the department, only if the authority is expressly included in the written protocol or collaborative agreement developed jointly by the supervising physician and the physician assistant, setting forth the range of services that may be performed by the physician assistant; (34) Requires the board of medical examiners to establish and maintain an online registry of licensed physicians who are willing to enter into a collaborative agreement with a physician assistant; (35) Requires the online registry to include, at a minimum (i) the physician's name and physical practice address; (ii) designation as a medical doctor or doctor of osteopathy; (iii) the physician's medical specialty and board certifications, if any; (iv) the region or regions of the state in which the physician is willing to enter into a collaborative agreement with a physician assistant; and (v) an address, telephone number, or email address at which the physician can be contacted by a physician assistant who may desire to enter into a collaborative relationship with the physician; (36) Requires a physician included on the registry to update the physician's information described in (35); (37) Establishes that inclusion by a physician on the registry does not obligate a physician to enter into a collaborative agreement with a physician assistant; (38) Prohibits the bill from being construed to prohibit service rendered by a registered nurse, a licensed practical nurse, or a pharmacist pursuant to a collaborative pharmacy practice agreement, if such service is rendered under the supervision, control and responsibility of a licensed physician or to prohibit the provision of anesthesiology services in licensed health care facilities by a dentist licensed in this state who completed a residency program in anesthesiology at an accredited medical school in years 1963 through 1977; and (39) Prohibits the bill from being construed to prohibit service rendered by a physician assistant practicing in collaboration with a physician, osteopathic physician, or podiatrist, whether through protocols or a collaborative agreement. Senate amendment 1 (017651) rewrites the bill as follows: (1) Authorizes a physician assistant to do the following: (A) Perform medical diagnosis and treatment as a physician assistant pursuant either to a protocol or collaborative agreement, as applicable, for which the physician assistant has been prepared by education, training, and experience, and that the physician assistant is competent to perform only if licensed by the board of physician assistants ("board") and only within the usual scope of practice of the collaborating physician; (B) Perform minor surgical procedures, including (i) simple laceration or surgery repair; (ii) excision of skin lesions, moles, warts, cysts, or lipomas; (iii) incision and draining of superficial abscesses; (iv) skin biopsies; (v) arthrocentesis; (vi) thoracentesis; (vii) paracentesis; (viii) endometrial biopsies; (ix) IUD insertion; and (x) colposcopy; (C) Assist a physician who performs procedures considered Level II office-based surgery or Level III office-based surgery, as those are defined in state law, or a more complex procedure, if (i) the physician assistant is credentialed or receives privileges from the medical staff of the facility to assist a physician with enumerated procedures; (ii) the physician performing the procedure is credentialed or privileged to perform the procedure by the medical staff of the facility; and (iii) the physician is present or immediately available for consultation with the physician assistant during and after the procedure; (D) Issue drugs authorized by law pursuant to protocols or collaborative agreement, and as applicable, (i) prescribe, dispense, order, administer, and procure appropriate medical devices, legend drugs, and controlled substances that are within the physician assistant's scope of practice if the physician assistant has registered and complied with all applicable requirements of state law and rule and the federal drug enforcement administration; and (ii) only prescribe or issue a Schedule II or Schedule III opioid for a maximum of a nonrefillable, thirty-day course of treatment. This (1)(D) does not apply to a prescription issued in a hospital, a licensed nursing home, or a licensed inpatient facility; (E) Unless a physician assistant's protocols or collaborative agreement indicate otherwise, plan and initiate a therapeutic regimen that includes ordering and prescribing non-pharmacological interventions, including (i) durable medical equipment; (ii) nutrition; (iii) blood and blood products; and (iv) diagnostic support services that include, but are not limited to, home health care, hospice, and physical and occupational therapy; and (F) Complete, sign, and file medical certifications of death, if authorized to do so in the physician assistant's protocol or collaborative agreement; (2) Requires a physician assistant who has not received endorsement from the board to practice under protocols jointly developed by the collaborating physician and the physician assistant; (3) Requires the physician assistant to maintain a copy of the protocols either on paper or electronically at each of the physician assistant's practice locations and make the protocols available upon request by the board, the licensing board of the collaborating physician, or an authorized agent thereof; (4) Requires the protocols to set forth the range of services that may be provided by the physician assistant and must also contain a discussion of the problems and conditions likely to be encountered by the physician assistant and the appropriate treatment for such problems and conditions; (5) Establishes that physician assistant practice under protocols requires active and continuous overview of the physician assistant's activities to ensure that the physician's directions and advice are implemented, but does not require the continuous and constant physical presence of the collaborating physician; (6) Authorizes a physician assistant to perform only those tasks that are within the physician assistant's range of skills and competence, that are within the usual scope of practice of the collaborating physician, and that are consistent with the protection of the health and well-being of the patients; (7) Requires protocols to also include, at a minimum, the following: (A) The physician assistant's name, license number, and primary practice location; (B) The collaborating physician's name, license number, medical specialty, and primary practice location; (C) A general description of the oversight of the physician assistant by the collaborating physician; (D) A general description of the physician assistant's process for collaboration with physicians and

other members of the healthcare team; (E) A process by which 100 percent of patient charts are reviewed by the collaborating physician within 10 days when a prescription for a controlled drug is issued by the physician assistant; (F) A process by which at least 20 percent of the physician assistant's patient charts are reviewed by the collaborating physician every 30 days; (G) If the physician assistant changes practice settings to practice in a new medical specialty, a description of a process by which the patient medical charts prepared by the physician assistant are reviewed by the collaborating physician for a minimum of six months or until the physician assistant becomes eligible for endorsement, whichever period is longer; (H) If the physician assistant practices in a remote location site from the collaborating physician's practice site, that the collaborating physician conduct a remote site visit at least every 30 days; (I) That the physician assistant collaborates with, consults with, or refers to, the collaborating physician or appropriate healthcare professional as indicated by the patient's condition and the applicable standard of care when a patient presents with a condition that is outside of the competence, scope of practice, or experience of the physician assistant or collaborating physician; and (J) Designation of one or more alternative physicians for consultation in situations in which the collaborating physician is not available for consultation; (8) Requires a physician assistant who has received an endorsement from the board to have a collaborative agreement with a physician; (9) Requires the physician assistant to maintain a copy of the collaborative agreement either on paper or electronically at each of the physician assistant's practice locations and make the collaborative agreement available upon request by the board of physician assistants, the licensing board of the collaborating physician, or an authorized agent of such boards; (10) To be eligible to receive endorsement from the board, requires a physician assistant to, at a minimum, have 6,000 hours of documented postgraduate clinical experience, have a physician willing to enter into a collaborative agreement with the physician assistant, and meet such other requirements as set forth in rules promulgated by the board. A physician assistant with 6,000 hours or more of documented postgraduate clinical experience must not practice pursuant to the requirements in state physician assistant law or rules promulgated thereto for endorsed physician assistants without first receiving endorsement by the board. State physician assistant law does not require a physician assistant to become endorsed by the board. Unless a physician assistant has received an endorsement from the board, the requirements under this heading apply; (11) Requires collaborative agreements governing physician assistants who have 6,000 or more hours of documented postgraduate clinical experience and are endorsed by the board to include, at a minimum, the following: (i) the physician assistant's name, license number, and primary practice location; (ii) the collaborating physician's name, license number, medical specialty, and primary practice location; (iii) that the physician assistant performs only those services that are within the physician assistant's competence, knowledge, and skills that are within the usual scope of practice of the collaborating physician, and that are consistent with the protection of the health and well-being of patients; (iv) a process by which 100 percent of patient charts are reviewed by the collaborating physician within 30 days when a prescription for any drug containing buprenorphine for use in recovery or medication treatment or a Schedule II controlled drug is issued by the physician assistant; (v) that if the physician assistant changes practice settings to practice in a new medical specialty, a description of a process by which a sample of patient medical charts prepared by the physician assistant are reviewed by the collaborating physician, or a physician designated by the collaborating physician, for a minimum of six months; (vi) that the physician assistant collaborates with, consults with, or refers to the collaborating physician or appropriate healthcare professional as indicated by the patient's condition and the applicable standard of care; (vii) methods of communication between the physician assistant and collaborating physician; and (viii) requirements of patient chart review and remote site visits, if any, established at the practice level and commensurate with the level of training, experience, and competence of the physician assistant within the expected scope of practice of the physician assistant; (12) Establishes that, regarding a physician assistant practicing in collaboration with a licensed podiatrist, in addition to meeting the requirements of other relevant state law, the following apply: (i) prohibits providing services that are outside the scope of practice of a podiatrist; (ii) requires complying with the requirements of, and rules adopted pursuant to, the bill and other relevant state law governing the collaboration with a physician assistant; and (iii) authorizes only prescribing drugs that are rational to the practice of podiatry; (13) Authorizes a physician assistant to render emergency medical services in cases where immediate diagnosis and treatment are necessary to avoid patient death or disability; (14) Establishes that the standard of care for a physician assistant is the same standard of care as applicable to a physician who performs the same service; (15) Requires that the initial rules governing the collaboration of physician assistants with licensed physicians be established and promulgated in accordance with the Uniform Administrative Procedures Act, by a task force composed of (i) one member from the board of medical examiners; (ii) one member from the board of osteopathic examination; (iii) one member from the board of podiatric medical examiners; and (iv) three members from the board of physician assistants; (16) Requires the task force to create uniform rules governing the collaboration of physician assistants with licensed physicians, which are binding on each board listed in (15); (17) Requires the rules created by the taskforce to create standard protocols to determine the responsibility for the review of patient medical charts; (18) Requires each board listed in (15) to select and appoint by a majority vote of its members a board member to serve on the task force before September 1, 2024; (19) Requires the task force to select and appoint a member to serve as chair of the task force; (20) Establishes that a majority of the task force constitutes a quorum, and a majority vote of the task force members present is required for any action; (21) Requires the task force to hear public comment at any required hearing on behalf of all boards listed in (15) when a hearing is required. The task force is authorized to vote to promulgate the rules governing the collaboration of physician assistants with licensed physicians for each board listed in (15); (22) Requires the task force to terminate upon the effective date of a permanent rule establishing collaboration pursuant to the bill. All future rules regarding collaboration pursuant to the bill after the termination of the task force must be adopted jointly by each relevant board in (15); (23) Establishes that the bill does not prohibit the licensing boards listed in (15) from promulgating additional rules regarding the licensees of such boards; (24) Requires a licensed physician collaborating with a physician assistant to comply with the following practices: (A) Ensure that protocols or a collaborative agreement, as applicable, is in place for each physician assistant with whom the physician collaborates and that such protocols or collaborative agreement meets the requirements of the bill and the duly promulgated rules. More than one physician may collaborate with the same physician assistant if alternative collaborating physicians are available to collaborate with the physician assistant in the absence or unavailability of the primary collaborating physician. Each physician assistant must notify the board of physician assistants of the name, address, and license number of the physician assistant's primary collaborating physician and notify the board of physician assistants of a change in the primary collaborating physician within 15 days of the change. The number of physician assistants for whom a physician may serve as the collaborating physician must be determined by the physician at the practice level, consistent with good medical practice. The collaborating physician must designate one or more alternate physicians who have agreed to accept the responsibility of collaborating with the physician assistant on a prearranged basis in the collaborating physician's absence; (B) Complete the patient chart reviews of each physician assistant with whom the collaborating physician collaborates as set forth in the bill, in rules promulgated pursuant to the bill, and in protocols or a collaborative agreement, as applicable; (C) Conduct reviews of charts submitted to the collaborating physician by the physician assistant deemed by the physician assistant medically indicated for consultation. The collaborating physician is responsible for reviewing 100 percent of patient charts within 30 days when the physician assistant issues a controlled drug pursuant to protocols. The collaborating physician is responsible for reviewing 100 percent of patient charts within 30 days when the physician assistant issues any drug containing buprenorphine for use in recovery or medication-assisted treatment or a Schedule II controlled drug pursuant to a collaborative agreement; (D) Conduct the requisite remote site visits with each physician assistant with whom the physician collaborates, as set forth in the bill or by rule, and in protocols or a collaborative agreement, as applicable; (E) Each physician assistant must notify the board of the name and address of the



physician assistant's primary practice location and notify the board within 15 days of a practice location change; (F) The board of physician assistants is authorized to monitor the prescriptive practices of the physician assistant through site visits by members of the board or their authorized agents; (G) Complaints against physician assistants must be reported to the office of investigations of the division of health related boards; (H) Every prescription order issued by a physician assistant pursuant to the bill must be entered in the medical records of the patient, and every handwritten prescription must be written on a preprinted prescription pad bearing the name, address, and telephone number of the physician assistant, and the physician assistant must sign each prescription order so written; (I) A handwritten prescription order for a drug prepared by a physician assistant who is authorized by law to prescribe a drug must be legible so that it is comprehensible by the pharmacist who fills the prescription. The handwritten prescription order must contain the name of the prescribing physician assistant, the name and strength of the drug prescribed, the quantity of the drug prescribed, handwritten in letters or in numerals, instructions for the proper use of the drug and the month and day that the prescription order was issued, recorded in letters or in numerals or a combination thereof. The prescribing physician assistant must sign the handwritten prescription order on the day it is issued, unless it is a standing order issued in a hospital, a nursing home, or an assisted-care living facility; (J) A typed or computer-generated prescription order for a drug issued by a physician assistant who is authorized by law to prescribe a drug must be legible so that it is comprehensible by the pharmacist who fills the prescription order. The typed or computer-generated prescription order must contain the name of the prescribing physician assistant, the name and strength of the drug prescribed, the quantity of the drug prescribed, recorded in letters or in numerals, instructions for the proper use of the drug, and the month and day that the typed or computer-generated prescription order was issued, recorded in letters or in numerals or a combination thereof. The prescribing physician assistant must sign the typed or computer-generated prescription order on the day it is issued, unless it is a standing order issued in a hospital, a nursing home, or an assisted-care living facility; (K) The bill does not prevent a physician assistant from issuing a verbal prescription order; (L) Handwritten, typed, or computer-generated prescription orders must be issued on either tamper-resistant prescription paper or printed utilizing a technology that results in a tamper-resistant prescription that meets the current centers for medicare and medicaid services guidance to state medicaid directors regarding § 7002(b) of the federal United States Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007, and meets or exceeds specific TennCare requirements for tamper-resistant prescriptions; (M) Establishes that (L) does not apply to prescriptions written for inpatients of a hospital, outpatients of a hospital where the doctor or other person authorized to write prescriptions writes the order into the hospital medical record and then the order is given directly to the hospital pharmacy and the patient never has the opportunity to handle the written order, a nursing home or an assisted-care living facility, inpatients or residents of a mental health hospital or residential facility, or individuals incarcerated in a local, state, or federal correctional facility; (N) A physician assistant authorized to prescribe drugs under the bill who provides services in a free or reduced fee clinic under the Volunteer Health Care Services Act may arrange for required personal review of the physician assistant's charts by a collaborating physician in the office or practice site of the physician or remotely via HIPAA-compliant electronic means rather than at the site of the clinic; (O) A physician assistant authorized to prescribe drugs under the bill who provides services in a community mental health center, or federally qualified health center, or solely via telehealth, may arrange for the required personal review of the physician assistant's charts by a collaborating physician, with the same authority to render prescriptive services that the physician assistant is authorized to render, in the remote office or practice site of the physician, or any required visit by a collaborating physician to any remote site, or both, via HIPAA-compliant electronic means rather than at the site of the clinic; (P) A physician assistant licensed to prescribe drugs who provides services at a remote healthcare setting may arrange for any required personal review of the physician assistant's charts by a collaborating physician either via HIPAA-compliant electronic means or in person; (Q) A physician assistant licensed to prescribe drugs may arrange for up to 10 of the required annual remote site visits by a collaborating physician by HIPAA-compliant electronic means rather than at the site of the clinic. All other of the required site visits by a collaborating physician to a remote site must take place in person at the site of the clinic. As used in this subdivision, "annual" means a rolling twelve-month period; (R) A patient receiving services from a physician assistant must be fully informed that the individual is a physician assistant and a sign must be conspicuously placed within the office indicating that certain services may be rendered by a physician assistant; (S) A physician who does not normally provide patient care must not enter into protocols with, collaborate with, or utilize the services of a physician assistant; (T) A physician assistant must only perform invasive procedures involving a portion of the spine, spinal cord, sympathetic nerves of the spine, or block of major peripheral nerves of the spine in any setting not licensed as a health facility or resource, under the direct supervision of a licensed physician licensed who is actively practicing spinal injections and has current privileges to do so at a licensed facility. The direct supervision provided by a physician in this (T) must only be offered by a physician who meets the qualifications established in state law relative to interventional pain management; (U) For purposes of subdivision (T), "direct supervision" means being physically present in the same building as the physician assistant at the time the invasive procedure is performed; and (V) This (V) does not apply to a physician assistant performing major joint injections, except sacroiliac injections, or to performing soft tissue injections or epidurals for surgical anesthesia or labor analgesia in unlicensed settings; (25) Requires that the board exercise its powers under state law on the grounds of holding oneself out as board-certified in a medical specialty, or utilizing a medical specialty designation with (i) a title or title reference; (ii) an advertisement; (iii) the name of any healthcare setting that is majority-owned by physician assistants; (iv) credentialing with any licensed healthcare facility or health insurance entity; or (v) an application for healthcare liability insurance coverage; (26) Establishes that (25) is not grounds for discipline of a licensee who worked in a healthcare setting that used a medical specialty designation prior to January 1, 2024, as long as: (A) The licensee's collaborating physician (i) is board-certified or board eligible in the designated specialty; (ii) owns part of the practice that provided the services in such healthcare setting; and (iii) sees patients in such healthcare setting on a regular basis; (B) Ownership of the practice has not changed on or after January 1, 2024; (C) Prior to March 1, 2025, a licensee who practices in a healthcare setting described in (26) must submit proof satisfactory to the board that the licensee's healthcare setting meets the requirements of (26); and (D) If a licensee who, prior to March 1, 2025, meets the requirements of (26), ceases to meet such requirements on or after March 1, 2025, then the licensee must notify the board within 30 days; (27) Authorizes the funeral director who first assumes custody of a dead body, medical examiner, attending or pronouncing physician in a hospital, or physician assistant authorized by protocol or collaborative agreement to sign and file the death certificate. The funeral director, medical examiner, attending or pronouncing physician in a hospital, or physician assistant authorized by protocol or collaborative agreement must obtain the personal data from the next of kin or the best qualified person or source available, and obtain the medical certification from the person responsible for medical certification; (28) Requires medical certification to be completed, signed, and returned to the funeral director by the physician or physician assistant in charge of the patient's care for the illness or condition that resulted in death within 48 hours after death, except when inquiry is required by the county medical examiner or to obtain a veteran's medical records. In the absence of the physician or physician assistant, the certificate may be completed and signed by another physician designated by the physician, by the chief medical officer of the institution in which the death occurred, or by a physician assistant authorized by protocol or collaborative agreement. In cases of deaths that occur outside of a medical institution and are either unattended by a physician or physician assistant, or not under hospice care, the county medical examiner must investigate and certify the death certificate when one of the following conditions exists: (A) There is no physician or physician assistant who had attended the deceased during the four months preceding death, except that a physician or physician assistant authorized by protocol or collaborative agreement who had attended the patient more than four months preceding death may elect to certify the death certificate if the

physician or physician assistant authorized by protocol or collaborative agreement can make a good faith determination as to cause of death and if the county medical examiner has not assumed jurisdiction; or (B) The physician who had attended the deceased during the four months preceding death or physician assistant authorized by protocol or collaborative agreement communicates, orally or in writing, to the county medical examiner that, in the physician's or physician assistant's best medical judgment, the patient's death did not result from the illness or condition for which the physician or physician assistant was attending the patient; (29) If the cause of death cannot be determined within 48 hours after death, requires that the medical certification be completed as provided by rule. The attending physician, medical examiner, or physician assistant authorized by protocol or collaborative agreement must give the funeral director notice of the reason for the delay, and final disposition of the body must not be made until authorized by the attending physician, medical examiner, or physician assistant authorized by protocol or collaborative agreement; (30) For purposes of this heading, "referral" means a written or telecommunicated authorization for genetic counseling services from a physician licensed to practice medicine in all its branches or a physician assistant who has protocols or a collaborative agreement with a supervising physician that authorizes referrals to a genetic counselor; (31) Authorizes a physician order for scope of treatment (POST) to be issued by a physician assistant for a patient with whom the physician assistant has a bona fide physician assistant-patient relationship only if, among other conditions, such authority to issue is contained in the physician assistant's protocols or collaborative agreement; (32) Authorizes a POST to be issued by a physician assistant for a patient with whom the physician assistant has a bona fide physician assistant-patient relationship only if, among other conditions, the patient is a minor or is otherwise incapable of making an informed decision regarding consent for such an order and the agent, surrogate, or other person authorized to consent on the patient's behalf under the Tennessee Health Care Decisions Act is not reasonably available and such authority to issue is contained in the physician assistant's protocols or collaborative agreement, and the physician assistant determines that the provision of cardiopulmonary resuscitation would be contrary to accepted medical standards; (33) Requires that a licensed physician assistant have the same authority that a physician has under this heading to issue certified statements of disability or deafness to accompany the application of disabled or deaf persons to obtain the appropriate registration, license plates, placards and decals from the department, only if the authority is expressly included in the written protocol or collaborative agreement developed jointly by the supervising physician and the physician assistant, setting forth the range of services that may be performed by the physician assistant; (34) Requires the board of medical examiners to establish and maintain an online registry of licensed physicians who are willing to enter into a collaborative agreement with a physician assistant; (35) Requires the online registry to include, at a minimum (i) the physician's name and physical practice address; (ii) designation as a medical doctor or doctor of osteopathy; (iii) the physician's medical specialty and board certifications, if any; (iv) the region or regions of the state in which the physician is willing to enter into a collaborative agreement with a physician assistant; and (v) an address, telephone number, or email address at which the physician can be contacted by a physician assistant who may desire to enter into a collaborative relationship with the physician; (36) Requires a physician included on the registry to update the physician's information described in (35); (37) Establishes that inclusion by a physician on the registry does not obligate a physician to enter into a collaborative agreement with a physician assistant; (38) Prohibits the bill from being construed to prohibit service rendered by a registered nurse, a licensed practical nurse, or a pharmacist pursuant to a collaborative pharmacy practice agreement, if such service is rendered under the supervision, control and responsibility of a licensed physician or to prohibit the provision of anesthesiology services in licensed health care facilities by a dentist licensed in this state who completed a residency program in anesthesiology at an accredited medical school in years 1963 through 1977; and (39) Prohibits the bill from being construed to prohibit service rendered by a physician assistant practicing in collaboration with a physician, osteopathic physician, or podiatrist, whether through protocols or a collaborative agreement.

*Fiscal Note:*

(Dated March 10, 2024) Increase State Revenue \$1,094,100/FY24-25/Board of Nursing \$189,900/FY24-25/Board of Physician Assistants \$328,200/FY25-26 and Subsequent Years/ Board of Nursing \$57,000/FY25-26 and Subsequent Years/ Board of Physician Assistants Increase State Expenditures \$332,700/FY24-25/ Division of Health-Related Boards \$308,900/FY25-26 and Subsequent Years/ Division of Health-Related Boards HB 2318 - SB 2136 Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Nursing had an annual surplus of \$28,720 in FY21-22, an annual deficit of \$665,329 in FY22-23, and a cumulative reserve balance of \$7,181,718 on June 30, 2023. The Board of Physician Assistants had an annual surplus of \$100,032 in FY21-22, an annual deficit of \$29,153 in FY22-23, and a cumulative reserve balance of \$295,339 on June 30, 2023. The Division of Health-Related Boards had an annual surplus of \$2,687,730 in FY21-22, an annual surplus of \$720,811 in FY22-23, and a cumulative reserve balance of \$36,563,823 on June 30, 2023.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1042, effective May 28, 2024.

## SB2139/HB2358 **HEALTH CARE: Procedure for certain specialty medications to be returned to and re-dispensed.**

*Sponsors:* Sen. Reeves, Shane , Rep. Carringer, Michele

*Summary:* Establishes a procedure for specialty medications, defined as prescriptions to treat cancer, symptoms of cancer treatment, and prescriptions for blood and blood components, to be inspected, restocked, and resold if unused by a healthcare provider. If a specialty medication is deemed eligible for restocking by an authorized pharmacy, the pharmacy will reimburse the entity that originally paid for the medication, including TennCare. The authorized pharmacy will maintain records of credits or reimbursements, including specific information about the healthcare provider who returned the medication and other relevant details about the medicine. Additionally, the legislation mandates that drug manufacturers must maintain active commercial general liability insurance to cover any claims related to restocking specialty medication. Individuals acting in good faith in accordance with restocking specialty medication are immune from civil liability and prosecution. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (015314) rewrites the bill to, instead, do the following: (1) Authorize the board of pharmacy to register any mechanical or electronic systems that operate solely on the premises of a hematology or oncology clinic in this state and that perform the storage, control, and dispensing of commercially-available drug products pursuant to a valid patient-specific prescription, as part of the operations of a licensed pharmacy. The pharmacy responsible for the operations of the mechanical or electronic system must maintain the collection, control, and maintenance of all transaction information and the security, control, and accountability for such commercially-available drug products; (2) Prohibits controlled substances and compounded drug products from being stocked or placed inside such mechanical or electronic system; (3) Prohibits the mechanical or electronic system from engaging in the administration of any drug product; (4) Authorizes only a physician, a nurse, and a pharmacist or pharmacy technician licensed in this state to have access to the mechanical or electronic system as an agent of the patient; (5) Requires the mechanical or electronic system to be stocked only by a pharmacist or a pharmacy intern or pharmacy technician acting under the supervision of a pharmacist; (6) Requires the mechanical or electronic system to be nonmobile in nature and must be placed in a secure location behind a locked door at the hematology or oncology clinic; (7) Requires each patient who receives a commercially-available drug product pursuant to a valid patient-specific prescription from the mechanical or electronic system to receive counseling in accordance with the rules of the board of pharmacy; and (8) Requires the board to establish fees necessary to carry out the bill.

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0935, effective May 6, 2024.

**SB2141/HB2311 EDUCATION: Availability of opioid antagonists in schools.**

*Sponsors:* Sen. Reeves, Shane , Rep. Baum, Charlie  
*Summary:* Requires the principal or head of a school that maintains an opioid antagonist at the school to ensure that the opioid antagonist is stored in accordance with manufacturer instructions. Prohibits a school from prohibiting a student, employee, or visitor from possessing an opioid antagonist while the person is on school property or attending a school-sponsored activity held at a location that is not school property.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0629 effective March 27, 2024.

**SB2146/HB2497 HEALTH CARE: Removes obsolete reporting requirement for commissioner of health.**

*Sponsors:* Sen. Johnson, Jack , Rep. Hurt, Chris  
*Summary:* Removes a report due by March 1, 2006, from the commissioner of health to legislative committees concerning the effectiveness of a demonstration project wherein a nursing home allowed a disabled volunteer to assume certain functions in the nursing home. Broadly captioned.

*Amendment Summary:* House amendment 1 (015303) rewrites the bill to, instead, require a child who has been admitted to a juvenile detention facility, prior to being adjudicated for an alleged delinquent act, to be allowed at least one telephone call with the child's parent, guardian, or legal custodian and one 30-minute in-person visit with the child's parent, guardian, or legal custodian within 24 hours after the child is admitted to the juvenile detention facility. The telephone call and in-person visit must occur as soon as practical after the request has been made by the parent, guardian, or legal custodian to the juvenile detention facility; however, the telephone call or in-person visit may be delayed by the detention facility for no more than six hours if the child is subject to disciplinary action. If the juvenile detention facility delays contact to the parent, guardian, or legal custodian, the detention facility must explain the actions of the child which resulted in the contact being timely withheld. During the time period following the first 24 hours a child has been admitted to a juvenile detention facility, but prior to being adjudicated for an alleged delinquent act, this amendment requires a child to be allowed at least three separate telephone calls with the child's parent, guardian, or legal custodian, and one in-person visit with the child's parent, guardian, or legal custodian per week. This amendment applies to juvenile detention facilities approved, certified, or licensed by the department of children's services, including youth development centers.

*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0993, effective July 1, 2024.

**SB2147/HB2420 WELFARE: Hearing on merits of a complaint for an order authorizing the provision of protective services.**

*Sponsors:* Sen. Johnson, Jack , Rep. Barrett, Jody  
*Summary:* Changes from 48 hours to 72 hours the time period prior to a hearing on the merits of a complaint for an order authorizing the provision of protective services necessary to prevent imminent danger of irreparable physical or mental harm or cessation of life, within which the adult alleged to be in need of protective services and any person to whom the adult is lawfully married must be served with a copy of the complaint, unless for good cause shown, a shorter time is allowed by the court. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013866) rewrites the bill to, instead, make the changes below to the law protecting elderly persons and disabled adults. This amendment provides that if a surviving spouse is found by a court of competent jurisdiction to have procured a marriage to an elderly person or disabled adult as part of a scheme to commit abuse or neglect, sexual abuse, financial exploitation, or theft of the elderly person's or disabled adult's real or personal property, or has otherwise procured marriage to the elderly person or disabled adult by fraud, duress, or undue influence, then the surviving spouse is not entitled to the following rights or benefits that inure solely by virtue of the marriage or the person's status as surviving spouse of the decedent unless the decedent and the surviving spouse voluntarily cohabited as husband and wife with full and complete disclosure and knowledge of and capacity to understand the facts constituting such actions and both spouses subsequently ratified the marriage, only to the extent that the elderly adult or disabled adult is capable of ratifying such a marriage: (1) Any right or benefit under the law relevant to descent and distribution, administrations of estates, or wills; (2) Any right or benefit under a bond, life insurance policy, or other contractual arrangement if the decedent is the principal obligee or the person upon whose life the policy is issued, unless the surviving spouse is provided for by name, whether or not designated as the spouse, in the bond, life insurance policy, or other contractual arrangement; (3) Any right or benefit under a will, trust, or power of appointment, unless the surviving spouse is provided for by name, whether or not designated as the spouse, in the will, trust, or power of appointment; and (4) Any immunity from the presumption of undue influence that a surviving spouse may have under state law. This amendment requires the rights or benefits listed (1)–(4) above to pass as if the surviving spouse had predeceased the decedent if a court of competent jurisdiction finds that the surviving spouse is not entitled to the rights or benefits. This amendment authorizes a challenge to a surviving spouse's rights or benefits under the law relevant to descent and distribution, administrations of estates, or wills to be maintained as a defense, objection, or cause of action by any interested person after the death of the decedent in any proceeding in which the fact of marriage may be directly or indirectly material. It is not necessary for a court, as part of any judgment, to declare a marriage void and unenforceable for a contestant to prevail in such a proceeding. This amendment provides that the contestant has the burden of establishing, by a preponderance of the evidence, that the marriage was procured as part of a scheme to commit abuse or neglect, sexual abuse, financial exploitation, or theft of the elderly person's or disabled adult's real or personal property whether by fraud, deceit, coercion, or otherwise, or to otherwise procure marriage to the elderly person or disabled adult by fraud, duress, or undue influence. If ratification of the marriage is raised as a defense, then the surviving spouse has the burden of establishing, by clear and convincing evidence, the subsequent ratification by both spouses. However, such defense is not available if (i) the elderly person or disabled adult would otherwise lack the capacity to ratify; or (ii) abuse or neglect, sexual abuse, financial exploitation, or theft resulted from intentional, fraudulent, or malicious conduct by the surviving spouse. In all actions brought under this amendment, this amendment requires the court to award costs, including attorney's fees, to a contestant that prevails. When awarding costs and attorney's fees, the court may direct payment from a party's interest, if any, in the estate, or enter a judgment that may be satisfied from other property of the party, or both. This

amendment clarifies that the rights and remedies granted in this amendment are in addition to any other rights or remedies a person may have at law or equity. This amendment provides that an insurance company, financial institution, or other obligor making payment according to the terms of its policy or obligation is not liable by reason of this amendment unless, before payment, the insurance company, financial institution, or other obligor received written notice of a claim pursuant to this amendment. The notice must be in writing and must be accomplished in a manner reasonably suitable under the circumstances and likely to result in receipt of the notice. Permissible methods of notice include first-class mail, personal delivery, delivery to the person's last known place of residence or place of business, or a properly directed facsimile or other electronic message. To be effective, this amendment requires notice to a financial institution or insurance company to contain the name, address, and the taxpayer identification number, or the account or policy number, of the principal obligee or person whose life is insured and must be directed to an officer or a manager of the financial institution or insurance company in this state. If the financial institution or insurance company has no offices in this state, then the notice must be directed to the principal office of the financial institution or insurance company. This amendment provides that notice is effective when given, except that notice to a financial institution or insurance company is not effective until five business days after being given. This amendment provides that, unless sooner barred by adjudication or estoppel, an interested person is barred from bringing an action under this amendment unless the action is commenced within four years after the decedent's date of death. A cause of action under this amendment accrues on the decedent's date of death. Present law provides that an elderly person or disabled adult in that person's own right, or by conservator or next friend, has a right of recovery in a civil action for compensatory damages for abuse or neglect, sexual abuse or for theft of such person's or adult's money or property whether by fraud, deceit, coercion or otherwise. Such right of action against a wrongdoer must not abate or be extinguished by the death of the elderly person or disabled adult, but must pass as provided in existing law, unless the alleged wrongdoer is a family member, in which case the cause of action must pass to the victim's personal representative. This amendment adds to the present law by providing that an elderly person or disabled adult in that person's own right, or by conservator or next friend, has a right of recovery in a civil action for compensatory damages for abuse or neglect, sexual abuse, or financial exploitation by a caretaker. This amendment also adds to the present law by providing that if the personal representative is the alleged wrongdoer, then the cause of action must pass to any interested party that is not the alleged wrongdoer. Present law provides that damages include compensatory damages and costs where it is proven that a defendant is liable for abuse or neglect, sexual abuse or exploitation or for theft of such elderly person's or disabled adult's money or property whether by fraud, deceit, coercion or otherwise. Costs include reasonable expenses. In addition, if it is proven upon clear and convincing evidence that abuse or neglect, sexual abuse or exploitation or theft resulted from intentional, fraudulent or malicious conduct by the defendant, a claimant is entitled to recover reasonable attorneys' fees. This amendment rewrites the present law, and, instead, provides that damages include compensatory damages and costs where it is proven that a defendant is liable for abuse or neglect; sexual abuse or exploitation; for theft of such elderly person's or disabled adult's money or property whether by fraud, deceit, coercion or otherwise; or for abuse or neglect, sexual abuse, or financial exploitation by a caretaker. Costs include reasonable expenses and reasonable attorney's fees. This amendment provides that in any will or estate contest provided under the law relevant to descent and distribution, administrations of estates, or wills, or in any proceeding contesting the validity of any gifts, bequests, or other transactions, a caretaker found liable under this amendment is in a per se confidential relationship with the elderly person or disabled adult so as to raise the presumption of undue influence requiring the caretaker to prove by clear and convincing evidence that the challenged bequest was fair. As used in the present law, a "caretaker" means an individual or institution who has assumed the duty to provide for the care of the adult by contract or agreement and includes a parent, spouse, adult child or other relative, both biological or by marriage, who (i) resides with or in the same building with or regularly visits the adult; (ii) knows or reasonably should know of the adult's mental or physical dysfunction or advanced age; and (iii) knows or reasonably should know that the adult is unable to adequately provide for the adult's own care, but does not mean a financial institution as a caretaker of funds or other assets unless such financial institution has entered into an agreement to act as a trustee of such property or has been appointed by a court of competent jurisdiction to act as a trustee with regard to the property of the adult. This amendment adds to the present law definition by providing that a "caretaker" includes a person who resides in an elderly person's or disabled adult's personal residence and has assumed the duty to provide care for the elderly person or disabled adult or another person, including a spouse, child, or relative of the elderly person or disabled adult, who also resides in the elderly person's or disabled adult's personal residence and who knows or reasonably should know of the elderly person's or disabled adult's mental or physical dysfunction or advanced age. House amendment 1 (017190) prohibits a surviving spouse from entitlement to any rights or benefits that inure solely by virtue of their marriage to a deceased individual if the surviving spouse is found by a court to have procured the marriage to an elderly person or disabled adult as part of a scheme to commit abuse or neglect, sexual abuse, financial exploitation, theft of property, or if the surviving spouse procured the marriage by fraud, duress, or undue influence. Establishes that the contestant to the legitimacy of the marriage has the burden of establishing, by a preponderance of the evidence, that the marriage was procured as part of a scheme or otherwise procured by fraud, duress, or undue influence. Authorizes the surviving spouse to use the ratification of the marriage as a defense, provided that there was no lack of capacity to ratify on the part of the deceased spouse, or that abuse or neglect was not conducted against the deceased spouse. Requires that an interested person bring an action under this act within four years after the decedent's date of death. Establishes that an insurance company, financial institution, or other obligor is not liable by reason of this act unless written notice of a claim pursuant to this proposed legislation is received. Expands the definition of caretaker as it relates to adult protection. Establishes that an elderly person or disabled adult has a right of recover in a civil action for abuse or neglect, sexual abuse, or financial exploitation by a caretaker.

*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0772, effective April 23, 2024.

**SB2148/HB2100 BANKING & CREDIT: Provision or denial of services based on an analysis of risk factors unique to customer.**

*Sponsors:* Sen. Johnson, Jack , Rep. Zachary, Jason  
*Summary:* Requires financial institutions to make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer. Prohibits financial institutions from denying or cancelling services to a person based on the person's political affiliations, religious beliefs, firearm ownership, and other factors.

*Amendment Summary:* House amendment 1 (015550) requires financial institutions and insurers to make determinations about the provision or denial of services based on an analysis of risk factors or based on an analysis of sound underwriting and actuarial principles related to actual or reasonably anticipated loss experience unique to each current or prospective customer. Prohibits a financial institution from denying, canceling or discriminating its services to a person on the basis of a list of certain specific factors including, but not limited to political affiliation, social credit score, or any factor that is not a quantitative, impartial, risk-based standard. Prohibits an insurer from refusing to insure, or charging a different rate to a person, solely on the basis of a person's political affiliations or religious affiliations. Authorizes a customer to request from a financial institution a detailed explanation within 90 days of the basis of denial, restriction or termination of service. Requires the financial institution to submit upon receipt of the request the letter within 30 days. Establishes a violation by a financial institution of such as an unfair and deceptive act or practice under the Consumer Protection Act of 1977 and establishes a violation by an insurer is an unfair trade practice under the Unfair Trade Practices and Unfair Claims Settlement Act of 2009. Declares that the provisions of the legislation do not apply to a department, agency, or instrumentality of the United States, or its agent, to the extent of its operations in such capacity. Senate amendment 2 (015625) prohibits an insurer from refusing to insure or charge a different rate to a person on the basis of political opinions or religious beliefs.

*Fiscal Note:* (Dated February 9, 2024) Increase State Expenditures \$310,600/FY24-25/Financial Institutions \$307,600/FY25-26 and Subsequent Years/Financial Institutions

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0746, effective July 1, 2024.

### SB2150/HB2249 **PROPERTY & HOUSING: Declaration subject time frame.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Reduces from 30 business days to 30 days, the amount of time that a business entity that is subject to a declaration has to send notice of a change in contact information for the entity or a transfer of the ownership interest in the residential property to the homeowners' association. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014107) rewrites the bill to add to the law regarding homeowners' associations, as follows: (1) This amendment requires a homeowners' association seeking to levy a special assessment on its members for a nonessential amenity to (i) pass the assessment by at least a two-thirds majority vote of the total members in the homeowners' association; and (ii) provide members with financing or a payment plan over a defined period of time. As used in this amendment, a "nonessential amenity" means an amenity that is not essential to the daily regular operation of the community, including a pool, tennis court, or club house and does not include: (i) a road, utility, or other amenity that is necessary to the daily regular operation of a community; or (ii) an amenity described in the declaration but not yet built; (2) This amendment provides that if a member of the homeowners' association fails to pay a special assessment for a nonessential amenity, then this amendment prohibits the homeowners' association from taking a foreclosure action against the property or the member for failure to pay the special assessment; and (3) This amendment revises the present law that provides that the law regarding multiple ownership of property relevant to homeowners' associations applies to declaration amendments that are enacted on or after May 1, 2021. This amendment clarifies that such present law is not applicable to the provisions in this amendment.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0691 effective July 1, 2024.

### SB2151/HB2861 **HEALTH CARE: Report on immunization rates of children by county.**

*Sponsors:* Sen. Johnson, Jack , Rep. Carringer, Michele

*Summary:* Requires the commissioner of health to submit an electronic copy of the annual report on immunization rates of children, by county, to the governor and the speakers of the senate and the house of representatives. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015523) rewrites the bill to, instead, do the following: (1) Prohibit a healthcare provider from (i) coercing a person to receive a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides a person with an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing a person with an exemption to such requirement; (2) Establish that a violation of the bill section is an unlawful practice and is grounds for the offending healthcare provider's licensing authority to suspend, revoke, or refuse to renew the healthcare provider's license or take other disciplinary action allowed by law; and (3) If the licensing authority of a healthcare provider receives information of a violation or potential violation of the bill by the healthcare provider, require the licensing authority to conduct an immediate investigation and take appropriate disciplinary action. House amendment 1 (017149) makes the following changes: (1) Defines, for purposes of the bill, "coerce" to mean to compel a person to act by force, intimidation, or threat; (2) Revises the definition of a "vaccination," for purposes of the bill, to mean the act of introducing a vaccine into the body of a child under two years of age; and (3) Revises the provision that prohibits a healthcare provider from (i) coercing a person to receive a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides a person with an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing a person with an exemption to such requirement to, instead, prohibit a healthcare provider from (i) coercing a person, who has legal authority to make healthcare decisions for a child, to consent to a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing an exemption to such requirement.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1043, effective July 1, 2024.

### SB2153/HB2612 **PROPERTY & HOUSING: Williamson County - report on criminal activity in a gated subdivision.**

*Sponsors:* Sen. Johnson, Jack , Rep. Bulso, Gino

*Summary:* Defines a gated community as a neighborhood with at least 300 single-family residential homes and at least two gates restricting entrance and exit from the street. If a member of the homeowners association requests a report on criminal activity in the neighborhood, the association must contact the local law enforcement office to obtain and compile a report of police activities and arrests within the gated community. This report must be made available to each household. This provision is only applicable within Williamson County.

*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0645 effective July 1, 2024.

**SB2155/HB2323 CRIMINAL LAW: Third or subsequent offense of domestic assault.**

*Sponsors:* Sen. Watson, Bo , Rep. Hazlewood, Patsy  
*Summary:* Increases the mandatory minimum confinement period for a defendant after a third or subsequent conviction of domestic assault to 90 days. Upgrades the offense classification to a Class E felony upon a defendant's conviction for a sixth or subsequent qualifying misdemeanor. Broadly captioned.

*Amendment Summary:* House amendment 1 (018514) creates the Chris Wright Act. Enhances, from a Class A misdemeanor to a Class E felony, the offense classification for a person convicted of a third or subsequent conviction of domestic assault, regardless of the domestic assault victim's relationship with the defendant. Establishes that a defendant convicted of any combination of five or more qualifying misdemeanors is deemed a recidivist misdemeanant and commits a Class E felony on the sixth or subsequent qualifying misdemeanor. Outlines 35 qualifying Class A misdemeanor offenses. Establishes that a defendant commits a Class E felony upon a third or subsequent conviction of any combination of seven outlined Class A misdemeanor offenses. Requires the offense date of the present offense be within 10 years of the offense date of a preceding qualifying misdemeanor conviction. Requires a preceding qualifying misdemeanor conviction from another jurisdiction other than this state be considered a preceding qualifying misdemeanor conviction if the elements of the offense are the same as the elements of a comparable offense in this state.

*Fiscal Note:* (Dated February 25, 2024) Increase State Expenditures \$1,482,000 Incarceration Decrease Local Expenditures \$613,700/FY24-25 and Subsequent Years  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0987, effective July 1, 2024.

**SB2156/HB2528 EDUCATION: Annual report on implementation of the Schools Against Violence in Education Act.**

*Sponsors:* Sen. Johnson, Jack , Rep. Gant, Ron  
*Summary:* Changes from February 1 to January 15, the deadline for the commissioners of safety and education to present their annual report to the governor and the general assembly concerning implementation of the Schools Against Violence in Education (SAVE) Act. Broadly captioned.

*Amendment Summary:* House amendment 1 (014778) rewrites the bill to, instead, establish a school safety alert grant pilot program, as described below. This amendment requires the department of education ("department") to establish and administer a school safety alert grant pilot program. The purpose of the pilot program is to award school safety grants to LEAs, public charter schools, private schools, and church-related schools for the purchase of mobile panic alert systems. The alert systems funded through the pilot program must be approved by the department, in consultation with the department of safety. This amendment creates a separate fund within the general fund to be known as the school safety alert grant pilot fund. Subject to appropriations and the availability of funds, the department must allocate and disperse grants each fiscal year to LEAs, public charter schools, private schools, and church-related schools. The grants must be awarded as follows: (1) The first grant must be awarded on a first-come, first-served basis to the first LEA or school that applies; (2) The second grant must be awarded on a first-come, first-served basis to an LEA or school that is located in a different grand division of this state than the recipient of the grant awarded under (1) above; (3) The third grant must be awarded on a first-come, first-served basis to an LEA or school that is located in a different grand division of this state than the recipients of the grants awarded under (1) and (2) above; and (4) The fourth and any subsequent grants must be awarded on a first-come, first-served basis to an LEA or school that is located in a grand division of this state, following the order of awards as established under (1)–(3) above. This amendment requires a grant awarded under this amendment to be limited to \$10,000 per school in a fiscal year. Subject to appropriation, two schools from each grand division of the state must receive the grant funding. This amendment authorizes the commissioner of education to promulgate rules to effectuate this amendment. By July 1, 2025, and by each July 1 thereafter, this amendment requires the department to prepare and submit to the general assembly a report detailing all funds received and payments made through the school safety alert grant pilot fund. House amendment 2 (018394) revises the provision that limits a grant awarded under the bill to \$10,000 per school in a fiscal year to, instead, limit a grant awarded under the bill to \$8,000 per school in a fiscal year.

*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0994, effective July 1, 2024.

**SB2158/HB2774 STATE GOVERNMENT: Review of executive branch agency policies and spending related to illegal immigration.**

*Sponsors:* Sen. Haile, Ferrell , Rep. McCalmon, Jake  
*Summary:* Requires the review of executive branch agency, department, commission, board or entity policies and spending as it relates to illegal immigration. Requires a report to be compiled and delivered to the governor and the speakers of the senate and house of representatives regarding such review. Broadly captioned.

*Amendment  
Summary:*

House amendment 1 (015421) makes the following changes: (1) Beginning January 1, 2025, requires the district attorneys general conference ("conference") to collect and analyze data from law enforcement agencies on the number of persons not lawfully present in the United States charged or convicted of a criminal offense in this state during the previous year. To prepare the report, a conference may consult with the TBI, the department of safety, the department of correction, and other law enforcement agencies, to the extent those agencies may provide information in compliance with state and federal law. On or before January 31, 2025, and each January 31 thereafter, the conference must submit a report to the governor and the speakers of the senate and house of representatives. The report must provide the numbers by judicial district; (2) Requires the conference to publish the report on one or more publicly available websites, which must include a publicly available website of the Tennessee district attorneys general conference; (3) Requires the department of correction to report to the governor and the speakers of the senate and house of representatives on or before January 31, 2026, and each January 31 thereafter, the cost incurred by this state to hold persons not lawfully present in the United States convicted of a criminal offense in the previous year, in comparison with the total cost incurred by this state to hold all persons convicted of a criminal offense during the same period; (4) Clarifies that, for purposes of the bill, an individual is "not lawfully present in the United States" if: (A) The individual cannot provide (i) a social security card or number that can be verified with the social security administration in accordance with federal law; (ii) a valid Tennessee driver license or photo identification license issued by the department of safety; (iii) a permanent resident card, also known as a green card, issued by the United States citizenship and immigration services; (iv) an F-1 or M-1 student visa, issued by the United States department of state; (v) a J-1 visa, issued by the United States department of state; (vi) an official birth certificate issued by a state, jurisdiction, or territory of the United States or a United States government-issued certified birth certificate; (vii) a valid, unexpired United States passport; (viii) a certificate of citizenship (form N560 or N561); or (ix) a certificate of naturalization (form N550, N570, or N578); or (B) The individual has been granted parole under federal law, temporary protected status, deferred action, deferred enforced departure, or similar exercise of administrative grace or prosecutorial discretion; and (5) Establishes that the bill is repealed July 1, 2032. Senate amendment 2 (018855) beginning January 1, 2025, requires the District Attorney General Conference (DAGC) to collect and analyze data from law enforcement agencies on the number of persons not lawfully present in the United States. Requires the DAGC to produce an annual report and post it to its website. Authorizes the DAGC to consult with the Tennessee Bureau of Investigation, the Department of Safety and Homeland Security, the Department of Correction (DOC), and other law enforcement agencies. Requires the DAGC to submit the report to the Governor and Speakers of the Senate and the House by January 31 of each year. Beginning January 1, 2026, requires DOC to report annually to the Governor and Speakers of the Senate and the House the cost incurred by the state to hold persons not lawfully present in the United State convicted of a criminal offense in the previous year, in comparison with the total cost incurred by the state to hold all persons convicted of a criminal offense during the same period. Defines "not lawfully present in the United States" for the purposes of the proposed legislation as an individual that cannot provide sufficient documentation evidencing the individual's lawful presence in the United States. Authorizes a law enforcement officer to presume, based on the officer's personal knowledge of the individual, that an individual is lawfully present in the United States though the individual could not produce the necessary documentation. The proposed legislation is repealed on July 1, 2032.

*Fiscal Note:* (Dated February 13, 2024) Increase State Expenditures Exceeds \$250,000/FY24-25 Increase Local Expenditures Exceeds \$7,125,000/FY24-25\* Exceeds \$6,175,000/FY25-26 and Subsequent Years\*

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0998, effective May 21, 2024.

**SB2159/HB2321 WELFARE: Increases the amount of personal needs allowance for long-term nursing home residents.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Hazlewood, Patsy

*Summary:* Increases the amount of personal needs allowance from \$50 to \$70 for long-term nursing home residents.

*Fiscal Note:* (Dated February 12, 2024) Increase State Expenditures - \$478,200/FY24-25 \$956,500/FY25-26 and Subsequent Years Increase Federal Expenditures - \$885,300/FY24-25 \$1,770,700/FY25-26 and Subsequent Years

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0986, effective May 21, 2024.

**SB2162/HB1967 LOCAL GOVERNMENT: Approval of project of board of waterworks or sewage commissioners.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Miller, Larry

*Summary:* Authorizes the governing body of an incorporated city or town to approve a project or request of its board of waterworks and/or sewerage commissioners by passage of a proper ordinance or resolution.

*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0692 effective April 1, 2024.

**SB2172/HB2312 TAXES PROPERTY: Acceptance of partial payments of delinquent property taxes.**

*Sponsors:* Sen. Hensley, Joey , Rep. Baum, Charlie

*Summary:* Authorizes municipal tax collectors and taxing entities to also accept partial payments of delinquent property taxes in the same manner as county trustees. Requires such officials to include in their plan for accepting partial payments a description of the accounting system technology or manual processes to be used to record partial payments of delinquent property taxes and a statement indicating that funds received as partial payments on delinquent property taxes will reduce the amount of delinquent property tax, interest, statutory fees, and court costs, by relative amounts on a pro-rata basis.

*Amendment Summary:* House amendment 1 (014462) clarifies that the bill does not authorize a clerk of a court in which a proceeding is pending to accept a partial payment of delinquent taxes, interest, or court costs, except pursuant to the law regarding waiver relevant to property taxes, payment of a personal judgment for delinquent personal property taxes in installments, or a payment distribution plan approved in a bankruptcy proceeding. Senate amendment 1 (017595) makes the following changes, in the context of partial payments of delinquent property taxes that must be applied on a pro-rata basis to the delinquent property tax, interest, statutory fees, and court costs due, as follows: (1) Requires that the application of payment of interest on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the interest due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (2) Requires that the application of payment of statutory fees on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the fees due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (3) Requires that the application of payment of court costs on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the court costs due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; and (4) Authorizes a rounding difference between the total of the individual applications of amounts due and the partial payment amount to be applied to any of the amounts due to make the total of the individual applications equal to the partial payment amount.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0913, effective May 3, 2024, & January 1, 2026.

### SB2175/HB2251 **EDUCATION: Smart Heart Act.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott

*Summary:* Enacts the "Smart Heart Act," which establishes various requirements for automatic external defibrillators in schools and response protocols for cardiac-related medical emergencies. Broadly captioned.

*Amendment Summary:* House amendment 1 (013937) makes the following changes to the bill: (1) Requires an automated external defibrillator ("AED") maintained by the governing authority of each public and nonpublic school that serves any of the grades nine through 12 that is accessible during the school day and during all school youth athletic activities in which students in any of the grades nine through 12 are participating to be located on-site of the school youth athletic activity or placed and made available in an unlocked location on school property that allows for the AED to be used on an individual who may experience a sudden cardiac arrest event while the individual is on-site of the school youth athletic activity within three minutes; (2) Requires, instead of authorizes, AEDs to be placed within a school or on school grounds in accordance with the guidelines established in the cardiac emergency response plan ("CERP") adopted for the public school pursuant to the bill; (3) Requires, instead of authorizes, local boards of education and public charter school governing bodies to develop CERPs in accordance with guidelines established by the American Heart Association or another nationally recognized organization focused on providing emergency cardiovascular care; and (4) Requires a CERP adopted pursuant to the bill to identify the training required for members of the cardiac emergency response team, and for any teachers, administrators, or other school employees, to assist such individuals in understanding the severity of sudden cardiac arrest events, to educate such individuals on how to respond in such circumstances, and to notify such individuals of the existence, content, and guidance available in the CERP, which must include training in cardiopulmonary resuscitation, first aid, and the use of an AED.

*Fiscal Note:* (Dated February 17, 2024) NOT SIGNIFICANT

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0625 effective July 1, 2024.

### SB2182/HB2797 **LOCAL GOVERNMENT: Notice requirement for public meeting by an industrial development corporation.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hulse, Bud

*Summary:* Specifies that the required notice of a public meeting by an industrial development corporation related to the approval of a payment in lieu of taxes for a lessee of the corporation must be published on the website of the corporation. Broadly captioned.



*Amendment**Summary:*

Senate amendment 1 (015080) rewrites the bill to, instead, provide that an industrial development corporation created by a housing opportunity county or by a municipality within the boundaries of the housing opportunity county or jointly by any combination of such entities has the following powers: (1) To construct and install public infrastructure for qualified residential developments or contract with a private party for the construction and installation of such public infrastructure; (2) To accept loans and grants of money from this state or the U.S. or any agency or instrumentality of this state or the U.S., upon such terms and conditions as this state, the U.S., or the agency or instrumentality may impose, for purposes of carrying out the design, construction, installation, financing, or undertaking of public infrastructure; and (3) To make loans and grants of money to private entities constructing and installing public infrastructure for qualified residential developments within the boundaries of the housing opportunity county upon such terms as the industrial development corporation deems advisable. As used in this amendment, a "housing opportunity county" means a county that is certified by the comptroller of the treasury and the commissioner of economic and community development as a county with acute needs for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects, whether or not located in the county, that are expected to result in the employment of more than 1,000 new employees. Additionally, as used in this amendment, a "qualified residential development" means an area to be developed for residential housing, which may be single-family housing or multi-family housing so long as that at least 80 percent of the developable area in the development is expected to be used for residential housing, as determined by the industrial development corporation. If this state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in this amendment, then this amendment requires such loan or grant to be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and that are approved by the comptroller of the treasury, the commissioner of economic and community development, and the commissioner of finance and administration. Such agreement may include such terms as are deemed advisable to this state to ensure that the housing to be constructed in the qualified residential development is affordable for persons residing in the housing opportunity county. Senate amendment 2 (017340) makes the following changes: (1) Establishes that a "housing opportunity county" means a county with acute needs for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects, whether located in the county or surrounding area, that are certified by the commissioner of economic and community development as expected to result in the employment of more than 1,000 new employees; and (2) If this state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in the bill, requires such loan or grant to be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and the industrial development corporation and that are approved by the comptroller of the treasury and the commissioner of finance and administration.

*Fiscal Note:*

(Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:*

04/25/24 - Signed by Senate speaker.

*House Status:*

04/26/24 - Signed by House speaker.

*Executive Status:*

05/13/24 - Enacted as Public Chapter 0956, effective May 9, 2024.

**SB2183/HB2326 EDUCATION: Suspension of schools by commissioner of education.***Sponsors:*

Sen. White, Dawn , Rep. Hicks, Gary

*Summary:*

Changes, from 10 days to 10 business days, the maximum amount of time the commissioner of education can suspend schools in a year when the commissioner requires all teachers to attend county institutes or educational meetings. Broadly captioned.

*Amendment  
Summary:*

House amendment 2 (017825) rewrites the bill to, instead, make the changes described below to the law regarding education and applies to the 2023-2024 school year and each school year thereafter. Present law authorizes (i) a student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted if the student is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department; and (ii) a student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "below" on the ELA portion of the student's most recent TCAP test may be promoted if the student attends a learning loss bridge camp before the beginning of the upcoming school year and maintains a 90 percent attendance rate at the camp, and is assigned a tutor through the TALLC to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. Present law requires a student who is promoted to the fourth grade pursuant to (i) or (ii) above, to show adequate growth on the fourth grade ELA portion of the TCAP test, as determined by the department, before the student may be promoted to the fifth grade. However, a student must not be retained in the fourth grade more than once. This amendment revises the present law by, instead, authorizing a student who is promoted to the fourth grade pursuant to (i) or (ii) above to be promoted to fifth grade if the student shows: (1) Adequate growth, as determined by the department, on the fourth grade ELA portion of the TCAP test; or (2) Adequate growth, as determined by the student's LEA or public charter school, on a locally adopted fourth grade benchmark assessment in ELA that was administered to the student in a test environment, as determined by the department, even if the student does not show adequate growth, as determined by the department, on the fourth grade ELA portion of the TCAP test. If a student was promoted to the fourth grade pursuant to (i) or (ii) above and does not show adequate growth on the fourth grade ELA portion of the TCAP test, and does not show adequate growth on a locally adopted fourth grade benchmark assessment in ELA administered to the student in a test environment, then this amendment requires the student's LEA or public charter school to convene a conference that must be attended by the student's parent or guardian, ELA teacher, and school principal, to determine whether the student must be: (A) Promoted to the fifth grade and receive the interventions and academic supports identified in the foundational literacy skills plan adopted by the student's LEA or public charter school for the entirety of the student's fifth grade year; or (B) Retained in the fourth grade. However, a student must not be retained in the fourth grade more than once. This amendment requires each student who is promoted to the fifth grade pursuant to (2) or (A) above to receive the interventions and academic supports identified in the foundational literacy skills plan adopted by the student's LEA or public charter school for the entirety of the student's fifth grade year. The interventions and academic supports a student must receive are those identified in the foundational literacy skills plan adopted by the student's LEA or public charter school that are targeted to the ELA skills and standards in which the student is determined to be deficient based on the student's performance on the fourth grade ELA portion of the TCAP test. This amendment requires each LEA and public charter school to develop and implement, for each student promoted to the fifth grade pursuant to (2) or (A) who must receive certain interventions and academic supports in the fifth grade, an individual support plan that outlines the interventions and academic supports the student will receive in the fifth grade. Each individual support plan must be developed by the LEA or public charter school in consultation with the student's parent or guardian. This amendment requires each LEA and public charter school to include in its foundational literacy skills plan, a description of the interventions and academic supports the LEA or public charter school, as applicable, will provide to a student who: (1) Was promoted to the fourth grade pursuant to (i) or (ii) above; (2) Did not show adequate growth, as determined by the department, on the fourth grade ELA portion of the TCAP test; and (3) Was promoted to the fifth grade. This amendment requires the interventions and academic supports identified by an LEA or public charter school in the LEA's or public charter school's foundational literacy skills plan to include, at a minimum: (i) the provision of tutoring services by the LEA or public charter school to the student for the entirety of the student's fifth-grade year based on tutoring requirements established by the department; or (ii) the student attending a learning loss bridge camp before the beginning of the upcoming school year. This amendment requires each LEA and public charter school to incorporate such requirements into its revised foundational literacy skills plan submitted to the department for approval no later than July 1, 2024. The department must monitor the academic performance of LEAs and public charter schools to determine whether students who were promoted to the fifth grade and who received certain interventions and academic supports in the fifth grade are developing the skills and meeting the standards required for proficiency in ELA. If the department determines that an LEA's or public charter school's fifth grade students are not developing the skills and meeting the standards required for proficiency in ELA, then the department must require the LEA or public charter school to revise the interventions and academic supports identified for such students in the LEA's or public charter school's foundational literacy skills plan. However, the department must not require an LEA or public charter school to remove the interventions and academic supports identified in this amendment.

*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0989, effective May 21, 2024.

**SB2185/HB1717 JUDICIARY: Submission of information to the county legislative body by judicial commissioners.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Requires, upon request of the county legislative body, the judicial commissioners to submit any relevant information to the county legislative body at least seven days before the public hearing. Broadly captioned.  
*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/19/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0616 effective March 27, 2024.

**SB2186/HB1716 JUDICIARY: Management and supervision of appointed judicial commissioners.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Specifies that in a county with more than one general sessions judge, the management and supervision of any appointed judicial commissioners must rotate between the general sessions judges in the county on an annual basis. Broadly captioned.  
*Amendment Summary:* House amendment 1 (012973) requires, in a county with more than one general sessions judge in which the judicial commissioners are supervised by the general sessions judges, the management and supervision of any judicial commissioners to rotate between the general sessions judges having criminal jurisdiction in the county on an annual basis.  
*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0786, effective April 23, 2024.

**SB2188/HB2384 EDUCATION: Person designated to check bus for children at stops under TN Children with Disabilities Transportation Act.**

*Sponsors:* Sen. Massey, Becky , Rep. Howell, Dan  
*Summary:* Changes, from August 1 of each year to before July 31 of each year, the date by which the name, address, and telephone number of the person designated to check a bus or vehicle for children at stops under the Tennessee Children with Disabilities Transportation Act must be sent to the appropriate LEA. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (015571) prohibits a governmental entity or local board of education from extending immunity granted to governmental employees to independent school bus owners and operators or other persons or entities by contract, agreement, or other means in performing or providing school-related transportation services to a local board of education. Requires that a contract or agreement between a local board of education and independent school bus owners and operators requires sufficient limits for tort liability exposures related to performing or providing school-related transportation services to the local board of education by the owners and operators as evidenced by a certificate of insurance from the owners and operators that has the local board of education listed as an additional insured.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0809 effective April 29, 2024.

**SB2202/HB2381 EDUCATION: Code of visitor conduct for schools.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Parkinson, Antonio  
*Summary:* Requires each local board of education and public charter school governing body to adopt a comprehensive code of conduct for each school under the authority of the local board of education or public charter school governing body that describes the types of behavior expected from visitors entering on school grounds. Specifies that each code of visitor conduct must emphasize the importance of appropriate language, respect for the person and property of others, and establishing and maintaining a safe, secure, and peaceful educational setting that promotes learning and positive character development.  
*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0810 effective April 29, 2024.

**SB2204/HB1946 ENVIRONMENT & NATURE: Funds paid to TVA for additional releases of water on the Ocoee River.**

*Sponsors:* Sen. Lowe, Adam , Rep. Howell, Dan  
*Summary:* Authorizes available funds in the Ocoee River recreation and economic development fund to be paid to the Tennessee Valley Authority for additional releases of water on the Ocoee River. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (015032) rewrites the bill to, instead, do the following: (1) Require the Ocoee River recreation and economic development fund to be available to the commissioner of environment and conservation for expenditures for the purpose of the cost of making payments to the Tennessee Valley authority for additional releases of water on the Ocoee River; (2) Add "Class IV Olympic river areas" to the types of river areas included in the state scenic rivers system; (3) Describe Class IV Olympic River Areas as those rivers or sections of rivers in areas with river management zones affected by the works of man but that still possess actual or potential scenic values, the land of which is managed by the state in accordance with agreements with the Tennessee Valley authority and U.S. Forest Service. Permits could be issued to commercial rafting operations conducting business within such zones. These rivers would be managed for tourism promotion and economic development activities that benefit the river management zone, including releases for the benefit of persons to participate in whitewater rafting, whitewater races, special events, and for private paddlers; (4) Add the following to present law relative to rivers initially included in state scenic river system: (i) Class IV Olympic River Areas and (ii) Ocoee River; (5) Prohibit the department of environment and conservation from issuing new permits for whitewater rafting at the lower Ocoee River Recreational Area on and after July 1, 2024; however, a person who has been issued and possesses a valid whitewater rafting permit as of June 30, 2024, may transfer the permit to a member of the person's immediate family. As used in this amendment, "immediate family" means a spouse, child, step-child, brother, sister, son-in-law, daughter-in-law, parent or grandparent; and (6) Authorize the commissioner to promulgate rules to effectuate the bill. House amendment 2 (017355) authorizes disbursements from the Ocoee River Recreation and Economic Development Fund (Fund) for making payments to the Tennessee Valley Authority (TVA) for additional releases of water into the Ocoee River. Defines and adds Class IV Olympic River Areas to those rivers that are eligible for inclusion in the State Scenic Rivers Program. Classifies a segment of the Ocoee River as a Class IV Olympic River Area. Prohibits the Department of Environment and Conservation (TDEC) from issuing more than 24 permits for whitewater rafting at the Ocoee River Recreational Area on or after July 1, 2024; however, any person who has been issued and possesses a valid permit as of June 30, 2024, may transfer the permit to a member of the person's immediate family, pursuant to a purchase and sale agreement, or as authorizes by TDEC rule.  
*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact Due to multiple unknown variables, any increase in state expenditures from the Ocoee River Recreational Economic Development Fund cannot be determined with reasonable certainty.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1044, effective May 28, 2024 & July 1, 2024.

**SB2205/HB2369 PUBLIC EMPLOYEES: Discriminating against first responders with respect to employment based on residence.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Vaughan, Kevin  
*Summary:* Removes the exception for certain counties with respect to discrimination of first responders based on residence. Broadly captioned.  
*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0851, effective May 1, 2024.

**SB2211/HB2102 EDUCATION: Authorized THEC to designate VETS Bravo campuses.**

*Sponsors:* Sen. Powers, Bill , Rep. Ragan, John  
*Summary:* Allows THEC to designate VETS campuses that strive to increase enrollment, continuation, and graduation rates of veterans, while also meeting the advanced qualification criteria established by THEC, as VETS Bravo campuses. Establishes reporting requirements for VETS Bravo campuses.  
*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0622 effective July 1, 2024.

**SB2214/HB2242 EDUCATION: Course in computer science required for middle school students.**

*Sponsors:* Sen. Powers, Bill , Rep. White, Mark  
*Summary:* Specifies that only middle school students enrolled in the lowest grade level at a middle school are required to take one course in computer science. Authorizes the state board of education to promulgate rules to effectuate the act.  
*Fiscal Note:* (Dated March 9, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0693 effective July 1, 2024.

**SB2215/HB2283 EDUCATION: Annual deadline to provide school building-level safety plans.**

*Sponsors:* Sen. Powers, Bill , Rep. Haston, Kirk  
*Summary:* Requires each private school and church-related school to submit their school's building-level school safety plan to each local law enforcement agency with jurisdiction by December 1, 2024, and each December 1 thereafter instead of by October 1, 2023, and each October 1 thereafter.  
*Amendment Summary:* Senate amendment 1 (017078) rewrites the bill to, instead, make the changes described below to the "School Against Violence in Education Act." Present law requires each LEA and public charter school to provide the following to each local law enforcement agency with jurisdiction, the department of education, and the department of safety: (i) the LEA's, and to the extent applicable, the public charter school's, district-wide school safety plan; (ii) the building-level school safety plan for each school in the LEA or each public charter school; and (iii) the floor plans for all school buildings within the LEA or used by the public charter school. This amendment deletes (iii) from the present law. This amendment authorizes each LEA and public charter school to provide, in an electronic or digital format, school mapping data for each school building in the LEA, and for each school building being used by the public charter school, as applicable, to assist first responder agencies that serve the same geographical areas served by the LEA or public charter school in responding to emergencies occurring on school grounds. Grant funds may be used to meet the requirement of this amendment, including, but not limited to, the LEA's or public charter school's procurement of a vendor to collect, assemble, and provide the school mapping data required in this amendment on behalf of the LEA or public charter school. The LEA, public charter school, or vendor that collects and assembles school mapping data for purposes of this amendment is responsible for providing the data to the first responder agencies that serve the same geographical areas served by the LEA or public charter school for use by such agencies in responding to emergencies occurring on school grounds. School mapping data provided pursuant to this amendment must satisfy the following conditions: (1) Be viewable through software platforms used by the local, state, and federal public safety agencies that provide emergency services to the school; (2) Be verified by the entity that collected and assembled the data for accuracy by conducting a walk-through of school buildings and school grounds; (3) Be oriented true north when viewed; (4) Include accurate floor plans overlaid with current, verified aerial imagery of the school campus; (5) Contain site-specific labeling that matches the structure of the respective school buildings, including room labels, hallway names, and external door or stairwell numbers, as well as the locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits; (6) Contain site-specific labeling that matches the school roads and neighboring properties; and (7) Be perpetually accessible to the respective LEA, public charter school, and first responder agencies that serve the same geographical areas served by the LEA or public charter school at no additional cost to authorized users.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0936, effective May 6, 2024.

**SB2219/HB1901 COMMERCIAL LAW: Definition of central bank digital currency.**

*Sponsors:* Sen. Powers, Bill , Rep. Burkhart, Jeff  
*Summary:* Defines the term "central bank digital currency" and excludes the term from the definition of "money" for purposes of the Uniform Commercial Code.  
*Amendment Summary:* Senate amendment 1 (013261) makes the following changes to the bill: (1) Revises the definition of "central bank digital currency" to, instead, mean a digital currency, digital medium of exchange, or digital monetary unit of account issued by the federal reserve or another federal agency, a foreign government, a foreign central bank, a foreign reserve system, the Bank for International Settlement, the International Monetary Fund, the World Bank, or another international or intergovernmental body and includes a digital currency, digital medium of exchange, or digital monetary unit of account issued by the federal reserve or another federal agency, a foreign government, a foreign central bank, a foreign reserve system, the Bank for International Settlement, the International Monetary Fund, the World Bank, or another international or intergovernmental body that is processed or validated directly by the entity; and (2) Revises the definition of "deposit account" in the present law regarding secured transactions. As used in the present law relevant to secured transactions, "deposit account" means a demand, time, savings, passbook, or similar account maintained with a bank. However, the term does not include investment property or accounts evidenced by an instrument. This amendment adds to the present law by clarifying that "deposit account" also does not include a central bank digital currency or an account evidenced by a certificate of deposit.  
*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0694 effective April 1, 2024.

**SB2221/HB1658 CRIMINAL LAW: Creates a Class E felony offense of assault against a participant in judicial proceedings.**

*Sponsors:* Sen. Powers, Bill , Rep. Lamberth, William  
*Summary:* Creates the Class E felony offense of assault against a participant in judicial proceedings, which occurs when a person, while on the premises of a building in which judicial proceedings occur, knowingly assaults a victim that the person knows or reasonably should know is present due to the victim's participation in judicial proceedings. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (013386) adds to the list of potential victims in the bill, a member of the public lawfully present in a courtroom during a criminal or civil proceeding. House amendment 2 (018133) creates the Class E felony offense of assault against a participant in judicial proceedings while on the premises of a building in which judicial proceedings occur. Clarifies exceptions to the offense of wiretapping and electronic surveillance as it relates to a business. Deletes the authorization for any aggrieved person whose wire, oral or electronic communication is intentionally intercepted, disclosed, or used in the offense of wiretapping and electronic surveillance to seek a civil action to recover various outlined damages.  
*Fiscal Note:* (Dated January 26, 2024) Increase State Expenditures \$25,300 Incarceration Decrease Local Expenditures \$1,400/FY24-25 and Subsequent Years  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1045, effective July 1, 2024 & May 28, 2024.

**SB2222/HB2395 CRIMINAL LAW: Requires Tennessee Bureau of Investigation to submit a report of child trafficking to the legislative librarian.**

*Sponsors:* Sen. Lowe, Adam , Rep. Davis, Elaine  
*Summary:* Requires the Tennessee Bureau of Investigation to submit a report on child and human trafficking crimes and trends in Tennessee and current programs and activities of the bureau's human trafficking unit to the legislative librarian as well as to the governor, and the speakers of each house of the general assembly. Broadly Captioned.  
*Amendment Summary:* House amendment 1 (013605) rewrites the bill to make changes to the present law regarding false reports, as described below. Present law provides that it is unlawful for a person to intentionally initiate or circulate a report of a past, present, or impending bombing, fire or other emergency, knowing that the report is false or baseless and knowing (i) it will cause action of any sort by an official or volunteer agency organized to deal with those emergencies; (ii) it will place a person in fear of imminent serious bodily injury; or (iii) it will prevent or interrupt the occupation of any building, place of assembly, form of conveyance, or any other place to which the public has access. This amendment adds to the present law by including active shooter and hostage situation to the above present law. Additionally, this amendment adds to the present law by providing that it is also unlawful for any person to intentionally initiate or circulate a report of a past, present, or impending bombing, active shooter, hostage situation, fire, or other emergency, knowing that the report is false or baseless and knowing it will prevent or interrupt the occupation of a private residence or residential building.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 04/23/24 - Enacted as Public Chapter 0794, effective July 1, 2024.

**SB2223/HB2762 BANKING & CREDIT: Merchant codes and firearms retailers.**

*Sponsors:* Sen. Johnson, Jack , Rep. Grills, Rusty  
*Summary:* Prohibits a financial institution from requiring the usage of a merchant code that distinguishes a firearms retailer from a general merchandise retailer or a sporting goods retailer and from disclosing a financial record collected in violation of the prohibition. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (015720) rewrites the bill to, instead, enact the "Second Amendment Financial Privacy Act," as described below. Except for those records kept during the regular course of a criminal investigation and prosecution, or as otherwise required by law, this amendment prohibits a government entity, or an official, employee, or agent of a government entity, from knowingly keeping or causing to be kept any list, record, or registry of privately-owned firearms or the owners of such firearms. This amendment prohibits a financial institution, including an agent of the financial institution, from (i) requiring or permitting the assignment of a firearms code in a way that distinguishes a firearms retailer from other retailers; or (ii) subject to this amendment, declining a payment card transaction involving a firearms retailer based solely on the assignment of a firearms code. However, this amendment does not prohibit a financial institution from declining or otherwise refusing to process a payment card transaction for any of the following reasons: (i) if necessary to comply with applicable state or federal law; (ii) if requested by the customer; (iii) if necessary due to fraud controls; or (iv) for the purpose of merchant category exclusions offered by a financial institution for the purpose of expenditure control or corporate card control. This amendment does not limit the authority of a financial institution to negotiate with responsible parties or otherwise impair a financial institution's actions related to (i) dispute processing; (ii) fraud risk, credit management, or other controls in the ordinary course of business operations; (iii) protecting against illegal activities, breach, or cyber risks; or (iv) restricting the use or availability of a firearms code in this state. This amendment requires the attorney general to investigate allegations that an individual or entity, including a government entity, has violated this amendment and, upon finding a violation, provide written notice to the individual or entity believed to have committed the violation. The individual or entity must cease the violation within 30 days after receiving such notice. If an individual or entity does not cease the violation within 30 days after receiving notice, then this amendment requires the attorney general to file an action against that individual or entity to seek an injunction in a court of competent jurisdiction. If the court finds that the individual or entity violated this amendment and has not ceased the activity constituting the violation, the court must enjoin the individual or entity from continuing such activity and may award any other relief that the court deems appropriate. If an individual or entity knowingly fails to comply with an after 30 days of being served with the injunction, then the attorney general, upon petition to the court, must seek to impose on that individual or entity a civil fine in an amount not to exceed \$10,000 for each violation committed after the expiration of the thirty-day period. In assessing such fine, the court must consider as factors the financial resources of the violator, the harm or risk of harm to the rights under the Second Amendment to the United States Constitution and the Constitution of Tennessee resulting from the violation. This amendment requires an order assessing a civil fine to be stayed pending appeal of the order. This amendment provides that the remedies set forth in this amendment are the exclusive remedies for any violation of this amendment. This amendment provides that it is a defense to a proceeding initiated pursuant to this amendment that a firearms code was required to be disclosed or assigned by law. This amendment authorizes a firearms retailer physically located in this state whose business was the subject of an alleged violation or a customer who transacted at a firearms retailer physically located in this state whose business was the subject of an alleged violation to petition the attorney general to investigate an alleged violation. If the attorney general declines to investigate, then the firearms retailer or customer may pursue an injunction in the chancery court of the judicial district where the alleged violation occurred. If that court finds that an individual or entity is responsible for a violation, then the court must enjoin such individual or entity from continuing the activity found to be in violation of this amendment. House amendment 1 (015729) revises the provision that authorizes a firearms retailer physically located in this state whose business was the subject of an alleged violation or a customer who transacted at a firearms retailer physically located in this state whose business was the subject of an alleged violation to petition the attorney general to investigate an alleged violation by, instead, authorizing a firearms retailer physically located in this state whose business was the subject of a violation or a customer who has transacted business at such a firearms retailer to petition the attorney general to investigate an alleged violation.

*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0773, effective July 1, 2024.

**SB2227/HB1993 ESTATES & TRUSTS: Waiving of an in-person fiduciary oath.**

*Sponsors:* Sen. Rose, Paul , Rep. Stevens, Robert  
*Summary:* Allows the clerk of court to waive an in-person oath by a fiduciary if the fiduciary files with the clerk a written fiduciary oath that contains certain language and is sworn or affirmed by the fiduciary in the presence of a notary public or signed and dated under penalty of perjury. Specifies certain language that a fiduciary oath must contain under various circumstances.

*Amendment Summary:* House amendment 1 (013691) allows, at the request of the proposed conservator or guardian, the court to waive the requirement that the clerk administer an in-person oath. If the in-person oath is waived, then the fiduciary must file with the clerk a written fiduciary oath that contains all language required pursuant to the bill and is sworn or affirmed by the fiduciary in the presence of a notary public.

*Fiscal Note:* (Dated February 1, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/07/24 - Signed by Senate speaker.  
*House Status:* 03/06/24 - Signed by House speaker.  
*Executive Status:* 04/03/24 - Enacted as Public Chapter 0582 effective July 1, 2024.

**SB2228/HB1994 ESTATES & TRUSTS: Establishing a guardianship or conservatorship transfer process within the court.**

*Sponsors:* Sen. Rose, Paul , Rep. Stevens, Robert  
*Summary:* Establishes a process for the transfer of a guardianship or conservatorship matter from the court appointing the guardian or conservator to a court in another county of this state.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT  
*Senate Status:* 02/28/24 - Signed by Senate speaker.  
*House Status:* 02/28/24 - Signed by House speaker.  
*Executive Status:* 03/07/24 - Enacted as Public Chapter 0542 effective March 7, 2024.

**SB2229/HB2301 CRIMINAL LAW: Sheriff's department's and municipal law enforcement department's annual audit report requirements.**

*Sponsors:* Sen. Rose, Paul , Rep. Howell, Dan  
*Summary:* Requires the sheriff's department's and municipal law enforcement department's annual audit report of the disposition of goods seized and forfeited and fines imposed in relation to offenses involving controlled substances to be posted on the website of the sheriff's department or municipal law enforcement department. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (017327) rewrites the bill to, instead, make the changes below to the law regarding criminal offenses and penalties for drugs. Present law requires a violation of the law regarding criminal offenses and penalties for drugs or a conspiracy to violate the law regarding criminal offenses and penalties for drugs where the recipient or the intended recipient of the controlled substance is under 18 to be punished one classification higher. This amendment adds to the present law by requiring a violation of the law regarding criminal offenses and penalties for drugs or a conspiracy to violate the law regarding criminal offenses and penalties for drugs to be punished as second degree murder if the substance involved is fentanyl or carfentanyl, or any analogue or derivative thereof, either alone or in combination with any substance scheduled as a controlled substance by the Tennessee Drug Control Act of 1989, including controlled substance analogues, and the violation resulted in the death of another person.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0957, effective July 1, 2024.

#### **SB2230/HB2545 HEALTH CARE: Medical laboratory operations in a hospital setting.**

*Sponsors:* Sen. Jackson, Ed , Rep. Martin, Brock

*Summary:* Defines "hospital-based laboratory" and "hospital-based laboratory supervisor" for purposes of the Tennessee Medical Laboratory Act. Provides hospital-based laboratory supervisors the authority to supervise up to four hospital-based laboratories located in rural counties. Makes certain other changes relative to hospital-based laboratories. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015114) rewrites the bill to, instead, do the following: (1) Establish that a "rural hospital-based laboratory" means a medical laboratory located within a rural hospital licensed in this state that primarily provides testing services to patients of the hospital, including, but not limited to, patients in emergency, inpatient, and outpatient settings; (2) Require a rural hospital-based laboratory to maintain, in addition to a license issued by the board, at least (i) an active Clinical Laboratory Improvement Amendments of 1988 (CLIA) license that includes a certificate of accreditation from an approved accrediting organization recognized under CLIA or by the applicable state agency with designated authority to grant CLIA certification; (ii) an active certificate of registration; (iii) an active certificate of compliance; or (iv) a certificate of hospital accreditation as described in (3) below; (3) Authorize hospital accreditation to be obtained from the health facilities commission, the department of health, the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), DNV Healthcare, or another organization that is authorized to survey hospitals for Medicare enrollment purposes by the United States department of health and human services to comply with a condition of participation in the Medicare program in accordance with current requirements of the Medicare program; (4) Prohibit a person from conducting, maintaining, or operating a rural hospital-based laboratory in this state unless a license has been obtained as described in the bill, except for laboratories exempt under the Tennessee Medical Laboratory Act; (5) Consistent with federal requirements, authorize a medical laboratory supervisor to supervise up to five separate rural hospital-based medical laboratories when the rural hospital-based laboratories are located within hospitals designated as rural hospitals in accordance with the current federal health resources and services administration's definition of rural areas; and (6) Prohibit a medical laboratory director from directing more than five rural hospital-based laboratories, consistent with federal requirements.

*Fiscal Note:* (Dated February 19, 2024) Decrease State Revenue Up to \$114,000/FY24-25 and Subsequent Years/ Medical Laboratory Board Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Medical Laboratory Board had an annual surplus of \$93,900 in FY21-22, an annual surplus of \$115,143 in FY22-23, and a cumulative reserve balance of \$2,054,489 on June 30, 2023.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - House passed.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1046, effective May 28, 2024.

#### **SB2243/HB2460 CRIMINAL LAW: Expands definition of victim for purposes of restitution to include a reciprocal.**

*Sponsors:* Sen. Lowe, Adam , Rep. Vital, Greg

*Summary:* Expands the definition of "victim" for the purposes of restitution to include a reciprocal, as defined by current law, when the reciprocal has compensated a subscriber for loss incurred as a result of the offense to the extent that the reciprocal paid compensation to the subscriber.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0811 effective April 29, 2024.

#### **SB2245/HB2382 CAMPAIGNS & LOBBYING: Authorizes the county administrator of elections to email assessment letters to candidates.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Crawford, John

*Summary:* Authorizes the county administrator of elections to email assessment letters to candidates and political campaign committees for local public office when the administrator discovers that a campaign finance report has not been filed by the candidate or political campaign committee.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0723 effective March 25, 2024.

#### **SB2246/HB2093 HEALTH CARE: Posting of nonresidential buprenorphine guidelines and standards.**

*Sponsors:* Sen. Swann, Art , Rep. Vaughan, Kevin

*Summary:* Requires health-related boards that license practitioners authorized to prescribe buprenorphine-containing products to post nonresidential buprenorphine guidelines and standards on the licensing board's website no more than 10 days after receipt of the guidelines. Broadly captioned.

*Amendment Summary:* House amendment 1 (017307) rewrites the bill to, instead, relative to present law on the use of buprenorphine products, authorize a healthcare provider licensed as a nurse or physician assistant to prescribe a buprenorphine product as approved by the FDA for use in recovery or medication-assisted treatment if the following applies: (1) The provider writes prescriptions of buprenorphine products to 100 or fewer patients at any given time; however, such limit is 250 or fewer patients if the provider practices in a nonresidential office-based opiate treatment facility, as defined in state law, that is accredited by a nationally or internationally recognized accrediting body, including the commission on the accreditation of rehabilitation facilities (CARF) or the joint commission; and (2) When providing direct supervision, as required by state law, the physician does not oversee more than two providers licensed as a nurse or physician assistant at one time during clinical operations; however, if the physician practices in a nonresidential office-based opiate treatment facility that is accredited by a nationally or internationally recognized accrediting body such as CARF or the joint commission, the physician may oversee no more than five providers licensed as nurses or physician assistants, and at no time may the physician oversee the treatment of more than 500 patients under this (2) at any one time during clinical operations.

*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0980, effective May 21, 2024.

**SB2250/HB2429 TRANSPORTATION VEHICLES: Authorization for use of alternative facilities for incarceration of first-time DUI offender.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew

*Summary:* States that the court, rather than the sheriff or administrative officer of a local jail, may authorize the use of alternative facilities for the incarceration of an offender convicted of a first-time offense of driving under the influence.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0774, effective April 23, 2024.

**SB2251/HB2315 PUBLIC EMPLOYEES: TCRS - deferred compensation.**

*Sponsors:* Sen. Stevens, John , Rep. Williams, Ryan

*Summary:* For purposes of TCRS determining whether a certain payment is includable as earnable compensation, excludes from the definition of "earnable compensation" compensation paid to a member from an eligible deferred compensation plan under federal law. Makes other revisions to laws governing deferred compensation plans.

*Fiscal Note:* (Dated February 3, 2024) NOT SIGNIFICANT

*Senate Status:* 03/13/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0605 effective March 27, 2024.

**SB2253/HB2001 HEALTH CARE: Extension of time period a provider must send a claimant's medical records.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew

*Summary:* Extends, from three business days to five business days, the time in which a provider must send a claimant's medical records to a requesting party after receipt of payment for the records.

*Amendment Summary:* Senate amendment 1 (017483) makes the changes described below to damages in health care liability actions and applies to all health care liability actions filed on or after September 29, 2023. Present law authorizes in a health care liability action in which liability is admitted or established, the damages awarded to include (in addition to other elements of damages authorized by law) actual economic losses suffered by the claimant by reason of the personal injury, including, but not limited to, cost of reasonable and necessary medical care, rehabilitation services, and custodial care, loss of services and loss of earned income, but only to the extent that such costs are not paid or payable and such losses are not replaced, or indemnified in whole or in part, by insurance provided by an employer either governmental or private, by social security benefits, service benefit programs, unemployment benefits, or any other source except the assets of the claimant or of the members of the claimant's immediate family and insurance purchased in whole or in part, privately and individually. This amendment deletes the above present law and, instead, provides that in all health care liability actions, the common law collateral source rule is abrogated as specified in this amendment. In a health care liability action, the damages awarded may include, in addition to other elements of damages authorized by law, past and future actual economic losses suffered by the claimant. Past actual economic losses are limited to the following: (1) The amounts that have been paid or will be paid by the assets of the claimant or on the claimant's behalf; and (2) The amounts the claimant's providers have accepted or will accept as full payment for reasonable and necessary medical care, rehabilitation services, or custodial care, whether pursuant to (i) an agreement with an insurance company or third-party payor; (ii) the authorized reimbursement rates for a government health insurance program in which the claimant and the provider participate; or (iii) any charity, discount program, write-off, gift, or other reason by the provider. This amendment provides that actual economic losses will only be limited to the extent that documentation of the reduction is submitted. As used in this amendment, "actual economic losses" means the financial costs incurred by the claimant by reason of the personal injury, including the cost of reasonable and necessary medical care, rehabilitation services, and custodial care.

*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0852, effective May 1, 2024.

**SB2254/HB2710 ESTATES & TRUSTS: Report related to examination performed on respondent in a conservatorship proceeding.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny

*Summary:* Allows a physician, psychologist, or senior psychological examiner who performs an examination on the respondent in a conservatorship proceeding to submit a report to the court that has been declared under penalty of perjury, rather than a sworn report. Broadly captioned.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT



*Senate Status:* 03/19/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0630 effective March 27, 2024.

**SB2256/HB2713 ESTATES & TRUSTS: Makes various changes on trusts, estates, and partnerships.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny  
*Summary:* Makes various changes to present law on trusts, estates, and partnerships. Broadly captioned.  
*Amendment:* Senate amendment 1 (013721) makes the following changes: (1) Revises the bill by also authorizing a grandparent or sibling of an incapacitated adult who has assumed responsibility for the adult as determined by the disinterested trustee in the trustee's own discretion to represent and bind the incapacitated adult if a conservator of the property or of the person has not been appointed and an agent does not have authority to act with respect to the matter in question; (2) Deletes the provision in the bill that authorizes, following the settlor's death, a noncharitable irrevocable trust to be modified upon the unanimous agreement of the trustee and all qualified beneficiaries if the modification does not violate a material purpose of the trust. Additionally, a noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust; and (3) Adds to the present law that provides that a person who is the holder of a power of withdrawal is not considered a settlor of the trust by failing to exercise that power of withdrawal or letting that power of withdrawal lapse by also providing that a person who is the holder of a power of withdrawal is not considered a settlor of the trust by or releasing or waiving that power of withdrawal.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0695 effective July 1, 2024.

**SB2257/HB2209 LOCAL GOVERNMENT: Placing a constable on administrative leave.**

*Sponsors:* Sen. Walley, Page , Rep. Capley, Kip  
*Summary:* Requires a court to place a constable on administrative leave pending a preliminary hearing, instead of until the conclusion of the criminal prosecution, if the constable is indicted or formally charged with a misdemeanor involving gambling or moral turpitude or a felony. Requires a court to place the constable on administrative leave until the conclusion of the criminal prosecution if the court finds probable cause that the constable committed the crime.

*Fiscal Note:* (Dated February 23, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/04/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0753, effective July 1, 2024.

**SB2260/HB2286 UTILITIES: Makes revisions to the Underground Utility Damage Prevention Act.**

*Sponsors:* Sen. Walley, Page , Rep. Marsh, Pat  
*Summary:* Makes revisions to the Underground Utility Damage Prevention Act, such as amending requirements for emergency excavations and the imposition of civil penalties for violations.

*Fiscal Note:* (Dated February 17, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/18/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0628 effective July 1, 2024.

**SB2261/HB2426 TAXES BUSINESS: County Powers Relief Act - form acknowledging privilege taxes owed.**

*Sponsors:* Sen. Reeves, Shane , Rep. Hicks, Tim  
*Summary:* Reduces from 30 to 21 days, the period by which a local government building official must, after a building permit is issued, mail to the county tax collection official the form upon which the permit applicant acknowledges the privilege taxes owed under the County Powers Relief Act.

*Amendment  
Summary:*

House amendment 1 (014531) rewrites the bill to, instead, make the changes described below to the County Powers Relief Act. Present law provides that engaging in the act of residential development within a county, except as excluded by the County Powers Relief Act, is declared to be a privilege upon which a county, by resolution or ordinance of its governing body, may levy a tax, subject to the conditions and limitations contained in that Act. The resolution or ordinance must be adopted by a two-thirds vote of the entire membership of the county legislative body at two consecutive, regularly scheduled meetings. This amendment revises the present by providing that above privilege tax applies to act of development within a county, instead of limiting the tax to residential development. The amendment also adds to the present law by requiring the resolution or ordinance adopted at the first meeting to be identical to the resolution or ordinance voted upon at the second meeting. Present law prohibits a governing body from levying a tax pursuant to the County Powers Relief Act, unless the county meets one or more of the following criteria: (i) the county experienced a growth rate of 20 percent or more in total population from the 1990 federal census to the 2000 federal census, or the county experiences growth of 20 percent or more between any subsequent federal decennial censuses; or (ii) the county experienced a 9 percent or more increase in population over the period from the year 2000 to 2004, or over a subsequent four-year period, according to United States census bureau population estimates. This amendment deletes these provisions and, instead, does the following: (1) Prohibits a governing body from levying a tax pursuant to the County Powers Relief Act, unless the county experienced (i) a 20 percent or more increase in population from the 2010 federal census to the 2020 federal census, or the county experiences growth of 20 percent or more between any subsequent federal decennial censuses; or (ii) a 9 percent or more increase in population over the immediately preceding consecutive four-year period, according to a special census conducted pursuant to (3) below; (2) Prior to adopting a resolution or ordinance to levy this tax, requires the governing body to file a statement with the comptroller of the treasury that provides the population growth for the county that qualifies the county to levy the tax. The comptroller must verify the accuracy of the statement provided and notify the county whether it meets the requirements of the County Powers Relief Act; (3) Authorizes a county to, at the county's expense, conduct a special census for purposes of qualifying to levy the tax under the County Powers Relief Act; (4) To continue to levy this tax, requires a county to verify qualification with the comptroller every four years, using federal census data estimates, if basing qualification on a 9 percent growth rate under (1)(ii) above, or at the end of the final year of every ten-year census period, if basing qualification on federal census data under(1)(i) above. Present law authorizes, for the exercise of the privilege of development, a county to levy a tax based on the floor area of residential development. A county initially levying a tax may levy the tax at a rate not to exceed \$1 per square foot on residential property. This amendment revises the present law and, instead, authorizes a county to levy a tax based on the floor area of new development. A county initially levying a tax may levy the tax at a rate not to exceed \$1.50 per square foot on residential and commercial property. Present law requires any tax levied pursuant to the County Powers Relief Act must be collected in the following manner: (1) At the time of application for a building permit for residential development, the municipal or county official issuing the permit must compute the estimated tax liability for the county school facilities privilege tax, based upon the proposed square footage of the facility to be built and the current rate of the county's school facilities privilege tax. As a condition of receiving the permit, the applicant must sign a form indicating that the applicant recognizes the liability for the tax. The official must keep one copy of the form for the official's records and must provide a copy to the applicant. If the permit is issued by a municipal building official, the official must also forward a copy of the form within 30 days of the issuance of the building permit to the county official or employee who has been designated by the county legislative body to collect the tax. As an alternative, the county and any municipality within the county may provide by interlocal agreement for the municipal building official to be designated as a collector of the tax and provide for a commission to be paid to the municipality for such services; (2) The tax must not be due until the earlier of one year from the date of issuance of the building permit or 30 days after the first transfer of title to the property being developed after the building permit is issued. If, after one year from issuance of the building permit, the building or structure is not complete or title has not been transferred, the permit holder may, in lieu of paying the tax, request an extension for one year. The permit holder may request a maximum of two extensions. Extensions must not be denied, if the permit holder makes a showing to the official responsible for collecting the tax that the building or structure is not complete; (3) Notwithstanding (2) above, a governing body may pass a resolution or ordinance requiring 50 percent of the tax to be paid at the time of application for a building permit and the remaining 50 percent of the tax to be paid prior to the issuance of a certificate of occupancy; (4) Once it becomes due, the tax must be paid to the official or officials designated by the county governing body to collect the tax. At the time of payment, the official must review the tax liability to determine whether the square footage of the completed building or structure corresponds to the initial estimated square footage in the building permit. The tax must be computed using the actual square footage of the completed building or structure, but the rate of the tax must be based upon the rate applicable at the time the permit was issued; (5) The revenue from the tax must be paid over to the county trustee within 30 days for deposit. This amendment revises the present law by providing that the building permit referenced in (1) above is for all development, not sure residential development. This amendment also revises the present law by deleting (2) and (3) above. If the tax is not paid by a permit holder within 90 days of the due date, present law requires the official responsible for collection of the tax to report this delinquency to the county's delinquent tax attorney. The delinquent tax attorney must bring an action against the permit holder for the full amount of the tax, plus statutory interest and a penalty of 50 percent of the amount of tax owed. The compensation of the delinquent tax attorney for such services must be determined by agreement between the county trustee and the delinquent tax attorney. A permit holder who owes delinquent school facilities taxes is not eligible to receive a building permit for any other project in the county until such time as the delinquency, plus any penalties and interest, are paid in full. This amendment deletes these provisions and, instead, requires the tax to be paid upon completion of the building or structure, but prior to the issuance of the certificate of occupancy. If a county that has exercised its right to levy a tax under the County Powers Relief Act after the effective date of this amendment and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) the county may resume exercising the authority to levy and collect such development taxes under a private act in existence before the effective date of this amendment at the rate in effect at the time the county exercised its right to levy a tax; or (ii) the county may resume exercising the authority to levy and collect a privilege tax under County Powers Relief Act at the rate the privilege tax was levied by the county under that Act on January 1, 2024. A county levying the privilege tax pursuant to this provision must not increase the rate of the tax, unless the county is eligible under this amendment. House amendment 2 (017742) makes the following changes: (1) Revises the provision in the bill authorizing a county to levy the tax at a rate not to exceed \$1.50 per square foot on commercial property by, instead, authorizing a county to levy the tax at a rate not to exceed \$1.50 per square foot on up to 150,000 square feet of commercial property; and (2) Revises the provision in the bill providing that if a county that has exercised its right to levy a tax under the County Powers Relief Act after the effective date of this amendment and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) the county may resume exercising the authority to levy and collect such development taxes under a private act in existence before the effective date of this amendment at the rate in effect at the time the county exercised its right to levy a tax; or (ii) the county may resume exercising the authority to levy and collect a privilege tax under County Powers Relief Act at the rate the privilege tax was levied by the county under that Act on January 1, 2024. A county levying the privilege tax pursuant to this provision must not increase the rate of the tax, unless the county is eligible under this amendment by, instead, providing that if, after the effective date of the bill, a county that has exercised its right to levy a tax under the County Powers Relief Act prior to the effective date of the bill and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) or (ii) above is authorized.

*Fiscal Note:*

(Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0990, effective May 21, 2024.

**SB2262/HB2313 MISCELLANEOUS: "Under a Tennessee Moon" as official state song.**

*Sponsors:* Sen. Jackson, Ed , Rep. Travis, Ron  
*Summary:* Designates "Under a Tennessee Moon" by Kelly Lang as an official state song.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0646 effective April 4, 2024.

**SB2263/HB2198 CRIMINAL LAW: Threat of mass violence on school property or at a school related activity.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Mitchell, Bo  
*Summary:* Increases the penalty for threatening to commit an act of mass violence on school property or at a school related activity from a Class A misdemeanor to a Class E felony.  
*Amendment* House amendment 1 (013960) provides that the law regarding a threat of mass violence on school property or at a school related activity does not apply to a person with an intellectual disability.  
*Summary:* not apply to a person with an intellectual disability.  
*Fiscal Note:* (Dated February 21, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/22/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0887, effective July 1, 2024.

**SB2264/HB2440 PROFESSIONS & LICENSURE: Annual report required by pre-need seller and trustee.**

*Sponsors:* Sen. Kyle, Sara , Rep. Sparks, Mike  
*Summary:* Reduces, from 75 to 60, days after the end of the pre-need seller's fiscal year the time by which a pre-need seller and trustee must file an annual report with the commissioner of commerce and insurance. Broadly captioned.  
*Amendment* Senate amendment 1 (014744) authorizes a temporarily retired real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent whose license was in good standing with the Tennessee Real Estate Commission at the time of temporary retirement but whose license has lapsed due to non-payment of renewal fees to reactivate the license upon the payment of all renewal fees owed and any penalty imposed by the commission. Senate amendment 2 (016043) authorizes a temporarily retired real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent whose license was in good standing with the Tennessee Real Estate Commission at the time of temporary retirement but whose license has lapsed due to non-payment of renewal fees to reactivate the license upon the payment of all renewal fees owed and any penalty imposed by the commission. Requires the licensee to also submit proof of continuing education courses in real estate that would have been required had the licensee's license been active during the temporary retirement period in order to reactivate the license.  
*Summary:* Senate amendment 1 (014744) authorizes a temporarily retired real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent whose license was in good standing with the Tennessee Real Estate Commission at the time of temporary retirement but whose license has lapsed due to non-payment of renewal fees to reactivate the license upon the payment of all renewal fees owed and any penalty imposed by the commission. Senate amendment 2 (016043) authorizes a temporarily retired real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent whose license was in good standing with the Tennessee Real Estate Commission at the time of temporary retirement but whose license has lapsed due to non-payment of renewal fees to reactivate the license upon the payment of all renewal fees owed and any penalty imposed by the commission. Requires the licensee to also submit proof of continuing education courses in real estate that would have been required had the licensee's license been active during the temporary retirement period in order to reactivate the license.  
*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/08/24 - Signed by House speaker.  
*Executive Status:* 04/29/24 - Enacted as Public Chapter 0734 effective July 1, 2024.

**SB2269/HB2406 WELFARE: Report on federal regulations affecting the food assistance program.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. McKenzie, Sam  
*Summary:* Requires the department of human services to identify any federal regulations or state law or rules determined to inhibit the department's ability to timely review and approve applications and deliver benefits for the food assistance program, submit any waivers identified to alleviate any federal regulatory limitations, and submit a report on or before December 31, 2024, to the chair of the health and welfare committee of the senate, the chair of the health committee of the house, and the legislative librarian with detailing findings and recommendations of any statutory changes deemed necessary.  
*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1047, effective May 28, 2024.

**SB2270/HB2674 GOVERNMENT CONTRACTS: Policies related to acquisition of information systems and software.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Shaw, Johnny  
*Summary:* Authorizes the chief procurement officer to develop regulations, policies, procedures, templates, or other guidance related to the acquisition of information systems and software, in coordination with the division of strategic technology solutions and the information systems council.  
*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0853, effective May 1, 2024.

**SB2274/HB2897 HEALTH CARE: Pharmacy to notify person of lowest available cost of a prescription drug. Broadly captioned.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Kumar, Sabi  
*Summary:* Requires a pharmacy to make all reasonable effort to contact and notify a person refilling a prescription the lowest available cost of the prescription drug.

*Amendment Summary:* Senate amendment 1 (015593) rewrites the bill to, instead, establish that a pharmacy or other authorized dispensing person or entity of prescription drugs is encouraged, after a request to fill or renew a prescription drug and prior to the point of sale for such prescription drug, to make reasonable efforts to contact and notify the human patient representative or the person for whom the prescription drug is being filled of the lowest available cost of the prescription drug, including a generic alternative, under a prescription discount or rebate plan, program, or card, or through a different manufacturer, compounder, or supplier, that is available to the person for whom the prescription is being filled through the pharmacy or dispensing person or entity. This amendment provides that if the human patient representative or the person for whom the prescription drug is being filled changes the prescription drug purchase as a result of the notification provided above, then such representative or person must be advised of the effects of purchases made outside of an insurance plan on the deductible status of such plan. This amendment also establishes that a pharmacy or other authorized dispensing person or entity of prescription drugs is immune from civil liability for damages as a result of any act or omission made pursuant to the bill.

*Fiscal Note:* (Dated February 21, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0854, effective May 1, 2024.

**SB2276/HB2904 HEALTH CARE: Establishes the board of pharmacy and the board of nursing are employees of the department of health.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Kumar, Sabi

*Summary:* Establishes the director board of pharmacy and the director board of nursing operate under the supervision and control of the division of health related boards. Establishes that employees of the board of pharmacy and the board of nursing are employees of the department of health. Captioned Broadly.

*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT

*Senate Status:* 03/13/24 - Signed by Senate speaker.

*House Status:* 03/14/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0606 effective March 27, 2024.

**SB2278/HB2433 CRIMINAL LAW: Annual report on efforts to prevent the sale of tobacco products to persons under 21.**

*Sponsors:* Sen. Massey, Becky , Rep. Terry, Bryan

*Summary:* Allows for the annual report of enforcement efforts against underage use of tobacco, smoking hemp, and vapor products by the department of agriculture to be submitted to the general assembly electronically and published on the department's website. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015630) rewrites the bill to, instead, require the Tennessee advisory commission on intergovernmental relations (TACIR) to conduct a study on the effects of vaping and the use of all vapor products by persons under 21. TACIR must include in the study, but is not limited to, initiation of vapor product usage, health outcomes, enforcement of underage sales, best practices to address usage on school grounds, taxation, and access to cessation products and services. The study must identify the prevalence of vaping among such persons, including demographic information and usage trends. TACIR must submit a report disclosing the findings of the study to members of the general assembly no later than January 31, 2025.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0937, effective May 6, 2024.

**SB2284/HB2443 JUDICIARY: Office of the county clerk election requirements.**

*Sponsors:* Sen. Lowe, Adam , Rep. Capley, Kip

*Summary:* Requires a person to be a qualified voter of the county and resident of the county for one year prior to the qualifying deadline to be eligible to run for election to the office of the county clerk.

*Fiscal Note:* (Dated February 21, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0647 effective April 4, 2024.

**SB2293/HB1975 WELFARE: Requirement to report use of federal TANF funds.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Hawk, David

*Summary:* Requires the commissioner to include in the annual block grant report information detailing the department's use of federal TANF funds in furtherance of the four purposes of the TANF program.

*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0855, effective May 1, 2024.

**SB2296/HB2248 EDUCATION: Family medicine student loan repayment program.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Holsclaw, Jr., John

*Summary:* Authorizes the department to contract with a 501(c)(3) nonprofit organization that maintains a principal office in this state and that is affiliated with a nonprofit membership organization composed of family physicians, family medicine residents, and medical students in this state for the nonprofit organization to administer some or all portions of the family medicine student loan repayment program. Broadly captioned.

*Fiscal Note:* (Dated March 7, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0856, effective May 1, 2024.

**SB2297/HB2308 HEALTH CARE: Prescribing a buprenorphine product for the treatment of opioid use disorder.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Vaughan, Kevin  
*Summary:* Allows for qualifying healthcare providers who work in hospitals, including hospitals exempt from licensure, and an affiliated clinic operating under the hospital's license to prescribe buprenorphine products. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015746) rewrites the bill to, instead, add to present law on the use of buprenorphine products, as follows: (1) Establishes that a licensed physician is the only healthcare provider authorized to prescribe a buprenorphine product for an FDA-approved use in recovery or medication-assisted treatment; (2) Prohibits healthcare providers not licensed as physicians, and who are otherwise permitted to prescribe Schedule II or III drugs, from prescribing a buprenorphine product for the treatment of opioid use disorder unless the provider meets the following criteria: (A) Is licensed and has practiced as a family, adult, or psychiatric nurse practitioner or physician assistant in this state; (B) Has had no limitations or conditions imposed on the provider's license by the provider's licensing authority within the previous three years; (C) Is employed by a hospital that operates with an agreement to train providers from a public or private medical school within this state, or an affiliated clinic operated under the hospital's license, that employs one or more physicians and has adopted clinical protocols for medication-assisted treatment; (D) Is employed at a facility at which healthcare providers are contracted and credentialed with TennCare and TennCare's managed care organizations to treat opioid use disorder with buprenorphine products for use in recovery or medication-assisted treatment; (E) Is employed at a facility at which healthcare providers are accepting new TennCare enrollees or patients for treatment of opiate addiction; (F) Is employed by a facility that requires patients to verify identification; (G) Does not write a prescription for a buprenorphine product that exceeds a 16-milligram daily equivalent; (H) Does not prescribe or dispense a mono product or buprenorphine without naloxone; (I) Works under the supervision of a physician who is actively treating patients with buprenorphine products for recovery or medication-assisted treatment; (J) Prescribes buprenorphine products only to patients who are treated through the organization that employs the provider; (K) Is supervised by or collaborates with a physician who is limited to the supervision of, or collaboration with, a maximum of four licensed nurse practitioners or physician assistants; (L) Is supervised by or collaborates with a physician who reviews 100 percent of the charts of the patients being prescribed a buprenorphine product; (M) Weighs the risk of relapse with the benefit of tapering down or off of buprenorphine when, similar to other disease states, tapering from the treatment medication is clinically appropriate and in agreement with the patient and tapering schedules and durations are patient specific; (N) Initiates and leads a discussion regarding patient readiness to taper down or taper off treatment medications employed in the patient's treatment with each patient at any time upon the patient's request but no later than one year after initiating treatment and then every six months thereafter; (O) Writes prescriptions that can only be dispensed by a licensed pharmacy; and (P) Writes prescriptions of buprenorphine products to 50 or fewer patients at any given time; and (3) Authorizes the health facilities commission to inspect facilities for compliance with the bill and requires the commission to report any violations to the appropriate licensing authority of the provider.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0857, effective May 1, 2024.

#### **SB2299/HB2376 TENNCARE: Annual report on quality and outcomes in perinatal care.**

*Sponsors:* Sen. Yager, Ken , Rep. Butler, Ed  
*Summary:* Changes from March 1 to January 15 the date by which the bureau of TennCare must submit an annual report to the general assembly concerning aspects of quality and outcomes in perinatal care for the previous two years that includes a description of initiatives by managed care organizations to improve key performance indicators of perinatal care outcomes, and a determination of the effectiveness of managed care organizations' initiatives toward improving perinatal care outcomes to residents in each health region of the state. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015674) rewrites the bill to, instead, relative to law regulating health facilities and resources: (1) Define a "home care organization" to mean an organization that provides home health services, home medical equipment services, professional support services, or hospice services to one or more patients on an outpatient basis in either the patient's regular or temporary place of residence. A provider is operating a home care organization if the provider does the following: (A) Holds itself out to the public as providing home health services, home medical equipment services, or hospice services; (B) Contracts or agrees to deliver home health services, home medical equipment services, or hospice services; (C) Accepts physician orders for home health services, home medical equipment services, or hospice services; (D) Accepts responsibility for the delivery of home health services, home medical equipment services, or hospice services; or (E) Contracts to provide professional support services with the state agency financially responsible for services to individuals with mental, intellectual, or developmental disabilities; and (2) Establish that the absence of one or more of the factors in (1) above does not necessarily exclude the provider from the meaning of the definition.

*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0858, effective July 1, 2024.

#### **SB2300/HB2378 HEALTH CARE: Adds legislative librarian to receiver of a report by the commissioner in supervising dentists and dental equipment.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Helton-Haynes, Esther  
*Summary:* Adds the legislative librarian as a party to which the commissioner must submit an annual report on the work done by the commissioner in supervising dentists and dental equipment in the various state institutions, as well as in distributing literature throughout the state to inform the public on proper dental care. Broadly captioned.

*Amendment Summary:* House amendment 1 (016951) rewrites the bill to, instead, establish that one of the powers or duties of the board of nursing is to prescribe the minimum curricular and minimum standards for schools of nursing and for courses of training preparing persons for licensure under state nursing law and provide for surveys of such schools or an affiliation of schools and courses. For practical nursing programs offered by a public institution of higher education, the board must require a minimum of 1,296 clock hours or an equivalent number of credit hours.

*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/22/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0891, effective June 30, 2024.

**SB2304/HB2684 CRIMINAL LAW: Defendant for whom a bench warrant is issued due to failure to appear.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Doggett, Clay

*Summary:* Requires a defendant for whom a bench warrant is issued due to failure to appear on a felony or a Class A or Class B misdemeanor that is violent or sexual in nature as determined by the court, or who is charged with a failure to appear, to be placed on any available state or federal list or database as a fugitive from justice, without limitation, within 10 days after the bench warrant is received by law enforcement.

*Amendment Summary:* Senate amendment 2 (013530) makes the following changes: (1) Revises the present law providing that if a court issues a bench warrant due to a defendant's failure to appear on a felony or on a Class A or Class B misdemeanor that is violent or sexual in nature as determined by the court, or if a defendant is charged with a failure to appear, then the defendant is placed on any available state or federal list or database as a fugitive from justice, without limitation, within 10 days of the defendant's failure to appear by replacing 10 days with 10 business days; and (2) Deletes the provisions in the bill that amend the present law in (1) above to, instead, provide that if the above conditions apply, then the defendant is placed on any available state or federal list or database as a fugitive from justice, without limitation, within 10 days of the date the bench warrant is received by the law enforcement agency.

*Fiscal Note:* (Dated March 9, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1048, effective July 1, 2024.

**SB2306/HB2125 MISCELLANEOUS: Christian Heritage Month.**

*Sponsors:* Sen. Rose, Paul , Rep. Grills, Rusty

*Summary:* Designates November as "Christian Heritage Month."

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0750, effective April 22, 2024.

**SB2307/HB2109 TAXES FUEL: Includes hydrogen gas under compressed natural gas tax.**

*Sponsors:* Sen. Rose, Paul , Rep. Boyd, Clark

*Summary:* Designates hydrogen gas as an alternative fuel within the scope of fuel tax law. Includes hydrogen gas in the compressed natural gas tax and provides an exemption for hydrogen gas from sales and use tax.

*Fiscal Note:* (Dated February 2, 2024) Other Fiscal Impact An increase in state revenue to the Highway Fund and a net decrease in state revenue to the General Fund; however, the precise amount and timing of any such future impacts are dependent on multiple unknown factors and cannot be reasonably determined.

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0859, effective January 1, 2025.

**SB2311/HB2929 GOVERNMENT REGULATION: Removes requirement to set a ratio for water closets.**

*Sponsors:* Sen. Pody, Mark , Rep. Helton-Haynes, Esther

*Summary:* Removes the ratio requirement for temporary or permanent restrooms in publicly and privately owned facilities where the public congregates, including football stadiums.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0696 effective March 25, 2024.

**SB2312/HB2177 EDUCATION: Access to printed version of an electronic textbook.**

*Sponsors:* Sen. Pody, Mark , Rep. Lynn, Susan

*Summary:* Requires a local school board that provides electronic textbooks and instructional materials to provide reasonable access to the electronic materials to students and teachers. Additionally, it requires the local school board to provide a student with reasonable access to a printed version of the electronic textbook or instructional material if the student's parent or legal guardian submits a written request to the principal of the school.

*Fiscal Note:* (Dated March 9, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0752, effective July 1, 2024.

**SB2315/HB2368 LOCAL GOVERNMENT: Residential Infrastructure Development Act of 2024.**

*Sponsors:* Sen. Pody, Mark , Rep. Carr, Dale

*Summary:* Authorizes a uniform procedure to establish infrastructure development districts as an alternative method to fund and finance capital infrastructure through the levy and collection of special assessments. Provides for the uniform operation, exercise of power, and procedure for termination of any such independent district. Defines "host municipality" and other relative definitions. Authorizes the governing body of a host municipality to create, by resolution, one or more infrastructure development districts located in whole or part within the boundaries of such municipality. Requires an infrastructure development district to be approved by the governing body of each host municipality. Specifies residential requirement for district area. Also specifies public hearing and notice requirements regarding infrastructure development districts (19 pp.).

*Amendment Summary:*

Senate amendment 1 (015807) makes the following changes: (1) Clarifies that, as used in the bill, an "infrastructure development district" or "district" does not include a development district created pursuant to the Development District Act of 1965; (2) Revises the provision in the bill that defines "infrastructure" to mean (i) the streets, roads, bridges, and sidewalks, and water, wastewater, natural gas, electric, telecommunications, and storm water facilities, required for the development of a district, as identified in the establishment resolution, whether within or without the boundaries of the district; and (ii) land within the boundaries of the district required to be donated, dedicated, or otherwise made available to a governmental entity for public purposes by clarifying that the streets, roads, bridges, and sidewalks, and water, wastewater, natural gas, electric, telecommunications, and storm water facilities mentioned in (2)(i) above benefit the properties within the district; (3) Adds to the provisions in the bill requiring special assessments to be levied on the basis and in the amount set forth in the establishment resolution by also requiring the governing body to determine the total costs and expenses to be paid from the special assessments, and apportion such costs and expenses upon the various properties located within the district in accordance with the benefits conferred upon the various properties; (4) In determining the benefits to each lot or parcel of property within the district, authorizes the governing body to consider (i) frontage; (ii) area; (iii) the proportion that the assessed value of each lot or parcel bears to the whole assessed value of all properties within the district; or (iii) a combination of such factors; (5) Requires special assessments to be imposed and collected annually; (6) Provides that all books of accounts and financial records of the district are subject to annual audit by the comptroller of the treasury or the comptroller's designee. The host municipality must pay for the cost of any audit; (7) Requires the comptroller of the treasury to ensure that audits are prepared in accordance with generally accepted governmental auditing standards and determine if the audits meet minimum audit standards prescribed by the comptroller of the treasury. An audit must not be accepted as meeting the requirements of this amendment until approved by the comptroller of the treasury; (8) Requires all audits to be completed as soon as practicable after the end of the fiscal year of the host municipality. One copy of each audit must be furnished to each member of the governing body and the comptroller of the treasury; and (9) Revises the provisions in the bill authorizing the establishment of a district to be initiated by a petition filed in the office of the clerk or other officers responsible for keeping the records of the governing body of each host municipality required to approve the establishment of such district, signed by (i) the developer; (ii) a majority of the owners of real property in the district having an assessed value of not less than two-thirds of the assessed value of all the real property proposed to be included in the district; and (iii) the owners of each parcel of property within the district which is, at the time of the filing of the petition, being assessed as residential property by, instead, requiring the petition to be signed by (i) the developer; and (ii) the owners of each parcel of property proposed to be included in the district. House amendment 2 (018099) specifies that the maximum term of any bonds, notes, or other debt obligations pursuant to this section to fund the cost of infrastructure, including any refinancing bonds, must not exceed 30 years from the issuance of the bonds, notes, or other debt obligations for the purpose of funding the infrastructure.

*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact A precise impact to local government revenue and expenditures cannot be estimated, but such impacts are considered permissive.

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0860, effective May 1, 2024.

**SB2316/HB2389 PUBLIC EMPLOYEES: Fentress County - constable requirements.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly

*Summary:* Deletes provisions that exempt persons in Fentress County from meeting certain qualifications to qualify for election or appointment to the office of constable.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0637 effective April 3, 2024.

**SB2317/HB2114 GOVERNMENT REGULATION: Public notices posted on free websites.**

*Sponsors:* Sen. Yager, Ken , Rep. Powers, Dennis

*Summary:* Requires, beginning July 1, 2024, public notices that are required to be published in a newspaper of general circulation to also be published on a free-to-access news and information website in the county if the website meets certain requirements. Broadly captioned.

*Amendment Summary:* House amendment 1 (014690) rewrites the bill to, instead, provide that when legal notices are required to be published in a newspaper of general circulation, the notice must also be published on a news and information website that has a URL, if such a website exists, that: (1) Has been published continuously for the previous 12-month period; (2) Has been published using recognized standards of professional journalism; (3) Must have content revised on a regular basis not less than three times per week; (4) Bears a fixed title or name and date lines and complies with and abides by all copyright laws; (5) Does not serve primarily as a platform to promote the interests or opinions of a special interest group, individual, or cause; (6) Is principally devoted to the dissemination of local or general news with at least 50 percent of all editorial content reported being original, excluding advertisements; and (7) Exists and is registered pursuant to state law with the secretary of state. The news and information website must have an office of publication known to be based in the county in which the notice is required to be published and that is available and open to the public where business is transacted during usual business hours, that maintains a telephone number and email listing, and that includes in each updated publication the contact information of the news and information website.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 04/23/24 - Enacted as Public Chapter 0793, effective July 1, 2024.

**SB2322/HB2152 JUDICIARY: Scott County general session judge prohibited from practice of law and other employment.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly

*Summary:* Requires the judge of the general sessions court in Scott County to devote full time to the duties of such office and shall be prohibited from the practice of law or any other employment which conflicts with the performance of their duties as judge.

*Fiscal Note:* (Dated March 4, 2024) Increase Local Expenditures Exceeds \$89,200/FY24-25 and Subsequent Years/Permissive/Scott County

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0775, effective July 1, 2024.

**SB2325/HB2153 LOCAL GOVERNMENT: Scott County - sets the salary of the county attorney.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly  
*Summary:* Local bill for Scott County that sets the salary of the county attorney at \$65,000 annually, subject to cost-of-living increases. Amends Chapter 289 of the Private Acts of 1976, as amended.  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0044, effective April 11, 2024.

**SB2328/HB2076 INSURANCE HEALTH: Recoupment of overpayments made to a healthcare provider.**

*Sponsors:* Sen. Yager, Ken , Rep. Martin, Brock  
*Summary:* Establishes procedures for recoupment of overpayments made to a healthcare provider by certain health insurance entities. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (015357) rewrites the bill to, instead, do the following: (1) Establish that a health insurance entity is not required to correct a payment error to a healthcare provider if the provider's request for a payment correction is filed more than 15 months after the date that the healthcare provider received payment for the claim from the health insurance entity; (2) Except in cases of fraud or suspected fraud committed by the healthcare provider, authorize a health insurance entity to only recoup reimbursements made to the provider during the 15-month period after the date that the health insurance entity paid the claim submitted by the healthcare provider; (3) If suspected fraud is not established, authorize a health insurance entity to only recoup reimbursements in accordance with (2) above and (6) below; (4) If a health insurance entity makes a payment pursuant to health insurance coverage issued pursuant to a state employee health plan, authorize the health insurance entity to only recoup reimbursements made to a provider during an eighteen-month period after the date that the health insurance entity paid the claim submitted by the healthcare provider; (5) If a health insurance entity or an agent that contracted to provide eligibility verification verifies that an individual is a covered person, and if the healthcare provider provides services to the individual in reliance on the verification, prohibit the health insurance entity from thereafter recouping a claim on the basis that the individual is not a covered person unless the recoupment occurs within six months of the date that the health insurance entity paid the claim; otherwise, the health insurance entity is barred from making the recoupment unless there was fraud by the healthcare provider. (6) Except in cases of fraud or suspected fraud, require a health insurance entity that intends to recoup a previously paid claim to give the healthcare provider 30 days' advance written or electronic notice specifying the basis for the recoupment, and the notice must contain, at a minimum, the following information: (A) The CPT codes in the claims subject to the recoupment, or, if no CPT code is available, a description of the healthcare items or services for which the health insurance entity intends to recoup reimbursements; (B) A detailed explanation of why the previously made payment is being recouped, including (i) identification of the billing codes and modifiers that the health insurance entity believes should have been billed; and (ii) the health insurance entity's policies supporting the billing codes and modifiers that the health insurance entity believes should have been billed; (C) The claims subject to the recoupment, including applicable claim numbers; (D) The covered person's full legal name and any identification numbers; (E) The dates on which the healthcare provider provided the healthcare items or services, the costs of which are being recouped by the health insurance entity; (F) The estimated amount of recoupment; (G) Each claim's date of payment and how it was issued to the healthcare provider, including by mail or electronically, and, if applicable, the number of the check containing the recoupment or electronic payment identifying information; and (H) The process by which the healthcare provider may appeal the recoupment, including the instructions for the appeal process; (7) If suspected fraud is not established, authorize a health insurance entity to only recoup reimbursements in accordance with (2) and (6) above; (8) If a healthcare provider initiates an appeal within 30 days of the date of a notice of recoupment pursuant to (6) above, prohibit payment from being withheld from the healthcare provider until all appeals are exhausted; (9) Authorize the notice required by (6) above to be included with the results of an audit submitted to a healthcare provider; (10) If the commissioner of commerce and insurance ("commissioner") finds that a health insurance entity has failed to comply with the bill, authorize the commissioner to impose a penalty of two times the amount of the claim or \$750, whichever amount is less; (11) In the alternative to (10) above, authorize the healthcare provider to seek injunctive or other appropriate relief in the chancery or circuit court in the county where the provider resides or practices; (12) Establish that the bill must not be waived, voided, or nullified by contract; however, a health insurance entity and a healthcare provider may toll the time periods described in (2)-(5) above through mutually negotiated and separate tolling agreements if both parties agree to toll such time periods; (13) Require that the amount of a recoupment equal the difference between the actual amount paid to a healthcare provider and the amount that should have been paid pursuant to (13) below; (14) Establish that the bill does not interfere with or otherwise repeal (i) the prompt payment appeals process described in state law; (ii) the Prior Authorization Fairness Act; (iii) the authority of a receiver appointed by the commissioner to audit or collect overpayment made to providers more than 18 months from the date that a managed care organization (MCO) paid the claim; (iv) the authority of the bureau of TennCare ("bureau") to collect overpayments made to providers more than 15 months from the date that the MCO paid the claim if discovered and verified by the bureau pursuant to an audit of an MCO; or (v) the subrogation rights or authority of the bureau; (15) Establish that a health insurance entity that contracts directly with the bureau in the provision of services for TennCare recipients is specifically excluded from the bill only for the products and services made by the health insurance entity on behalf of the bureau; (16) Establish that only a health insurance entity or a health insurance entity's agent that contracts with healthcare providers or is responsible for paying contracted or noncontracted healthcare providers may seek to recover payments made to those healthcare providers. No other entity may pursue recoupments governed by the bill; (17) Prohibit a health insurance entity from basing a recoupment on the extrapolation of other claims from an audit; and (18) Authorize the commissioner to promulgate rules to effectuate the bill.  
*Fiscal Note:* (Dated February 19, 2024) Decrease State Revenue \$4,211,700/FY24-25 and Subsequent Years Decrease Local Revenue \$748,300/FY24-25 and Subsequent Years HB 2076 - SB 2328  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0860, effective July 1, 2024.

**SB2330/HB2022 TENNCARE: Ground ambulance provider assessment.**

*Sponsors:* Sen. Yager, Ken , Rep. Reedy, Jay  
*Summary:* Extends the ground ambulance provider assessment from terminating on June 30, 2024, to terminating on June 30, 2025.  
*Fiscal Note:* (Dated February 5, 2024) Increase State Revenue - \$11,800,000/FY24-25/ Ambulance Service Assessment Revenue Fund Increase State Expenditures - \$11,800,000/FY24-25/ Ambulance Service Assessment Revenue Fund Increase Federal Expenditures - \$21,713,100/FY24-25/ Ambulance Service Assessment Revenue Fund The Governors proposed FY24-25 budget, on page A-34, recognizes revenue in the amounts of \$10,607,000 state and \$19,504,600 federal.



*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/20/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0633 effective July 1, 2024.

**SB2331/HB1725 PUBLIC EMPLOYEES: Length of service awards for volunteer firefighters.**

*Sponsors:* Sen. Yager, Ken , Rep. Gant, Ron  
*Summary:* Removes the requirement that length of service awards for volunteer firefighters are awarded on a first come, first served basis. Requires a portion of the appropriated funds in each fiscal year to be used to pay expenses incurred for the administration of the length of service award program; requires unexpended funds remaining after the payment of grant awards and expenses for the administration of the program to be carried forward into the next fiscal year.  
*Amendment Summary:* Joint Council on Pensions amendment 1, Senate amendment 1 (013174) removes the requirement that, in any fiscal year, unexpended funds remaining after the payment of grant awards and expenses for the administration of the program do not revert to the general fund, but must carry forward into the next fiscal year for making payments consistent with the bill.  
*Fiscal Note:* (Dated February 1, 2024) Other Fiscal Impact The proposed legislation is estimated to reduce the recurring reversion from the length of service award program for volunteer firefighters to the General Fund in an amount up to \$146,600. Of such amount, up to \$10,000 will be utilized to fund expenses incurred for the administration of the program.  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0697 effective March 25, 2024.

**SB2332/HB1659 PUBLIC EMPLOYEES: Raises base salary for district attorneys general and district public defenders.**

*Sponsors:* Sen. Yager, Ken , Rep. Hicks, Gary  
*Summary:* Increases the base salary from \$156,024 to \$205,328 for district attorneys general and district public defenders. Broadly captioned.  
*Fiscal Note:* (Dated January 15, 2024) Increase State Expenditures \$1,578,200/FY24-25 and Subsequent Years Other Fiscal Impact The extent and timing of any permissive increase to local expenditures in Shelby and Davidson County cannot be determined.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/23/24 - Enacted as Public Chapter 0974, effective May 21, 2024.

**SB2337/HB1924 CRIMINAL LAW: Increases penalty for indecent exposure.**

*Sponsors:* Sen. Yager, Ken , Rep. Butler, Ed  
*Summary:* Increases the penalty for indecent exposure from a Class A misdemeanor to a Class E felony if the person was confined in a penal institution at the time of the commission of the offense and if the offense was intended to abuse, torment, harass, or embarrass a guard or staff member of the penal institution. Requires a minimum sentence of 14 days.  
*Fiscal Note:* (Dated February 2, 2024) Increase State Expenditures \$43,100 Incarceration Decrease Local Expenditures \$1,600/FY24-25 and Subsequent Years Other Fiscal Impact Passage of the proposed legislation will result in an additional increase in state incarceration expenditures for individuals serving consecutive sentences; however, the precise timing and impact is dependent on multiple unknown factors and cannot be determined with reasonable certainty.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1049, effective July 1, 2024.

**SB2349/HB2404 FAMILY LAW: Redefines dependent and neglected child.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Slater, William  
*Summary:* Revises the definition of a dependent and neglected child in juvenile court proceedings to provide that a child must be dependent and neglected at the time of the filing of the court petition and adds that dependency and neglect due to a condition of want or suffering may be due to the child's mental health or substance abuse issues. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (013933) revises the definition of a dependent and neglected child to specify that the criteria for dependence and neglect must be present at the time of the filing of the petition.  
*Fiscal Note:* (Dated February 19, 2024) Other Fiscal Impact The precise net impact on state, local, and federal expenditures, if any, cannot be reasonably estimated as it is dependent upon unknown actions of the juvenile court.  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0862, effective July 1, 2024.

**SB2352/HB2523 LOCAL GOVERNMENT: Board of directors of the Reelfoot Lake regional utility and planning district - compensation.**

*Sponsors:* Sen. Jackson, Ed , Rep. Grills, Rusty  
*Summary:* Increases, from \$200 to \$400, the monthly compensation for the board of directors of the Reelfoot Lake regional utility and planning district. Authorizes the board of directors to participate in the group medical and life insurance plan provided to district employees, to be reimbursed for premiums paid for equivalent or similar medical and life insurance coverage, and to be reimbursed for premiums paid for medical insurance coverage by Medicare.  
*Amendment Summary:* House amendment 1 (017212) rewrites the bill to, instead, require that the amount fixed by the board of directors of the Reelfoot Lake Regional Utility and Planning District to compensate members of the board of directors for their services be \$300 per month, instead of \$200 per month.

*Fiscal Note:* (Dated February 16, 2024) Increase Local Expenditures Up to \$67,600/FY24-25 and Subsequent Years/Permissive/ Reelfoot Lake Regional Utility and Planning District

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0916, effective May 3, 2024.

**SB2356/HB2766 TRANSPORTATION VEHICLES: Requires online training for a hardship license.**

*Sponsors:* Sen. Jackson, Ed , Rep. Grills, Rusty

*Summary:* Requires the department of safety to ensure that any classroom training that is required as a prerequisite to obtaining a Class H or hardship license may be completed online.

*Amendment Summary:* Senate amendment 1 (014278) requires an applicant for a Class H or hardship driver license that resides 30 or more miles from a driver services center to be allowed to complete any classroom training that is required to obtain such a license online.

*Fiscal Note:* (Dated February 25, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0698 effective July 1, 2024.

**SB2359/HB1726 FAMILY LAW: Prohibits immunization requirement as a condition of adoption or fostering.**

*Sponsors:* Sen. Watson, Bo , Rep. Gant, Ron

*Summary:* Prohibits the department of children's services from requiring an immunization as a condition of adopting or overseeing a child in foster care if an individual or member of an individual's household objects to immunization on the basis of religious or moral convictions. Broadly captioned.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/25/24 - Enacted as Public Chapter 0699 effective March 25, 2024.

**SB2362/HB2122 HEALTH CARE: Continuing education for healthcare professionals.**

*Sponsors:* Sen. Watson, Bo , Rep. Terry, Bryan

*Summary:* Requires the department to create a continuing education program for the purpose of providing healthcare professionals with information and training relative to public and office safety. Broadly captioned.

*Amendment Summary:* House amendment 1 (013621) requires the department to make the program available on the board's website within six months of board approval as required by the bill.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Public Chapter 0749, effective April 22, 2024.

**SB2363/HB1877 INSURANCE HEALTH: Acceptance of electronic insurance cards by hospitals and physicians.**

*Sponsors:* Sen. Watson, Bo , Rep. Freeman, Bob

*Summary:* Requires physicians, hospitals, and other persons who are licensed, accredited, or certified to perform specified healthcare services to accept a digital or electronic representation of a covered individual's insurance information that is issued by a health insurance entity. Broadly captioned.

*Amendment Summary:* House amendment 1 (014097) requires a healthcare provider to accept an electronic insurance card as valid evidence of an individual's health insurance plan, policy, or contract. Effective January 1, 2026.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0789, effective January 1, 2026.

**SB2365/HB2142 EDUCATION: Students who have been adjudicated delinquent.**

*Sponsors:* Sen. Watson, Bo , Rep. Martin, Greg

*Summary:* Increases from a Class C misdemeanor to a Class B misdemeanor the penalty for a student's parent, guardian, or legal custodian failing to report an adjudication that the student committed certain delinquent acts to the student's school principal or the principal's designee. Specifies that a school principal shall ask in writing a student's parent, guardian, or legal custodian whether the student has been adjudicated delinquent for certain offenses, including rape, robbery, kidnapping, or aggravated assault.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0721 effective July 1, 2024.

**SB2366/HB2264 EDUCATION: Exiting of school turnaround pilot program.**

*Sponsors:* Sen. Watson, Bo , Rep. Hakeem, Yusuf

*Summary:* Authorizes schools in need of intervention to exit the turnaround pilot program and discontinue the turnaround plan developed by the school. Outlines conditions for schools required to participate in the turnaround pilot program, criteria for exiting the program, termination of certain requirements upon program exit, and provisions for compensating independent school turnaround experts.

*Fiscal Note:* (Dated February 12, 2024) Decrease State Expenditures \$250,000/FY24-25 Other Fiscal Impact For schools that exit the pilot program before the 2024- 25 school year, it is unknown if those schools would have met the exit criteria during the 2024-25 school year in order to receive a total of \$1,000,000 in federal funding. Therefore, a precise impact to federal expenditures cannot be determined.

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0863, effective May 1, 2024.

**SB2367/HB2316 HEALTH CARE: Agreement to provide security for health and related facilities.**

*Sponsors:* Sen. Watson, Bo , Rep. Williams, Ryan

*Summary:* Requires the defined geographical limitation for purposes of exercising police power to be incorporated into an agreement relating to security provided by law enforcement officers for health and related facilities. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015750) rewrites the bill to, instead, do the following: (1) Authorize a health facility to establish policies pursuant to which a suitable number of persons may be employed, commissioned, or contracted through a private third party, as police officers, public safety officers, and security officers by the facility. The chief law enforcement officer of the law enforcement agency with jurisdiction over the facility must appoint each police officer who is employed, commissioned, or contracted through a private third party a special deputy, or appoint the police officer a special police officer; and (2) When properly commissioned and qualified in accordance with the policies of a facility, require a police officer or privately contracted third-party personnel deputized as a special deputy to have all the police powers necessary to enforce all state laws as well as rules and regulations of the facility.

*Fiscal Note:* (Dated March 15, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0812 effective April 29, 2024.

**SB2368/HB2147 HEALTH CARE: Complex rehabilitation technology budget reporting.**

*Sponsors:* Sen. Watson, Bo , Rep. Hale, Michael

*Summary:* Requires the commissioner of finance and administration, or the commissioner's designee, to make available to the public on the department's website any proposed budget document or other financial publication that lists complex rehabilitation technology benefits separately if the document or publication establishes a change in reimbursement for complex rehabilitation technology. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (017362) rewrites the bill to, instead, enact the wheelchair repair laws described below. This amendment requires an authorized complex rehabilitation technology supplier to repair a complex rehabilitation technology wheelchair or manual wheelchair that the supplier sold to the consumer unless (i) the consumer has moved outside of the original supplier's service area; (ii) the repair is needed as the result of damage caused by consumer abuse or misuse of the complex rehabilitation technology that restricts the consumer's health insurance coverage, and the consumer refuses to pay for the repair; or (iii) the consumer, or the consumer's representative, poses a potential threat to the health and safety of the supplier. For purposes of providing services for equipment in this state, this amendment requires an original equipment manufacturer to, with fair and reasonable terms and costs, make available to an independent repair provider or owner of the manufacturer's equipment any manufacturer documentation or tool that is intended for use with the equipment or any part described in (1)-(11) below, including updates to documentation, parts, or tools. With respect to any equipment or part described in (1)-(11) below that contains an electronic security lock or other security-related function, this amendment requires an original equipment manufacturer to, with fair and reasonable terms and costs, make available to an independent repair provider or owner manufacturer documentation, part, or tool needed to reset the lock or function of the equipment when disabled in the course of providing services. The manufacturer may make the documentation, parts, or tools available to an independent repair provider or owner through appropriate secure release systems. This amendment authorizes a consumer who owns a power wheelchair to choose to self-repair the power wheelchair or have repairs performed by an independent repair provider. This applies to the following items: (1) Batteries; (2) Battery chargers; (3) Nonprogrammable joysticks; (4) Joystick housings or brackets; (5) Wheel assembly; (6) Nonpositioning accessories; (7) Anti-tip devices; (8) Armrests, excluding positioning components designed for adjustment by a therapist or assistive technology professional; (9) Caster spheres; (10) Cosmetic shrouding; and (11) Nonpower leg lowerers. This amendment authorizes a consumer who owns a manual wheelchair to choose to self-repair the manual wheelchair or have repairs performed by an independent repair provider. This applies to all repairs, except those that require clinical involvement. This amendment does not require an original equipment manufacturer to divulge a trade secret, except as necessary to provide documentation, parts, tools, service access methods, and training courses and materials on fair and reasonable terms. This amendment does not apply to a repair by an independent repair provider that would require programmability or clinical involvement to ensure appropriate patient seating and positioning. This amendment provides that an original equipment manufacturer is not liable for faulty or otherwise improper repairs provided by an independent repair provider or owner, including faulty or otherwise improper repairs that cause: (i) damage to the power wheelchair that occurs during the repair; (ii) indirect, incidental, special, or consequential damage; or (iii) an inability to use, or a reduced functionality of, a power wheelchair resulting from the repair. This amendment requires the department of commerce and insurance to develop an attestation statement that the authorized complex rehabilitation technology supplier must submit affirming compliance with the applicable repair and service requirements of this amendment. This amendment authorizes an authorized complex rehabilitation technology supplier to offer preventative maintenance visits at the supplier's discretion, and such maintenance visits may be performed when the supplier is repairing the equipment for an unrelated issue. This amendment requires a policy, certificate, or agreement for health insurance coverage issued under the TennCare program to provide coverage and reimbursement for: (i) medically necessary repairs provided by authorized complex rehabilitation technology equipment suppliers; and (ii) at least one preventative maintenance visit per year provided by authorized complex rehabilitation technology equipment suppliers, including appropriate reimbursement for services rendered during the preventative maintenance, parts, labor, diagnostic and evaluation time, and other related costs. A TennCare program enrollee must be informed of the coverage required under this amendment at the time of initial enrollment and when a current enrollee renews a policy, certificate, or agreement for health insurance coverage under the TennCare program. This amendment requires a policy, certificate, or agreement for health insurance coverage issued in this state under the TennCare program to: (i) not require medical documentation or proof of continued need for a repair or preventative maintenance of a complex rehabilitation technology; and (ii) consistent with federal law and regulations, provide coverage for telehealth visits for complex rehabilitation technology. However, this does not prohibit a policy issued under the TennCare program from requiring documentation needed for a medical necessity determination. This amendment authorizes a preventative maintenance visit to be performed at any location agreed upon by the enrollee and the authorized complex rehabilitation technology supplier and is not required to be performed at the enrollee's location. Preventative maintenance must be performed by a qualified technician who is an employee of the authorized complex rehabilitation technology supplier, and must be performed according to the manufacturer's guidelines. The preventative maintenance may be performed during a complex rehabilitation technology appointment for an unrelated issue, and is not required to be a standalone appointment or event. The authorized complex rehabilitation technology supplier must document and maintain all records of preventative maintenance services performed pursuant to law.

*Fiscal Note:* (Dated January 27, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1050, effective July 1, 2024.

**SB2374/HB2317 WELFARE: TACIR study on laws and regulations affecting child care businesses.**

*Sponsors:* Sen. Watson, Bo , Rep. Williams, Ryan  
*Summary:* Requires TACIR to complete a study on laws, regulations, and rules affecting the start-up, operation, and expansion of child care businesses in this state. Requires TACIR to submit a report disclosing findings from the study and recommended legislation to the governor, the speaker of the house of representatives, the speaker of the senate, and the legislative librarian no later than January 31, 2025. Broadly captioned.  
*Fiscal Note:* (Dated February 7, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0938, effective May 6, 2024.

**SB2375/HB2320 JUDICIARY: Initial pleading in an action on a consumer debt.**

*Sponsors:* Sen. Watson, Bo , Rep. Hazlewood, Patsy  
*Summary:* Requires the plaintiff creditor to attach with the initial pleading in an action on a consumer debt a copy of a signed contract evidencing the debtor's agreement to the debt or a copy of a document provided to the debtor while the account was active, a statement that the debt claim has been transferred or assigned, the date of the transfer or assignment, the name of any prior holders of the debt, and the name or description of the original creditor. Exempts \$2,500 from the debtor's deposit account from seizure unless the debtor has not selected the account as an exemption or the debtor maintains multiple accounts.  
*Amendment Summary:* House amendment 1 (017635) rewrites the bill as follows: (1) In an action on consumer debt filed in a general sessions court, requires the plaintiff to include the following information with a civil warrant or any other leading process used to initiate the action: (i) a statement that the debt claim has been transferred or assigned; (ii) the date of the transfer or assignment of the debt claim; (iii) the name of any prior holders of the debt starting at the point of charge off; and (iv) the name or a description of the original creditor; (2) Prior to an award of a default judgment on any action subject to the requirements of (1), requires the plaintiff to present to the court documentation sufficient to demonstrate the authority of the plaintiff to collect the debt and at least one of the following that is sufficient to demonstrate the existence of the consumer debt: (i) an agreement signed by the consumer; (ii) a record of a purchase, payment, or use of an account; or (iii) a record otherwise demonstrating the debt was incurred; (3) Establishes that the requirements of the bill apply irrespective of any evidence submitted by the plaintiff, including affidavits submitted to the court; (4) Establishes that the bill does not apply to a plaintiff who is an original creditor on the consumer debt at issue or is otherwise listed as a lienholder on property securing the debt issue; and (5) Establishes that a "charge off" means a creditor's removal of a consumer debt as an asset from the creditor's financial records.  
*Fiscal Note:* (Dated March 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/23/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0914, effective July 1, 2024.

**SB2377/HB2842 AGRICULTURE: Department of ECD prohibited from regulating certain farming activities.**

*Sponsors:* Sen. Watson, Bo , Rep. Vital, Greg  
*Summary:* Prohibits the department of environment and conservation from regulating or otherwise overseeing farming activities involving topsoil, rock removal, or the building of a pond when such activities are conducted in an area that is less than five acres in size, and the property on which the activities occur has a greenbelt classification pursuant to the Agricultural, Forest and Open Space Land Act of 1976. Broadly captioned.  
*Amendment Summary:* Senate amendment 2 (014982) rewrites the bill to, instead amend the present law definition of "rock harvesting" to (i) mean the removal of the minerals dimension stone, flagstone, fieldstone, landscaping stone, drystack stone, fagade, and marble, by an operator with or without machinery; and (ii) not include activity that is exempt from the Water Quality Control Act by state law.  
*Fiscal Note:* (Dated February 25, 2024) Decrease State Revenue - \$16,300/FY24-25 and Subsequent Years/Environmental Protection Fund  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0939, effective July 1, 2024.

**SB2378/HB2010 WORKERS COMPENSATION: Bond requirements for insurance companies doing a worker's compensation business in state.**

*Sponsors:* Sen. Watson, Bo , Rep. Vaughan, Kevin  
*Summary:* Increases from \$50,000 to \$100,000, the amount of the bond running to the state that every insurance company doing a workers' compensation business in this state must furnish to the commissioner of commerce and insurance. Increases from \$100,000 to \$200,000, the amount that such a company has on deposit with another state in which the company is organized and domiciled and from which a certificate of that state's commissioner of insurance may be accepted by the commissioner of commerce and insurance in lieu of the bond. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (017302) rewrites the bill to, instead, require the comptroller of the treasury to conduct a study of all insurers, including insurance pools, that provide policies of workers' compensation coverage to local governmental entities, including a review of each insurer's solvency, a comparative rate study, and an analysis of the process to bid out, procure, or otherwise obtain such a policy. As used in this amendment, a "local governmental entity" means a county, incorporated city or town, metropolitan government, and the governing body of a local education agency and charter school. The comptroller must report the findings of the study to the speakers of the senate and the house of representatives no later than January 1, 2025.  
*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0813 effective April 29, 2024.

**SB2390/HB2566 MISCELLANEOUS: "Tennessee, In My Dreams" by Makky Kaylor as an official state song.**

*Sponsors:* Sen. Hensley, Joey , Rep. White, Mark  
*Summary:* Designates "Tennessee, In My Dreams" by Makky Kaylor as an official state song.  
*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/03/24 - Signed by Senate speaker.  
*House Status:* 04/02/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0724 effective March 25, 2024.

**SB2391/HB2711 COMMERCIAL LAW: Revises provisions governing trade practices and consumer protection.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny  
*Summary:* Revises provisions governing trade practices and consumer protection.  
*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0776, effective April 23, 2024.

**SB2398/HB2371 HEALTH CARE: Timeframe for which a cause of death of a patient must be determined.**

*Sponsors:* Sen. Briggs, Richard , Rep. Terry, Bryan  
*Summary:* Increases from 48 hours to two business days the time by which a physician in charge of a patient who dies or a medical examiner must determine the cause of death and complete and sign a medical certification of death. Broadly captioned.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/20/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 04/05/24 - Enacted as Public Chapter 0648 effective April 4, 2024.

**SB2399/HB2296 PROFESSIONS & LICENSURE: Licensure of marital and family therapists.**

*Sponsors:* Sen. Briggs, Richard , Rep. Whitson, Sam  
*Summary:* Requires the board for professional counselors, marital and family therapists, and clinical pastoral therapists to license without examination a marital and family therapist applicant who is licensed in another state if the applicant's qualifications meet the licensure requirements of this state. Removes the board's authorization to license an applicant by endorsement. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (014962) requires the Board of Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists (Board) to license without examination a marital and family therapist applicant who is licensed to practice independently in another state if the applicant's qualifications meet the licensure requirements in this state. Removes the authorization for the Board to license by endorsement an applicant who is a clinical member of the American Association for Marriage and Family Therapy. Authorizes the Board to enter into a reciprocal agreement with any other state that licenses marital and family therapists.  
*Fiscal Note:* (Dated March 3, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/25/24 - Enacted as Public Chapter 0700 effective July 1, 2024.

**SB2400/HB2524 HEALTH CARE: PANDAS Awareness Day.**

*Sponsors:* Sen. Briggs, Richard , Rep. Lynn, Susan  
*Summary:* Establishes October 9 of each year as "PANDAS Awareness Day" to promote awareness of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome.  
*Fiscal Note:* (Dated March 14, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0777, effective April 23, 2024.

**SB2406/HB2398 EDUCATION: School safety teams requirements.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Harris, Torrey  
*Summary:* Adds local law enforcement officials to those who must be appointed to each district-wide school safety team. Specifies that it is each district-wide school safety team and each building-level school safety team that is required to annually review the respective district-wide or building-level school safety plan.  
*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0864, effective May 1, 2024.

**SB2410/HB2504 CRIMINAL LAW: Telecommunications transmitting misleading caller identification established as a misdemeanor.**

*Sponsors:* Sen. Lamar, London , Rep. Harris, Torrey  
*Summary:* Makes it an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or is not a toll-free phone number, to a subscriber with the intent to induce the subscriber to answer. Broadly captioned.  
*Amendment Summary:* House amendment 1 (014656) establishes that it is an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or that is not a toll-free phone number, to a subscriber with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value, rather than with the intent to induce the subscriber to answer.

*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/01/24 - Senate passed.  
*House Status:* 03/25/24 - House passed with amendment 1 (014656).  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0758, effective July 1, 2024.

**SB2422/HB2425 LOCAL GOVERNMENT: Requirements for notifying affected persons on annexation of a territory.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Hicks, Tim  
*Summary:* Requires notices relating to annexation or municipal zoning to be published, posted, or mailed 21 days, rather than 15 days, before the public hearing on the annexation or zoning. Requires the annexing municipality to provide notice of annexation to property owners whose property is within 200 feet of the territory being annexed. Requires signs that inform viewers of the proposed annexation to be posted in and around the area being annexed.

*Fiscal Note:* (Dated February 16, 2024) Other Fiscal Impact A precise increase in permissive local government expenditures cannot be estimated with certainty.

*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0701 effective July 1, 2024.

**SB2424/HB2541 LOCAL GOVERNMENT: Energy infrastructure improvement agreements entered by certain mayors.**

*Sponsors:* Sen. Walley, Page , Rep. Marsh, Pat  
*Summary:* Authorizes mayors of certain local governments to enter into voluntary agreements for energy infrastructure improvements for clean or renewable energy. Requires that agreements be approved either by resolution of the respective legislative bodies of such local governments or per statutory requirements. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (014331) rewrites the bill to authorize counties and municipalities to enter into energy siting agreements, as described below. This amendment authorizes a county mayor or municipality to negotiate an energy siting agreement with a developer of an energy project. The county mayor's agreement takes effect upon approval of the county legislative body by resolution and execution by the developer of the energy project. The municipality's agreement takes effect upon approval of the municipal legislative body by resolution and execution by the developer of the energy project. As used in this amendment, "energy project" means energy infrastructure improvements, whether composed of real or personal property, or both, for clean energy or renewable energy, and "energy siting agreement" means a voluntary agreement by and between a county and a developer of energy infrastructure improvements approving the siting in the county of one or more energy projects upon a finding that such an agreement is in the best interest of the county. This amendment requires an energy siting agreement to specify (i) the duration of the energy siting agreement; (ii) the proposed tract or tracts of land on which the energy project is proposed to be located; (iii) a description of the proposed energy project together with the nature of any allowable modifications to the described or depicted design of the energy project; and (iv) any additional terms determined to be necessary by the county or municipality and the developer. This amendment authorizes an energy siting agreement to include reductions in setbacks, vegetative buffers, or other visual screening or fencing requirements that would otherwise be imposed on the energy project under existing applicable county or municipal ordinances or resolutions based upon site-specific conditions or a written waiver of such requirements by a landowner or landowners of property adjoining the affected tract of land where the energy project is proposed to be located. Because the characteristics of energy projects may be consistent with agricultural uses, an energy siting agreement may authorize the siting of an energy project in a zoning district intended to be used primarily for agricultural or similar uses or in other rural areas upon a finding by the legislative body of the county or the legislative body of the municipality that the proposed energy project is consistent with present or future agricultural uses in the surrounding area. This amendment provides that modifications of design standards or conditions included in an energy siting agreement are binding during the vested period on all county or municipal agencies, boards, and commissions with the power to recommend, approve, or disapprove applications for a special exception, use permitted on appeal, conditional use permit, site plan, building permit, or another similar permit or approval required to site, construct, or operate an energy project in the county or municipality. This amendment prohibits authorizing a county or municipality to take any action that would constitute a de facto prohibition of any form of energy project based solely on the failure of an energy project to be the subject of an energy siting agreement. Additionally, except to the extent expressly authorized in this amendment or another law, an energy siting agreement does not relieve any public agency of actual and timely performance of any obligation or responsibility imposed upon it by law. This amendment provides that a vested property right is established with respect to property upon the approval of an energy siting agreement by the legislative body of the local government in which the property is situated. During the vesting period, the locally adopted development standards that are in effect on the date of approval of an energy siting agreement, including any modifications to such standards pursuant to the terms of the energy siting agreement, remain the development standards applicable to that property or building during the vesting period. This amendment requires the vesting period applicable to an energy siting agreement to be for the following period, unless the energy siting agreement expires or is validly terminated by the local government in accordance with its terms during the vesting period: (i) 10 years where no preliminary or final development plan is required by ordinance; (ii) seven years where no preliminary development plan is required by ordinance; or (iii) 5 years where a preliminary development plan is required by ordinance. Present law provides that if construction commences during the vesting period, the development standards applicable during the vesting period must remain in effect until the local government has certified final completion of the development or project. However, the total vesting period for the project must not exceed 10 years from the date of the approval of the preliminary development plan unless the local government grants an extension pursuant to an ordinance or resolution. This amendment provides that the 10-year limit does not apply a vested property right established with respect to property upon the approval of an energy siting agreement by the legislative body of the local government in which the property is situated. Present law provides that in the case of developments which proceed in two or more sections or phases as described in the development plan, there must be a separate vesting period applicable to each section or phase. The development standards that are in effect on the date of approval of the preliminary development plan for the first section or phase of the development must remain the development standards applicable to all subsequent sections or phases of the development. However, the total vesting period for all phases must not exceed 15 years from the date of the approval of the preliminary development plan for the first section or phase unless the local government grants an extension pursuant to an ordinance or resolution. This amendment provides that the 15-year limit does not apply a vested property right established with respect to property upon the approval of an energy siting agreement by the legislative body of the local government in which the property is situated.

*Fiscal Note:* (Dated February 22, 2024) Other Fiscal Impact The timing and extent of any increase in local expenditures cannot be estimated with certainty, but any such increase is considered permissive.

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0814 effective June 1, 2024.

### **SB2427/HB2607 ALCOHOLIC BEVERAGES: Sell of hemp-based products.**

*Sponsors:* Sen. Jackson, Ed , Rep. Carringer, Michele

*Summary:* Authorizes retail package store licensees and beer permittees to sell hemp-based products; prohibits retail package store licensees from charging certain fees.

*Amendment Summary:* Senate amendment 1 (015525) rewrites the bill to, instead, permit a retail licensee, beginning July 1, 2014, to sell at retail items related to or incidental to the use, consumption, dispensing, or storage of alcoholic beverage, including any hemp or hemp-derived cannabinoid product for which all required licenses, permits, or certificates have been obtained authorizing the sale of such product within this state.

*Fiscal Note:* (Dated March 3, 2024) Increase State Revenue \$268,600/FY24-25 and Subsequent Years/General Fund \$119,500/FY24-25 and Subsequent Years/Revenue \$119,500/FY24-25 and Subsequent Years/Agriculture Increase Local Revenue \$109,600/FY24-25 and Subsequent Years

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0940, effective May 6, 2024.

### **SB2428/HB2532 LOCAL GOVERNMENT: Notification of arrest by county fire investigator.**

*Sponsors:* Sen. Powers, Bill , Rep. Burkhart, Jeff

*Summary:* Requires a county fire investigator that makes an arrest to notify local law enforcement of the arrest as soon as practicable. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (015982) rewrites the bill to, instead, authorize a county that has entered into a written mutual aid agreement with each municipality within the county relating to the provisions of fire services in the context of state military affairs, emergencies, and civil defense law, to fund up to 50 percent of the cost to provide fire services to unincorporated portions of the county using county general funds.

*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0702 effective April 1, 2024.

**SB2445/HB2254 GOVERNMENT ORGANIZATION: Child fatality review team board members.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Love Jr., Harold  
*Summary:* Adds three persons to the state child fatality review team who are each state residents with a child under 18 years of age. Requires the state child fatality review team to distribute the team's annual report to each local education agency and to the board of the Tennessee Chapter of the American Academy of Pediatrics. Broadly captioned.  
*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/28/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0703 effective March 25, 2024.

**SB2448/HB2215 PROPERTY & HOUSING: Real Estate Fraud Reduction Act.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Parkinson, Antonio  
*Summary:* Enacts the "Real Estate Fraud Reduction Act," which requires county registers of deeds and notaries public to verify the identity of a person recording or notarizing a document relating to certain real estate transactions, as applicable, using a government-issued identification card. Requires such registers and notaries to document and maintain as a permanent record certain personally identifying information of a person recording or notarizing such a document. Specifies penalties for violations by a notary public. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (017172) rewrites the bill to, instead, require the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study and compile a report to be submitted to the general assembly on real estate fraud in this state. The study must investigate the prevalence of real estate fraud in this state, the different schemes used to perpetrate real estate fraud, the methods used by other states to combat real estate fraud, and the best practices for local government officials in registering documents related to real estate transactions. The report must provide a detailed summary of the study and provide suggested statutory revisions that are designed to reduce the risk of real estate fraud for property owners in this state.  
*Fiscal Note:* (Dated February 18, 2024) Increase Local Expenditures Exceeds \$99,100/FY24-25 and Subsequent Years\*  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0941, effective May 6, 2024.

**SB2478/HB2691 CRIMINAL LAW: Cruelty to animals - entering private property without probable cause.**

*Sponsors:* Sen. Hensley, Joey , Rep. Doggett, Clay  
*Summary:* Prohibits the department of agriculture or any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has occurred or is occurring, the consent of the property owner, a warrant, or a recognized warrant exception. Requires a member of a society incorporated for the prevention of cruelty to animals to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. Broadly captioned.  
*Fiscal Note:* (Dated March 5, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0704 effective July 1, 2024.

**SB2482/HB2773 HEALTH CARE: Parental access to a minor child's medical information.**

*Sponsors:* Sen. Rose, Paul , Rep. Cochran, Mark  
*Summary:* Requires a minor's parent, legal guardian, or legal custodian to be granted access to any prescription records resulting from medical treatment of the minor, even if the treatment was provided to the minor without parental consent. Captioned Broadly.



*Amendment  
Summary:*

House amendment 1 (015824) rewrites the bill to, instead, enact the "Cassie Wright Act," as follows: (1) If a service recipient is an unemancipated minor, authorizes the duty imposed on a professional to warn of violent behavior to be discharged by the professional or service provider by notifying the unemancipated minor's parent, legal guardian, or legal custodian and satisfying the following requirements: (i) informing the clearly identified victim of the threat; (ii) having the service recipient admitted on a voluntary basis to a hospital; (iii) taking steps to seek admission of the service recipient to a hospital or treatment resource on an involuntary basis pursuant to state law; or (iv) pursuing a course of action consistent with current professional standards that will discharge the duty; (2) If a professional or service provider reports to law enforcement regarding a threat of bodily harm communicated by a service recipient who is an unemancipated minor, requires the professional to also report information about the threat to the unemancipated minor's parent, legal guardian, or legal custodian; (3) In the context of the rights of a child 16 or older, authorizes a child's parent, legal guardian, or legal custodian to access any prescription records resulting from treatment provided to an unemancipated minor; (4) Prohibits a child's parent, legal guardian, or legal custodian from accessing prescription records resulting from the treatment provided to an unemancipated minor if the treating professional is required to report abuse of the unemancipated minor and the treating professional believes that access to the prescription records is reasonably likely to endanger the life or physical safety of the minor; (5) If an unemancipated minor communicates suicidal ideations to the treating professional, and the professional, using the reasonable skill, knowledge, and care ordinarily possessed and exercised by the professional's specialty under similar circumstances, has determined or reasonably should have determined that the unemancipated minor has the apparent ability to attempt suicide and is likely to attempt suicide unless prevented from doing so, requires the treating professional to, in addition to any other duties required by law, report such suicidal ideations to the unemancipated minor's parent, legal guardian, or legal custodian; (6) If an unemancipated minor receives medical treatment, authorizes the minor's parent, legal guardian, legal custodian, or other person with medical decision-making authority for the unemancipated minor to access, and requires a healthcare provider or healthcare facility to provide access to, any prescription records resulting from medical treatment of the minor, even if the treatment was provided to the unemancipated minor without parental consent, including treatment provided pursuant to state law on STDs, contraceptives for minors, treatment for juvenile drug abuse, emergency treatment of minors, or prenatal or peripartum treatment of minors; and (7) Prohibits a child's parent, legal guardian, or legal custodian from accessing prescription records resulting from the treatment provided to an unemancipated minor without parental consent, including treatment provided pursuant to state law on STDs, contraceptives for minors, treatment of juvenile drug abusers, emergency treatment of minors, prenatal or peripartum treatment of minors, if the treating professional is required to report abuse of the unemancipated minor and the treating professional believes that access to the prescription records is reasonably likely to endanger the life or physical safety of the minor.

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/04/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0761, effective April 22, 2024.

**SB2484/HB2690 STATE GOVERNMENT: Grant issuance to support installation of adult-sized changing tables.**

*Sponsors:* Sen. Watson, Bo , Rep. Doggett, Clay  
*Summary:* Requires the department to issue grants, subject to appropriations, to support the installation of powered, height-adjustable, adult-sized changing tables in single occupancy family restrooms in privately and municipally owned buildings open to the public across this state. Authorizes the commissioner to create and convene an ad hoc committee to advise and assist with grant applications. Broadly captioned.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/13/24 - Signed by Senate speaker.  
*House Status:* 03/14/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0607 effective March 27, 2024.

**SB2486/HB2496 ENERGY & MINING: Solar power facility agreement - filing of copy with the office of energy programs.**

*Sponsors:* Sen. Walley, Page , Rep. Hurt, Chris  
*Summary:* Requires the grantee under a solar power facility agreement to file a copy of the agreement with the office of energy programs in the department of environment and conservation. Directs the office of energy programs to expand and maintain its existing website with additional guidance and resources regarding solar energy for various persons.

*Fiscal Note:* (Dated February 11, 2024) Other Fiscal Impact Due to multiple unknown variables a precise impact on state or local revenue cannot be quantified with reasonable certainty. Any impact on state or local expenditures is estimated to be not significant.  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0705 effective July 1, 2024.

**SB2495/HB2728 CRIMINAL LAW: Probation officers to meet with probationers utilizing a technology portal.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Faison, Jeremy  
*Summary:* Authorizes probation officers to meet with probationers utilizing a technology portal or for probationer's employer to submit weekly reports verifying the probationer's current employment in place of an in-person meeting upon approval by the department of correction. Broadly captioned.

*Amendment  
Summary:* House amendment 1 (014565) makes the following changes to the bill: (1) Deletes the provisions in the bill authorizing the probation officer to allow an employer to submit weekly reports verifying the probationer's current employment in place of reporting in person to the probation officer; and (2) Deletes the provisions in the bill authorizing the sentencing court, on its own motion or on application of a probation and parole officer, district attorney general, or the defendant, to (i) modify a condition; (ii) remove a condition; (iii) release the defendant from further supervision; or (iv) modify the conditions of supervision to release a defendant from in-person reporting requirements.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/04/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0760, effective April 22, 2024 & July 1, 2024.

**SB2496/HB2623 PROPERTY & HOUSING: Creation of a voluntary attainable housing incentive program by ordinance.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Carr, Dale

*Summary:* Authorizes the chief legislative body of a municipality to create a voluntary attainable housing incentive program by ordinance for the purpose of authorizing certain incentives to be provided to property owners who seek to build attainable housing. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014534) authorizes the chief legislative body of a municipality to create a voluntary attainable housing incentive program by ordinance for the purpose of authorizing certain incentives to be provided to property owners who seek to build multi-family attainable housing. Requires property owners to submit a completed application to the regional planning commission of a local government in order to be considered for the voluntary program. Defines "multi-family housing" to mean accommodations that are designed principally for residential use and consist of not less than five rental units on one site, so long as such units are not detached.

*Fiscal Note:* (Dated February 17, 2024) Other Fiscal Impact A recurring, permissive impact to local government revenue and expenditures cannot be reasonably estimated.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1051, effective July 1, 2024.

**SB2498/HB2578 PROFESSIONS & LICENSURE: Allows graduates of unaccredited engineering schools to become registered as engineers.**

*Sponsors:* Sen. Powers, Bill , Rep. Johnson, Curtis

*Summary:* Authorizes graduates of unaccredited engineering technology curriculums to apply for and become registered as engineers, provided that such persons have prior engineering experience and meet certain examination requirements. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013547) repeals the bill on June 30, 2025.

*Fiscal Note:* (Dated February 13, 2024) Increase State Revenue Exceeds \$900/FY24-25/Board of Architectural and Engineering Examiners Exceeds \$900/FY25-26/Board of Architectural and Engineering Examiners Exceeds \$700/FY26-27 and Subsequent Years/ Board of Architectural and Engineering Examiners

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0706 effective July 1, 2024.

**SB2501/HB2784 EDUCATION: Deadline for higher education institutions to complete investigation into report filed by student or employee.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ragan, John

*Summary:* Establishes deadlines for public institutions of higher education to initiate and complete an investigation into a report filed by a student or employee alleging they have been penalized, discriminated against, or received adverse treatment due to their refusal to support or otherwise assent to a divisive concept, specific ideology, or political viewpoint. Establishes financial penalties for institutions that fail to timely investigate such reports or fail to timely report the results of such investigations to the comptroller of the treasury. Requires the comptroller to report institutions that frequently submit reports of such investigations to the education committees of the senate and house of representatives. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015786) makes the following changes to the bill: (1) Revises the provisions in the bill requiring an institution to initiate an investigation into each report filed with the institution alleging an institution's violation no later than five days immediately following the date on which the report was filed, and must complete the investigation no later than 30 days immediately following the date on which the report was filed by, instead, requiring an institution to investigate a report filed in a timely manner and to take the appropriate steps to correct any violation that is found to have occurred; (2) Deletes the provision in the bill providing that if an institution needs additional time to complete its investigation, then the institution may request that the comptroller grant the institution an extension of the 30-day period, as long as the comptroller does not grant an institution an extension that exceeds 60 days and, instead, requires an institution to update the comptroller no less than once every 30 days as to the status of an investigation being conducted by the institution regarding a report alleging a violation; (3) Deletes the provisions in the bill authorizing the comptroller to direct the department of finance and administration to withhold state funds from the institution, in either the current or upcoming academic year, for violations; (4) Adds that if the comptroller finds that an institution has failed to timely investigate a report alleging a violation, has failed to timely report the results of an investigation to the comptroller, or has failed to take the corrective actions reported to the comptroller, then the comptroller must notify the institution and the joint government operations committee in writing of the institution's noncompliance, and the respective institution must appear before the joint government operations committee no later than 60 days from the date of the comptroller's written notice to report on the institution's noncompliance; (5) Deletes the provisions in the bill providing that if funds are withheld pursuant to (3) above, then the funds must be withheld until the institution has remedied the violation by reporting the results of the institution's completed investigation, or by providing sufficient evidence, as determined by the comptroller, of the institution's implementation of the necessary corrective actions. The percentage of any funds withheld pursuant to (3) above must be calculated by the department based on the amount of state funds generated by the institution in the outcomes-based funding formula for the previous academic year; (6) Clarifies that if the comptroller receives more than 10 reports from an institution in any one academic year that each independently allege a separate and distinct violation, then the comptroller must report the same to the education committee of the senate and the education administration committee of the house of representatives; and (7) Changes the effective date to July 1, 2024.

*Fiscal Note:* (Dated March 11, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0815 effective July 1, 2024.

**SB2503/HB2610 GOVERNMENT ORGANIZATION: Terminates the human rights commission.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny

*Summary:* Terminates the human rights commission with no wind-down period. Creates the human rights division in the office of attorney general and transfers the duties and functions of the human rights commission to the new division (11 pp.).

*Amendment Summary:* Senate amendment 1 (014812) requires the attorney general and reporter to conduct a review of the human rights commission including the responsibilities and functions of the commission in order to evaluate if the attorney general and reporter could take on the responsibilities. The human rights commission must cooperate and provide information to the attorney general promptly and continue fulfilling the existing responsibilities while the review is in order. The attorney general and reporter will submit their findings to the speaker of the house and the speaker of the senate before Jan. 1, 2025.

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/11/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0778, effective April 23, 2024.

**SB2506/HB2613 ALCOHOLIC BEVERAGES: Electronic copy of audit of wholesaler for purposes of tax collection.**

*Sponsors:* Sen. Johnson, Jack , Rep. McCalmon, Jake

*Summary:* Requires the commissioner to keep and maintain an electronic copy of each audit of a wholesaler for purposes of tax collection for not less than three years. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014161) rewrites the bill to authorize the premises described below to sell wine, other alcoholic beverages, and beer. This amendment provides that it is lawful to sell wine, other alcoholic beverages, and beer as to be consumed on the premises of, or within the boundaries of, any restricted retail business to the patrons of such restricted small business. As used in this amendment, a "restricted retail business" means a retail business that (i) is a barbershop licensed by the board of cosmetology and barbering, cosmetology shop licensed by the board of cosmetology and barbering, or a cigar bar; (ii) provides food service for patrons; (iii) has no more than 20 seats for food service for patrons; and (iv) sells alcoholic beverages for consumption on the premises in an amount the sales from which do not exceed 15 percent of the retail business's annual gross sales. This amendment prohibits a restricted retail business licensed from selling or giving away alcoholic beverages, malt beverages, or wine between the hours of 10 p.m. and eight a.m. This amendment requires each applicant for an on-premises consumption license to pay to the commission a one-time, nonrefundable fee in the amount of \$300 when the application is submitted for review. Further, once a license is approved, for the exercise of such privilege, an annual tax of \$2,000 for a restricted retail business is levied to be earmarked for and allocated to the commission for the purpose of the administration and enforcement of the duties, powers, and functions of the commission. This amendment requires any restricted retail business desiring to sell wine or other alcoholic beverages for consumption on its premises where food may be served, to make application to the commission in duplicate on forms furnished by the commission for a permit so to do. Present law authorizes the board of cosmetology and barber examiners to suspend, revoke or refuse to issue or renew any license under the Tennessee Cosmetology Act of 1986 for the sale or distribution of wine, beer, liquor or any alcoholic beverages or drugs on the premises of any cosmetology, manicuring, or aesthetics establishment is prohibited. However, wine, beer, liquor or alcoholic beverages may be served to a patron without a charge, but no such beverages must be served to a patron who is intoxicated or believed to be intoxicated. This amendment deletes these provisions. Senate amendment 2 (017846) revises the provision that removed the present law provision that authorizes the board of cosmetology and barbering to suspend, revoke, or refuse to issue or renew a license for the sale or distribution of wine, beer, liquor, or any alcoholic beverages or drugs on the premises of any cosmetology, manicuring, or aesthetics establishment; provided, however, that wine, beer, liquor, or alcoholic beverages may be served to a patron without a charge, but no such beverages must be served to a patron who is intoxicated or believed to be intoxicated. This amendment, instead, retains the present law provision but revises the prohibition to the sale or distribution of such beverages or drugs on the premises that is not licensed as a restricted retail business by the Tennessee alcoholic beverage commission, albeit with the same exceptions found in the present law.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0865, effective July 1, 2024.

**SB2507/HB2665 CRIMINAL LAW: Child adjudicated as a traffic violator.**

*Sponsors:* Sen. Johnson, Jack , Rep. Slater, William

*Summary:* Allows for courts to impose a fine of no more than \$50 on a child as well as the child's parent or legal guardian when a child is adjudicated as a traffic violator. Broadly captioned.

*Amendment Summary:* Senate Amendment 1 (017878) rewrites the bill to, instead, require a child who has been admitted to a juvenile detention facility, prior to being adjudicated for an alleged delinquent act, to be allowed at least one telephone call with the child's parent, guardian, or legal custodian and one 30-minute in-person visit with the child's parent, guardian, or legal custodian within 24 hours after the child is admitted to the juvenile detention facility. The telephone call and in-person visit must occur as soon as practical after the request has been made by the parent, guardian, or legal custodian to the juvenile detention facility, however, the telephone call or in-person visit may be delayed by the detention facility for no more than six hours if the child is subject to disciplinary action. If the juvenile detention facility delays contact to the parent, guardian, or legal custodian, the detention facility must explain the actions of the child which resulted in the contact being timely withheld. During the time period following the first 24 hours a child has been admitted to a juvenile detention facility, but prior to being adjudicated for an alleged delinquent act, this amendment requires a child to be allowed at least three separate telephone calls with the child's parent, guardian, or legal custodian, and one in-person visit with the child's parent, guardian, or legal custodian per week. This amendment applies to juvenile detention facilities approved, certified, or licensed by the department of children's services, including youth development centers.

*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0866, effective May 1, 2024.

**SB2508/HB2712 TAXES PROPERTY: Reporting requirement for department of revenue related to property tax from sales of tickets.**

*Sponsors:* Sen. Johnson, Jack , Rep. Garrett, Johnny

*Summary:* Requires, on or before January 1, 2025, the department of revenue to report to the finance, ways and means committees of both houses the total amount of moneys received under law relative to property tax in fiscal years 2023 and 2024 from the sales of tickets, fees, or other charges made for admission to performance venues in this state, and the revenue effect of exempting dues, fees, or other charges made on or for the admission of the public to television, film, radio, or theatrical presentations. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (017779) rewrites the bill to, instead, do the following: (1) Creates a separate account in the general fund to be known as the live music and performance venue fund; (2) Establishes that the fund is composed of gifts, grants, and other donations received from nonstate sources. The general assembly is not prohibited from appropriating moneys to the fund through the general appropriations act; (3) Establishes that the fund is administered by the Tennessee film, entertainment and music commission ("commission"); (4) Requires the commission, or a subcontracted nonprofit organization, to provide grants from the fund to eligible live music and performance venues, performers, and promoters; (5) Requires that grants issued from the fund be used to support live music performances, performers, promoters, and the operational, promotional, or capital expenditures of live music and performance venues; and (6) Establishes that money in the fund at the end of a fiscal year does not revert to the general fund, and requires the commission to carry forward any amounts remaining in the fund. Moneys in the fund must be invested by the state treasurer for the sole benefit of the fund, and interest accruing on investments of and deposits into such fund must be returned to such fund and remain part of the fund.

*Fiscal Note:* (Dated March 7, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0867, effective July 1, 2024.

#### SB2514/HB2643 **CRIMINAL LAW: The Gabby Act.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Crawford, John

*Summary:* Adds the short title "The Gabby Act" to Chapter 237 of the Public Acts of 2023, which requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children and requires the Tennessee bureau of investigation to provide annual training to assistant district attorneys designated as lead prosecutors in crimes committed against children. Broadly captioned.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 03/25/24 - Signed by Senate speaker.

*House Status:* 03/25/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0649 effective April 4, 2024.

#### SB2517/HB2002 **JUDICIARY: Creation of an additional circuit court in the 4th judicial district.**

*Sponsors:* Sen. Niceley, Frank , Rep. Farmer, Andrew

*Summary:* Creates one additional circuit court in the 4th judicial district.

*Amendment Summary:* House amendment 2 (018242) effective September 1, 2024, creates one additional trial court in each of the 4th and 19th judicial districts. Requires the Governor to appoint a person to serve as an additional judge, until September 1, 2026. Requires the qualified voters of the 4th and 19th judicial districts to elect a judge for the created courts in the August 2026 general election to serve until September 1, 2030. At the August 2030 general election, and every eight years thereafter, requires the qualified voters of the 4th and 19th judicial districts to elect a judge for the created courts for the full eight-year term. Effective September 1, 2024, eliminates part VII of the circuit court of the 30th judicial district. Effective upon becoming a law, eliminates part IX of the criminal court in the 30th judicial district. Requires any cases pending on the applicable date be transferred to other circuit or criminal courts within the 30th judicial district. Senate amendment 2 (017794) establishes a local rule, starting July 1, 2024, to deal with any backlog of cases within the thirtieth judicial district. The local rule will involve redistributing cases in a manner that complies with Supreme Court Rule 11. Suggests that cases will be reassigned or managed differently to address the backlog effectively.

*Fiscal Note:* (Dated February 10, 2024) Increase State Expenditures - \$346,200/FY24-25 \$380,100/FY25-26 and Subsequent Years

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0977, effective May 21, 2024.

#### SB2520/HB2641 **TAXES SALES: Counties and municipalities may levy sales tax on food at a rate less than the local option sales tax.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Lamberth, William

*Summary:* Authorizes counties and municipalities, by resolution or ordinance of their governing bodies, to levy a tax on the retail sale of food and food ingredients for human consumption within the county or municipality at a rate less than the local option sales tax rate.

*Amendment Summary:* Senate amendment 1 (017859) authorizes a city or town located within a county that has not adopted the maximum rate of 2.75% and has adopted a rate that is equal to the difference between the county rate and the maximum rate to levy a tax on or exempt from the city tax rate the retail sale of food and food ingredients within the jurisdiction of the city or town at a rate lower than the city tax rate levied for other privileges, goods, and services without being subject to the approval of the voters. Requires the incorporated city or town to furnish a certified copy of the adopted ordinance to the department of revenue. Establishes that the reduced tax rate or exemption becomes effective on the first calendar day of the month occurring at least 60 days after the department receives the certified copy and is only applied to tax period beginning on or after October 1, 2024.

*Fiscal Note:* (Dated February 18, 2024) Other Fiscal Impact The precise permissive decrease in local revenue is dependent on action by local governments and cannot be reasonably determined. The total local sales tax collections on food are estimated to be \$499,006,800 in FY24-25 statewide.

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0917, effective May 3, 2024.

#### SB2524/HB2391 **CAMPAIGNS & LOBBYING: Voting at nursing homes.**

*Sponsors:* Sen. Niceley, Frank , Rep. Lafferty, Justin

*Summary:* Changes the date by which a county election commission may begin voting at nursing homes from 29 days before the election to 27 days before the election. Broadly captioned.

*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

Executive Status: 05/01/24 - Enacted as Public Chapter 0756, effective April 22, 2024.

**SB2525/HB2392 EDUCATION: Federal draft registration requirement for enrollment in a state postsecondary school.**

*Sponsors:* Sen. Niceley, Frank , Rep. Lafferty, Justin  
*Summary:* Adds state university boards of trustees to the list of governing boards authorized to promulgate rules to effectuate the requirement that persons required to register for the federal draft must be registered for the draft in order to be eligible for enrollment in a state postsecondary school.  
*Fiscal Note:* (Dated March 9, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 0779, effective April 23, 2024.

**SB2528/HB2625 EDUCATION: Revision of rules with respect to institutional accreditation.**

*Sponsors:* Sen. Stevens, John , Rep. Boyd, Clark  
*Summary:* Requires the Tennessee higher education commission and each governing board of a public institution of higher education in this state to revise certain rules and take certain actions with respect to institutional accreditation. Specifies that a public institution of higher education in this state may bring a civil cause of action against an accrediting agency or association in certain circumstances. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (016800) rewrites the bill to, instead, require each governing board of a public institution of higher education in this state to regularly update the institution's policies and practices regarding institutional accreditation to conform with changes made by the U.S. department of education or by the U.S. congress. By December 31, 2024, each governing board of a public institution of higher education in this state must identify and determine the institutional accrediting agencies or associations eligible to serve as an accreditor. Such institutional accrediting agencies or associations must be recognized by the database created and maintained by the U.S. department of education. By December 31, 2024, each governing board of a public institution of higher education in this state must update the institution's policies and practices regarding accreditation to ensure that the institution may freely choose to pursue accreditation by any accreditor recognized by the U.S. department of education for the kinds of programs offered by the institution. This amendment prohibits an accrediting agency or association from compelling a public institution of higher education in this state to violate any state law. Any adverse action taken against a public institution of higher education in this state based, in whole or in part, on the institution's compliance with any state law constitutes a violation of this amendment that may be enforced in accordance with this amendment, but only to the extent that the state law is not preempted by a federal law recognizing the necessity of the accreditation standard or requirement. A public institution of higher education in this state that is negatively affected by a violation of this amendment may bring a civil action against the accrediting agency or association in a court of competent jurisdiction in this state. If an accrediting agency or association violates this amendment, then the governing board of the public institution of higher education must notify the general assembly in writing within 30 calendar days of the violation. House amendment 2 (017983) makes changes to the directory language in the bill and slight adjustments to the heading of the bill.  
*Fiscal Note:* (Dated March 10, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0868, effective May 1, 2024.

**SB2530/HB2325 STATE GOVERNMENT: Creates the artificial intelligence advisory council.**

*Sponsors:* Sen. Watson, Bo , Rep. Hazlewood, Patsy  
*Summary:* Creates the artificial intelligence advisory council to recommend an action plan to guide awareness, education, and usage of artificial intelligence in state government that aligns with the state's policies and goals and supports public employees in the efficient and effective delivery of customer service. Broadly captioned.

*Amendment  
Summary:*

House amendment 2 (017389) rewrites the bill to, instead, establish the "Tennessee Artificial Intelligence Advisory Council Act," as follows: (1) Establishes that the purpose of the council is to recommend an action plan to guide awareness, education, and usage of artificial intelligence in state government that aligns with the state's policies and goals and that supports public employees in the efficient and effective delivery of customer service. The council must include definitive actions, policies, and investments needed to leverage artificial intelligence as part of the plan; (2) Creates the Tennessee artificial intelligence advisory council ("advisory council"); (3) Requires that the advisory council be composed of 24 members, as follows: (A) The commissioner of finance and administration, or the commissioner's designee; (B) The commissioner of the department of human resources, or the commissioner's designee; (C) The commissioner of economic and community development, or the commissioner's designee; (D) The commissioner of labor and workforce development, or the commissioner's designee; (E) The commissioner of education, or the commissioner's designee; (F) The commissioner of commerce and insurance, or the commissioner's designee; (G) The commissioner of safety, or the commissioner's designee; (H) The state's chief information officer, or the chief information officer's designee; (I) The state's chief operating officer, or the chief operating officer's designee; (J) The attorney general and reporter, or the attorney general and reporter's designee; (K) The director of the office of legislative information systems, or the director's designee; (L) The chair of the finance, ways and means committee of the senate and the chair of the finance, ways, and means committee of the house of representatives, or their designees; (M) The chair of the commerce and labor committee of the senate and the chair of the commerce committee of the house of representatives, or their designees; (N) Seven members appointed by the governor. Such members may have an interest or be experienced in (i) local government; (ii) higher education; (iii) workforce development; (iv) a business in this state that is likely to be impacted by artificial intelligence; (v) an artificial intelligence developer or expert; (vi) a representative of academics with a concentration in technology policy; or (vii) a representative of the TBI; (O) One member appointed by the speaker of the senate; and (P) One member appointed by the speaker of the house of representatives; JOINT CHAIRS (3) Requires the chief information officer for the state and the commissioner of finance and administration to serve as joint chairs of the advisory council; (4) In the event of a vacancy on the advisory council, requires the joint chairs to notify the respective appointing authority, who must then appoint a person to fill the vacancy; (5) Requires the joint chairs to call all meetings and the advisory council to meet at least four times per calendar year. The joint chairs may establish subcommittees of the advisory council's members as necessary to ensure the council's effective and efficient operation; (6) Establishes that the advisory council is attached to the department of finance and administration for administrative purposes; ACTION PLAN AND REPORTING (7) Requires the advisory council to submit an action plan to the governor addressing how to (i) position this state competitively to ensure its citizens capture the full economic benefit from artificial intelligence opportunities; and (ii) responsibly leverage artificial intelligence to improve the efficiency of state and local government services; (8) No later than May 1, 2025, requires the joint chairs to submit a status report on the council's activities and progress as of such date; (9) No later than December 31, 2025 and by December 31 of 2026 and 2027 thereafter, requires the joint chairs to submit to the governor, the speaker of the senate, and the speaker of the house of representatives a report containing, at a minimum, the following findings for the respective years as of such dates: (A) The current state of artificial intelligence and its likely impact on this state's labor market conditions; (B) How the labor market impact might reshape this state's key industries, occupations, and foundational skillsets; (C) Initiatives to stimulate economic growth, create jobs, and enhance talent development in the face of artificial intelligence-related changes; (D) Recommended legal regulations or policy changes needed to ensure the responsible and ethical use of artificial intelligence in this state, while protecting the rights of Tennessee citizens; (E) Ways to encourage artificial intelligence innovation and entrepreneurship and strategies to support workers displaced by artificial intelligence; (F) Proposed policy changes related to workforce development, educational systems, and research opportunities for colleges and universities in this state; (G) An overview of the goals, benefits, potential uses, and limitations of artificial intelligence systems; and (H) Recommended ways to promote transparency and accountability for the use of artificial intelligence technologies by measuring, monitoring and reporting outcomes and progress; (10) No later than December 31, 2028, requires the joint chairs to deliver to the governor, the speaker of the senate, and the speaker of the house of representatives a final report and action plan containing, at a minimum, the following findings: (A) Principles and values to guide artificial intelligence use in state and local governments; (B) Governance framework with policies, procedures, and processes for the development, deployment, and use of artificial intelligence by state and local governments; (C) Evaluation of potentially beneficial use cases for deployment of artificial intelligence tools and strategies by the state to improve government services; (D) Risk analysis of potential threats to this state's key infrastructure from artificial intelligence technologies; (E) Recommendations on how this state can support state and local government employees through the artificial intelligence transition; (F) Recommendations on how to position this state competitively to ensure its citizens capture the full economic benefit from artificial intelligence opportunities; and (G) Recommendations on how to responsibly leverage artificial intelligence to improve the efficiency of state and local government services; (11) Establishes that members of the advisory council receive no compensation for their service but must be reimbursed for official travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration; (12) Requires all state departments and agencies to cooperate with the advisory council in carrying out its duties and provide support or other assistance as reasonably requested. The advisory council may consult with other persons and organizations with expertise related to artificial intelligence, government infrastructure, and economic development; and (13) Establishes that the bill is repealed on December 31, 2028.

*Fiscal Note:* (Dated March 4, 2024) Increase State Expenditures \$20,800/FY24-25 \$20,800/FY25-26

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0988, effective May 21, 2024.

**SB2536/HB2444 CORRECTIONS: Release from county workhouse of jail for employment.**

*Sponsors:* Sen. Jackson, Ed , Rep. Hale, Michael

*Summary:* Allows a prisoner of a county workhouse or jail to be released from custody on work release or otherwise allowed to leave the grounds of the county workhouse or jail for employment or to perform work in the community, whether paid or unpaid, without using an electronic monitoring device if the judge of the sentencing court and the sheriff of the county where the jail or workhouse is located approve the prisoner's release in writing.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1052, effective May 28, 2024.

**SB2538/HB2190 GOVERNMENT REGULATION: Number of county residents in the state militia.**

*Sponsors:* Sen. Niceley, Frank , Rep. Fritts, Monty

*Summary:* Changes from three to four the number of members the governor is authorized to appoint to an enrolling board in each county to act in lieu of the county assessor for purposes of enrolling county residents in the state militia. Broadly captioned.

*Amendment Summary:* House amendment 2 (016189) authorizes the Governor to deploy a brigade-sized force to Texas to assist in repelling the invasion at the southern border of the United States. Specifies that the deployment is authorized during fiscal year 2024-2025.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0983, effective May 21, 2024.

### SB2539/HB2118 **ENERGY & MINING: Reconstitutes state energy policy council.**

*Sponsors:* Sen. Niceley, Frank , Rep. Fritts, Monty

*Summary:* Reconstitutes the state energy policy council by adding a representative of the Oak Ridge National Laboratory and a representative of the nuclear energy industry. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (018517) vacates and reconstitutes the membership of the State Energy Policy Council (SEPC). Extends, from June 30, 2024, to June 30, 2026, the termination date of the SEPC under the Tennessee Governmental Entity Review Law. House amendment 2 (018001) revises the composition and structure of the State Energy Policy Council in Tennessee. States that the council will now consist of 22 members appointed by various authorities, including the governor, speakers of the house and senate, and representatives of different industries and organizations related to energy production, distribution, and regulation. Specifies staggered terms for council members and mandates the vacation of the entire council membership on July 1, 2024, with new appointments required by that date. Makes changes to the State Energy Policy Council to accommodate these changes. The amendment takes effect upon becoming law.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0981, effective May 21, 2024.

### SB2548/HB2685 **LOCAL GOVERNMENT: Challenging of vote of member of county legislative body that would increase pay for member or member's spouse.**

*Sponsors:* Sen. Swann, Art , Rep. Doggett, Clay

*Summary:* Creates a process for members of a county legislative body and members of the public to challenge a vote of a member of the county legislative body if that member, or the member's spouse, is an employee of the county and voted on a matter that would increase the pay or benefits of that member or that member's spouse.

*Amendment Summary:* Senate amendment 1 (015423) rewrites the bill to, instead, do the following: (1) Prohibit a member of the legislative body of a county who is also an employee of the same county or whose spouse is an employee of the same county from voting on matters in which such member has a conflict of interest. A conflict of interest is created under the bill when a member is voting on a matter which, if approved by the legislative body, would increase the pay or benefits of that member or that member's spouse; (2) Require that each vote taken by a legislative body of a county that has the effect of increasing the pay or benefits of county employees to be by recorded electronic vote or by roll call vote; (3) Establish that the vote of a member having a conflict of interest is void if successfully challenged pursuant to (4) below; and (4) After each vote is taken that could involve a conflict of interest under (1) above and prior to the vote being announced by the chair, require the chair to ask the members of the legislative body if a member of the legislative body voted in violation of (1) above. If the chair finds that a member voted in violation of (1) above, then the chair must declare that member's vote void.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 04/23/24 - Enacted as Public Chapter 0798, effective July 1, 2024.

### SB2549/HB2537 **FAMILY LAW: District attorney general able to solemnize a wedding.**

*Sponsors:* Sen. Swann, Art , Rep. Cochran, Mark

*Summary:* Allows for a district attorney general or former district attorney general to solemnize a wedding after having filed notice of intention to solemnize the rite of matrimony with the office of vital records while serving.

*Amendment Summary:* House amendment 1 (013859) rewrites the bill to require former and current district attorneys general, in order to solemnize the rite of matrimony, to opt in by filing notice of intention to solemnize the rite of matrimony with the office of vital records.

*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0759, effective April 22, 2024.

### SB2550/HB2624 **TAXES PROPERTY: Revises current law regarding property tax liens and delinquent property taxes.**

*Sponsors:* Sen. Swann, Art , Rep. Carr, Dale

*Summary:* Grants first priority to property tax liens relative to receiver's liens and other liens established under the Neighborhood Preservation Act and the Tennessee Local Land Bank Program. Clarifies that various provisions governing judicial sales do not apply to property tax proceedings. Makes various revisions to laws governing property tax liens, delinquent property taxes, and property tax proceedings. (21pp.). Broadly captioned.

*Amendment Summary:* House amendment 1 (016386) makes changes regarding local banks and bids for the acquisition of real property. If a local bank submits a bid equal to or greater than the highest bidder within two business days from the close of the tax sale auction, then the local bank is the prevailing bidder. Cleans up the bill. Authorizes a negotiated sale if a second sale is not permissible for a real property. House amendment 2 (017255) revises various laws governing property tax liens, delinquent property taxes, and property tax proceedings. Grants first priority to property tax liens relative to receiver's liens and other liens established under the Tennessee Local Land Bank Program. Revises provisions regarding the preemption of a bid from a land bank in a tax sale for delinquent municipal property taxes. Clarifies that various provisions governing judicial sales do not apply to property tax proceedings. Provides local governments new options for disposing of properties sold at a tax sale.

*Fiscal Note:* (Dated March 16, 2024) Other Fiscal Impact A precise impact to local revenue and mandatory expenditures cannot be estimated with certainty. \*

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/23/24 - Enacted as Public Chapter 0967, effective September 1, 2024.

**SB2551/HB2780 FAMILY LAW: Parents may request electronic copy of child's report card, attendance, and other info.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Parkinson, Antonio

*Summary:* Permits parents to request electronically a copy of the child's report card, notice of school attendance, names of teachers, class schedules, standardized test scores, and any other records customarily available to parents. Broadly captioned.

*Amendment Summary:* House amendment 1 (013993) rewrites the bill to, instead, provide that if a person is convicted of parentage fraud, then the judge or jury must ascertain the value of any child support paid by the victim in reliance upon the parentage fraud, and the court must order the defendant to pay restitution of that value of child support to the victim, if not previously restored to the victim. To the extent permitted by federal law, this amendment authorizes a victim of parentage fraud to bring a cause of action to recover other financial support made in reliance upon the parentage fraud.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0896, effective July 1, 2024.

**SB2556/HB2753 PUBLIC EMPLOYEES: Annual report by each district attorney general on arrests, indictments, and dispositions in previous calendar year.**

*Sponsors:* Sen. Taylor, Brent , Rep. Carr, Dale

*Summary:* Requires each district attorney general to provide an annual report by March 1 to the governor and attorney general and reporter containing aggregate, non-personally identifying information on arrests, indictments, transfers, and dispositions in the previous calendar year. Requires the attorney general and reporter to compile a statewide report summarizing the information provided by each district attorney general and submit the report to the governor, speaker of the house of representatives, and speaker of the senate for distribution to appropriate standing committees of the general assembly. Broadly captioned.

*Amendment Summary:* House amendment 1 (017303) makes the following changes: (1) Revises the provision in the bill requiring each district attorney general to provide an annual report by March 1 of each year to the governor and attorney general and reporter and make such report available to the public upon request by, instead, requiring each district attorney general to provide an annual report by March 1 of each year to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, chair of the judiciary committee of the senate, and district attorneys general conference and make such report available to the public upon request; (2) Revises the provisions in the bill requiring the attorney general to compile a statewide report summarizing the information provided by each district attorney general in a uniform fashion that is sortable by offense and jurisdiction. The attorney general and reporter must make the report available to the public, and submit the report to the governor, speaker of the house of representatives, and speaker of the senate. The speakers must distribute the report to the appropriate standing committees of the general assembly by. This amendment, instead, requires the district attorneys general conference to compile a statewide report summarizing the information provided by each district attorney general in a uniform fashion that is sortable by offense and jurisdiction. The district attorneys general conference must make the report available to the public, and submit the report to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, and chair of the judiciary committee of the senate; and (3) Changes the effective date to July 1, 2026.

*Fiscal Note:* (Dated February 5, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0895, effective July 1, 2026.

**SB2557/HB2678 EDUCATION: Report concerning the implementation of the Tennessee Literacy Success Act.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Changes from November 1 to October 15 the deadline for the comptroller to annually submit a report concerning the implementation of the Tennessee Literacy Success Act. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (016840) rewrites the bill to enact the "Innovative School District Act," as described below, that applies to the 2024-2025 school year and then each school year thereafter. This amendment authorizes a public university in this state that is a comprehensive doctoral-extensive institution of higher learning and the home to a public training school compendium that includes Pre-K through any of the grades nine through 12 to operate an innovative school district. The University of Memphis is authorized to operate the initial innovative school district. The department of education ("department") may approve additional public universities that meet the qualifications described in this amendment to operate an innovative school district based upon future state educational needs. As used in this amendment, "innovative school district" means an LEA authorized by this amendment that is composed of schools serving students in any of the grades Pre-K-12, as training schools operated by a public university that is approved by the department to operate an innovative school district. Additionally, as used in this amendment, "training school" means a public school that serves students in any of the grades Pre-K-12 and that is affiliated with a public institution of higher education in this state, to pilot and model high-quality innovative educational practices and teacher training programs, to stimulate innovative educational programs, to promote robust educational research and practice, to provide opportunities for innovation in instruction, and to provide avenues for delivering innovative course programs aligned to the needs of this state through model programs. This amendment requires the governing body for a public university that is approved by the department to operate an innovative school district to serve as the local board of education for such innovative school district. The governing body may appoint from its membership a committee to perform the functions of a local board of education for the innovative school district. If the governing body appoints a committee to perform the functions of a local board of education for the innovative school district, then the committee is authorized to take any action that the governing body is authorized or required to take concerning the operation of the innovative school district. This amendment provides that the governing body for a public university that is approved by the department to operate an innovative school district has, at a minimum, the same authority and autonomy afforded to LEAs under state law regarding the procurement of goods and services. The governing body must develop written procedures for the procurement of all goods and services in compliance with the expenditure thresholds for competitive bidding outlined or



permitted in existing law. This amendment authorizes the governing body for a public university that is approved by the department to operate an innovative school district to exercise the authority with regard to schools in such innovative school district as a state college or university is authorized to exercise pursuant to the existing law relevant to training schools for practice teachers. However, a governing body for a public university that is approved by the department to operate an innovative school district is not required to contract with an LEA for the operation of a training school in order to exercise the authority authorized by this provision. This amendment authorizes the governing body for a public university that is approved by the department to operate an innovative school district to, in the operation of such innovative school district, exercise the powers and duties authorized by the existing law relevant to the powers and duties of the board of regents for the state university and community college system. This amendment authorizes the governing body for a public university that is approved by the department to operate an innovative school district to delegate to the chief executive officer of the public university authorization to designate a university employee to serve as the director of schools for the innovative school district. Except as otherwise provided in this amendment, the governing body for a public university that is approved to operate an innovative school district must employ the university employee to serve as the director of schools for the innovative school district. The university employee selected to serve as the director of schools for an innovative school district is authorized and required to perform the functions of a director of schools for the innovative school district. If the governing body for a public university that is approved by the department to operate an innovative school district appoints a committee to perform the functions of a local board of education for the innovative school, then the university employee selected to serve as the director of schools for the innovative school district must serve as an ex officio, nonvoting member of the established committee and liaison between the board and the schools. This amendment requires schools in an innovative school district to provide sequential instruction to students and educate students using curricula and educational programming aligned to the state academic standards adopted by the state board of education and that generate new and innovative educational models to advance early childhood literacy and workforce-aligned education. An innovative school district, in collaboration with the department, must annually determine the research, practice, and professional development goals for the innovative school district, in addition to the professional development requirements for all other LEAs and as established in this title. This amendment requires programs for special education offered by an innovative school district to be informed by the research and evaluation goals of the district. This amendment authorizes an innovative school district to receive, control, and expend local and state funding for schools in its jurisdiction, and to seek, receive, expend, manage, and retain federal funding and grant funding and otherwise seek, obtain, expend, manage, and retain funding with the same authority as other LEAs. Schools in an innovative school district may receive all appropriate allocations of federal funds as other LEAs under federal law or regulation. All funding allocations and disbursements must be made in accordance with procedures developed by the department. An innovative school district may receive donations of money, property, or securities from any source for the benefit of the innovative school district and the schools in the innovative school district. All such funds must, in good faith, be disbursed in accordance with any conditions applicable to the gifts. This amendment authorizes alumni associations, foundations, and booster associations affiliated with a public university that is approved by the department to operate an innovative school district to donate, dedicate, or otherwise allocate funds received by the organization to one or more schools in the innovative school district. A school in the innovative school district may receive supplemental revenue from organizations if the governing body of the respective organization recommends the expenditure of funds collected by the organization for the benefit of the school. The president of a public university that is approved to operate an innovative school district may override any proposed donation, dedication, allocation, or expenditure of funds from one or more of the organizations or more of the schools in the innovative school district, if the donation, dedication, allocation, or expenditure would violate a state or federal law or if the president determines that the donation, dedication, allocation, or expenditure is not in the best interest of the innovative school district. Except as otherwise provided in this amendment, this amendment provides that the director of schools for an innovative school district serves as the chief executive officer of the innovative school district and is responsible for overseeing the education, research, and evaluation, and other goals of the district. This amendment requires the director of schools for an innovative school district to employ a principal for each school in the district. Except as otherwise provided in this amendment, a school principal for a school in an innovative school district is authorized and required to perform the functions of a school principal for the principal's assigned school in the innovative school district. A school principal for a school in an innovative school district must comply with all requirements for school principals established by law. This amendment authorizes faculty employed by the governing body for a public university that is approved by the department to operate an innovative school district to serve as educators at schools in the innovative school district while also serving as a full-time faculty member. A faculty member of a public university that is approved by the department to operate an innovative school district who serves as an educator at one or more schools in the innovative school district must meet the certification requirements of existing law and is subject to evaluation. Beginning January 15 following one full school year of operation of an innovative school district and each January 15 thereafter, this amendment requires the local board of education for an innovative school district to provide a report to the department. The report must include (i) findings and recommendations based on the research goals developed pursuant to this amendment; and (ii) compliance data for the practice and professional development goals developed pursuant to this amendment. This amendment prohibits the innovative school district from authorizing public charter schools. Except as otherwise provided in this amendment or another law, an innovative school district has the same rights and responsibilities as an LEA with an elected school board. The state and political subdivisions of the state must provide an innovative school district with the same benefits as an LEA with an elected school board. Present law authorizes each institution, acting through its governing board, to contract with a local board of education to provide the teaching of the children of public school age in the training school, whereby the training school must receive all state and federal funds received by the local board of education as a result of this contract for the operation of the training school, including TISA allocations and any other funds that may be allocated for the operation of public schools of this state. Training schools are eligible to receive grants and other funds in the same manner as the public schools in this state. The control of the school is wholly under the direction of the respective institution. This amendment adds to the present law by providing that the governing body for a public university that is approved by the department to operate an innovative school district is not required to have a contract with a local school board in order to operate a training school that is part of the innovative school district. This amendment authorizes an institution that maintains a training school and that is approved by the department to operate an innovative school district to receive public funds for the operation of the training school. The commissioner of education must ensure that a training school that is operated by an innovative school district receives all state, local, and federal funds that would otherwise be received by the local board of education for the operation of the training school, including TISA allocations and any other funds that may be allocated for the operation of public schools of this state. Training schools that are operated by innovative school districts are eligible to receive grants and other funds in the same manner as the public schools in this state. If a training school transitions from being operated pursuant to a contract between an LEA and a state college or university to being operated as part of an innovative school district, then the LEA must, for the first school year that the training school is operated as part of the innovative school district, provide the governing body for a public university that operates the innovative school district with the same level of support for the operation of the training school as the LEA provided to the state college or university under the contract. This amendment requires the state board of education to promulgate rules to effectuate this amendment. House amendment 2 (018178) creates the "Innovative School District Act." Authorizes: 1) the University of Memphis to operate the initial innovative school district; and 2) the Department of Education (DOE) to approve additional public universities that meet certain

qualifications to operate an innovative school district. Requires the governing body for a public university that is approved by the DOE to operate an innovative school district to serve as the local board of education for such innovative school district. Prohibits the innovative school district from authorizing public charter schools. Establishes that an innovative school district may receive and expend local, state, federal, and grant funding for schools in its jurisdiction with the same authority as other local education agencies (LEAs). Exempts an innovative school district from certain requirements for a local board of education. House amendment 3 (018504) creates the "Innovative School District Act." Authorizes: 1) the University of Memphis to operate the initial innovative school district; and 2) the Department of Education (DOE) to approve additional public universities that meet certain qualifications to operate an innovative school district. Requires the governing body for a public university that is approved by the DOE to operate an innovative school district to serve as the local board of education for such innovative school district. Prohibits the innovative school district from authorizing public charter schools. Establishes that an innovative school district may receive and expend local, state, federal, and grant funding for schools in its jurisdiction with the same authority as other local education agencies (LEAs). Exempts an innovative school district from certain requirements for a local board of education.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1053, effective May 28, 2024.

#### **SB2559/HB2206 GOVERNMENT REGULATION: Human remains detection training.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Authorizes the import and export of human remains by state, local, and municipal law enforcement agencies for the purpose of human remains detection training. Requires the Tennessee Bureau of Investigation, in consultation with the department of health, to promulgate rules regarding the secure storage of human remains, the use of human remains as a training aid for human remains detection training, and proper disposal methods for human remains, after such remains can no longer be used as a training aid.  
*Amendment Summary:* House amendment 1 (014549) rewrites the bill to, instead, authorize the import or export of human remains by state, county, or municipal law enforcement agencies for the purpose of human remains detection training. However, the import and export of human remains for human remains detection training must be conducted in accordance with best practices and procedures regarding (i) the secure storage of human remains; (ii) the use of human remains as a training aid for human remains detection training; and (iii) proper disposal methods for human remains after the remains are no longer being used as a training aid.  
*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1054, effective May 28, 2024.

#### **SB2561/HB2618 LOCAL GOVERNMENT: Nonprofit organization that has entered into a contract with district attorney general.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John  
*Summary:* Requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general to disclose the list of persons or entities that have donated to the nonprofit in the previous calendar year, upon written request from a member of the general assembly or passage of a resolution requesting the information by a county legislative body for a county within the judicial district. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (013951) requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general to disclose the list of persons or entities that have donated to the nonprofit in the previous calendar year, upon written request from a member of the general assembly or passage of a resolution requesting the information by a county legislative body for a county within the judicial district, unless such contract or memorandum of understanding is required by statute. House amendment 1 (015356) rewrites the bill to, instead, make the following additions to the present law: (1) If a written request for the following information is made jointly by the speaker of the senate and the speaker of the house of representatives, then this amendment requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general related to policies and strategies related to cash bail, unless such contract or memorandum of understanding is required by statute, to disclose to the speakers the list of persons or entities that have donated to the nonprofit organization in the previous calendar year in accordance with this amendment; (2) The disclosed list of persons or entities that have donated to the nonprofit organization must be restricted to the lesser of the top five donors or the top 5 percent of donors in the previous calendar year. The aggregate donation during the previous calendar year must be equal to or greater than \$25,000; and (3) Disclosure of the list of persons or entities must only include the name of the person or entity. Other personal identifying information or details must not be included.  
*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0816 effective July 1, 2024.

#### **SB2562/HB1642 CRIMINAL LAW: Pretrial release of a defendant charged with a criminal offense.**

*Sponsors:* Sen. Taylor, Brent , Rep. Lamberth, William  
*Summary:* Revises provisions regarding pretrial release of a defendant charged with a criminal offense to require the magistrate to give first consideration to ensuring the safety of the community when determining whether to impose conditions of release or require a deposit of bail. Broadly captioned.  
*Fiscal Note:* (Dated January 19, 2024) NOT SIGNIFICANT  
*Senate Status:* 03/19/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 04/02/24 - Enacted as Public Chapter 0612 effective July 1, 2024.

#### **SB2563/HB1641 CRIMINAL LAW: Violating a condition of release on bail.**

*Sponsors:* Sen. Taylor, Brent , Rep. Lamberth, William

*Summary:* Creates a Class A misdemeanor offense of violating a condition of release on bail. Authorizes a law enforcement officer to arrest a person without a warrant based on probable cause to believe that the person has violated a condition of release. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (018103) rewrites the bill as follows: (1) Establishes that it is an offense to knowingly violate a condition of release imposed under state law relative to admission to bail; (2) Establishes that a violation as described in (1), above, is a Class A misdemeanor; (3) Prohibits a defendant from being convicted of both a violation of (1) and a violation of state law relative to violation of an order of protection or restraining order, if the facts supporting the prosecution arise out of the same criminal conduct; (4) Authorizes a person who violates (1) to be arrested with or without a warrant; and (5) In the context of conditional release, requires that a release condition violation be punished as in (1)-(4), above, if the violation does not also constitute a violation of an order of protection or restraining order. The bail of the person violating the condition of release may be revoked by the court having jurisdiction of the original offense.

*Fiscal Note:* (Dated January 22, 2024) Other Fiscal Impact Passage of this legislation may result in an increase in state expenditures and a mandatory increase in local government expenditures in FY24-25 and subsequent years. The extent of such increases cannot be reasonably determined. \*

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0942, effective July 1, 2024.

#### **SB2565/HB1719 CRIMINAL LAW: Determination of amount of bail.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John

*Summary:* Removes the defendant's financial condition as a consideration for the magistrate in determining the amount of bail necessary to reasonably assure the appearance of the defendant at trial and protect the safety of the public. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013684) rewrites this bill to, instead, prohibit a magistrate from considering a defendant's ability to pay when determining the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public.

*Fiscal Note:* (Dated January 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0869, effective May 1, 2024.

#### **SB2566/HB1718 CRIMINAL LAW: Conditions of bail.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John

*Summary:* Requires any conditions of release imposed on a defendant to include a requirement that the defendant submit to pretrial monitoring to ensure compliance with the conditions. Requires the court to order bail to be forfeited and an arrest warrant issued if the defendant does not comply with conditions of release. Limits, to criminal or circuit court judges, those who may release a defendant who has been arrested for failure to comply with the conditions of release. Broadly captioned.

*Amendment Summary:* House amendment 1 (014544) requires, if pretrial services are available within the county and a defendant is charged with a Class A, B, C, or D felony, any conditions of a pretrial release imposed on a defendant to include pretrial monitoring to ensure that the defendant is complying with the conditions. Requires a pretrial monitoring agency to notify the court if a defendant fails to comply with any conditions of release. Requires, upon the defendant's failure to comply with any condition of a bail bond or recognizance release, the court to declare a forfeiture, an if the defendant is charged with a Class A, B, C, or D felony to issue a warrant for the arrest of a defendant. Establishes that only a criminal or circuit court judge may release a defendant who has been arrested for failure to comply with conditions of release. Senate amendment 1 (017318) requires defendants, upon the imposition of release conditions by a magistrate and the availability of pretrial services, to participate in pretrial monitoring to ensure compliance. Failure to comply results in notification to the court by the pretrial monitoring agency. Mandates that upon an increase in bail or failure to comply with release conditions, the court with jurisdiction must declare forfeiture and may issue a warrant for arrest, and if arrested for failure to comply, the defendant can only be released by a criminal or circuit court judge.

*Fiscal Note:* (Dated January 29, 2024) Increase State Expenditures Exceeds \$34,200,000/FY24-25 and Subsequent Years Other Fiscal Impact Local jurisdictions will be required to implement assessment and monitoring programs. It is unknown of the staffing and resources needed for each individual county. The total increase in local expenditures cannot be quantified, but will be significant and mandatory. Any decrease in local expenditures due to reduced violations of conditions of release resulting from pretrial monitoring is unknown. There could also be an increase in state expenditures related to increased workload of state trial courts. Additionally, if decisions to release defendants are delayed in state trial courts, there could be an increase in local expenditures related to additional days those defendants spend incarcerated. Due to multiple unknown variables, a precise estimate for these potential impacts cannot be determined at this time.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1055, effective May 28, 2024.

#### **SB2569/HB2126 CRIMINAL LAW: Child to be tried as an adult who commits offense of organized retail crime or theft of a firearm.**

*Sponsors:* Sen. Taylor, Brent , Rep. Grills, Rusty

*Summary:* Allows a juvenile court to transfer a child 15 years of age or older to be tried as an adult in criminal court for the offense of organized retail crime, theft of a firearm, or an attempt to commit such offense. Broadly captioned.

*Amendment Summary:* House amendment 1 (014134) adds to the bill by revising present law that provides that when a child transferred from juvenile court is detained, the juvenile court may, in its discretion, order confinement in a local juvenile detention facility, or a juvenile detention facility with which it contracts or an adult detention facility separate and removed from adult detainees. This amendment revises the present law by, instead, requiring that when a child transferred from juvenile court is detained, the juvenile court must order confinement in a local juvenile detention facility or a juvenile detention facility with which it contracts, except that the juvenile court may order confinement in an adult detention facility separate and removed from adult detainees if the sheriff affirms to the court that the adult detention facility has the ability to comply with the requirements of existing law, and that the population of the adult detention facility does not exceed the capacity of the facility.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/20/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0635 effective July 1, 2024.

**SB2570/HB2031 CRIMINAL LAW: Increases penalty for intentionally obstructing a highway or street.**

*Sponsors:* Sen. Taylor, Brent , Rep. Barrett, Jody

*Summary:* Increases the penalty for intentionally obstructing a highway, street, or other place used for the passage of vehicles or conveyances from a Class A misdemeanor to a Class D felony. Allows a person who suffers loss or injury as a result of such an offense to bring a cause of action against the offender to recover compensatory damages from the loss or injury. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (018450) authorizes a person who suffers loss or injury as a result of a person intentionally obstructing a highway, street, or other place used for the passage of vehicles or conveyances to bring a cause of action against the offender to recover compensatory damages from the loss or injury.

*Fiscal Note:* (Dated February 7, 2024) Increase State Expenditures \$241,000 Incarceration Decrease Local Expenditures \$10,800/FY24-25 and Subsequent Years

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0958, effective July 1, 2024.

**SB2571/HB1930 CRIMINAL LAW: Parental Accountability Act.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John

*Summary:* Creates the Parental Accountability Act. Present law provides that if a child is found to be delinquent, the court must determine if any monetary damages actually resulted from the child's delinquent conduct. Upon a determination that monetary damages resulted from such conduct, the court must order the child to make restitution for such damages unless the court further determines that the specific circumstances of the individual case render such restitution, or a specified portion thereof, inappropriate. The court must also identify whether a restorative justice program addressing loss resulting from a delinquent act is available and may be utilized appropriately in the place of financial restitution. Any financial obligations or restitution assessed against the child or the child's parents, legal custodians, or guardians must be considered collectively with community service work to ensure that the order of disposition is reasonable and, where applicable, prioritizes restitution to the victim. Adds to the present law by providing that if the child is found to be delinquent for a second or subsequent delinquent act, then the court must assess a fine of \$1,000 as part of the disposition. The fine must be assessed against the child's parent, legal custodian, or guardian who had custody of the child at the time of the offense. If the court finds the child's parent, legal custodian, or guardian is indigent, then the court must order the child's parent, legal custodian, or guardian to perform community service work in lieu of the mandatory fine. Specifies that this bill applies to acts committed on or after July 1, 2024.

*Amendment Summary:* Senate amendment 1 (014198) rewrites the bill to, instead, revise present law relative to permitting juvenile courts to assess a fine against a child who is found to be delinquent for a second or subsequent delinquent act to be paid by the child's parent, legal custodian, or guardian who had custody of the child at the time of the offense, as described below. Present law provides that if a child is found to be delinquent, then the court must determine if any monetary damages actually resulted from the child's delinquent conduct. Upon a determination that monetary damages resulted from such conduct, the court must order the child to make restitution for such damages unless the court further determines that the specific circumstances of the individual case render such restitution, or a specified portion thereof, inappropriate. The court must also identify whether a restorative justice program addressing loss resulting from a delinquent act is available and may be utilized appropriately in the place of financial restitution. Any financial obligations or restitution assessed against the child or the child's parents, legal custodians, or guardians must be considered collectively with community service work to ensure that the order of disposition is reasonable and, where applicable, prioritizes restitution to the victim. This amendment adds to the present law above by providing that if a child is found to be delinquent for a second or subsequent delinquent act, then the court may enter an order of restitution against the parent, legal custodian, or guardian who had custody of the child at the time of the act for the expenses incurred by any law enforcement agency in responding to and investigating the delinquent act. Such a restitution order must be no less than \$250, if the act committed by the child would be a misdemeanor if committed by an adult, or no less than \$500, if the act committed by the child would be a felony if committed by an adult. However, such a restitution order must not exceed \$1,000. If the court finds that the child's parent, legal custodian, or guardian is indigent and waives restitution, then the court must order them to perform community service work in lieu of the restitution.

*Fiscal Note:* (Dated February 14, 2024) Increase State Revenue \$122,000/FY24-25 and Subsequent Years

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0943, effective July 1, 2024.

**SB2572/HB1931 LOCAL GOVERNMENT: Local government entities prohibited in adopting ordinance that limits law enforcement.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John

*Summary:* Prohibits a local governmental entity or official from adopting or enacting an ordinance or policy that prohibits or limits the ability of a law enforcement agency to take all necessary steps that are lawful under state and federal law to fulfill the law enforcement agency's duties to prevent and detect crime and apprehend criminal offenders. States that an ordinance or policy that is adopted in violation of the prohibition is null and void. Broadly captioned.

*Amendment Summary:* House amendment 9 (015018) specifies that a local governmental entity or official shall not adopt or enact a resolution, ordinance, or policy that prohibits or limits the ability of a law enforcement agency to conduct traffic stops based on observation of or reasonable suspicion that the operator or a passenger in a vehicle has violated a local ordinance or state or federal law. A resolution, ordinance, or policy that is adopted in violation of this section is null and void.

*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0631 effective March 28, 2024.

**SB2576/HB2124 CRIMINAL LAW: Communication with federal officials regarding immigration status.**

*Sponsors:* Sen. Taylor, Brent , Rep. Grills, Rusty

*Summary:* Requires, rather than authorizes, law enforcement agencies to communicate with the appropriate federal official regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States or otherwise cooperate with the appropriate federal official in the identification, apprehension, detention, or removal of aliens not lawfully present in the United States.

*Fiscal Note:* (Dated February 18, 2024) NOT SIGNIFICANT

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0716 effective July 1, 2024.

**SB2577/HB1811 CEMETERY & FUNERAL SERVICES: Accrued interest on pre-need funeral contracts.**

*Sponsors:* Sen. Taylor, Brent , Rep. Alexander, Rebecca

*Summary:* Authorizes sellers of pre-need funeral contracts to keep the interest that accrues on the contract after payment is made for the merchandise and services set forth in the contracts.

*Amendment Summary:* Senate amendment 1 (014349) authorizes sellers of a guaranteed pre-need funeral contract to keep the interest that accrues on the contract after payment is made for the merchandise and services set forth in the contract if the contract is funded by a prearrangement insurance policy or irrevocable pre-need funeral trust. Requires the seller of the contract to disclose the disposition of all the interest earned on such contracts.

*Fiscal Note:* (Dated January 20, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0707 effective July 1, 2024.

**SB2578/HB2173 PROFESSIONS & LICENSURE: Revises provisions related to the pre-need funeral account.**

*Sponsors:* Sen. Taylor, Brent , Rep. Alexander, Rebecca

*Summary:* Instates a one million dollar minimum for the pre-need funeral account which can be supplemented by a \$20 increase in the state administrative fee for up to two years if the account drops below one million dollars. Also removes the indigent burial fund and decreases the renewal fee from \$20 to \$10.

*Amendment Summary:* Senate amendment 1 (014347) makes the following changes to the bill: (1) Requires the state treasurer, on January 1, 2025, to transfer all funds in the indigent burial fund created by the version of the pre-need funeral consumer protection account ("pre-need funeral account") law in effect as of December 31, 2024 to the pre-need funeral account; (2) If the balance of the pre-need funeral account drops below \$2 million as of June 30 of any year, establishes that the state administrative fee increases to \$20 on the following January 1. If, after the administrative fee has increased to \$20, the balance of the account is \$2.5 million or greater as of June 30 of any year, then the fee reverts to \$10 on the following January 1; and (3) Requires interest accruing on investments and deposits of the fund to be credited to the account. Such interest must not revert to the general fund, and must be carried forward into each subsequent fiscal year. Senate amendment 2 (014461) prohibits issuing a pre-need registration renewal, under the Tennessee Prepaid Funeral Benefits Act, unless the applicant pays, in addition to the renewal fee, a pre-need state administrative fee of \$10 for every pre-need funeral sales contract entered into during the preceding renewal period and the state administrative fee may be charged to the consumer as part of the transaction. If the pre-need funeral sales contract covers both funeral merchandise and cemetery merchandise as defined in state law, then a pre-need seller, other than a cemetery company paying a consumer protection fee for such a contract under state law relative to cemetery consumer protection accounts, must pay only one state administrative fee for the contract, which must be credited to the pre-need funeral account. A pre-need seller must not charge a consumer more than one state administrative fee for the execution of one or more pre-need funeral sales contract entered into by the consumer at any one time.

*Fiscal Note:* (Dated February 25, 2024) Decrease State Revenue Net Impact \$67,400/FY24-25/Pre-Need Funeral Account \$184,200/FY25-26 and Subsequent Years/ Pre-Need Funeral Account Increase State Expenditures \$24,700/FY24-25/Indigent Burial Fund

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0959, effective May 9, 2024, & January 1, 2025.

**SB2581/HB2303 FAMILY LAW: Requirements of a marriage license applicant under the age of 18.**

*Sponsors:* Sen. Taylor, Brent , Rep. Carr, Dale

*Summary:* Requires only marriage license applicants under the age of 18 to provide the name and address of the applicant's parents, guardian, or next of kin.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0608 effective March 27, 2024.

**SB2582/HB2687 EDUCATION: Revises the instruction required as part of the family life curriculum.**

*Sponsors:* Sen. Taylor, Brent , Rep. Doggett, Clay

*Summary:* Revises the instruction required as part of a family life curriculum. Requires the Tennessee joint task force on children's justice and child sexual abuse, in consultation with the children's services advisory council, to annually recommend certain age-appropriate curricula to the department of education. Revises the information that LEAs and public charter schools must annually provide to the department of children's services. Broadly captioned.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 03/06/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0571 effective July 1, 2024.

**SB2583/HB2182 TAXES SALES: Redefines "qualified data center" for purposes of sales and use taxes.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Redefines "qualified data center" for purposes of sales and use taxes to include a data center that previously made a capital investment in excess of \$100 million during an investment period not to exceed three years and creates at least 15 net new full-time employee jobs upon the data center being transferred to an affiliate pursuant to a corporate reorganization.

*Amendment Summary:* House amendment 1 (014271) adds for the purposes of sales and use tax exemptions to the definition of a qualified data center to include a data center that previously made the required capital investment and previously created at least 15 net new full-time employee jobs and the data center is transferred to an affiliate pursuant to a reorganization.

*Fiscal Note:* (Dated February 24, 2024) Forgone State Revenue Exceeds \$2,968,600/FY24-25 and Subsequent Years Forgone Local Revenue Exceeds \$331,400/FY24-25 and Subsequent Years

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0886, effective May 1, 2024.

#### **SB2584/HB2235 PROFESSIONS & LICENSURE: Requirements for land surveyors.**

*Sponsors:* Sen. Taylor, Brent , Rep. Hicks, Tim

*Summary:* Requires that each year of progressive practical experience required of an applicant to qualify as a registered land surveyor be spent under the direct supervision of a practicing professional land surveyor rather than just part of the time an applicant receives such experience. Adds requirement that certain applicants be certified as a professional land surveyor in training (PLSIT) as part of the application to qualify as a registered land surveyor.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0650 effective April 1, 2024.

#### **SB2585/HB2145 CRIMINAL LAW: Creates an offense for possessing or distributing a license plate flipper.**

*Sponsors:* Sen. Taylor, Brent , Rep. Martin, Greg

*Summary:* Establishes the purchase or possession of a license plate flipper as a class A misdemeanor and establishes the manufacture, sale, offer to sell, or otherwise distributing a license plate flipper as a Class A misdemeanor. Broadly Captioned.

*Fiscal Note:* (Dated February 11, 2024) Increase Local Expenditures Exceeds \$4,800/FY24-25 and Subsequent Years\*

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0870, effective July 1, 2024.

#### **SB2586/HB1955 CAMPAIGNS & LOBBYING: Registration required with coordinator of elections for third-party voter registration organization.**

*Sponsors:* Sen. Taylor, Brent , Rep. Rudd, Tim

*Summary:* Requires a third-party voter registration organization to register and provide certain information to the coordinator of elections before engaging in a voter registration event or program. Prohibits persons and organizations collecting voter registrations from taking certain actions with regard to the voter registrations and provides civil penalties for violations. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015735) rewrites the bill to, instead, do the following: (1) Require a person or organization collecting a voter registration form submitted by an applicant during a voter registration drive to, within 15 calendar days of receipt of the form, deliver or mail the form to the county election commission in which the applicant resides. The date on which an applicant signs a voter registration application is presumed to be the date on which the person or organization received or collected the voter registration application; (2) Prohibit a person or organization from (i) mailing or otherwise providing a voter registration application upon which any information about an applicant has been filled in before it is provided to the applicant. This (2) does not apply to government agencies providing voter registration as authorized under state law relative to voter registration; or (ii) allow an individual convicted of a felony violation relative to state election law, an offense of financial exploitation of an elderly or vulnerable person, or aggravated perjury to collect or handle a voter registration application from another person; (3) Prohibit a person or organization collecting voter registrations from altering the voter registration form of any person without the person's knowledge and consent; (4) Authorize the state election commission to impose a maximum civil penalty up to \$50 for each violation of various offenses relative to voter registration, and up to \$5,000 for a violation of (2)(ii) or (3) above; (5) For any violation or violations, require the state election commission to send, by return mail, receipt requested, an assessment letter to the person or organization in a form sufficient to advise the person or organization of the factual basis of the violation or violations, the total civil penalty, and the date a response to the letter must be filed. Refusal of or failure to timely claim an assessment letter sent by return mail, receipt requested, constitutes acceptance of the assessment letter for purposes of service; and (6) To request a waiver of reduction in, or to contest, a penalty imposed by the state election commission, require a person or organization to file a petition with the state election commission. Such petition may be considered as commencing a contested case proceeding under the Uniform Administrative Procedures Act. House amendment 1 (017667) establishes that the date on which an applicant signs a voter registration application is presumed to be the date on which the person or organization received or collected the application. Prohibits a person or organization from providing a voter registration application upon which any information has already been filled. Prohibits, and creates a \$5,000 fine for, allowing a person convicted of certain felonies to collect or handle a voter registration application from another person or from altering a voter registration form without the person's knowledge. House amendment 2 (017958) adds that if any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

*Fiscal Note:* (Dated March 3, 2024) Increase Local Expenditures \$2,700/FY24-25\*

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0871, effective May 1, 2024.

#### **SB2587/HB2096 CAMPAIGNS & LOBBYING: Purchase of voting machines.**

*Sponsors:* Sen. Taylor, Brent , Rep. Vaughan, Kevin

*Summary:* Authorizes a county election commission to elect by majority vote to enter into the contract, lease, and option agreement with the coordinator of elections for the financing of the purchase of voting machines. Clarifies that the county election commission selects the voting machines to be used in a county and is responsible for the destruction of the voting machines when the machines are deemed obsolete. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (016168) rewrites the bill to, instead, require the county election commission to (i) select the voting machines to be purchased for use in the county and (ii) ensure the destruction of the voting machines when the machines are deemed obsolete. Present law provides that when the governing body of a county requests the coordinator of elections to have the state finance the acquisition of a specified number of voting machines, the governing body of the county and the coordinator of elections must enter into a "contract, lease and option," subject to certain requirements in present law. This amendment adds to the present law by providing that if federal or state grants are used to completely pay for the voting machines or destruction of the voting machines, in lieu of the governing body of a county entering into the contract, lease, and option agreement, then a county election commission may, in its sole discretion, elect by majority vote to enter into the contract, lease, and option agreement.

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0817 effective April 29, 2024.

**SB2588/HB2097 PROFESSIONS & LICENSURE: Issuance of advisory opinions by state regulatory boards and state health related boards.**

*Sponsors:* Sen. Taylor, Brent , Rep. Vaughan, Kevin

*Summary:* Requires state regulatory boards within the department of commerce and insurance to issue advisory opinions upon request to any person who is certified, licensed, or registered by such state entities. Also requires state health related boards within the department of health to issue advisory opinions upon request.

*Amendment Summary:* Senate amendment 1 (015518) requires the commissioner of commerce and insurance, instead of the commissioner of health, to promulgate rules to effectuate the bill. House amendment 2 (017335) requires all state entities and programs that are administratively attached to the division of regulatory boards to issue advisory private letter rulings to any affected person who is certified, licensed, or registered by such state entities or under such programs, as applicable, and who makes such a request regarding any matters within the state entities' or under such program's primary jurisdiction. The private letter ruling only affects the person making the inquiry and must have no precedential value for any other inquiry or future contested case to come before the state entity or under such program. Any dispute regarding a private letter ruling may be resolved pursuant to the declaratory order provisions under state law if the board chooses to do so. The division of regulatory boards may prescribe a fee for the issuance of an advisory private letter ruling by rule promulgated in accordance with the bill.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0944, effective May 6, 2024, & July 1, 2024.

**SB2589/HB2466 CRIMINAL LAW: Certified copy of an order expunging the public records of a criminal offense.**

*Sponsors:* Sen. Taylor, Brent , Rep. Stevens, Robert

*Summary:* Authorizes the bureau to provide a defendant with a certified copy of an order expunging the public records of a criminal offense following the dismissal of charges entered on behalf of the defendant. Allows the bureau to charge a reasonable fee for the certified copy. Broadly captioned.

*Amendment Summary:* House amendment 1 (014709) authorizes the Tennessee Bureau of Investigation (TBI) to inform the district attorney general for the judicial district if the petitioner has been granted a prior expunction. Exempts signed orders of expunction from the definition of public records for purposes of expunction only. Authorizes a court to release a copy of an order of expunction to the petitioner.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0992, effective May 21, 2024.

**SB2590/HB2522 HEALTH CARE: Advisory private letter rulings from the board of osteopathic examination.**

*Sponsors:* Sen. Taylor, Brent , Rep. Terry, Bryan

*Summary:* Allows for the board of osteopathic examination to issue advisory private letter rulings to an affected licensee who made a request regarding matters within the board's primary jurisdiction with the ruling having no precedential value for other inquiries or cases.

*Fiscal Note:* (Dated February 21, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0651 effective April 4, 2024.

**SB2591/HB2567 PROPERTY & HOUSING: Neighborhood Preservation Act revisions.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Makes certain revisions to the Neighborhood Preservation Act including costs, public nuisances, stabilization plans, and property tax liens with possible sales or auctions.

*Amendment Summary:* House amendment 1 (014716) makes the following changes: (1) Establishes that a "receiver's lien" means a first priority lien in favor of the receiver against the subject parcel of land that, with regard to the subject parcel, upon approval of the court, secures any and all reasonable expenses and costs incurred by the receiver, including reasonable attorney's fees and costs; (2) Clarifies that if a subject parcel is found to be a public nuisance, then the finding must take place after a hearing, and the court must issue an order of compliance requiring the owner of the subject parcel to produce a plan for the abatement of the public nuisance; and (3) If the court deems a plan submitted by any certified person appointed by the court for the purpose of preserving or improving the subject parcel ("receiver") to be sufficient and appropriate, authorizes the court to empower the receiver to pay all outstanding municipal fines, penalties, expenditures, and assessments and all amounts attributable to state and local taxes and assessments, including all outstanding amounts secured by delinquent property tax liens; however, within 30 days of being appointed, a receiver is required to fully satisfy all outstanding amounts secured by delinquent property tax liens.

*Fiscal Note:* (Dated March 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0796, effective April 23, 2024.

**SB2593/HB2559 EDUCATION: Notification to students regarding opportunity to pursue an Industry 4.0 diploma distinction.**

*Sponsors:* Sen. Taylor, Brent , Rep. White, Mark

*Summary:* Changes from 10 to 14 the number of days public high schools, including public charter high schools, are required to notify freshman and sophomore high school students enrolled at their schools of the opportunity to pursue an Industry 4.0 diploma distinction.

*Amendment Summary:* Senate amendment 1 (015027) rewrites the bill to, instead, authorize a local board of education to contract for services with a nonprofit or for-profit entity for the operation and management of an adult high school. An adult high school operated by a nonprofit or for-profit entity under a contract with a local board of education must receive state and local school funding from the local board of education for the first year of its operation based on anticipated enrollment. A contract entered pursuant to this amendment must satisfy the following criteria: (1) Provide the maximum enrollment for the adult high school; (2) Require the nonprofit or for-profit entity to provide the local board of education with the anticipated enrollment at least four months before the adult high school opens for its first year of operations, which must not exceed the maximum enrollment set forth in the contract with the local board of education; and (3) Require the local board of education to adjust payments to contracted adult high schools no less than three times per year, in the months of October, February, and June, based on changes in revenue, student membership, or student services.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0960, effective May 9, 2024.

**SB2599/HB2386 CRIMINAL LAW: Search warrant for medical records to determine the alcohol or drug content of a person's blood.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gant, Ron

*Summary:* Authorizes a law enforcement officer to execute a search warrant for medical records or a test to determine the alcohol or drug content, or both, of a person's blood anywhere in the state, rather than in the county in which the warrant was issued. Broadly captioned.

*Amendment Summary:* House amendment 1 (015892) authorizes a law enforcement officer to execute a search warrant for medical records or a test to determine the alcohol and drug content of a person's blood anywhere in the state. Establishes that all magistrates have statewide jurisdiction to issue search warrants in any district, county, or jurisdiction if at least one element of the alleged crime on which the warrant is based is committed within the jurisdiction of the magistrate. Requires a qualified practitioner responsible for collecting a blood sample from the operator of a motor vehicle pursuant to a search warrant or other court order to do so as soon as practicable, provided that the collection does not jeopardize the individual's life. Specifies that such practitioners shall not require the operator to provide additional consent, and may use all reasonable force to obtain the sample of blood from the operator. Requires the results of any testing of a blood sample that was obtained on a defendant in a criminal prosecution related to driving under the influence while the defendant was hospitalized or otherwise receiving medical care to be recorded and memorialized in the defendant's medical records, and to be provided upon service of a search warrant, judicial subpoena, or other court order. Requires any residual portion of the blood sample that was obtained in such circumstances to be provided as soon as practicable to a law enforcement officer upon service of such legal orders. Establishes that, if a sample of a person's blood was procured pursuant to the procedures established in the law, then the limited testing of the blood sample for the alcohol or drug content, or both, shall be considered a reasonable search for all evidentiary purposes and shall be allowed into evidence without further need of a search warrant or court order.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0892, effective May 1, 2024.

**SB2605/HB2732 ENVIRONMENT & NATURE: Allows TWRA to enter into license agreements for operation of facilities on lands under agency control.**

*Sponsors:* Sen. Rose, Paul , Rep. Faison, Jeremy

*Summary:* Authorizes the Tennessee wildlife resources agency to enter into license agreements for the operation of facilities on lands under the control or supervision of the agency for the improved utilization of state lands and facilities. Requires such license agreements must first be approved by the state building commission and the attorney general and reporter. Clarifies that persons engaging in the business of propagating certain wildlife do not need to purchase a personal possession permit. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014738) makes the following changes to the bill: (1) Deletes the provision requiring the license agreement to first be approved by the state building commission and the attorney general; (2) Revises the bill to provide that the facilities described in the bill include boat docks; marinas; camp sites; trailer camps; bait and retail stores; and snack bars or restaurants. (3) Deletes the provision prohibiting the license term from exceeding three years; and (4) Deletes the provision requiring that the license agreement may only be made if the director may terminate the license without cause.

*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact Due to multiple unknown variables, the timing and extent of increases in state revenue to the Wildlife Resources Fund and state expenditures from the fund cannot be determined with reasonable certainty.



*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1056, effective July 1, 2024.

**SB2610/HB2348 CRIMINAL LAW: Support of terrorist organizations.**

*Sponsors:* Sen. Rose, Paul , Rep. Ragan, John  
*Summary:* Prohibits an entity supported in whole or in part by public funds from knowingly providing meeting spaces or other forums, including, but not limited to, electronic and print platforms, to a designated entity by which the designated entity may solicit material support, recruit new members, encourage violent action, or advocate divisive concepts. Specifies a violation of the prohibition as a Class E felony, punishable only by a fine of up to \$3,000.

*Amendment Summary:* Senate amendment 1 (017177) rewrites the bill to, instead, make the changes described below. Present law provides that it is a Class A felony for any person to provide material support or resources, or attempt or conspire to provide material support or resources, to any person known by the person providing such material support or resources to be planning or carrying out an act of terrorism in this state, or concealing or attempting to escape after committing or attempting to commit an act of terrorism; or a designated entity; provided, the person must have actual knowledge that the entity is a designated entity. A Class A felony is punishable by a term of imprisonment not less than 15 years nor more than 60 years, and a jury may assess a maximum fine of \$50,000, unless otherwise provided by statute. This bill adds that it is a Class E felony for an entity that is supported in whole or in part by public funds to knowingly provide meeting spaces or other forums, including, but not limited to, electronic and print platforms, to any of the following for the purpose of soliciting material support, recruiting new members, or encouraging violent action: (i) a designated entity; (ii) a group or organization that the entity knows or reasonably should know has been found by a court of competent jurisdiction within the United States to have engaged in an act of terrorism; or (iii) a group or organization that the entity knows or reasonably should know receives financial or other support from a designated entity. Generally, a Class E felony is punishable by a term of imprisonment of not less than one year nor more than six years, and the jury may assess a maximum fine of \$3,000. However, this Class E felony is only punishable by a maximum fine of \$3,000 per offense.

*Fiscal Note:* (Dated January 31, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/18/24 - Signed by Senate speaker.  
*House Status:* 04/18/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0872, effective May 1, 2024.

**SB2627/HB2760 FAMILY LAW: Continuing education courses on domestic violence or child abuse required for judges.**

*Sponsors:* Sen. Massey, Becky , Rep. Alexander, Rebecca  
*Summary:* Increases, from two to three, the number of hours of training or continuing education courses on domestic violence or child abuse all judges in child custody proceedings are required to complete per year. Increases, from 10 to 15, the number of hours of such training required every five years. Broadly captioned.

*Amendment Summary:* House amendment 1 (016562) rewrites the bill to, instead, make the following changes to the present law relevant to child custody. In a suit for annulment, divorce, separate maintenance, or in any other proceeding requiring the court to make a custody determination regarding a minor child, present law requires the determination to be made on the basis of the best interest of the child. In taking into account the child's best interest, the court must order a custody arrangement that permits both parents to enjoy the maximum participation possible in the life of the child, the location of the residences of the parents, the child's need for stability and all other relevant factors. The court must consider, along with several other factors, evidence of physical or emotional abuse to the child, to the other parent or to any other person. The court must, where appropriate, refer any issues of abuse to juvenile court for further proceedings. This amendment revises the present law and, instead, requires the court to consider evidence of physical or emotional abuse to the child, to the other parent, or to any other person, including the child's siblings. The court may, where appropriate, refer any issues of abuse to juvenile court for further proceedings. As required by the existing law regarding a permanent parenting plan, only if the limitations of the existing law regarding a permanent parenting plan are not dispositive of the child's residential schedule, then this amendment requires the court to consider the factors found in the present law relevant to child custody regarding making a determination based on the best interest of the child. Present law requires all judges involved in child custody proceedings to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years. This amendment adds to the present law by requiring the training to (i) be provided by a judge or retired judge with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse or a professional with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse; and (ii) rely on evidence-based research by recognized experts in the listed topics. This amendment also requires a court to take into account the training required by the present law above in a custody proceeding. This amendment prohibits the court from ordering reunification treatment to reestablish a relationship with a parent or caregiver if a court has made findings against the parent or caregiver (i) that a parent has engaged in willful abandonment that continues for an extended period of time or substantial refusal to perform parenting responsibilities, or physical or sexual abuse or a pattern of emotional abuse of the parent, child or of another person living with that child; (ii) if a parent, or if a parent resides with an adult who, has been convicted as an adult of a sexual offense or has been found to be a sexual offender; or (iii) relating to severe child abuse, unless the court finds that reunification efforts are in the best interest of the child. The court must file written findings of fact that are the basis of its conclusions on that issue in the order addressing reunification. An order of reunification must not cut off contact with a parent who is non-abusive. In any proceeding in which a court makes an initial custody or custody modification determination after a court has made findings against a parent or caregiver as mentioned in the provision above, then this amendment prohibits the court from issuing an order restoring parenting time of the child to the parent or caregiver unless the court finds that the child will not be subject to further abuse or harm. The court must file written findings of fact that are the basis of its conclusions on that issue in the order addressing parenting time. However, if the court made findings against the parent or as mentioned in the provisions above and finds that reunification efforts are in the best interest of the child, then the court may order reunification treatment to reestablish a relationship with a parent or caregiver. The court must consider the safety of the child during and after reunification treatment and must file written findings of fact that are the basis of its conclusions on the issues of reunification treatment and the child's safety within 30 days of the close of the hearing or, if an appeal or petition for certiorari is filed, within five days thereafter, excluding Sundays. An order of reunification must not cut off contact with a parent who is non-abusive.

*Fiscal Note:* (Dated February 27, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 04/23/24 - Enacted as Public Chapter 0799, effective April 23, 2024.

**SB2628/HB2666 PROFESSIONS & LICENSURE: Qualifications to receive a professional counselor license - reciprocal agreements.**

*Sponsors:* Sen. Massey, Becky , Rep. Zachary, Jason

*Summary:* Establishes qualifications for a person to receive a professional counselor license through a reciprocal agreement entered into by the board for professional counselors, marital and family therapists and clinical pastoral therapists on or before January 1, 2024. Specifies such qualifications include having a master's degree in counseling or education, having a valid, unencumbered license in the state with which this state has such reciprocal agreement, having actively practiced for at least the preceding 24 months in the state with which this state has such reciprocal agreement, and having passed the examination offered by the National Board for Certified Counselors or other examination approved by the board. Broadly captioned.

*Fiscal Note:* (Dated February 10, 2024) NOT SIGNIFICANT

*Senate Status:* 03/07/24 - Signed by Senate speaker.

*House Status:* 03/06/24 - Signed by House speaker.

*Executive Status:* 04/03/24 - Enacted as Public Chapter 0586 effective March 15, 2024.

**SB2632/HB2645 FAMILY LAW: Changes current law relative to birth certificates.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Leatherwood, Tom

*Summary:* Makes various changes to the present law relative to birth certificates. Broadly captioned.

*Amendment* House amendment 1 (015479) makes the following changes: (1) Revises the provision in the bill that provides upon entry of the order of adoption, readoption, or foreign recognition by the court, the court clerk must immediately furnish to the division of vital records, or to the adoptive parents or parents' attorney, the necessary documents for the issuance of a new birth certificate by adoption by also requiring the court clerk to immediately furnish to the division of vital records, or to the adoptive parents or parents' attorney, the necessary documents for the issuance of a new report of a foreign order; (2) Revises the provision in the bill providing that a marriage of the individuals shown on the certificate does not require a new certificate of birth by, instead, providing that a subsequent marriage of the individuals shown on the certificate does not require a new certificate of birth; (3) Revises the provision requiring that when parentage has been established through court, a certified copy of the order and a Notification of Order of Parentage form providing information for locating the certificate of birth in the original name must be submitted to the office of vital records to amend the birth certificate by entering the parent's name and other personal information and amend the child's name in accordance with the order by replacing parent's name with father's name; (4) Revises the provision in the bill requiring new certificates of birth to be prepared only on adoptions and orders of parentage by, instead, requiring new certificates of birth to be prepared only on adoptions; (5) Revises the provision in the bill requiring all orders of adoption and parentage to be placed on file in the office of vital records by, instead, requiring all orders of adoption to be placed on file in the office of vital records; (6) Deletes the present law provisions prohibiting a certificate of birth in the original name that indicates a legitimate birth and another person as father from being removed for the preparation of a new certificate of birth by legitimation, unless an order from a court of competent jurisdiction refuting such facts as set forth by regulation is furnished to the state registrar. A new certificate of birth must not be prepared for the person in the instance where the person's father and mother were married prior to the birth of the person and the original certificate indicates another person as father or an illegitimate birth. The certificate of birth in the original name must be amended in accordance with regulations to show correct facts at the time of the birth. Upon receipt from the juvenile court clerk of an order of, or an order of paternity, a new certificate of birth must be issued, regardless of the age of the person named in any such order. When an order of paternity has been granted on an unborn infant, the original certificate of birth must be prepared and filed in accordance with the laws and regulations of the department, and a new certificate by paternity must be prepared upon receipt of the required legal papers from the court; (7) For each amendment of an order of adoption, revises the provision in the bill requiring the clerk of the court to prepare a report thereon, which must include the facts as are necessary to identify the original report of adoption and those facts amended in the adoption decree, and forward a certified copy of the report to the state registrar by, instead, requiring the clerk of the court to forward to the state registrar a certified copy of the amended order of adoption, which must include the facts as are necessary to identify the original order of adoption and those facts amended in the adoption decree; (8) Revises the provision in the bill requiring the clerk of the court or the attorney for the adoptive parent to forward to the state registrar the report of adoption or amendment to the adoption order and the request for a new certificate of birth by adoption by, instead, requiring the clerk of the court or the attorney for the adoptive parent shall forward to the state registrar the certified order of adoption or amendment to the adoption order and a certificate of adoption; (9) Revises the provision in the bill requiring the sealed documents to be opened by the state registrar for the purpose of issuing a copy of the certificate in the name at birth, upon receipt of a certified copy of an order of the court that granted the adoption or order of parentage or upon receipt of a directive from the department of human services by replacing department of humans services with the department of children's services; and (10) Revises the provision in the bill providing that upon receipt of a certified copy of an order from the court of competent jurisdiction ordering the amendment of the order of adoption or order of parentage or the replacement of a certificate of birth in the original name in the system of record, the state registrar must open the sealed documents, replace the certificate of birth in the original name where the certificate was originally filed, remove the new certificate, and place it under seal with the legal documents and the certified copy of the court order by replacing the word amendment with the word annulment. Senate amendment 1 (017404) makes the changes described below. This amendment revises the provision in the bill requiring all orders of adoption, re-adoption, or recognition to be reported by the clerk or by the petitioner's or petitioners' attorney to the division of vital records of the department of health for children born in this state by sending a certified copy of the order or a certified certificate of adoption or Report of Foreign Birth for children born in a foreign country, and by reporting the information required by that division for a new certificate of birth or for a Report of Foreign Birth for the child to the registrar of the division of vital records for preparation of a new certificate of birth by adoption or for a Report of Foreign Birth by, instead, requiring all orders of adoption, readoption, or foreign recognition to be reported by the clerk or by the petitioner's or petitioners' attorney to the division of vital records of the department of health for children born in this state or in a foreign country by sending a certified copy of the order and certificate of adoption by reporting the information required by that division for a new certificate of birth for the child to the registrar of the division of vital records for preparation of a new certificate of birth by adoption. Present law provides that if a form approved acknowledging the paternity of a child is signed by both parents of the child and is submitted to the office of vital records at any time after the original certificate is filed and prior to the child's nineteenth birthday, the legal surname of the father may be entered on the certificate as that of the child, and the father's name and other personal information may be shown on the certificate of birth in the manner prescribed by regulation so long as paternity is not already shown on the certificate of birth. The state registrar may mark the record as amended, but not on the portion to be disclosed pursuant to existing law. Further, a legitimation by subsequent marriage of the individuals shown on the certificate as the father and mother must not require a new certificate of birth. This amendment deletes the provisions above and, instead, requires a certificate of birth to be amended for a person born in this state, when the office of vital records is provided any of the following to establish parentage so long as parentage is not

already shown on the certificate of birth: (1) If a form approved acknowledging the paternity of a child is signed by both biological parents of the child and is submitted to the office of vital records at any time after the original certificate is filed and prior to the child's nineteenth birthday, the legal surname of the father may be entered on the certificate as that of the child, and the father's name and other personal information may be shown on the certificate of birth in the manner prescribed by rule. The state registrar may mark the record as amended, but not on the portion to be disclosed pursuant to existing law. Further, a marriage of the individuals shown on the certificate does not require a new certificate of birth; (2) For subsequent marriage of biological parents, a certified copy of the marriage certificate or certificate of marriage of parents, and affidavits of the mother and father acknowledging paternity on a form provided by the state registrar to amend the certificate of birth may be submitted to the office of vital records to add the father's name and other personal information and the child's surname changed to the father's surname. The form must furnish information for locating the certificate of birth in the original name and information concerning the parents to be entered on the amended certificate. If the father is deceased, then, in lieu of the father's affidavit, the state registrar must accept a certified copy of a parentage order, judgment, or decree in which the court determined the deceased husband to be the father of the child or children and had acknowledged paternity of the child or children, whether heard on an ex parte or contested proceeding; or (3) When parentage has been established through court, a certified copy of the order and a Notification of Order of Parentage form providing information for locating the certificate of birth in the original name must be submitted to the office of vital records to amend the birth certificate by entering the parent's name and other personal information and amend the child's name in accordance with the order. The court order must establish the name of the biological parent and decree the name the child is to bear. This amendment prohibits a certificate of birth in the original name where another person is listed as father from being amended unless an order from a court of competent jurisdiction refuting such facts as set forth by regulation is furnished to the state registrar. When an order of parentage has been granted on an unborn infant, the original certificate of birth must be prepared and filed in accordance with the laws and rules of the department, and the certificate of birth must be amended upon receipt of the certified copy of parentage order from the court and the notification of order of parentage. This amendment revises provisions (1) and (2) in the bill summary relevant to new certificate of birth prerequisites by, instead, requiring the state registrar to prepare a new certificate of birth for a person born in Tennessee, upon receipt of required legal documents, as provided in the following cases: (1) For adoption, a certified copy of the order of adoption and a certificate of adoption; and (2) For a report of foreign birth, a certified copy of the order of readoption or foreign recognition with the certificate of adoption. Present law requires the state registrar to prepare a new certificate of birth for a person born in Tennessee, upon receipt of required legal documents, as provided in the following cases: (A) For legitimation by court order in cases where the parents have never married, a certified copy of an order of legitimation that establishes the relationship of parent and child between the petitioner and child named in the petition, decrees the name the child is to bear, and a request for new certificate of birth by legitimation on a form provided by the state registrar that furnishes information for locating the certificate of birth in the original name and information concerning parents to be entered on the new certificate; (B) For legitimation by subsequent marriage of parents, a certified copy of the marriage certificate or certificate of marriage of parents, and affidavits of the mother and father acknowledging paternity on a form provided by the state registrar. The form must furnish information for locating the certificate of birth in the original name and information concerning the parents to be entered on the new certificate. If the father is deceased, in lieu of the father's affidavit, the state registrar must accept a certified copy of a bill or petition for divorce or sworn answer to a bill or petition for divorce properly filed, in which the husband, by oath, acknowledged himself as father of the child or children named in the bill or petition for divorce or the answer, or a certified copy of an order, judgment or decree in which the court determined the deceased husband to be the father of the child or children and had acknowledged paternity of the child or children, whether heard on an ex parte or contested proceeding; (C) For an order of paternity, a certified copy of an order of paternity or a certificate of paternity on a form provided by the state registrar that furnishes information for locating the certificate of birth in the original name, establishes the name of the father, and decrees the name the child is to bear; and This amendment deletes (A)-(C) above. This amendment deletes the provisions in the bill summary relevant to new certification of birth regarding preparation and filing as follows and, instead, provides the following: (1) Present law requires new certificates of birth to be prepared on adoptions, legitimations and orders of paternity only. This amendment revises the present law and, instead, requires new certificates of birth to be prepared only on adoptions and orders of parentage; (2) Present law requires all orders of adoption, legitimation and paternity to be final, and all required legal papers placed on file in the office of vital records. This amendment revises the present law and, instead, requires all orders of adoption and parentage to be placed on file in the office of vital records; (3) Present law requires the certificate of birth in the original name to be removed from the volume and a record inserted that must show the original certificate number, date removed and code citation. This amendment revises the present law and, instead, requires the certificate of birth in the original name to be sealed in the system of record and removed from the file and a record inserted that shows the original certificate number, date removed, and code citation; (4) Present law requires the birth to have occurred in Tennessee and a certificate of birth in the original name to be on file in the department. This amendment revises the present law by, instead, requiring vital records to only prepare new certificates of birth for persons born in this state and a certificate of birth in the original name must be on file in the department; and (5) Present law requires that, when an order of paternity has been granted on an unborn infant, the original certificate of birth be prepared and filed in accordance with the laws and regulations of the department, and a new certificate by paternity must be prepared upon receipt of the required legal papers from the court. This amendment revises the present law and, instead requires that, when an order of parentage has been entered on an unborn infant, the original certificate of birth be prepared and filed in accordance with the order, and a new certificate by parentage must be prepared upon receipt of the certified copy of the order. This amendment revises the provision in the bill providing that for each order of adoption entered by a court of competent jurisdiction in another state for the adoption of a person born in this state, a form prescribed and furnished by that state is acceptable for filing with the state registrar of this state by, instead providing that for each order of adoption entered by a court of competent jurisdiction in another state for the adoption of a person born in this state, the following are acceptable for filing with the state registrar of this state: (i) a court order from a court of competent jurisdiction in another state, unless the order has been vacated, stayed, or modified by a court of competent jurisdiction; and (ii) a form prescribed and furnished by that state, which must conform with the standards and legal requirements of the state registrar. This amendment revises the provision in the bill requiring the state registrar to issue, for a new certificate or birth request, the new certification to the requesting party within 30 days of receipt of the required paperwork and any applicable fee by, instead, requiring the state registrar to issue the new certification to the requesting party within 45 days of receipt of the required paperwork and any applicable fee. Present law requires all legal documents pertaining to the adoption, legitimation or order of paternity, together with the certificate of birth in the original name, to be placed in an envelope and sealed following the preparation of the new certificate. This amendment deletes documents pertaining to legitimation or order or paternity from the present law above. Present law requires these sealed documents to be preserved in a fireproof vault in the department and must not be removed from that office, except by order of a court of competent jurisdiction. Present law requires the sealed documents to be opened by the state registrar for the purpose of issuing a copy of the certificate in the name at birth, upon receipt of a certified copy of an order of the court that granted the adoption, legitimation, or order of paternity or in legitimations by subsequent marriage of the parents or upon receipt of a directive from the department of human services. This amendment revises the present law by requiring, instead, the sealed documents to be opened by the state registrar for the purpose of issuing a copy of the certificate in the name at birth, upon receipt of a certified copy of an order of the court that granted the adoption or order of parentage or upon receipt of a directive from the department of

human services. Present law provides that upon receipt of a certified copy of an order from the court of competent jurisdiction ordering the annulment of an order of adoption, legitimation, or order of paternity or the replacement of a certificate of birth in the original name on file, the state registrar must open the sealed documents, replace the certificate of birth in the original name in the volume of births in which originally filed, remove the new certificate, and place it under seal with the legal documents and the certified copy of the court order. This amendment revises the present law by, instead providing that upon receipt of a certified copy of an order from the court of competent jurisdiction ordering the amendment of the order of adoption or order of parentage or the replacement of a certificate of birth in the original name in the system of record, the state registrar must open the sealed documents, replace the certificate of birth in the original name where the certificate was originally filed, remove the new certificate, and place it under seal with the legal documents and the certified copy of the court order. When a new certificate of birth has been filed by the state registrar, present law requires all copies of the record of birth in the original name in the custody of any other party to be forwarded to the state registrar upon receipt of the state registrar's request. This amendment deletes this provision.

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0945, effective July 1, 2024.

### **SB2633/HB2644 FAMILY LAW: Revises current law on adoption and foster parents.**

*Sponsors:* Sen. Haile, Ferrell, Rep. Leatherwood, Tom

*Summary:* Makes various changes to present law on adoption and foster parents. Specifies that an adult has an affirmative obligation to inquire whether their sexual activity has resulted in a pregnancy. Requires a court to receive written consent from a child 14 years of age or older prior to the child's adoption. Broadly captioned.

*Amendment Summary:* House amendment 1 (018214) rewrites the bill as follows: (1) Establishes that for purposes of terminating the parental or guardian rights of a parent or parents or a guardian or guardians of a child to that child in order to make that child available for adoption, "abandonment" means that: (A) If the child is four or more at the time of the filing of a petition for termination of parental rights, for a period of four consecutive months immediately preceding the filing of a proceeding, pleading, petition, or amended or supplemental petition to terminate the parental rights of the parent or parents or the guardian or guardians of the child who is the subject of the petition for termination of parental rights or adoption, the parent or parents or the guardian or guardians either have failed to visit or have failed to support or have failed to make reasonable payments toward the support of the child; and (B) If the child is less than four at the time of the filing of a petition for termination of parental rights, for a period of three consecutive months immediately preceding the filing of a proceeding, pleading, petition, or amended or supplemental petition to terminate the parental rights of the parent or parents or the guardian or guardians of the child who is the subject of the petition for termination of parental rights or adoption, the parent or parents or the guardian or guardians either have failed to visit or have failed to support or have failed to make reasonable payments toward the support of the child; (2) Establishes that if the original pleading is amended or supplemented to allege a new or additional period of abandonment occurring after an original pleading, then each period of abandonment constitutes and additional ground for termination of parental rights for the court's consideration. For supplemental petitions to terminate parental rights, the calculation of the applicable time periods for abandonment is calculated from the date a motion to supplement was filed; (3) Requires a child-placing agency or attorney not licensed in this state to secure the services of a child-placing agency or attorney licensed in this state to provide adoption-related placement services to any expectant parent or child in this state; (4) Establishes that, while present law prohibits charging or receiving fees or any exchange of value from or on behalf of any person or persons legally adopting or accepting a child for adoption for rendering service in connection with placement of a child, the following payments by an interested person of reasonable charges or fees are not prohibited: (i) hospital or medical services for the birth of the child; (ii) medical care and other reasonable birth-related expenses for the mother or child; (iii) counseling fees for the parents or prospective adoptive parents or child; (iv) legal services or the reasonable costs of legal proceedings related to the adoption of any child; or (v) actual expenses for housing, food, maternity clothing, child's clothing, utilities, or transportation for a reasonable period not to exceed the duration of the pregnancy and 90 days after the birth, surrender, or parental consent to the adoption of the child; (5) Upon a motion filed by the prospective adoptive parents, authorizes a court with jurisdiction for the surrender or adoption of a child to specifically approve in a written order, based upon a detailed affidavit by a birth mother and other evidence as required by the court, any expenses specifically allowed in this section for a period before or after the periods in (4); (6) Requires that the expenses be incurred directly in connection with (i) maternity, birth, or placement of the child for adoption; (ii) legal services or costs of legal proceedings directly related to the adoption of the child; or (iii) counseling, which may occur in person or by virtual means, for a period of up to two years for the parent who surrenders the child or consents to the adoption of the child; (7) Establishes that reasonable, actual expenses for housing, food, maternity clothing, child's clothing, utilities, or transportation do not include expenses incurred prior to the birth mother becoming pregnant and entering into an adoption plan. These expenses must, whenever possible, be documented by receipts, invoices, rental agreements, or other written verification of expense, and must be reviewed by the court before which the birth mother surrenders or consents to adoption. If documentation is not otherwise available, then the birth mother and prospective adoptive parents must execute an itemized affidavit stating the specific reason for each payment, the amount paid, the date paid, and to whom each payment was made; (8) Authorizes the payment for the expenses to only be for expenses or costs actually incurred during the periods permitted in subdivisions (4)-(6), above. This (8) does not prohibit the actual payment or receipt of payment for expenses or costs after those periods that were actually incurred during those periods; (9) Requires that the Tennessee surrender form include the language "The judge or other officiant has also advised me that I have the right to a lawyer," removing language in which the judge or officiant advises the person surrendering the child that they may still obtain a lawyer after the child is born, and the person may consult with the lawyer prior to and during any reaffirmation of the surrender the person chooses to make; (10) Establishes that a surrender is valid only if a home study of prospective adoptive parents is available to and reviewed by a court, which must produce a report; (11) Authorizes a surrender to be made at any time prior to birth; however, a surrender made prior to the birth of a child is not filed with the clerk of court until after the birth of the child and until the surrendering party or parties have filed a written reaffirmation of their desire to surrender the child, unless the surrender was executed in accordance with state law regarding surrenders made in other states or territories in the United States. A surrender made prior to the birth of a child must be reaffirmed within three calendar days of the birth of the child, except for a surrender executed in another state or territory; (12) Establishes that a surrender is not valid unless made after the earlier of discharge from a hospital or other birthing facility or 48 hours following the child's birth; however, the court may, for good cause shown, which is entered in an order in the minute book of the court, waive this waiting period; (13) Establishes that a surrender is not valid if the surrendering party states a desire to receive legal or social counseling until the request is satisfied or withdrawn; (14) Unless the surrender is made to the physical custodian or unless other exceptions under present law apply, a surrender is not sufficient to make a child available for adoption in any situation where another person or persons, the department, a licensed child-placing agency, or other child-caring agency in this state or any state, territory, or foreign country is exercising the right to physical custody of the child under a current

court order at the time the surrender is sought to be executed, or when those persons or entities have any currently valid statutory authorization for custody of the child; (15) Authorizes the initiation of termination of parental or guardianship rights based upon any of the described in present law. The parental rights of a person who is not a legal parent at the time of the filing of a petition to terminate parental rights of such person, or if no such petition is filed, then at the time of the filing of a petition to adopt a child, is the putative father of the child, may also be terminated based upon any one or more of the following additional grounds: (i) the person has failed, without good cause or excuse, to make reasonable and consistent payments for the support of the child in accordance with the child support guidelines promulgated by the department; (ii) the person has failed to seek reasonable visitation with the child, and if visitation has been granted, has failed to visit altogether, or has engaged in only token visitation; (iii) the person has failed to manifest an ability and willingness to assume legal and physical custody of the child; (iv) placing custody of the child in the person's legal and physical custody would pose a risk of substantial harm to the physical or psychological welfare of the child; or (v) the person has failed to file a petition to establish paternity of the child within 30 days after notice of alleged paternity, or after making a claim of paternity; (16) Establishes that additional grounds for termination are that the court hearing the petition for termination of parental rights finds by clear and convincing evidence as follows: (A) The father engaged in an act of unlawful sexual penetration against the child's mother by which the child was conceived and the father (i) used force or coercion to accomplish the act; (ii) accomplished the act without the consent of the mother of the child and the father knew or had reason to know at the time of penetration that the mother of the child did not consent; (iii) knew or had reason to know that the mother of the child was mentally defective, mentally incapacitated, physically helpless, or a vulnerable adult; or (iv) accomplished the sexual penetration by fraud; or (B) The father engaged in an act against the child's mother that resulted in (i) the child's conception; and (ii) the father's conviction for or plea of guilty to a criminal offense; (17) Authorizes a termination of parental rights and a finalization of an adoption may be heard and decided in the same hearing if the court determines it is in the best interest of the child; (18) Establishes that for the purposes of all grounds for termination of parental rights described in subsection (g), a person is presumed to have knowledge that sexual activity leads to pregnancy. An adult has an affirmative obligation to inquire whether their sexual activity has resulted in a pregnancy, and a minor has such obligation upon attaining eighteen 18 years of age regardless of when the sexual activity occurred. A lack of specific knowledge of a pregnancy or birth of a child does not serve as a defense to a ground for termination of parental rights if the person failed to inquire, or failed to attempt to inquire, whether the person's actions resulted in pregnancy or the birth of a child; (19) Requires a parent or guardian who is incarcerated at the time the parent is served with a petition to terminate parental rights to receive notice of the following: (A) A hearing will be held to determine whether the parent's rights will be terminated; (B) If the parent files a timely, written answer within 30 days of service of the petition to terminate their parental rights, then (i) the parent must receive advance notice of the time and place of the hearing; (ii) the parent has the right to participate in the hearing and to contest the allegation that the parent's rights should be terminated. At the discretion of the court, such participation may be achieved through personal appearance, teleconference, telecommunication, or other means deemed by the court to be appropriate under the circumstances; (iii) the parent may claim to be indigent and offer evidence of their financial circumstances and, if the court finds the parent to be indigent, the parent must be provided with a court-appointed attorney to assist the parent in contesting the termination of parental rights; (iv) the parent has the right to offer testimony and other evidence at the hearing by all means permitted by the Tennessee Rules of Civil Procedure; and (v) the parent has the continuing responsibility to update the court and petitioner's counsel with the parent's current contact information and mailing address promptly upon the parent's release from incarceration and upon any subsequent changes; and (C) Authorizes the rights specified in (19)(B) to be voluntarily waived by the parent's written or verbal statement or, if the court determines that the parent has waived the rights, by the parent's action or inaction, including the failure to timely claim indigency or file an answer to the petition to terminate parental rights. If the court determines that the rights specified in (19)(B) have been waived, then the court may hear and decide the petition without the parent's or guardian's participation; (20) If a parent or guardian was served with constructive notice and the petitioner did not know that the parent was incarcerated despite reasonable efforts to locate the parent, establishes that the absence of this notice to the parent or guardian is not a basis to set aside the termination of parental rights or adoption; (21) Requires an intervening petition for adoption to be decided upon the premise of permissive intervention pursuant to the Tennessee Rules of Civil Procedure. All requirements for prospective adoptive parents and the filing requirements of the petition under any provision of state law relative to adoption must be met, except for the requirement of having physical custody or the right to receive physical custody at the time of filing; (22) Establishes that only a legal parent, guardian, or putative father of the child is a necessary party to the adoption proceeding or to a separate proceeding seeking termination of those rights prior to the entry of an order of adoption, and those rights must be terminated prior to the entry of an order of adoption. If a person has surrendered parental or guardianship rights to the child, executed a parental consent, waived the person's right, or the person's rights have been terminated by court order, then the person is not a necessary party; (23) Removes from present law the requirement that the parental rights of the putative father of a child who has not filed a petition to establish paternity of the child or who has not established paternity of the child who is the subject of an adoption proceeding and who meets any of the following criteria be terminated by surrender, parental consent, termination of parental rights, or by waiver of interest, before the court may enter an order of adoption concerning that child: (A) The biological father of a child has filed with the putative father registry a statement of an intent to claim paternity of the child at any time prior to or within 30 days after the child's birth and has notified the registry of all address changes; (B) The biological father has claimed to the child's biological mother, or the petitioners or their attorney, or to the department, a licensed child-placing agency, or a licensed clinical social worker who is involved in the care, placement, supervision, or study of the child, that the biological father believes that the biological father is the father of the child and has either paid financial support to or for the benefit of the child or the child's mother during the pregnancy or when the mother had physical custody of the child, or has made a court filing or appearance consistent with the biological father's claim of paternity. However, if the biological father has previously notified the department of the biological father's claim to paternity of the child pursuant to the putative father registry, then the biological father is subject to all requirements for waiver of notice provisions of the law relevant to the putative father registry and to all requirements for filing a paternity petition; (C) The biological father has openly lived with the child and has held himself out as the father of the child. However, if custody of the child has been removed from the biological mother by court order, then notice must be given to any man who was openly living with the child at the time of the initiation of the custody or guardianship proceeding that resulted in the removal of the custody or guardianship of the child from the biological mother or biological father, if the man held himself out to be the father of the child at the time of the removal; or (D) The biological father has entered a permanency plan under the law relevant to foster care, or under similar provisions of any other state or territory in which the biological father acknowledges paternity of the child; (24) When the child who is the subject of the adoption is 14 years of age or older at any time before the granting of the petition, requires the adoption court to receive the sworn, written consent of such child to the adoption, which must be filed with the record, and the consent of such minor must be recited in the order of adoption. The court must receive the consent and testimony from the child in chambers, if requested by the child; (25) Unless the person to be adopted has been adjudicated incompetent, or is over 18 and provides sworn, written consent to adoption, establishes that an order of reference, social investigation, report to the court by a licensed child-placing agency or licensed clinical social work or the department, putative father registry check in this state or any other state, or a waiting period are not required; (26) Requires that service of process for adoption and termination proceedings in chancery and circuit courts and for proceedings to terminate parental rights in juvenile courts be made pursuant to the Tennessee Rules of Civil Procedure and state law governing substituted service; (27) Upon entry of the final order of

adoption by the court, requires the clerk of the court to simultaneously furnish the adoptive parents or their attorney a certified copy of the order of adoption; (28) In all cases where the termination of parental rights or adoption of a child is contested by any person or agency, requires the trial court to, consistent with due process, expedite the contested termination or adoption proceeding by setting a scheduling conference within 30 days of the filing of a response or answer to a petition for termination of parental rights or adoption and entering such scheduling orders as are necessary to ensure that the case is not delayed. The court must give the case priority in setting a final hearing of the proceeding and must be heard at the earliest possible date over all other civil litigation other than child protective services cases; (29) Prohibits a notice of appeal in a termination of parental rights action from being filed by an attorney who is not specifically authorized by the appellant to file a notice of appeal on the appellant's behalf; (30) Establishes that jurisdiction continues until the juvenile court case has been dismissed, or until the custody determination is transferred to another juvenile, circuit, chancery, or general sessions court exercising domestic relations jurisdiction, or until a petition for adoption is filed regarding the child in question. A juvenile court retains jurisdiction to the extent needed to complete any reviews or permanency hearings for children in foster care as may be mandated by federal or state law; however, only the adoption court has jurisdiction to modify visitation or custody of the child while the adoption remains pending. This (28) does not establish concurrent jurisdiction for any other court to hear juvenile cases, but permits courts exercising domestic relations jurisdiction to make custody determinations in accordance with state law relative to juveniles; and (31) Establishes that a foster parent has the right to engage an attorney for the purposes of consultation and advice. The foster parent may invite their attorney to any meeting at which the foster parent is permitted to be present. The foster parent may provide information regarding their circumstances to their attorney without committing a breach of confidentiality, although all confidentiality obligations must then extend to their attorney, as pertains to the identifying information of the foster child and family.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT HB 2644 - SB 2633  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/24/24 - Enacted as Public Chapter 0996, effective July 1, 2024.

**SB2635/HB2787 SAFETY: Building codes - inclusion of three-family and four-family dwellings.**

*Sponsors:* Sen. Rose, Paul , Rep. Barrett, Jody  
*Summary:* Authorizes a local government to amend adopted building codes to include three-family dwellings and four-family dwellings within the scope of the residential code by modifying, transitioning, and establishing minimum prescriptive requirements to address the design and construction of those dwellings and make conforming changes to adopted building codes.  
*Amendment Summary:* Senate amendment 1 (015677) requires the statewide building construction safety standards to allow a local government to amend the adopted building code for three-family dwellings and four-family dwellings in accordance with the standards. In amending the rules pursuant to the bill, the state fire marshal must not mandate automatic fire sprinkler systems for three-family dwellings and four-family dwellings where structures are under 5,000 square feet in area and less than three stories in height and where two-hour fire-resistance-rating for wall, floor, and ceiling separation assemblies is met. Local governments may adopt mandatory sprinkler requirements and may be permitted to use the National Fire Protection Association 13D standard for three-family dwellings and four-family dwellings by local ordinance pursuant to the process described in state law.  
*Fiscal Note:* (Dated February 25, 2024) Other Fiscal Impact A permissive increase in local expenditures in FY24-25 and subsequent years cannot be precisely estimated.  
*Senate Status:* 04/24/24 - Signed by Senate speaker.  
*House Status:* 04/24/24 - Signed by House speaker.  
*Executive Status:* 05/08/24 - Enacted as Public Chapter 0946, effective July 1, 2024.

**SB2636/HB2845 ALCOHOLIC BEVERAGES: Prohibits a beer permittee from selling at retail refrigerated or cold beer.**

*Sponsors:* Sen. Rose, Paul , Rep. Gant, Ron  
*Summary:* Prohibits a beer permittee from selling at retail refrigerated or cold beer. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (015306) rewrites the bill to enact the "Tennessee Prevention of Drunk Driving Act," as described below. No later than September 1, 2024, this amendment requires the speaker of the senate and the speaker of the house of representatives to establish an advisory task force to review impaired driving and boating in Tennessee. The task force must be composed of 12 members, six members to be appointed by the speaker of the senate and six members to be appointed by the speaker of the house of representatives. This amendment requires the task force to study current levels of impaired driving in this state and ways to reduce impaired driving, repeat offenders, and underage offenders. The task force may request and receive assistance from any department, agency, or entity of state government, upon request from the chair. The task force must invite members of the community who have relevant knowledge to testify before the task force. This amendment requires the task force to submit a report of its findings and recommendations, including any suggested legislation, to the general assembly and the governor no later than December 1, 2025. This amendment requires a law enforcement officer investigating a motor vehicle accident resulting in the death of a person, and having probable cause to believe that an operator of a motor vehicle involved in the accident was driving under the influence of alcohol, to investigate whether the operator was served alcoholic beverages or beer at an establishment licensed to sell alcoholic beverages or beer. The alcoholic beverage commission ("commission") must be notified of the investigation within 48 hours of the incident. Beginning in 2025, this amendment requires the commission to submit to the members of the general assembly, by February 15 of each odd-numbered year, a biennial report to prevent underage drinking, drunk driving, and other harmful uses of alcohol. The report must include, but is not limited to, data collected relating to (i) current statistics of violations issued by the commission; (ii) current levels of alcohol-related traffic crashes and boating crashes resulting in death, injury, and property loss within this state; (iii) current levels of alcohol-related arrests for driving or boating under the influence within this state; (iv) current levels of alcohol recovery and treatment admissions within this state; (v) current levels of alcohol-related hospitalizations and alcohol-related emergency room visits within this state; (vi) current levels of alcohol-attributable deaths within this state; (vii) current programs conducted by state agencies to prevent underage alcohol consumption and other high-risk alcohol consumption within this state; and (viii) prevention recommendations for underage alcohol consumption and other high-risk alcohol consumption. This amendment requires all appropriate state departments and agencies to assist the commission with the report required by this section. The commission must produce the report within the existing resources of the commission. Upon request, copies of the report must be provided to other public officials, public agencies, and the public. Electronic copies must be distributed to all members of the general assembly. Present law regarding intoxicating liquors requires each employee and server permit to be valid for five years. Applications for renewal must be made in the same manner as applications for original permits upon forms prescribed by the commission. Employee and server permits are not transferrable. This amendment deletes these provisions and, instead, provides that beginning January 1, 2025, each server permit is valid for two years and each employee permit is valid for five years. Employee and server permits issued prior to January 1, 2025, will expire five years from their issuance date. This amendment requires the impaired driving advisory council (IDAC) of the Tennessee highway safety office to submit to the members of the general assembly by December 1 each year all reports, strategic plans, or recommendations to reduce impaired driving in Tennessee.

*Fiscal Note:*

(Dated March 1, 2024) Other Fiscal Impact The extent to which beer sales and other alcoholic beverage sales will be impacted is based on multiple unknown variables and any net impact on state and local tax revenue cannot be reasonably determined.

*Senate Status:*

04/25/24 - Signed by Senate speaker.

*House Status:*

04/26/24 - Signed by House speaker.

*Executive Status:*

05/13/24 - Enacted as Public Chapter 0961, effective May 9, 2024.

**SB2639/HB2553 PROPERTY & HOUSING: Foreign-party controlled businesses prohibited from acquiring real property.***Sponsors:*

Sen. Niceley, Frank , Rep. Reedy, Jay

*Summary:*

Restricts certain foreign investments in land located within this state through the creation of two separate prohibitions, one that restricts a prohibited foreign-party-controlled business from acquiring real property and another that restricts a prohibited foreign-party from acquiring agricultural land located within this state. (11pp.). Broadly captioned.

*Amendment**Summary:*

Senate Commerce & Labor Committee amendment 1 (015023) exempts certain licensed individuals and entities from liability under Tennessee's Real Estate Broker License Act of 1973. Specifically, it provides immunity to licensed real estate brokers, attorneys, title insurance companies and agents, banks and their affiliates, savings and loan associations, credit unions, and licensed mortgage lenders who are involved in transactions where a prohibited foreign party acquires property in violation of the law. Senate Commerce & Labor Committee amendment 2 (014859) includes Al-Shabaab, Boko Haram, Hayat Tahir al Sham, ISIS, the Taliban, and the Wagner group in the definition of entities of particular concern. Prohibits prohibited foreign party-controlled businesses from acquiring non-agricultural land in Tennessee. A violation of this act is punishable by fine or confinement. Declares a policy of the state to conserve, protect, and encourage the development and improvement of agricultural and forest lands. Senate Commerce & Labor Committee amendment 3 (015419) exempts certain persons holding licenses within the State of Tennessee from liability in a transaction in which a prohibited foreign party acquired property in violation of the bill. Senate Commerce & Labor Committee amendment 4 (017433) declares that liability is not imposed on a person involved in a transaction in which a prohibited foreign party acquired property who is licensed under the Tennessee Real Estate Broker License Act of 1973, an attorney licensed in this state or another state and handling a matter governed by this states law, a title insurance company or agent licensed in this state, a state or national bank, bank holding company, a savings and loan association or savings bank, a credit union, an industrial loan or thrift company, or a mortgage lender licensed by the Tennessee department of financial institutions. Excludes prohibited foreign parties or related prohibited foreign party-controlled businesses that have previously received a determination that there are no unresolved national security concerns or pending actions concluded with respect to a covered transaction provided that the prohibited foreign party has not undergone a change in control constituting a covered control transaction and the party files all reports otherwise required. House amendment 3, Senate Finance Committee amendment 1 (018002) rewrites the bill to make the changes described below to the law regarding restrictions on land purchases by sanctioned aliens of entities. This amendment takes effect January 1, 2025. Except as otherwise provided in this amendment, all aliens are capable of taking, by deed or will, lands and tenements in fee simple, or other less estate, and of holding, aliening, and devising them. Present law prohibits the following individuals or entities from purchasing or otherwise acquiring real property in this state if the country where the individual or entity resides or is located, or the official sanctioned government representing that country, or agents, trustees, or fiduciaries thereof, is on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list: (1) An individual who (i) is either a citizen of a foreign government or a person identified on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list; and (ii) is not a citizen of the United States or a person lawfully admitted into the United States for permanent residence, even if such status is conditional ("sanctioned nonresident alien"); (2) A business entity that is (i) a corporation incorporated under the laws of a foreign country of a sanctioned foreign government; (ii) a business entity whether or not incorporated, in which a majority interest is owned directly or indirectly by sanctioned nonresident aliens (where the determination of "owned," in terms of ownership or control of a foreign business, is not affected by legal entities, including trusts, holding companies, multiple corporations, and other business arrangements); or (iii) a corporation or business entity that is

identified on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list ("sanctioned foreign business"); and (3) A government other than the government of the United States, its states, its territories, or its possessions, that is identified by the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list ("sanctioned foreign government"). However, the above provisions do not apply to the following: (1) Real property acquired by devise or descent; (2) A bona fide encumbrance on real property taken for purposes of security; and (3) Real property acquired by a process of law in the collection of debts; by a deed in lieu of foreclosure, pursuant to a forfeiture of a contract for deed; or by a procedure for the enforcement of a lien or claim on the real property, whether created by mortgage or otherwise. However, real property so acquired must be sold or otherwise disposed of within two years after the title is transferred. Pending the sale or disposition, the real property must not be used for a purpose other than what it was used for immediately prior to the time the property was put up for sale, and the property must not be used except under lease to an individual, trust, corporation, partnership, or other business entity not subject to the restriction imposed by this provision. The individual or entity prohibited from purchasing real property who holds real property in this state on July 1, 2023, may continue to own or hold the real property, but must not purchase or otherwise acquire additional real property in this state on or after July 1, 2023. The individual or entity must not transfer title to, or an interest in, real property to another restricted party as described above. This amendment deletes these provisions entirely and replaces them with the provisions below. This amendment prohibits a prohibited foreign party or prohibited foreign-party-controlled business from acquiring by grant, purchase, devise, descent, or otherwise an interest in agricultural land in this state regardless of whether the prohibited foreign party or prohibited foreign-party-controlled business intends to use the agricultural land for nonfarming purposes. A party must not hold agricultural land as an agent, trustee, or other fiduciary for a prohibited foreign party or prohibited foreign-party-controlled business in violation of this amendment. A prohibited foreign party or prohibited foreign-party-controlled business that acquires agricultural land in violation of this amendment remains in violation as long as the prohibited foreign party or prohibited foreign-party-controlled business holds an interest in the agricultural land. As used in the amendment, a "prohibited foreign party" means the following: (1) A citizen or resident of a country subject to international traffic in arms regulations under federal law; (2) A foreign government formed within a country subject to international traffic in arms regulations under federal law; (3) A party other than an individual or a government that is created or organized under the laws of a foreign government within a country subject to international traffic in arms regulations under federal law; or (4) A party other than an individual or a government: (i) that is created or organized under the laws of a state, federal district, or territory of the United States; and (ii) in which a significant interest or substantial control is directly or indirectly held or is capable of being exercised by: an individual referred to in (1) above; a foreign government referred to in (2) above; a party referred to in (3) above; or a combination of the individuals, parties, or governments referred to in (4)(ii); (5) An entity of particular concern; or (6) An agent, trustee, or other fiduciary of a person or entity enumerated in (1)-(5) above; and However, a "prohibited foreign party" does not mean a nonresident alien. As used in this amendment, a "significant interest" or "substantial control" means: (A) An interest of 33 percent or more held by: (i) an individual referred to in (1) above; (ii) a single government referred to in (2) above; (iii) a party referred to in (3) above; (iv) a party referred to in (4) above; or (v) an entity of particular concern; (B) An interest of 33 percent or more, in the aggregate, held whenever the individuals, parties, or governments referred to in (1)-(6) above are acting in concert with respect to the interest even though no single individual, party, or government holds an interest of 33 percent or more; or (C) An interest of 50 percent or more, in the aggregate, held by individuals, parties, or governments referred to in (1)-(6) above even though the individuals, parties, or governments may not be acting in concert. As used in this amendment, "entity of particular concern": (i) means an entity designated by the United States department of state as an entity of particular concern; and (ii) includes Al-Shabaab, Boko Haram, Hayat Tahrir al-Sham, the Houthis, ISIS, ISIS-Sahel (formerly known as ISIS-Greater Sahara), ISIS-West Africa, Jamaat Nasr al-Islam wal Muslimin, the Taliban, and the Wagner Group based on its actions in the Central African Republic. As used in this amendment, "prohibited foreign-party-controlled business" means a corporation, company, association, firm, partnership, society, joint-stock company, trust, estate, or other legal entity whose controlling interest is owned by a prohibited foreign party. "Controlling interest" means an ownership interest of 50 percent or more, in the aggregate. Under present law, a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, who acquires real property or an interest in real property, by devise or descent after July 1, 2023, must divest itself of all right, title, and interest in the real property within two years from the date of acquiring the real property or interest. This provision does not require divestment of real property or an interest in real property acquired by devise or descent from a sanctioned nonresident alien if the property or interest was acquired by a sanctioned nonresident alien prior to July 1, 2023. If a person, business, or other entity who purchases or otherwise acquires real property in this state except by devise or descent, after July 1, 2023, and whose status changes so that they become a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, then present law requires the person or entity to divest itself of all right, title, and interest in the real property within two years from the date that its status changed. This amendment deletes the above present law relevant to divestment and, instead, requires a prohibited foreign party or prohibited foreign-party-controlled business in violation of this amendment to divest itself of the interest in agricultural land within two years of the date the entity is found to be in violation. If a prohibited foreign party or prohibited foreign-party-controlled business does not divest itself of the interest in agricultural land, then the attorney general and reporter may commence an action pursuant to this amendment. A prohibited foreign party or prohibited foreign-party-controlled business owning an interest in agricultural land in this state on or after January 1, 2025, commits a Class A misdemeanor, punishable by a fine of \$1,500 or confinement for not more than 11 months and 29 days, or both. Under present law, a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, who owns an interest in real property in this state on or after July 1, 2023, must register the real property with the secretary of state. The registration must be made within 60 days after July 1, 2023, or within 60 days after acquiring the real property or the interest in real property, whichever time is later. The registration must be in the form and manner prescribed by the secretary of state and contain the name of the owner and the location and number of acres of the real property by municipality and county. If the owner of the real property or owner of the interest in real property is an agent, trustee, or fiduciary of a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, then the registration must also include the name of any principal for whom that real property, or interest in real property, was purchased as agent, trustee, or fiduciary. This amendment deletes these provisions and replaces them with the provision below. This amendment requires prohibited foreign party or prohibited foreign-party-controlled business that holds an interest in agricultural land in this state on or after January 1, 2025, to register the interest in such land with the commissioner of agriculture. Registration must be made as follows: (i) in such form and manner as prescribed by the commissioner of agriculture; and (ii) within the later of 60 days after January 1, 2025 or the date the prohibited foreign party or prohibited foreign-party-controlled business acquires the interest in agricultural land. This amendment requires the commissioner of agriculture to require that registration pursuant to this amendment includes the following: (1) The legal name, street address, mailing address, if different, and the birthplace and nationality of the prohibited foreign party that owns the interest in agricultural land or that owns a controlling interest in the prohibited foreign-party-controlled business that owns the interest in agricultural land; (2) The legal name, street address, mailing address, if different, and the birthplace and nationality of the agent, trustee, or fiduciary of the prohibited foreign party or prohibited foreign-party-controlled business described in (1) above, if specifically authorized to: (i) purchase the agricultural land; or (ii) supervise the daily operations on the agricultural land; (3) A statement of the purpose for conducting business in this



state; (4) A description of the purpose of the interest in agricultural land in this state as it relates to the stated business purpose of (3) above; (5) The legal name, street address, and mailing address of any parent of the registering party, including the legal name, street address, and mailing address of any subsidiary or intermediary of the parent; (6) The legal name, street address, and mailing address of any subsidiary of the registering party; and (7) A listing of all other interests in agricultural land that are held directly or indirectly by the registering party, parent of the registering party, or subsidiary or intermediary of the parent in the United States that exceeds, in the aggregate, 250 acres. If the commissioner of agriculture finds that a prohibited foreign party or prohibited foreign-party-controlled business has acquired or holds title to or an interest in agricultural land in this state in violation of this amendment, then this amendment requires the commissioner of agriculture to report the violation to the attorney general. If the commissioner of agriculture finds that a prohibited foreign party or prohibited foreign-party-controlled business violated this amendment by failing to timely register as required under this amendment, then the commissioner of agriculture must assess a civil penalty not to exceed \$2,000 for each violation. This amendment prohibits a prohibited foreign-party-controlled business from acquiring by grant, purchase, devise, descent, or otherwise an interest in non-agricultural land in this state. A party must not hold an interest in non-agricultural land as an agent, trustee, or other fiduciary for a prohibited foreign-party-controlled business. A prohibited foreign-party-controlled business that acquires non-agricultural land in violation of this amendment remains in violation as long as the prohibited foreign-party-controlled business holds an interest in the non-agricultural land. This amendment requires a prohibited foreign-party-controlled business in violation of this amendment to divest itself of the interest in non-agricultural land within two years of the date the entity is found to be in violation. If a prohibited foreign-party-controlled business does not divest itself of the interest in non-agricultural, then the attorney general and reporter may commence an action pursuant to this amendment. This amendment provides that a violation of the provisions relevant to foreign party prohibition and divestment is a Class A misdemeanor, punishable by a fine of \$1,500 or confinement for not more than 11 months and 29 days, or both. This amendment requires a prohibited foreign-party-controlled business that holds an interest in non-agricultural land in this state on or after January 1, 2025, to register the interest in such land with the secretary of state. Registration must be made: (i) in such form and manner as prescribed by the secretary of state; and (ii) within the later of 60 days after January 1, 2025 or the date the prohibited foreign-party-controlled business acquires the interest in non-agricultural land. The secretary of state must require that registration includes the following: (1) The legal name, street address, mailing address, if different, and the birthplace and nationality of the prohibited foreign party that owns a controlling interest in the prohibited foreign-party-controlled business that owns the interest in non-agricultural land; (2) The legal name, street address, mailing address, if different, and the birthplace and nationality of the agent, trustee, or fiduciary of the prohibited foreign-party-controlled business described in (1) above, if specifically authorized to: (i) purchase the non-agricultural land; or (ii) supervise the daily operations on the non-agricultural land; (3) A statement of the purpose for conducting business in this state; (4) A description of the purpose of the interest in non-agricultural land in this state as it relates to the stated business purpose of (3) above; (5) The legal name, street address, and mailing address of any parent of the registering party, including the legal name, street address, and mailing address of any subsidiary or intermediary of the parent; (6) The legal name, street address, and mailing address of any subsidiary of the registering party; and (7) A listing of all other interests in non-agricultural land that are held directly or indirectly by the registering party, parent of the registering party, or subsidiary or intermediary of the parent in the United States that exceeds, in the aggregate, 250 acres. If the secretary of state finds that a prohibited foreign-party-controlled business has acquired or holds title to or an interest in non-agricultural land in this state in violation of this amendment, then this amendment requires the secretary of state to report the violation to the attorney general. If the secretary of state finds that a prohibited foreign-party-controlled business violated this amendment by failing to timely register as required, then the secretary of state must assess a civil penalty not to exceed \$2,000 for each violation. Under present law, if the secretary of state finds that a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or an agent, trustee, or other fiduciary thereof, has acquired or holds title to or interest in real property in this state in violation, then the secretary of state must report the violation to the attorney general and reporter. Upon receipt of a report, the attorney general must initiate an action in the circuit court of any county in which the real property is located. The attorney general must file a notice of the pendency of an action with the recorder of deeds of each county in which any of the real property is located. If the court finds that the real property in question has been acquired or held in violation, then present law requires the court to enter an order so declaring and to file a copy of the order with the recorder of deeds of each county in which any portion of the real property is located. If the court finds that the real property in question has been acquired in violation, then the court must declare the real property escheated to the state and order the sale of the real property in the manner provided by law for the foreclosure of a mortgage on real estate for default of payment. The proceeds of the sale must be used to pay court costs, and the remaining funds, if any, must be paid to the person divested of the real property. If the secretary of state finds that a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or an agent, trustee, or other fiduciary thereof, failed to timely register, then the secretary of state must assess a civil penalty not to exceed \$2,000 for each violation. Present law provides that the above provisions relevant to imitation of action do not impose liability on a person licensed under the Tennessee Real Estate Broker License Act of 1973; an attorney licensed in this state; or a title insurance company or an agent licensed in this state who is involved in a transaction in which a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or an agent, trustee, or other fiduciary of such alien, business, or government, acquired property in violation. This amendment deletes the above provisions relevant to initiation of an action and replaces them with the provisions below. Upon receipt of a report from the commissioner of agriculture or the secretary of state under this amendment, this amendment authorizes the attorney general to initiate an action in the circuit court of any county in which the agricultural land or non-agricultural land is located. The attorney general and reporter may also initiate an action to enforce this amendment based upon the receipt of information by means other than a report from the commissioner of agriculture or secretary of state that the attorney general determines indicates that a violation of this amendment has occurred. The attorney general must file a notice of the pendency of an action initiated under this amendment with the register of deeds of each county in which any of the agricultural land or non-agricultural land is located. If the court finds that the agricultural land or non-agricultural land in question has been acquired or held in violation of this amendment, then this amendment requires the court to enter an order so declaring and to file a copy of the order with the register of deeds of each county in which any portion of the agricultural land or non-agricultural land is located. If the court finds that an interest in the agricultural land or non-agricultural land in question has been acquired or held in violation of this amendment, then the court must declare the agricultural land or non-agricultural land escheated to the state and order the sale of the agricultural land or non-agricultural land in the manner provided by law for the foreclosure of a mortgage on real estate for default of payment. The proceeds of the sale must be used to pay court costs, and the remaining funds, if any, must be disbursed to lien holders, in the order of priority, except for liens which under the terms of the sale are to remain on the land. This amendment does not impose liability on a person licensed under the Tennessee Real Estate Broker License Act of 1973; an attorney licensed in this state or licensed in another state and handling a matter governed by the law of this state; a title insurance company or an agent licensed in this state; a state or national bank, bank holding company, or its affiliates or subsidiaries; a savings and loan association or savings bank; a credit union; an industrial loan or thrift company; or a mortgage lender licensed by the department of financial institutions who is involved in a transaction in which a prohibited foreign party or prohibited foreign-party-controlled business acquired or held an interest in property in violation of this amendment. This amendment does not apply to a prohibited foreign party or prohibited foreign-party-controlled business that possesses an interest in agricultural land or non-agricultural land if such prohibited foreign party or prohibited foreign-party-

controlled business is duly registered and in good standing with the secretary of state as of January 1, 2025, and has satisfied the following criteria: (1) Been approved by the committee on foreign investment in the United States (CFIUS); or (2) Previously received a determination that there are no unresolved national security concerns or that pending actions under the Defense Production Act of 1950 are concluded with respect to a covered transaction so long as such prohibited foreign party or prohibited foreign-party-controlled business has not undergone a change in control constituting a covered control transaction since such determination. This amendment authorizes the secretary of state and

*Fiscal Note:* Commissioner of agriculture in promulgating rules to effectuate this amendment. Commission of agriculture increase state revenue \$82,000/FY24-25/General Fund \$2,000/FY25-26 and Subsequent Years/General Fund Decrease State Expenditures \$82,000/FY24-25/Secretary of State \$2,000/FY25-26 and Subsequent Years/Secretary of State HB 2553 - SB 2639 Other Fiscal Impact This legislation could effectively deter the investments of PFPs and PFPCBs in real estate within this state. Any subsequent fiscal impacts upon state or local tax revenue that would have occurred in the absence of this legislation are dependent upon multiple unknown factors and cannot be determined with reasonable certainty.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0995, effective May 21, 2024, & January 1, 2025.

#### **SB2648/HB2864 MISCELLANEOUS: Designates barbecue as an official state food.**

*Sponsors:* Sen. Kyle, Sara , Rep. Towns Jr., Joe

*Summary:* Designates barbecue as an official state food.

*Amendment:* House amendment 1 (017985) clarifies that the barbeque is Memphis barbeque.

*Summary:*

*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0873, effective May 1, 2024.

#### **SB2650/HB2848 CRIMINAL LAW: Creates Class C felony offense of acquiring bees without consent of owner.**

*Sponsors:* Sen. Niceley, Frank , Rep. Wright, Dave

*Summary:* Creates the Class C felony offense of unlawfully obtaining or exerting control over bees, or the related structures or equipment used in their care, management, exhibition, breeding, or sale, without the owner's consent and with the intention of depriving the owner of these bees, structures, or equipment.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0708 effective July 1, 2024.

#### **SB2652/HB2464 EDUCATION: School safety training for substitute teachers.**

*Sponsors:* Sen. White, Dawn , Rep. Stevens, Robert

*Summary:* Requires local boards of education to include school safety training in the training requirements for substitute teachers. Clarifies that LEAs are prohibited from hiring a substitute teacher whose license in another state is revoked. Makes other changes concerning LEA policies for substitute teachers. Broadly captioned.

*Amendment:* Senate amendment 1 (014081) requires local boards of education to include annual school safety training or emergency response procedures in the training requirements for substitute teachers. Clarifies that schools are prohibited from employing a substitute teacher whose educator license or certificate in this state or another state is in a revoked or suspended status.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/08/24 - Signed by House speaker.

*Executive Status:* 04/29/24 - Enacted as Public Chapter 0735 effective April 1, 2024.

#### **SB2654/HB2790 CRIMINAL LAW: Offense of tampering with a monitoring device.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Creates a Class B misdemeanor that is committed when a person knowingly tampers with, removes, or vandalizes a monitoring device that the person is required to use as a condition of bond, probation, or parole. Requires an entity monitoring such a device to notify the court with jurisdiction over the person's bond, board of parole, or probation officer upon becoming aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective. Broadly captioned.

*Amendment:* Senate amendment 1 (015108) makes the following changes: (1) Provides that if a person violates the bill and the monitoring device is damaged as a result of the violation, then the offense may be punished as theft, after determining value; (2) Revises the provision in the bill summary relevant to parole that provides if an entity monitoring the device becomes aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective, or if the bonding agent becomes aware the prisoner has violated any condition of parole, then the entity monitoring the device must promptly give notice of the violation to the board by, instead, providing that if an entity monitoring the device becomes aware that there has been an attempt to tamper with, disable, remove, or otherwise make the device ineffective, then the entity monitoring the device must promptly give notice of the violation to the department of correction; and (3) Revises the provision in the bill summary relevant to probation that provides if an entity monitoring the device becomes aware that there has been an attempt to either tamper with, disable, remove, or otherwise make the device ineffective, or if the bonding agent becomes aware the offender has violated any bond condition ordered by the court, then this bill requires the entity monitoring the device to promptly give notice of the violation to the offender's probation officer by, instead, providing that if an entity monitoring the device becomes aware that there has been an attempt to tamper with, disable, remove, or otherwise make the device ineffective, then the entity monitoring the device must promptly give notice of the violation to the offender's probation officer.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0874, effective July 1, 2024.

**SB2655/HB2697 EDUCATION: Paid leave for public charter school educators after birth or adoption of child.**

*Sponsors:* Sen. White, Dawn , Rep. Moody, Debra

*Summary:* Requires public charter schools to provide educators six work weeks of paid leave after the birth or stillbirth of the educator's child or after the educator's adoption of a newly placed minor child. Broadly captioned.

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0875, effective May 1, 2024.

**SB2656/HB1822 CRIMINAL LAW: Reporting of information about orders for wiretapping and electronic surveillance.**

*Sponsors:* Sen. White, Dawn , Rep. Gillespie, John

*Summary:* Changes the reporting month from January to March for when the attorney general and reporter must report information about orders for wiretapping and electronic surveillance to the administrative office of the United States courts, the speaker of the senate, and the speaker of the house of representatives.

*Fiscal Note:* (Dated January 12, 2024) NOT SIGNIFICANT

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0618 effective March 27, 2024.

**SB2659/HB2180 EDUCATION: Expands student eligibility for a Tennessee future teacher scholarship.**

*Sponsors:* Sen. White, Dawn , Rep. White, Mark

*Summary:* Expands student eligibility for a Tennessee future teacher scholarship to include students enrolled in an approved educator preparation program at Western Governors University who maintain the concordant equivalent to the grade point average required for continuation of the Tennessee HOPE Scholarship.

*Amendment Summary:* House amendment 1 (014376) expands the definition of eligible postsecondary institute to include Western Governor University (WGU) allowing students enrolled in an approved educator preparation program (EPP) at WGU to be eligible recipients of the Tennessee Future Teacher Scholarship, beginning in the academic year 2024-2025.

*Fiscal Note:* (Dated February 25, 2024) Increase State Expenditures \$236,300/FY24-25 Exceeds \$236,300/Each FY25-26 through FY27-28

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0982, effective July 1, 2024.

**SB2660/HB1808 FAMILY LAW: Termination of parental rights due to substantial parental noncompliance.**

*Sponsors:* Sen. White, Dawn , Rep. Butler, Ed

*Summary:* Requires the department of children's services to file a petition for termination of parental rights within 10 business days if there has been substantial noncompliance by a parent or guardian with the statement of responsibilities in a permanency plan over a period of six months. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013997) requires the Department of Children Services (DCS) to petition to terminate the parental rights within 90 days of a juvenile court's finding that the parent or guardian has been substantially noncompliant with the statement of responsibilities in the child's permanency plan.

*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0652 effective July 1, 2024.

**SB2662/HB1817 CRIMINAL LAW: Offense of child endangerment by a parent or custodian.**

*Sponsors:* Sen. White, Dawn , Rep. Littleton, Mary

*Summary:* Increases the penalty from a Class A misdemeanor to a Class D felony for the offense of child endangerment by a parent or custodian of a child eight years of age or less if the parent or guardian knowingly exposes the child to, or knowingly fails to protect the child from, abuse or neglect resulting in physical injury or imminent danger to the child; increases the penalty from a Class D felony to a Class B felony for a person who negligently, by act or omission, engages in conduct that places a child eight years of age or less in imminent danger of death, bodily injury, or physical or mental impairment. Broadly captioned.

*Amendment Summary:* House amendment 1 (014635) enhances, from a Class D felony to a Class B felony, the penalty for a person who negligently, by act or omission, engages in conduct that places a child eight years of age or less in imminent danger of death, bodily injury, or physical or mental impairment.

*Fiscal Note:* (Dated February 7, 2024) Increase State Expenditures \$1,002,500 Incarceration Decrease Local Expenditures \$44,900/FY24-25 and Subsequent Years

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0885, effective July 1, 2024.

**SB2663/HB1848 GOVERNMENT REGULATION: Contact information for the Tennessee Human Trafficking Resource Center Hotline in adult cabarets and adult-oriented establishments.**

*Sponsors:* Sen. White, Dawn , Rep. Parkinson, Antonio

*Summary:* Requires adult cabarets and adult-oriented establishments to post a notice on the inside and outside of each bathroom door and door used by customers or patrons to enter or exit the facility that provides the contact information for the Tennessee Human Trafficking Resource Center Hotline established and maintained by TBI.

*Fiscal Note:* (Dated January 17, 2024) NOT SIGNIFICANT

*Senate Status:* 03/25/24 - Signed by Senate speaker.

House Status: 03/25/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0653 effective July 1, 2024.

**SB2664/HB2743 EDUCATION: In-state tuition for family members of persons serving in the military.**

Sponsors: Sen. White, Dawn , Rep. Stevens, Robert

Summary: Requires an institution of higher education to grant in-state tuition to a student who is the spouse or dependent child of a service member, as long as the service member is a legal US citizen, has lived in the state for at least one year before the date when the service member's spouse or dependent child was accepted into a higher education institution in that state, and as long as the service member's spouse or dependent child meets similar requirements. Broadly captioned.

Fiscal Note: (Dated March 3, 2024) Other Fiscal Impact Any increase in tuition revenue from the additional students is estimated to be offset by a decrease in revenue from students previously charged out-of-state tuition. The precise net impact cannot be determined.

Senate Status: 05/09/24 - Signed by Senate speaker.

House Status: 05/15/24 - Signed by House speaker.

Executive Status: 05/30/24 - Enacted as Public Chapter 1057, effective July 1, 2024.

**SB2665/HB2062 GOVERNMENT ORGANIZATION: Creation of a street racing taskforce.**

Sponsors: Sen. White, Dawn , Rep. Sparks, Mike

Summary: Creates a street racing task force to study and determine best practices for curbing illegal street racing in this state. Broadly captioned.

Amendment House amendment 1 (018724) names the act the "Jacob (Jake) T. Barnhardt Act."

Summary:

Fiscal Note: (Dated February 29, 2024) Increase State Expenditures \$5,800/FY24-25

Senate Status: 05/09/24 - Signed by Senate speaker.

House Status: 05/15/24 - Signed by House speaker.

Executive Status: 05/30/24 - Enacted as Public Chapter 1058, effective May 28, 2024.

**SB2666/HB1923 EDUCATION: TCAT reserved slots for dual enrollment students.**

Sponsors: Sen. White, Dawn , Rep. Butler, Ed

Summary: Requires a Tennessee College of Applied Technology (TCAT) to reserve an enrollment slot for each dual enrollment student in the term immediately following the student's last term enrolled in the TCAT as a dual enrollment student. Requires a TCAT to give priority enrollment status to a student if space is unavailable.

Fiscal Note: (Dated February 1, 2024) NOT SIGNIFICANT

Senate Status: 03/07/24 - Signed by Senate speaker.

House Status: 03/06/24 - Signed by House speaker.

Executive Status: 04/03/24 - Enacted as Public Chapter 0581 effective July 1, 2024.

**SB2668/HB2163 CRIMINAL LAW: Sexual exploitation of children - images created by artificial intelligence.**

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary

Summary: Expands the definition of material in relation to the sexual exploitation of children to include any computer image, or computer-generated image, including an image created, adapted, or modified by artificial intelligence. Also introduces a definition for artificial intelligence. Broadly captioned.

Amendment Senate amendment 1 (014522) makes the following changes: (1) Revises the definition of "artificial intelligence" to, instead, mean machine learning technology, including generative artificial intelligence, that uses data to train statistical models for the purpose of enabling a computer system or service to autonomously perform any task, including visual perception, natural language processing, or speech recognition, that is normally associated with human intelligence or perception; and (2) Revises the definition of "generative artificial intelligence" to, instead, mean artificial intelligence based on a foundation model that is capable of and used to produce synthetic digital content, including audio, images, text, and videos.

Fiscal Note: (Dated February 8, 2024) NOT SIGNIFICANT

Senate Status: 04/23/24 - Signed by Senate speaker.

House Status: 04/23/24 - Signed by House speaker.

Executive Status: 05/08/24 - Enacted as Public Chapter 0911, effective July 1, 2024.

**SB2674/HB2285 EDUCATION: Issuance of temporary teaching permits for certain courses.**

Sponsors: Sen. White, Dawn , Rep. Haston, Kirk

Summary: Allows for the issuance of temporary permit to teach for a course of study in which an end-of course examination is required after the commissioner considers the availability of other qualified faculty or staff, relation of the timing to the LEA's or public charter school's school calendar with respect to if it is occurring in between academic years, and the advertising efforts of the LEA or public charter school if vacancy occurs in between academic years.

*Amendment Summary:* Senate amendment 1 (014668) makes the following changes: (1) Requires an individual who is issued a temporary teaching permit to teach a course for which an end-of-course examination is required to be assigned a mentor teacher by the director of schools or the director of the public charter school; and (2) Requires the department of education to report to the education committee of the senate and the education committees of the house of representatives the number of temporary teaching permits that were requested and granted for individuals to teach courses for which an end-of-course examination is required for the 2024-2025 school year, the 2025-2026 school year, and the 2026-2027 school year, respectively, by July 1, 2027. Senate amendment 2 (017314) removes the provision that amended the existing law that prohibits the commissioner of education from granting a person, on behalf of the state board, a temporary permit to teach in certain subjects to, instead, only remove the prohibition of the commissioner granting a person, on behalf of the state board, a temporary permit to teach a course for which an end-of-course examination is required. House amendment 1 (017104) authorizes the Commissioner of the Department of Education (DOE) to issue a temporary teaching permit to an individual to teach a course in which an end-of-course examination is required. Specifies information the Commissioner of DOE must consider when determining whether to issue a temporary teaching permit to such persons. Requires an individual who is issued such temporary teaching permit to be assigned a mentor teacher by the director of schools or the director of the public charter school. Requires the DOE to report to the Education Committee of the Senate and the Education Committees of the House of Representatives the number of temporary teaching permits that were requested and granted for individuals to teach courses for which an end-of-course examination is required for the 2024-25, 2025-26, and the 2026-27 school years, respectively, by July 1, 2027.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0876, effective May 1, 2024 & July 1, 2024.

### **SB2677/HB2865 JUDICIARY: Report on the status of veterans treatment court program grant funds.**

*Sponsors:* Sen. White, Dawn , Rep. Baum, Charlie

*Summary:* Requires the commissioner of mental health and substance abuse services to report on or before February 1 of each year to the judiciary committee of the senate and the civil justice committee of the house of representatives on the status of veterans treatment court program grant funds. Broadly captioned.

*Amendment Summary:* House amendment 1 (015749) rewrites the bill to, instead, make the changes described below to the present law relevant to applications for veterans treatment court program grant funds. Through the department of mental health and substance abuse services, present law authorizes a court exercising criminal jurisdiction within this state or a veterans treatment court program to apply for veterans treatment court program grant funds, if funds are available, to (i) fund a full-time or part-time program director position; (ii) fund veterans treatment court program staff whose job duties are directly related to program operations; (iii) fund substance abuse treatment, mental health treatment, and other direct services for veterans treatment court program participants; (iv) fund drug testing; (v) fund program costs directly related to program operations; and (vi) implement or continue veterans treatment court program operations. This amendment revises the present law and, instead, authorizes a court exercising criminal jurisdiction within this state or an existing veterans treatment court program created by a court exercising criminal jurisdiction to apply for veterans treatment court program grant funds. If the department of mental health and substance abuse services determines that the court is able to administer a veterans treatment court program, then the department must award the court grant money to fund a veterans treatment court program. If the department determines that a court is able to administer a veterans treatment court program and grant money is awarded pursuant to this amendment, then the county in which the court operates must provide a courtroom and a judge for the veterans treatment court program and all necessary supplies and equipment for the maintenance of the court, and must defray the expenses thereof from the general fund of the county. Funds allocated pursuant to this amendment may be used for the reasons in (i)-(vi) above.

*Fiscal Note:* (Dated March 14, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0897, effective July 1, 2024.

### **SB2682/HB2472 EDUCATION: School employee who has been assaulted by a student advised of rights.**

*Sponsors:* Sen. White, Dawn , Rep. Raper, Kevin

*Summary:* Requires the suspension of a student who commits an assault against an employee of the LEA or public charter school in which the student is enrolled from attendance at school and from attendance at all school-sponsored events for at least one calendar year. Requires LEAs and public charter schools to advise an employee who is assaulted by a student of the employee's rights as a result of the assault. Broadly captioned.

*Amendment Summary:* House amendment 1 (015318) clarifies that, for purposes of the provision relative to suspension of a student who commits an assault against an employee of the LEA or the public charter school, "assault" means the act of a person who (i) intentionally, knowingly or recklessly causes bodily injury to another; (ii) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (iii) intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative. Senate amendment 1 (015330) rewrites the bill to clarify, for purposes of the bill, "assault" means the act of a person who (i) intentionally, knowingly, or recklessly causes bodily injury to another; (ii) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (iii) intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.

*Fiscal Note:* (Dated March 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0915, effective May 3, 2024.

### **SB2689/HB2930 JUDICIARY: Directs AOC to define and develop a centralized system of case management.**

*Sponsors:* Sen. White, Dawn , Rep. Sexton, Cameron

*Summary:* Directs the AOC to define and develop a centralized system of case management, document management, electronic case filing, electronic payment methods, data reporting, and any other capability deemed necessary for collection and reporting of all state and local court public case level data. Specifies that the development of the centralized system must include projections for ongoing costs and maintenance of such a system. Broadly captioned.

*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact The timing and extent of the mandatory increases in local government expenditures cannot be determined with reasonable certainty.\*

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0947, effective May 6, 2024.

**SB2690/HB2793 TAXES SALES: Distressed rural counties - sales and use tax generated from a commercial development.**

*Sponsors:* Sen. Southerland, Steve , Rep. Faison, Jeremy

*Summary:* Extends the deadline by which a distressed rural county must apply to be eligible to retain the sales and use tax generated from a commercial development district from December 31, 2024, to December 31, 2030.

*Fiscal Note:* (Dated February 24, 2024) Other Fiscal Impact Additional Allocations of state and local sales tax revenue generated from within any CDD may be made to the respective local government entities; however, the extent and timing of any such additional allocations cannot be estimated with any reasonable certainty.

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0920, effective May 3, 2024.

**SB2691/HB2063 GOVERNMENT ORGANIZATION: Air pollution control board vacancies time frame.**

*Sponsors:* Sen. Southerland, Steve , Rep. Fritts, Monty

*Summary:* Decreases, from 180 days to 150 days, the time that the air pollution control board can have more than one vacancy after an appointing authority of the board receives sufficient information to fill the appropriate vacancy before the board is required to report to the government operations committees. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014295) prohibits the intentional injection, release, or dispersion of chemicals, chemical compounds, substances, or apparatus into the atmosphere with the purpose of affecting temperature, weather, or the intensity of the sunlight in Tennessee.

*Fiscal Note:* (Dated January 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0709 effective July 1, 2024.

**SB2696/HB2279 CRIMINAL LAW: Sexual offender registry - offenses that constitute a violent juvenile sexual offense.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David

*Summary:* Expands the definition of Violent juvenile sexual offense for the purposes of registering the offender to include an offense where the victim is less than four years younger than the offender and the judge orders that the juvenile be required to register as a violent juvenile sexual offender with consideration to the facts and circumstances surrounding the offense. Broadly captioned.

*Amendment Summary:* House amendment 1 (014385) clarifies that a "violent juvenile sexual offense" includes, in addition to other offenses, the rape of a child if (i) the victim is at least four years younger than the offender; or (ii) for acts occurring on or after July 1, 2024, the victim is less than four years younger than the offender, and the judge, taking into account the facts and circumstances surrounding the delinquent act, orders that the juvenile be required to register as a violent juvenile sexual offender.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0888, effective July 1, 2024.

**SB2697/HB2280 ALCOHOLIC BEVERAGES: Issuance of a special occasion license.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David

*Summary:* Authorizes a special occasion license to be issued in a jurisdiction wherein the sale of alcoholic beverages for consumption on the premises has not been approved with written approval to hold an event by and in such jurisdiction that is signed by the executive officer or chair of the legislative body of such jurisdiction.

*Fiscal Note:* (Dated March 1, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0889, effective May 1, 2024.

**SB2698/HB2281 INSURANCE GENERAL: Education requirements for applicants for an insurance producer license.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David

*Summary:* Requires an applicant for an insurance producer license for title insurance to complete a pre-licensing course of study that consists of a minimum of 30 hours of course work. Broadly captioned.

*Amendment Summary:* House amendment 1 (014428) changes effective date to July 1, 2024.

*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0890, effective July 1, 2024.

**SB2703/HB2158 EDUCATION: Number of school nurses needed per number of students.**

*Sponsors:* Sen. Southerland, Steve , Rep. Davis, Elaine

*Summary:* Reduces the ratio from 3,000 students to one nurse to 750 students to one nurse required in a school to be considered sufficient to adequately provide services for purposes of the Tennessee public school nurse program.

*Amendment Summary:*

House amendment 2 (017684) rewrites the bill to, instead, make the changes described below to the present law regarding TISA funding for school nurses or school health services. Present law authorizes an LEA to use TISA funds to directly employ a public school nurse or to contract with the Tennessee public school nurse program for the provision of school health services. An LEA must use TISA funds to directly employ, or contract for, a public school nurse, or must advise the department of education ("department") of the LEA's election not to do so. This amendment deletes the provision providing that an LEA must use TISA funds to directly employ, or contract for, a public school nurse, or must advise the department of the LEA's election not to do so. Present law requires each public school nurse employed by or provided to an LEA, to meet or exceed the minimum qualifications and standards established pursuant to present law regarding the public school nurse program and to perform the duties and responsibilities enumerated within that present law. Each public school nurse employed by an LEA must maintain current certification through a certifying cardiopulmonary resuscitation course consistent with the scientific guidelines of the American Heart Association in collaboration with the International Liaison Committee on Resuscitation. If an LEA does not employ or contract for at least one school nurse for every 750 student members of the LEA for the 2024-2025 school year, or for a subsequent school year, then this amendment requires the LEA's director of schools to submit a report to the department of education no later than June 1 of the respective school year that contains the following: (1) How many school nurses the LEA contracted for or employed for the respective school year, disaggregated by: (i) the number of school nurses contracted for by the LEA, disaggregated by the number assigned to a student member of the LEA to provide the student with related services and that were not assigned to a student member of the LEA to provide the student with related services, but that were instead assigned to provide services to all student members of the LEA; and (ii) the number of school nurses employed by the LEA, disaggregated by the number assigned to a student member of the LEA to provide the student with related services and that were not assigned to a student member of the LEA to provide the student with related services, but that were instead assigned to provide services to all student members of the LEA; (2) The type of certification or nursing license possessed by each school nurse contracted for or employed by the LEA for the respective school year; (3) How many schools are operated by the LEA; (4) The student membership of the LEA for the respective school year and the immediately preceding school year; (5) The student-to-school-nurse ratio for the LEA based on the number of school nurses the LEA contracted for or employed for the respective school year; (6) The LEA's reason for not employing or contracting for at least one school nurse for every 750 student members of the LEA; (7) Whether the LEA employed or contracted for the number of school nurses necessary for the LEA to place at least one school nurse at each school operated by the LEA, excluding school nurses assigned to student members of the LEA to provide the students with related services; and (8) The number of student members in the LEA who have an emergency care plan or individualized healthcare plan; who have an individual health plan; or who have a medical condition for which the services of a school nurse or trained professional are required for the administration of medication.

*Fiscal Note:* (Dated March 4, 2024) Other Fiscal Impact Staffing one school nurse for every 750 students will increase the share of local expenditures between \$4,416,200 and \$6,928,200, resulting in a shift in funding for some LEAs. However, due to multiple factors, including local maintenance of effort levels and variation in local nurse salary and staffing decisions, a precise fiscal impact cannot be reasonably determined.

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0910, effective May 3, 2024.

**SB2710/HB2814 CRIMINAL LAW: Raises the penalty for the offense of drag racing.**

*Sponsors:* Sen. Taylor, Brent , Rep. Gillespie, John

*Summary:* Raises the penalty for the offense of drag racing from a Class A misdemeanor to a Class E felony.

*Fiscal Note:* (Dated February 15, 2024) Increase State Expenditures \$134,300 Incarceration Decrease Local Expenditures \$10,000/FY24-25 and Subsequent Years

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 1000, effective July 1, 2024.

**SB2711/HB2868 TAXES BUSINESS: Hotel/motel tax - municipality may change allocation of revenue.**

*Sponsors:* Sen. Taylor, Brent , Rep. Vaughan, Kevin

*Summary:* Allows for a municipality to change the allocation of revenue, but not its designated use, of a privilege tax upon the privilege of occupancy in a hotel if the tax preexisted July 1, 2021.

*Amendment Summary:* House amendment 1 (015586) rewrites the bill to, instead, prohibit the municipalities of Memphis and Nashville, having a preexisting privilege tax or authority, from changing the designated use; however, authorizes the municipalities to otherwise change the allocations of the revenue, except in accordance with and subject to any other restrictions of state law relative to accommodations for transients and hotel occupancy.

*Fiscal Note:* (Dated March 10, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 1001, effective May 21, 2024.

**SB2724/HB2873 STATE GOVERNMENT: Notice required for TDEC meeting at which change in rules or fees in on agenda.**

*Sponsors:* Sen. Jackson, Ed , Rep. Sexton, Cameron

*Summary:* Increases the number of days before a meeting, from 45 to 60, that electronic notice must be provided to a holder of a professional or occupational license, certification, or registration where a change in rules or fees is on the agenda of a meeting of the department of environment and conservation or any of its divisions. Broadly captioned.

*Amendment Summary:* House amendment 1 (015530) rewrites the bill to, instead, authorize the governor to remove a member of the autonomous inmate oversight board, whom the governor appointed, for cause. The speaker of the senate or the speaker of the house of representatives may remove a member of the board whom the respective speaker appointed for cause.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0898, effective May 1, 2024.

**SB2730/HB2820 PUBLIC EMPLOYEES: Supplemental adjustment to state funding for public defender offices in the 20th and 30th judicial districts.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Camper, Karen

*Summary:* Requires a supplemental adjustment to state funding for public defender offices in the twentieth and thirtieth judicial districts for pay parity with the pay scale of the district public defenders conference where the local salary scale is less than the state salary scale.

*Amendment Summary:* Senate amendment 1 (017996) rewrites the bill to, instead, for the twentieth (Davidson County) and thirtieth (Shelby County) judicial districts, require the state to pay, in equal quarterly installments, to the county or metropolitan government which has a local public defender, an amount annually appropriated for that purpose. Such amount must not be less than the amount appropriated in fiscal year 1992-1993. In addition to the amount appropriated in 1992-1993 the base level of state support on July 1, 2013, must be adjusted to reflect the percent of change in the average consumer price index (all items-city average) as published by the United States department of labor, bureau of labor statistics, between that figure for the calendar year 2011 and the calendar year 2012. Each succeeding July 1, a similar adjustment must be made, based on the percent of change in the average consumer price index between the two calendar years preceding July 1 of the year in which the adjustment is made. The adjustment provided for in this section must not exceed the greater of 5 percent per annum or the percentage increase provided for the state public defender and district attorney general offices during the fiscal year for which the adjustment was made.

*Fiscal Note:* (Dated March 9, 2024) Increase State Expenditures - \$3,488,400/FY24-25 and Subsequent Years

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1059, effective May 28, 2024.

**SB2732/HB2781 PROFESSIONS & LICENSURE: Notification regarding change of address to state board of cosmetology and barber examiners.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Parkinson, Antonio

*Summary:* Requires a holder of a certificate of registration to notify the state board of cosmetology and barber examiners within 35 days, instead of 30 days, of a change to the certificate holder's mailing address. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014816) rewrites the bill to enact the "Cosmetology Licensure Compact" ("compact"). To be eligible to join this compact, and to maintain eligibility as a member state, this amendment requires a state to: (1) License and regulate cosmetology; (2) Have a mechanism or entity in place to receive and investigate complaints about licensees practicing in that state; (3) Require that licensees within that state pass a cosmetology competency examination prior to being licensed to provide cosmetology services to the public in that state; (4) Require that licensees satisfy educational or training requirements in cosmetology prior to being licensed to provide cosmetology services to the public in that state; (5) Implement procedures for considering one or more of the following categories of information from applicants for licensure: criminal history, disciplinary history, or background check. Such procedures may include the submission of information by applicants for the purpose of obtaining an applicant's background; (6) Participate in the data system, including through the use of unique identifying numbers; (7) Share information related to adverse actions with the cosmetology licensure compact commission ("commission") and other member states, both through the data system and otherwise; (8) Notify the commission and other member states, in compliance with the terms of this compact and rules of the commission, of the existence of investigative information or current significant investigative information in the state's possession regarding a licensee practicing in that state; (9) Comply with such rules as may be enacted by the commission to administer this compact; and (10) Accept licensees from other member states as established in this compact. This amendment authorizes member states to charge a fee for granting a license to practice cosmetology. This amendment requires individuals not residing in a member state to continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals must not be recognized as granting a multistate license to provide services in any other member state. Nothing in this compact affects the requirements established by a member state for the issuance of a single-state license. This amendment requires a multistate license issued to a licensee by a home state to a resident of that state to be recognized by each member state as authorizing a licensee to practice cosmetology in each member state. This amendment prohibits the commission from having the power to define the educational or professional requirements for a license to practice cosmetology. The member states must retain sole jurisdiction over the provision of these requirements. To be eligible to apply to their home state's state licensing authority for an initial multistate license under this compact, the amendment requires a licensee to hold an active and unencumbered single-state license to practice cosmetology in their home state. Upon the receipt of an application for a multistate license, according to the rules of the commission, a member state's state licensing authority must ascertain whether the applicant meets the requirements for a multistate license under this compact. If an applicant meets the requirements for a multistate license under this compact and any applicable rules of the commission, then the state licensing authority in receipt of the application must, within a reasonable time, grant a multistate license to that applicant, and inform all member states of the grant of said multistate license. This amendment requires a multistate license to practice cosmetology issued by a member state's state licensing authority to be recognized by each member state as authorizing the practice thereof as though that licensee held a single-state license to do so in each member state, subject to the restrictions in this compact. A multistate license granted pursuant to this compact may be effective for a definite period of time, concurrent with the licensure renewal period in the home state. To maintain a multistate license under this compact, this amendment requires a licensee to (i) agree to abide by the rules of the state licensing authority, and the state scope of practice laws governing the practice of cosmetology, of any member state in which the licensee provides services; (ii) pay all required fees related to the application and process, and any other fees that the commission may by rule require; and (iii) comply with any and all other requirements regarding multistate licenses that the commission may by rule provide. This amendment provides that a licensee practicing in a member state is subject to all scope of practice laws governing cosmetology services in that state. The practice of cosmetology under a multistate license granted pursuant to this compact subjects the licensee to the jurisdiction of the state licensing authority, the courts, and the laws of the member state in which the cosmetology services are provided. This amendment authorizes a licensee to hold a multistate license, issued by their home state, in only one member state at any given time. If a licensee changes their home state by moving between two member states, then the licensee is subject to the following: (1) The licensee must immediately apply for the reissuance of their multistate license in their new home state. The licensee must pay all applicable fees and notify the prior home state in accordance with the rules of the commission; (2) Upon receipt of an application to reissue a multistate license, the new home state must verify that the multistate license is active, unencumbered, and eligible for reissuance under the terms of this compact and the rules of the commission. The multistate license issued by the prior home state must be deactivated and all member states notified in accordance with the applicable rules adopted by the commission; (3) If required for initial licensure, the new home state may require a background check as specified in the laws of that state, or the compliance with any jurisprudence requirements of the new home state; and (4) If a licensee does not meet the requirements set forth in



this compact for the reissuance of a multistate license by the new home state, then the licensee is subject to the new home state requirements for the issuance of a single-state license in that state. If a licensee changes their primary state of residence by moving from a member state to a non-member state, or from a non-member state to a member state, then the licensee is subject to the state requirements for the issuance of a single-state license in the new home state. Nothing in this compact interferes with a licensee's ability to hold a single-state license in multiple states. However, for the purposes of this compact, a licensee must have only one home state, and only one multistate license. Additionally, nothing in this compact interferes with the requirements established by a member state for the issuance of a single-state license. This amendment prohibits anything in this compact, or any rule or regulation of the commission, from limiting, restricting, or in any way reducing the ability of a member state to enact and enforce laws, regulations, or other rules related to the practice of cosmetology in that state, where those laws, regulations, or other rules are not inconsistent with this compact. Insofar as practical, a member state's state licensing authority must cooperate with the commission and with each entity exercising independent regulatory authority over the practice of cosmetology according to this compact. This amendment provides that discipline is the sole responsibility of the state in which cosmetology services are provided. Accordingly, each member state's state licensing authority is responsible for receiving complaints about individuals practicing cosmetology in that state, and for communicating all relevant investigative information about any such adverse action to the other member states through the data system in addition to any other methods the commission may by rule require. This amendment provides that a licensee's home state has exclusive power to impose an adverse action against a licensee's multistate license issued by the home state. A home state may take adverse action on a multistate license based on the investigative information, current significant investigative information, or adverse action of a remote state. In addition to the powers conferred by state law, each remote state's state licensing authority has the power to do the following: (1) Take adverse action against a licensee's authorization to practice cosmetology through the multistate license in that member state, so long as: (i) only the licensee's home state has the power to take adverse action against the multistate license issued by the home state; and (ii) for the purposes of taking adverse action, the home state's state licensing authority must give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, the home state must apply its own state laws to determine the appropriate action; (2) Issue cease and desist orders or impose an encumbrance on a licensee's authorization to practice within that member state; (3) Complete any pending investigations of a licensee who changes their primary state of residence during the course of such an investigation. The state licensing authority is also empowered to report the results of such an investigation to the commission through the data system as described in this compact; (4) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, as well as the production of evidence. Subpoenas issued by a state licensing authority in a member state for the attendance and testimony of witnesses or the production of evidence from another member state must be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings before it. The issuing state licensing authority must pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located; (5) If otherwise permitted by state law, recover from the affected licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee; and (6) Take adverse action against the licensee's authorization to practice in that state based on the factual findings of another remote state. This amendment requires a licensee's home state to complete any pending investigation of a cosmetologist who changes their primary state of residence during the course of any investigation. The home state also has the authority to take appropriate actions and promptly report the conclusions of any investigation to the data system. If an adverse action is taken by the home state against a licensee's multistate license, then this amendment requires the licensee's authorization to practice in all other member states to be deactivated until all encumbrances have been removed from the home state license. All home state disciplinary orders that impose an adverse action against a licensee's multistate license must include a statement that the cosmetologist's authorization to practice is deactivated in all member states during the pendency of the order. However, nothing in this compact overrides a member state's authority to accept a licensee's participation in an alternative program in lieu of adverse action. A licensee's multistate license must be suspended for the duration of the licensee's participation in any alternative program. This amendment authorizes a member state to participate with other member states in joint investigations of licensees. Member states must share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under this compact. This amendment requires active military members, or their spouses, to designate a home state where the individual has a current license to practice cosmetology in good standing. The individual may retain their home state designation during any period of service when that individual or their spouse is on active duty assignment. This amendment provides that the compact member states hereby create and establish a joint government agency whose membership consists of all member states that have enacted this compact, known as the commission. The commission is an instrumentality of the compact member states acting jointly and not an instrumentality of any one state. The commission comes into existence on or after the effective date of this compact. This amendment provides that each member state has and is limited to one delegate selected by that member state's state licensing authority. The delegate must be an administrator of the state licensing authority of the member state or their designee. The commission must by rule or bylaw establish a term of office for delegates and may by rule or bylaw establish term limits. The commission may recommend removal or suspension of any delegate from office. A member state's state licensing authority must fill any vacancy of its delegate occurring on the commission within 60 days of the vacancy. Each delegate is entitled to one vote on all matters that are voted on by the commission. The commission must meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The commission may meet by telecommunication, video conference, or other similar electronic means. This amendment provides that the commission has the following powers: (i) establish the fiscal year of the commission; (ii) establish code of conduct and conflict of interest policies; (iii) adopt rules and bylaws; (iv) maintain its financial records in accordance with the bylaws; (v) meet and take such actions as are consistent with this compact, the commission's rules, and the bylaws; (vi) initiate and conclude legal proceedings or actions in the name of the commission. However, the standing of any state licensing authority to sue or be sued under applicable law must not be affected; (vii) maintain and certify records and information provided to a member state as the authenticated business records of the commission, and designate an agent to do so on the commission's behalf; (viii) purchase and maintain insurance and bonds; (ix) borrow, accept, or contract for services of personnel; (x) conduct an annual financial review; (xi) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters; (xii) as set forth in the commission rules, charge a fee to a licensee for the grant of a multistate license and thereafter, as may be established by commission rule, charge the licensee a multistate license renewal fee for each renewal period. Nothing in this compact prevents a home state from charging a licensee a fee for a multistate license or renewals of a multistate license, or a fee for the jurisprudence requirement if the member state imposes such a requirement for the grant of a multistate license; (xiii) assess and collect fees; (xiv) accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same. However, at all times the commission must avoid any appearance of impropriety or conflict of interest; (xv) lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest therein; (xvi) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed; (xvii) establish a budget and make expenditures; (xviii) borrow money; (xix) appoint committees,

including standing committees, composed of members, state regulators, state legislators or their representatives, consumer representatives, and such other interested persons as may be designated in this compact and the bylaws; (xx) provide and receive information from, and cooperate with, law enforcement agencies; (xxi) elect a chair, vice chair, secretary, treasurer, and such other officers of the commission as provided in the commission's bylaws; (xxii) establish and elect an executive committee, including a chair and a vice chair; (xxiii) adopt and provide to the member states an annual report; (xxiv) determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in this compact; and (xxv) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact. This amendment provides that the executive committee has the power to act on behalf of the commission according to the terms of this compact. The powers, duties, and responsibilities of the executive committee include: (i) overseeing the day-to-day activities of the administration of this compact; (i) recommending to the commission changes to the rules or bylaws, changes to this compact legislation, fees charged to compact member states, fees charged to licensees, and other fees; (iii) ensuring compact administration services are appropriately provided, including by contract; (iv) preparing and recommending the budget; (v) maintaining financial records on behalf of the commission; (vi) monitoring compact compliance of member states and providing compliance reports to the commission; (vii) establishing additional committees as necessary; (viii) exercising the powers and duties of the commission during the interim between commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the commission by rule or bylaw; and (ix) other duties as provided in the rules or bylaws of the commission. This amendment requires the executive committee to be composed of up to seven voting members as follows: (1) The chair and vice chair of the commission and any other members of the commission who serve on the executive committee must be voting members of the executive committee; (2) Other than the chair, vice chair, secretary, and treasurer, the commission must elect three voting members from the current membership of the commission; and (3) The commission may elect ex officio, nonvoting members from a recognized national cosmetology professional association as approved by the commission. The commission's bylaws must identify qualifying organizations and the manner of appointment if the number of organizations seeking to appoint an ex officio member exceeds the number of members specified. This amendment authorizes the commission to remove any member of the executive committee as provided in the commission's bylaws. This amendment requires the executive committee to meet at least annually. Annual executive committee meetings, as well as any executive committee meeting at which it does not take or intend to take formal action on a matter for which a commission vote would otherwise be required, must be open to the public, except that the executive committee may meet in a closed, non-public session of a public meeting when authorized by this amendment. The executive committee must give five business days' advance notice of its public meetings, posted on its website and as determined to provide notice to persons with an interest in the public matters the executive committee intends to address at those meetings. This amendment authorizes the executive committee to hold an emergency meeting when acting for the commission to: (i) meet an imminent threat to public health, safety, or welfare; (ii) prevent a loss of commission or member state funds; or (iii) protect public health and safety. This amendment requires the commission to adopt and provide to the member states an annual report. This amendment requires all meetings of the commission that are not closed pursuant to the below provisions to be open to the public. Notice of public meetings must be posted on the commission's website at least 30 days prior to the public meeting. The commission may convene an emergency public meeting by providing at least 24 hours' prior notice on the commission's website, and any other means as provided in the commission's rules, for any of the reasons it may dispense with notice of proposed rulemaking. The commission's legal counsel must certify that one of the reasons justifying an emergency public meeting has been met. Notice of all commission meetings must provide the time, date, and location of the meeting, and if the meeting is to be held or accessible via telecommunication, video conference, or other electronic means, the notice must include the mechanism for access to the meeting. This amendment authorizes the commission to convene in a closed, non-public meeting for the commission to discuss the following: (i) non-compliance of a member state with its obligations under the compact; (ii) the employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures; (iii) current or threatened discipline of a licensee by the commission or by a member state's licensing authority; (iv) current, threatened, or reasonably anticipated litigation; (v) negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate; (vi) accusing any person of a crime or formally censuring any person; (vii) trade secrets or commercial or financial information that is privileged or confidential; (viii) information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy; (ix) investigative records compiled for law enforcement purposes; (x) information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to this compact; (xi) legal advice; (xii) matters specifically exempted from disclosure to the public by federal or member state law; or (xiii) other matters as promulgated by the commission by rule. If a meeting, or portion of a meeting, is closed, then this amendment requires the presiding officer to state that the meeting will be closed and reference each relevant exempting provision, and such reference must be recorded in the minutes. This amendment requires the commission to keep minutes that fully and clearly describe all matters discussed in a meeting and to provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action must be identified in such minutes. All minutes and documents of a closed meeting must remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction. This amendment requires the commission to pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities. The commission may accept any and all appropriate sources of revenue, donations, and grants of money, equipment, supplies, materials, and services. The commission may levy on and collect an annual assessment from each member state and impose fees on licensees of member states to whom it grants a multistate license to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount for member states must be allocated based upon a formula that the commission must promulgate by rule. This amendment prohibits the commission from incurring obligations of any kind prior to securing the funds adequate to meet the same. This amendment also prohibits the commission from pledging the credit of any member states, except by and with the authority of the member state. This amendment requires the commission to keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission are subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review must be included in and become part of the annual report of the commission. This amendment provides that the members, officers, executive director, employees, and representatives of the commission are immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. However, nothing in these provisions protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission does not in any way compromise or limit the immunity granted hereunder. This amendment requires the commission to defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that

occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, so long as that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct. However, nothing in this compact prohibits that person from retaining their own counsel at their own expense. This amendment requires the commission to indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, so long as the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person. Nothing in this compact is a limitation on the liability of any licensee for professional malpractice or misconduct, which is governed solely by any other applicable state laws. Nothing in this compact waives or otherwise abrogates a member state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation. Nothing in this compact is a waiver of sovereign immunity by the member states or by the commission. This amendment requires the commission to provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system. The commission must assign each applicant for a multistate license a unique identifier, as determined by the rules of the commission. This amendment requires a member state to submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including (i) identifying information; (ii) licensure data; (iii) adverse actions against a license and information related thereto; (iv) non-confidential information related to alternative program participation, the beginning and ending dates of such participation, and other information related to such participation; (v) any denial of application for licensure, and the reasons for such denial, excluding the reporting of any criminal history record information where prohibited by law; (vi) the existence of investigative information; (vii) the existence of current significant investigative information; and (viii) other information that may facilitate the administration of this compact or the protection of the public, as determined by the rules of the commission. This amendment provides that the records and information provided to a member state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, constitute the authenticated business records of the commission, and are entitled to any associated hearsay exception in any relevant judicial, quasi-judicial, or administrative proceedings in a member state. The existence of current significant investigative information and the existence of investigative information pertaining to a licensee in any member state must only be available to other member states. This amendment provides that it is the responsibility of the member states to monitor the database to determine whether adverse action has been taken against such a licensee or license applicant. Adverse action information pertaining to a licensee or license applicant in any member state must be available to any other member state. Member states contributing information to the data system may designate information that must not be shared with the public without the express permission of the contributing state. Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the member state contributing the information must be removed from the data system. This amendment requires the commission to promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes of this compact. A rule is invalid and has no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of this compact, or the powers granted under this compact, or based upon another applicable standard of review. The rules of the commission have the force of law in each member state. However, where the rules of the commission conflict with the laws of the member state that establish the member state's scope of practice laws governing the practice of cosmetology as held by a court of competent jurisdiction, the rules of the commission are ineffective in that state to the extent of the conflict. The commission must exercise its rulemaking powers pursuant to the criteria set forth in this amendment and the rules adopted under this amendment. Rules become binding as of the date specified by the commission for each rule. If a majority of the legislatures of the member states rejects a rule or portion of a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then this amendment provides that such rule has no further force and effect in any member state or to any state applying to participate in this compact. This amendment requires rules to be adopted at a regular or special meeting of the commission. Prior to adoption of a proposed rule, the commission must hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments. Prior to adoption of a proposed rule by the commission, and at least 30 days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission must provide a notice of proposed rulemaking: (i) on the website of the commission or other publicly accessible platform; (ii) to persons who have requested notice of the commission's notices of proposed rulemaking; and (iii) in such other ways as the commission may by rule specify. This amendment requires the notice of proposed rulemaking to include the following: (i) the time, date, and location of the public hearing at which the commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the commission will consider and vote on the proposed rule; (ii) if the hearing is held via telecommunication, video conference, or other electronic means, the commission must include the mechanism for access to the hearing in the notice of proposed rulemaking; (iii) the text of the proposed rule and the reason therefor; (iv) a request for comments on the proposed rule from any interested person; and (v) the manner in which interested persons may submit written comments. This amendment requires all hearings to be recorded. A copy of the recording and all written comments and documents received by the commission in response to the proposed rule must be available to the public. Nothing in this amendment requires a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings. This amendment requires the commission to, by majority vote of all members, take final action on the proposed rule based on the rulemaking record and the full text of the rule. The commission may adopt changes to the proposed rule; so long as the changes do not enlarge the original purpose of the proposed rule. The commission must provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters. The commission must determine a reasonable effective date for the rule. Except for an emergency, the effective date of the rule must be no sooner than 45 days after the commission issuing the notice that it adopted or amended the rule. Upon determination that an emergency exists, this amendment authorizes the commission to consider and adopt an emergency rule with five days' notice, with opportunity to comment; provided, that the usual rulemaking procedures provided in this compact must be retroactively applied to the rule as soon as reasonably possible, but in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately to: (i) meet an imminent threat to public health, safety, or welfare; (ii) prevent a loss of commission or member state funds; (iii) meet a deadline for the promulgation of a rule that is established by federal law or rule; or (iv) protect public health and safety. This amendment authorizes the commission or an authorized committee of the commission to direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions must be posted on the website of the commission. The revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, then the revision takes effect without further action. If the revision is challenged, then the revision does not take effect without the approval of the commission. This amendment provides that no member state's rulemaking requirements apply under

this compact. This amendment requires the executive and judicial branches of state government in each member state to enforce this compact and take all actions necessary and appropriate to implement this compact. Venue is proper and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing in this compact affects or limits the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or such similar matter. This amendment provides that the commission is entitled to receive service of process in any proceeding regarding the enforcement or interpretation of this compact and has standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process renders a judgment or order void as to the commission, this compact, or promulgated rules. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, then this amendment requires the commission to provide written notice to the defaulting state. The notice of default must describe the default, the proposed means of curing the default, and any other action that the commission may take, and must offer training and specific technical assistance regarding the default. The commission must provide a copy of the notice of default to the other member states. If a state in default fails to cure the default, then this amendment authorizes the defaulting state to be terminated from the compact upon an affirmative vote of a majority of the delegates of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default. This amendment terminates termination of membership in the compact to be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority, and each of the member states' state licensing authority. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination. Upon the termination of a state's membership from this compact, that state must immediately provide notice to all licensees who hold a multistate license within that state of such termination. The terminated state must continue to recognize all licenses granted pursuant to this compact for a minimum 180 days after the date of said notice of termination. This amendment prohibits the commission from bearing any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. Upon request by a member state, this amendment requires the commission to attempt to resolve disputes related to the compact that arise among member states and between member and non-member states. The commission must promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate. This amendment requires the commission, in the reasonable exercise of its discretion, to enforce this compact and the commission's rules. By majority vote as provided by commission rule, the commission may initiate legal action against a member state in default in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with this compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. The remedies in this compact are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting member state's law. This amendment authorizes a member state to initiate legal action against the commission in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with this compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. This amendment prohibits an individual or entity other than a member state from enforcing this compact against the commission. This amendment provides that the compact comes into effect on the date on which the compact statute is enacted into law in the seventh member state. On or after the effective date of the compact, this amendment requires the commission to convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different than the model compact statute. A charter member state whose enactment is found to be materially different from the model compact statute is entitled to the default process. If any member state is later found to be in default, or is terminated or withdraws from the compact, then the commission must remain in existence and the compact must remain in effect even if the number of member states is less than seven. This amendment provides that member states enacting the compact subsequent to the charter member states are subject to the process set forth in the provisions of this amendment regarding the commission's powers to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact. All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence are considered to be actions of the commission unless specifically repudiated by the commission. Any state that joins the compact is subject to the commission's rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the day the compact becomes law in that state. This amendment authorizes any member state to withdraw from this compact by enacting a statute repealing that state's enactment of the compact. A member state's withdrawal does not take effect until 180 days after enactment of the repealing statute. Withdrawal does not affect the continuing requirement of the withdrawing state's state licensing authority to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal. Upon the enactment of a statute withdrawing from this compact, a state must immediately provide notice of such withdrawal to all licensees within that state. Such withdrawing state must continue to recognize all licenses granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal. Nothing in this compact invalidates or prevents any licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with this compact. This amendment authorizes this compact to be amended by the member states. No amendment to this compact becomes effective and binding upon any member state until it is enacted into the laws of all member states. This amendment requires this compact and the commission's rulemaking authority to be liberally construed so as to effectuate the purposes and the implementation and administration of this compact. Provisions of this compact expressly authorizing or requiring the promulgation of rules do not limit the commission's rulemaking authority solely for those purposes. This amendment provides that the provisions of this compact are severable and, if any phrase, clause, sentence, or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any member state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held to be unconstitutional by a court of competent jurisdiction, then the validity of the remainder of this compact and the applicability thereof to any other government, agency, person, or circumstance must not be affected thereby. This amendment authorizes the commission to deny a state's participation in this compact or terminate a member state's participation in this compact, if it determines that a constitutional requirement of a member state is a material departure from this compact. Otherwise, if this compact is held to be contrary to the constitution of any member state, then the compact must remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters. This

amendment provides that nothing in this compact prevents or inhibits the enforcement of any other law of a member state that is not inconsistent with this compact. Any laws, statutes, regulations, or other legal requirements in a member state in conflict with this compact are superseded to the extent of the conflict. All permissible agreements between the commission and the member states are binding in accordance with their terms. Present law requires any person who desires a license to instruct in a school to submit an application for examination to the board on the prescribed form. The application must be accompanied by satisfactory proof that the applicant has been licensed as a cosmetologist, aesthetician, manicurist, or natural hair stylist for at least three continuous years. This amendment revises the present law and requires satisfactory proof that the applicant has been licensed as a cosmetologist, aesthetician, manicurist, or natural hair stylist at least three years, instead of three continuous years. Present law requires an application for examination to the state board of cosmetology and barber examiners to be accompanied by proof that the applicant has received a high school diploma or, in lieu of a high school diploma, has received a high school equivalency credential approved by the state board of education. This amendment deletes this provision. Present law authorizes a barbering school to only enroll a student who: (i) is at least 16; and (ii) has completed and passed at least two years of high school or received a score of at least 38 percent on the GED(R) or HiSET(R) examination. This amendment deletes (ii) above from the present law. Present law requires the board to issue a certificate of registration as a barber instructor to a person who, among other things, holds a valid certificate of registration as a master barber and has been duly registered as a master barber for a period of at least three consecutive years prior to filing an application to be an instructor. This amendment revises the present law by no longer requiring the three years to be consecutive. Present law also requires the board to issue a certificate of registration as a barber instructor to a person who has completed the twelfth grade in an accredited school or the equivalent. This amendment deletes this provision. Present law authorizes a certificate of registration for a master barber that has been expired for more than one year but less than three years to be reinstated upon payment of twice the fees that would have been collected for the timely and continuous renewal of the certificate. This amendment revises the present law by, instead, authorizing a certificate of registration for a master barber that has been expired for more than one year but less than three years to be reinstated upon payment of a penalty fee as set by the board. Present law requires an application to practice manicuring application to be accompanied by satisfactory proof that the applicant is a high school graduate, evidenced by a certificate or diploma, or possesses a high school equivalency credential approved by the state board of education. This amendment deletes this provision. Present law authorizes a cosmetology school to enroll only a student who (i) has attained the age of at least 16; and (ii) has completed and passed at least two years of high school or received at least a score of 38 percent on the GED(R) or HiSET(R) examination. Public and vocational schools are exempt from this provision. This amendment deletes (ii) above. This amendment authorizes the department of commerce and insurance, in consultation with the state board of cosmetology and barber examiners, to promulgate to implement this amendment. This amendment requires the chair of the state board of cosmetology and barber examiners to notify the chair of the government operations committee of the senate, the chair of the government operations committee of the house of representatives, and the revisor of statutes in the general assembly's office of legal services within 30 days of the date the compact comes into effect. Senate amendment 2 (015562) exempts public schools and vocational schools from the law regarding students in the Tennessee Cosmetology Act of 1986.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1060, effective July 1, 2024.

#### **SB2734/HB2901 MENTAL HEALTH: Prerequisites for emergency detention and admission to a treatment facility.**

*Sponsors:* Sen. Jackson, Ed , Rep. Kumar, Sabi

*Summary:* Changes prerequisites for emergency detention and admission to a treatment facility from "immediate" substantial likelihood of serious harm to "imminent" substantial likelihood of serious harm. Broadly captioned.

*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0725 effective March 25, 2024.

#### **SB2741/HB2934 PUBLIC EMPLOYEES: Agenda for public meetings.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Bricken, Rush

*Summary:* Requires a state or local governing body to make the agenda for a regular meeting available to the public at a place accessible to the public, including on its website, if available, not less than 48 hours prior to the meeting. Clarifies that a state or local governing body may deliberate or act upon matters not listed on the agenda of its regular meeting if the body follows its bylaws or properly adopted rules and procedures and complies with all other applicable state laws.

*Amendment Summary:* Senate amendment 1 (013910) rewrites the bill to, instead, do the following: (1) At least 48 hours prior to a regular meeting, require a state governing body or a local government legislative body to make available to the public, at no charge, the agenda for the upcoming regular meeting in a place accessible to the public. The agenda must reasonably describe the matters to be deliberated or acted upon during the public meeting; (2) Authorize a state governing body or a local government legislative body to deliberate or act upon matters not listed on the agenda of its regular meeting if the body follows its bylaws or properly adopted rules and procedures and complies with all other applicable state laws; (3) Prohibit a state governing body or a local government legislative body from circumventing the spirit or requirements of the bill by withholding items from an agenda for the purpose of avoiding public disclosure of business to be considered by the state governing body or a local government legislative body; and (4) Authorize a state governing body or a local government legislative body that maintains a website to make an agenda available to the public through the website. The website is considered a place that is accessible to the public for purposes of compliance with (1) above.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0710 effective April 1, 2024.

#### **SB2743/HB2117 CAMPAIGNS & LOBBYING: Written attestation with the political subdivision's annual audit.**

*Sponsors:* Sen. Niceley, Frank , Rep. Powers, Dennis

*Summary:* Requires a political subdivision to provide a written attestation with the political subdivision's annual audit to the comptroller of the treasury certifying that the political subdivision has not sought or received a grant in intentional pursuit of certain prohibited policies. Broadly captioned.

*Fiscal Note:* (Dated February 28, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0877, effective July 1, 2024.

**SB2744/HB2945 FAMILY LAW: Parent's right to unimpeded phone conversations with child.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Grills, Rusty

*Summary:* Expands the right to unimpeded telephone calls twice a week at reasonable times within the parenting plan with the parent's child to include video conference conversations if available. Broadly captioned.

*Fiscal Note:* (Dated February 14, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0711 effective April 1, 2024.

**SB2749/HB2936 FAMILY LAW: Families' Rights and Responsibilities Act.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Faison, Jeremy

*Summary:* Enacts the "Families' Rights and Responsibilities Act," which allows all parental rights to be exclusively reserved to a parent of a child without obstruction by or interference from a government entity unless abuse, neglect, or endanger a child occurs. Details violations by a government entity. States that medical procedures done on a child must be done with notification and consent of the parent. Details violations of the practice if occurs. Broadly captioned.

*Amendment  
Summary:*

Senate Amendment 3 (017296) makes the following changes to the bill: (1) Provides that "biometric data," as used in the bill, means data generated by automatic measurements of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retina or iris, or other unique biological pattern or characteristic, that is used to identify a specific individual, but does not include (i) a physical or digital photograph, a video or audio recording, or data generated from the recording, or information collected, used, or stored for healthcare treatment, payment, or operations under HIPPA; and (ii) data or information collected, used, or stored for law enforcement purposes; (2) Adds to the bill that parents have the right to be notified promptly if an employee of the state reasonably believes that abuse, neglect, or any criminal offense has been committed against the child by someone other than the parent, unless an employee of the state, a political subdivision of the state, a local education agency, a public charter school, or any other governmental entity is required by law to withhold such information; (3) Revises the bill to provide that parents have the right to consent before any government entity makes a video or voice recording of the child, unless the video or voice recording is made during or as a part of a law enforcement interaction, instead of a law enforcement investigation; (4) Provides that the provisions in the bill prohibiting a government entity from substantially burdening the fundamental rights of parents unless the government entity demonstrates that the burden, as applied to the parent and the child, is required by a compelling governmental interest of the highest order and is the least restrictive means of furthering that compelling governmental interest and the provisions of this bill providing that all parental rights are exclusively reserved to a parent of a child without obstruction by or interference from a government entity does not prevent the department of children's services from conducting an investigation or otherwise carrying out its responsibilities under state law; (5) Provides that the provisions in the bill prohibiting a government entity from substantially burdening the fundamental rights of parents unless the government entity demonstrates that the burden, as applied to the parent and the child, is required by a compelling governmental interest of the highest order and is the least restrictive means of furthering that compelling governmental interest and the provisions of this bill providing that all parental rights are exclusively reserved to a parent of a child without obstruction by or interference from a government entity do not apply when (i) a parent of the minor has given blanket consent authorizing the person or entity to perform an activity; (ii) a government entity or any other person reasonably relies in good faith on an individual's representations that the individual is the parent of a minor or has otherwise been granted authority to make decisions regarding a minor's care under state law; (iii) a person participates or assists in rendering emergency care; (iv) an employee of a local education agency acts to control bleeding using a bleeding control kit; or (v) services are provided to or information is received or maintained about a minor enrolled in an institution of higher education or a minor participating in a program for which the minor's parent has consented to the child's participation by an employee of the institution of higher education or other school official; (6) Clarifies that a public employee must not withhold from a child's parent information that is relevant to the physical, emotional, or mental health of the child unless required by law to withhold such information; (7) Prohibits a person or entity that is not a parent from having standing to raise in any proceeding in this state the fundamental rights of a parent established in this bill; (8) Revises the provision in the bill that provides if a child has no affirmative right of access to a particular surgical, medical, or mental health procedure or service, then this bill does not grant that child's parent an affirmative right of access to that procedure or service on that child's behalf by, instead, providing that this bill does not give parents a right to medical treatments for their children that have been prohibited by state law; (9) Adds to the provisions in the bill prohibiting a government entity, healthcare provider, or other person from knowingly taking any of the following actions with regard to a minor without first obtaining the consent of a parent of the minor: (i) treating, professing to diagnose, operating on, or prescribing for any physical ailment, physical injury, or deformity; (ii) prescribing, dispensing, delivering, or administering any drug or medication; (iii) rendering certain psychological services; or (iv) rendering certain counseling services. This amendment clarifies that the above prohibitions do not apply when services are provided to a minor enrolled in an institution of higher education by a licensed provider employed by the institution of higher education; (10) Revises the bill to no longer authorize a parent to bring a civil cause of action to recover punitive damages when an entity or healthcare provider allegedly violates the provisions of the bill prohibiting a government entity, healthcare provider, or other person from knowingly taking any of the following actions with regard to a minor without first obtaining the consent of a parent of the minor: (i) treating, professing to diagnose, operating on, or prescribing for any physical ailment, physical injury, or deformity; (ii) prescribing, dispensing, delivering, or administering any drug or medication; (iii) rendering certain psychological services; or (iv) rendering certain counseling services; and (11) Requires a civil action commenced against a healthcare provider to be brought within one year after the cause of action accrued. However, in the event the alleged injury is not discovered within such one-year period, the period of limitation is one year from the date of such discovery, but in no event must any such action be brought more than three years after the date on which the negligent act or omission occurred except where there is fraudulent concealment on the part of the defendant, in which case the action must be commenced within one year after discovery that the cause of action exists. However, the previous limitations do not apply in cases where a foreign object has been negligently left in a patient's body, in which case the action must be commenced within one year after the alleged injury or wrongful act is discovered or should have been discovered. House amendment 4 (018448) makes the following changes: (1) Provides that the enumeration of parental rights in this bill does not abridge any additional parental rights codified or recognized under current law or prohibit the codification or recognition of additional parental rights; and (2) Deletes the provision in the bill providing that the prohibitions relevant to healthcare in the bill summary do not apply when services are provided to a minor enrolled in an institution of higher education by a licensed provider employed by the institution of higher education. House amendment 5 (018918) revises the provision requiring the "Families' Rights and Responsibilities Act" to be construed using the protections of the fundamental right of parents to the care, custody, and control of their child afforded by such Act in addition to the protections provided under federal law, state law, and the state and federal constitutions by deleting the federal constitution from the additional protections.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/30/24 - Enacted as Public Chapter 1061, effective July 1, 2024.

**SB2763/HB2035 CRIMINAL LAW: Extreme risk protection orders.**

*Sponsors:* Sen. Bowling, Janice , Rep. Barrett, Jody

*Summary:* Preempts the entire field of legislation regarding extreme risk protection orders to the exclusion of all county, city, town, municipality, or metropolitan government laws, ordinances, resolutions, enactments, or regulations. Declares a federal statute, rule, executive order, or federal judicial order that has the effect of enforcing an extreme risk protection order to be null and void. Creates a Class A misdemeanor offense of attempting to enforce a federally implemented extreme risk protection order. Broadly captioned.

*Amendment  
Summary:* Senate amendment 1 (017797) makes the following changes: (1) Removes the provision establishing that a federal statute, rule, or executive order or a federal judicial order that has the effect of enforcing an extreme risk protection order or ex parte extreme risk protection order against a resident of this state is null, void, unenforceable, and of no effect in this state; and (2) Removes the provision establishing that an individual, including a law enforcement officer, who attempts to enforce a federally implemented extreme risk protection order against a resident of this state commits a Class A misdemeanor.

*Fiscal Note:* (Dated February 18, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/30/24 - Enacted as Public Chapter 1062, effective May 28, 2024.

**SB2764/HB2388 EDUCATION: Authorizes LEAs to extend career technical education class sizes and averages.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bricken, Rush  
*Summary:* Authorizes LEAs to extend career technical education (CTE) class sizes and averages in middle school CTE courses grades six through eight provided, that CTE classes in grades six through eight do not exceed the maximum class size average set for general education classes in grades six through eight.  
*Amendment Summary:* Senate amendment 1 (014118) authorizes local education agencies (LEAs) to extend career and technical education (CTE) class sizes and averages in grades six through eight (6-8), if the CTE classes do not exceed the maximum class size and average set for general education classes in grades 7-12.  
*Fiscal Note:* (Dated February 15, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 04/26/24 - Enacted as Public Chapter 0712 effective July 1, 2024.

**SB2766/HB1634 EDUCATION: Educator's obligations to students.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bulso, Gino  
*Summary:* Removes language prohibiting educators from discriminating against students on certain, specified bases, including cultural background and sexual orientation, and instead generally prohibits educators from discriminating against students who are members of a protected class under federal or state law. Removes the definition of "gender identity" for purposes of the family life curriculum.  
*Amendment Summary:* House amendment 1 (013578) makes the following changes to the bill: (1) Revises the provision in the bill that revises the present law to prohibit a educator from unfairly excluding any student from participation in any program, denying benefits to a student, or granting any advantage to a student on the basis of the following: race; color; creed; disability; sex; national origin; marital status; political or religious beliefs; family background; or the student's membership in a protected class under federal or state law by, instead, prohibiting a educator from unfairly excluding any student from participation in any program, denying benefits to a student, or granting any advantage to a student on any basis; and (2) Deletes the provision in the bill that removes the definition of gender identity from the definition section of the law relevant to family life curriculum.  
*Fiscal Note:* (Dated January 23, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/11/24 - Signed by House speaker.  
*Executive Status:* 05/01/24 - Enacted as Public Chapter 780, effective April 23, 2024.

**SB2767/HB2435 EDUCATION: Report of responses by local board of education to an investigation of a complaint.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bulso, Gino  
*Summary:* Requires the commissioner of education to annually transmit, no later than October 1 of each year, filings submitted to the commissioner by a local board of education regarding any action or inaction taken by the board in response to an investigation conducted by the director of schools in response to a complaint filed by a parent or legal guardian of a student who received instruction in family life that the parent or legal guardian believes to violate the requirements for such instruction to the chairs of the education committees of the senate and house of representatives. Broadly captioned.  
*Amendment Summary:* House amendment 1 (014476) enacts the "Baby Olivia Act". Requires a family life curriculum that directly or indirectly addresses human growth, human development, or human sexuality to include the presentation of a computer-generated animation or high-definition ultrasound of at least three minutes in duration that shows the development of the brain, heart, sex organs, and other vital organs in early fetal development, such as "Meet Baby Olivia." House amendment 2 (015879) removes the need to show sex organs in the ultrasound being performed for the family life curriculum being included in the presentation of a computer-generated animation or high-definition ultrasound. Senate Education Committee amendment 1 (017179) enacts the "Baby Olivia Act." Requires a family life curriculum that directly or indirectly addresses human growth, human development, or human sexuality to include the presentation of a computer-generated animation or high-definition ultrasound of at least three minutes in duration that shows the development of the brain, heart, and other vital organs in early fetal development, such as "Meet Baby Olivia."  
*Fiscal Note:* (Dated February 12, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 04/23/24 - Enacted as Public Chapter 0795, effective April 23, 2024.

**SB2769/HB2055 TAXES PROPERTY: Deletes reference to a repealed statute regarding actions by county board of equalization.**

*Sponsors:* Sen. Bowling, Janice , Rep. Eldridge, Rick  
*Summary:* Deletes a reference to a repealed statute from the present law governing the deadline by which an action by the county board of equalization during its regular session must be completed and notice of its decision and appeal procedure must be sent. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (015673) rewrites the bill to, instead, do the following: (1) Require an assessor of property to notify the register of deeds as to which records required under this part meet the definition of "permanent records" as defined in state law; (2) Change the present law definition of a "movable structure" to include a mobile home or such other movable structure that is constructed as a trailer or semitrailer and designed to either be towed along the highways or to be parked off the highways, and that may be used, temporarily or permanently, as a residence, apartment, office, storehouse, warehouse, or for any other commercial or industrial purpose; and (3) Authorize the state board of equalization to approve a reappraisal plan specifying a schedule for continuous on-site review or photo review that is different than the standard schedule provided in state law relative to periodic reappraisal and equalization of property taxes, but that is no longer than four years.  
*Fiscal Note:* (Dated January 30, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/10/24 - Signed by Senate speaker.



House Status: 04/11/24 - Signed by House speaker.

Executive Status: 05/01/24 - Enacted as Public Chapter 0781, effective April 23, 2024.

**SB2770/HB1872 CRIMINAL LAW: Enhancement of criminal penalties upon conviction of violent crimes by illegal aliens.**

Sponsors: Sen. Bowling, Janice , Rep. Fritts, Monty

Summary: Allows for a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole when an illegal alien commits a violent crime, an illegal alien is using or displaying a deadly weapon when convicted, or there is a conviction for a violent crime which occurred on the property of a school. Also requires that any arrest and conviction that the enhancement factors would apply to is reported to the Tennessee bureau of investigation's human trafficking advisory council. Broadly captioned.

Amendment Summary: Senate amendment 1 (016123) makes the following changes: (1) Revises the provision in the bill that defines a "school" to mean a public or private elementary school, middle school, high school, college of applied technology, postsecondary vocational or technical school, or two-year or four-year college or university by removing college of applied technology, postsecondary vocational or technical school, and two-year or four-year college or university from the definition; (2) Revises the provision in authorizing a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole for a conviction if the conviction is for the commission of a violent crime and the offense occurred on the property of a school by, instead, authorizing a court to enhance the statutory penalty up to imprisonment for life without the possibility of parole for a conviction if the conviction is for the commission of a violent crime committed by an adult and the offense occurred on the property of a school while students or other children were present; (3) Revises the provision in the bill that requires an arrest and subsequent conviction to which the enhancement factors would apply under (1) or (2) in the bill summary to be reported to the Tennessee bureau of investigation's human trafficking advisory council to determine the correlations between arrests, convictions, and incidents of human trafficking in this state by, instead, requiring such arrest and subsequent convictions to be reported to the department of safety; (4) Revises the present law providing that when making a determination on whether any person charged with a bailable offense may be ordered released pending trial on the person's personal recognizance or upon the execution of an unsecured appearance bond a magistrate may consider, among other things, any other factors indicating the defendant's ties to the community or bearing on the defendant's risk of willful failure to appear by clarifying that such factors include, but are not limited to, whether the defendant is lawfully present in this state; and (5) Revises the present law requiring the magistrate to consider any other factors indicating the defendant's ties to the community or bearing on the risk of the defendant's willful failure to appear when determining the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public by clarifying that such factors include, but are not limited to, whether the defendant is lawfully present in this state.

Fiscal Note: (Dated February 24, 2024) NOT SIGNIFICANT

Senate Status: 05/09/24 - Signed by Senate speaker.

House Status: 05/15/24 - Signed by House speaker.

Executive Status: 05/28/24 - Enacted as Public Chapter 1063, effective July 1, 2024.

**SB2771/HB1623 TRANSPORTATION VEHICLES: Regulation of traffic in school zones.**

Sponsors: Sen. Bowling, Janice , Rep. Hale, Michael

Summary: Authorizes a county or municipality to hire employees or appoint volunteers to divert vehicular traffic or temporarily close a lane to certain vehicular traffic within a marked school zone during the period of time that it is necessary to provide convenience for vehicles dropping off or picking up students from school. Requires warning signs to be posted in advance of the school zone. Specifies that a motor vehicle operator who knowingly ignores a warning sign and drives into a lane or portion of a public road or highway designated for dropping off or picking up students commits a Class C misdemeanor, which is punishable by a fine of \$50.00. Broadly captioned.

Amendment Summary: Senate amendment 1 (014324) authorizes a county or municipality to hire employees or appoint volunteers to direct vehicles on a public road or highway within a marked school zone for dropping off or picking up students at a public, private, or charter school within the jurisdiction of the county or municipality. Requires a warning flasher to be in operation during such time and appropriate signage to be posted. Requires counties and municipalities to ensure that any individual who is performing such duties has received appropriate training to comply with the Manual of Uniform Traffic Control Devices (MUTCD) requirements and is outfitted with the apparel and indicator paddle compliant with the MUTCD. Creates a Class C misdemeanor offense for knowingly ignoring warning signs that have been posted for dropping off or picking up students. Stipulates the misdemeanor offense is only punishable by a fine of \$50.

Fiscal Note: (Dated February 7, 2024) Other Fiscal Impact Passage of this legislation will result in a permissive increase in local expenditures related to signage. Due to unknown variables, a precise estimate of such increase cannot be quantified.

Senate Status: 04/24/24 - Signed by Senate speaker.

House Status: 04/24/24 - Signed by House speaker.

Executive Status: 05/08/24 - Enacted as Public Chapter 0948, effective July 1, 2024.

**SB2772/HB1621 LOCAL GOVERNMENT: Dekalb County - signing of checks for expenses associated with road work within the county.**

Sponsors: Sen. Bowling, Janice , Rep. Hale, Michael

Summary: Local bill for Dekalb County that authorizes the road supervisor rather than the county mayor to sign checks drawn on the county trustee for expenses associated with road work within the county. Amends Chapter 511 of the Private Acts of 1945, as amended.

Senate Status: 02/28/24 - Signed by Senate speaker.

House Status: 02/28/24 - Signed by House speaker.

Executive Status: 03/22/24 - Enacted as Private Chapter 0036 effective March 7, 2024.

**SB2774/HB2508 FAMILY LAW: Noncompliance with child support obligations.**

Sponsors: Sen. Bowling, Janice , Rep. Harris, Torrey

Summary: Requires the department of human services to notify the department of safety that a child support obligor whose commercial driver license was suspended or revoked for noncompliance with a child support order is in reasonable compliance with the order when the obligor submits documentation that the support is being withheld from the obligor's income received from an employment position requiring the operation of a commercial motor vehicle. Requires the license to be reinstated. Broadly captioned.

Fiscal Note: (Dated March 9, 2024) NOT SIGNIFICANT

Senate Status: 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0878, effective July 1, 2024.

**SB2778/HB2018 TAXES PROPERTY: Removal of repeal date for collection agent retention.**

*Sponsors:* Sen. Bowling, Janice , Rep. Marsh, Pat

*Summary:* Removes the July 1, 2024, repeal date for the provision detailing the retention by a county trustee of an agent to collect tangible personal property taxes from a delinquent taxpayer.

*Fiscal Note:* (Dated February 16, 2024) Other Fiscal Impact A precise, permissive increase in local revenue and local expenditures in FY24-25 and subsequent years cannot be estimated with certainty.

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0654 effective April 4, 2024.

**SB2779/HB2621 UTILITIES: Fine amounts for persons owning a railroad who violate requirements regarding crossings.**

*Sponsors:* Sen. Bowling, Janice , Rep. Martin, Greg

*Summary:* Increases from \$10 to \$25, the minimum fine amount for persons or corporations owning or operating a railroad in this state who violate the requirements to make and furnish good and sufficient crossings on the public highways crossed by them, and to keep such crossings in lawful repair at their own expense. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014229) deletes the fine any person or corporation, owning or operating a railroad in this state, must pay for failing to make and furnish good and sufficient crossings on the public highways crossed by them, and keep such crossings in lawful repair at their expense.

*Fiscal Note:* (Dated February 25, 2024) NOT SIGNIFICANT

*Senate Status:* 03/28/24 - Signed by Senate speaker.

*House Status:* 03/27/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0713 effective March 25, 2024.

**SB2782/HB2310 HEALTH CARE: Prohibited medical procedures for minors.**

*Sponsors:* Sen. Bowling, Janice , Rep. Richey, Bryan

*Summary:* Creates a civil cause of action against any person who knowingly removes a minor from this state without the consent of a parent of the minor for the purpose of assisting the minor in obtaining a healthcare procedure that is for the purpose of enabling the minor to identify with, or live as, a purported identity inconsistent with the minor's sex or treating purported discomfort or distress from a discordance between the minor's sex and asserted identity. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (016253) rewrites the bill to, instead, provide that an adult who recruits, harbors, or transports an unemancipated minor within this state for the purpose of receiving a prohibited medical procedure that is for the purpose of enabling the minor to identify with, or live as, a purported identity inconsistent with the minor's sex or treating purported discomfort or distress from a discordance between the minor's sex and asserted identity, regardless of where the medical procedure is to be procured commits a Class C felony. This amendment does not apply to: (i) a parent or legal guardian of an unemancipated minor; (ii) an adult who has permission from the unemancipated minor's parent or legal guardian; or (iii) the provision of a medical diagnosis described in the law relevant to medical procedures for minors. Additionally, it is not a defense to prosecution under this amendment that the unemancipated minor consented to the actions. This amendment authorizes a person who violates this amendment to be held liable in a civil action for such violation. The civil action may be brought by a parent or legal guardian of the unemancipated minor. In a civil action brought pursuant to a violation of this amendment, the plaintiff may recover from the person: (i) compensatory damages; (ii) punitive damages; and (iii) reasonable attorney's fees, court costs, and expenses. House amendment 2 (018290) prohibits a person from intentionally recruiting, harboring, or transporting an unemancipated minor within this state for the purpose of receiving a prohibited medical procedure. Establishes the prohibition does not apply to the parents or legal guardians of an unemancipated minor who are authorized to make healthcare decisions for such minor, an adult who has permission from the unemancipated minor's parent or legal guardian who is authorized to make healthcare decisions for such minor, or a common carrier transporting passengers for hire in the course and scope of their business. States that it is not a defense to civil liability that the unemancipated minor consented to the actions. Provides for a civil action against a person who recruits, harbors, or transports an unemancipated minor within this state for the purpose of receiving a prohibited medical procedure.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/28/24 - Enacted as Public Chapter 1064, effective July 1, 2024.

**SB2791/HB2940 TENNCARE: TennCare for Working Individuals with Disabilities Act.**

*Sponsors:* Sen. Watson, Bo , Rep. Hicks, Tim

*Summary:* Enacts the "TennCare for Working Individuals with Disabilities Act," which requires the bureau of TennCare, on or before January 1, 2025, to establish a buy-in program for working individuals with disabilities that enables such individuals to access health insurance coverage through the medical assistance program, including as a supplement to employer-sponsored coverage.

*Fiscal Note:* (Dated March 2, 2024) Increase State Expenditures Net Impact \$10,329,800/FY24-25 Net Impact \$18,277,400/FY25-26 and Subsequent Years Increase Federal Expenditures \$25,946,700/FY24-25 \$33,511,200/FY25-26 and Subsequent Years Other Fiscal Impact There is approximately \$317,600,000 in shared savings that are currently unobligated. The Governors proposed FY24-25 budget includes funding 18 initiatives over 5 fiscal years with approximately \$307,500,000 of the unobligated balance leaving \$10,100,000 unobligated in FY24-25. HB 2940 - SB 2791

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 1002, effective May 21, 2024.

**SB2793/HB2931 JUDICIARY: Requirements for judge entering into a deferred discipline agreement.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Sexton, Cameron

*Summary:* Requires a judge who enters into a deferred discipline agreement regarding a matter before the board of judicial conduct to sign an affidavit stating that the judge consents to the recommendation of the investigative panel, the consent is freely and voluntarily rendered, there is a pending proceeding involving allegations of misconduct, which must be specifically set forth in the affidavit, and the facts set forth in the affidavit are true. Requires the affidavit to be filed with the board upon its approval by a hearing panel. Broadly captioned.

*Amendment Summary:* Senate Judiciary Committee amendment 1, House amendment 1 (015363) requires an investigative panel of the Board of Judicial Conduct to require a judge sign an affidavit before entering into a deferred discipline agreement. Requires the affidavit to state that: the judge consents to the recommendation of the investigative panel; the consent is freely given; there is a pending proceeding involving allegations of misconduct; and the facts set forth in the affidavit are true. Requires the affidavit to be filed with the board upon its approval by the investigative or hearing panel.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0922, effective July 1, 2024.

### SB2797/HB2809 **CRIMINAL LAW: Carrying of a firearm by a retired law enforcement officer.**

*Sponsors:* Sen. Rose, Paul , Rep. Hulseley, Bud

*Summary:* Expands the definition of law enforcement officer as it relates to carrying firearms to include retired law enforcement officers. Broadly captioned.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/16/24 - Signed by House speaker.

*Executive Status:* 05/28/24 - Enacted as Public Chapter 1065, effective October 1, 2023.

### SB2801/HB2921 **TENNCARE: Coverage for mental health services and treatment.**

*Sponsors:* Sen. Massey, Becky , Rep. Sexton, Cameron

*Summary:* Requires all TennCare health benefit plans to provide coverage and reimbursement for mental health services and treatment to the same extent that the plans provide coverage and reimbursement for the treatment of alcoholism and drug dependence. Broadly captioned.

*Amendment Summary:* Senate amendment 2 (016205) makes the following changes: (1) Requires an individual or group health benefit plan issued by a health insurance carrier regulated pursuant to this bill to provide coverage for mental health or alcoholism or drug dependency services in compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; (2) Adds to the present law providing that present law does not prohibit an employee health benefit plan, or a plan issuer offering an individual or group health plan from utilizing managed care practices for the delivery of benefits, as long as that for an utilization review or benefit determination for the treatment of alcoholism or drug dependence the clinical review criteria is the most recent Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions established by the American Society of Addiction Medicine or other evidence-based clinical guidelines, such as those referenced by the federal substance abuse and mental health services administration. Additional criteria must not be used during utilization review or benefit determination for treatment of substance use disorders. This amendment adds to the present law by providing that for purposes of a TennCare health benefit plan, additional criteria used must ensure that benefit determination, including coverage and reimbursement for the treatment of alcoholism or drug dependence, remain in parity with benefit determination for the treatment of mental health disorders; (3) Revises the present law that requires the department of commerce and insurance to issue a report to the general assembly and provide an educational presentation to the general assembly. The report and presentation must, among other things, identify market conduct examinations and full scope examinations conducted or completed during the preceding 12-month period and summarize the results of the examinations. This discussion must include any examination regarding compliance with parity in mental health or alcoholism or drug dependency benefits under state and federal laws. This amendment revises the present law by, instead, requiring the discussion to include a detailed explanation regarding parity in coverage and rates of reimbursement for mental health services and alcoholism and drug dependency services; (4) Revises the present law requiring any individual, franchise, blanket or group policy of insurance that provides hospital expense and surgical expense insurance and that is entered into, delivered, issued for delivery, or renewed, excepting individual insurance policy renewal, by agreement or otherwise, commencing on July 1, 1974, to provide benefits for expense of residents of this state covered under the policy or plan, arising from psychiatric disorders, mental or nervous conditions, alcoholism, drug dependence, or the medical complication of mental illness or intellectual disability, unless the policy or plan of insurance specifically excludes or reduces these benefits. This amendment excludes a TennCare health benefit plan from the exception in the above provisions for policy or plans of insurance that specifically excludes or reduces these benefits; (5) Adds to the present law providing that when benefits are made available for treatment received at the community mental health center, the benefits that cover services rendered by a physician in accordance with the policy or service plan contract must also be made available when services are rendered by a member of the clinical staff, so long as the community mental health center has in effect a plan for quality assurance approved by the department of mental health and substance abuse services and the treatment is supervised by a licensed physician or a licensed psychologist designated as a health service provider. However, nothing in this present law affects the license of a physician or psychologist designated as a health service provider providing the service or supervision. The benefits must be provided at the usual and customary rates established by the community mental health center for the services rendered. However, the benefits provided must be subject to deductibles and coinsurance factors that are not less favorable than for physical illness generally, and in no event must coverage be required to be made available for more than 30 outpatient visits per year. This amendment adds to the present law by providing that with respect to benefits provided under the present law above by a TennCare health benefit plan, the benefits provided are subject to deductibles and coinsurance factors that are not less favorable than for physical illness or the treatment of alcoholism or substance abuse generally, and coverage and reimbursement are not required to be made available for more than the number of visits per year offered for the treatment of alcoholism or substance abuse; and (6) Requires all group hospital and major medical policies delivered or issued for delivery in this state after July 1, 1980, and all group hospital, medical and major medical service plans commencing in this state after July 1, 1980, that provide benefits for expenses of residents of the state arising from psychiatric disorders, mental or nervous conditions, alcoholism, drug dependence or medical complication of mental illness or intellectual disability, to reimburse for these benefits, if any, when the benefits are provided at a facility that is for persons covered under a TennCare health benefit plan, a residential or other mental health treatment facility licensed under existing law.

*Fiscal Note:* (Dated March 7, 2024) NOT SIGNIFICANT

*Senate Status:* 04/24/24 - Signed by Senate speaker.

*House Status:* 04/24/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0949, effective July 1, 2024.

**SB2808/HB2880 CRIMINAL LAW: Handling of venomous snakes or reptiles in a manner than endangers another.**

*Sponsors:* Sen. Southerland, Steve , Rep. Todd, Chris

*Summary:* Specifies and defines the difference between poisonous and venomous, especially as it relates to snakes, and replaces the word poisonous with the word venomous in multiple locations that relate to snakes.

*Fiscal Note:* (Dated February 9, 2024) NOT SIGNIFICANT

*Senate Status:* 03/20/24 - Signed by Senate speaker.

*House Status:* 03/20/24 - Signed by House speaker.

*Executive Status:* 04/05/24 - Enacted as Public Chapter 0636 effective July 1, 2024.

**SB2810/HB2622 HEALTH CARE: Allows the board of pharmacy to license ambulatory surgical treatment centers under certain conditions.**

*Sponsors:* Sen. Reeves, Shane , Rep. Martin, Greg

*Summary:* Allows the board of pharmacy to license ambulatory surgical treatment centers that have designated either a pharmacist-in-charge or a medical director licensed as a physician as the person of authority and responsibility for compliance with pertaining laws and rules. Broadly captioned.

*Fiscal Note:* (Dated February 19, 2024) Increase State Revenue \$83,300/FY25-26/Board of Pharmacy \$79,000/FY26-27 and Subsequent Years/ Board of Pharmacy Increase State Expenditures \$83,300/FY25-26/Board of Pharmacy \$79,000/FY26-27 and Subsequent Years/ Board of Pharmacy Pursuant to Tenn. Code Ann. 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Pharmacy had a surplus of \$404,000 in FY21-22, a deficit of \$257,521 in FY22-23, and a cumulative reserve balance of \$3,259,232 on June 30, 2023.

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/28/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0714 effective July 1, 2025.

**SB2813/HB2373 PUBLIC EMPLOYEES: Period for public comments at a public meeting.**

*Sponsors:* Sen. Reeves, Shane , Rep. Terry, Bryan

*Summary:* Allows for a governing body to provide a period of public comment on an agenda for a public meeting after each item or on collective items at the end of the agenda. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015611) rewrites the bill to, instead, provide that one or more members of a local legislative body who meet with one or more members of the state legislative delegation that represent the county or city is not a meeting under the law regarding open meetings for governing bodies, so long as the meeting is an exchange of information and not deliberative in nature or the member or members of the state legislative delegation conduct the meeting to discuss state matters. However, a meeting under this amendment must not be used to decide or deliberate public business in circumvention of the spirit or requirements of the present law.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0818 effective April 29, 2024.

**SB2820/HB2922 EDUCATION: Standardized form for reporting student allergies.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Sexton, Cameron

*Summary:* Requires that the department of education must make the standardized form for students reporting allergies to the school in which the student is enrolled in available for all LEAs on the department's website.

*Amendment Summary:* Senate amendment 1 (016280) rewrites the bill to make the changes described below to the Tennessee Public Charter Schools Act of 2002 and applies to opportunity public charter schools applying to open in the 2026-2027 school year or in a subsequent school year. This amendment authorizes an opportunity public charter school to be formed to provide high-quality educational options for students residing within this state. As used in this amendment, an "opportunity public charter school" means a public charter school serving any of the grades 6 through 12 for which at least 75 percent of the students enrolled in the public charter school, at the time of enrollment, are at-risk students and that provides (i) instruction to students in a traditional classroom setting; or (ii) a residential program for enrolled students and includes instruction to such students in a traditional classroom setting. This amendment prohibits an opportunity public charter school from charging registration fees, enrollment fees, or tuition to the at-risk students enrolled in the public charter school. As used in the amendment, an "at-risk student" means a student who, at the time of enrollment in an opportunity public charter school, is a member of a family with a household income that is below 200 percent of the federal poverty level, and meets at least one of the following criteria: (i) the student has dropped out of school without obtaining a high school diploma or a high school equivalency credential; (ii) the student has been adjudicated as a juvenile delinquent or is awaiting disposition of charges that may result in adjudication as a delinquent; (iii) the student has previously been detained or incarcerated in a juvenile detention center; (iv) the student has been retained at least twice in any of the grades K-8, or the student is one or more years behind in obtaining the credit required for promotion to the next grade level or to graduate from high school in four years with the student's cohort; (v) the student is chronically absent, as defined in Tennessee's Every Student Succeeds Act (ESSA) plan established pursuant to the Every Student Succeeds Act; (vi) the student is pregnant or mothering; (vii) the student has a documented substance abuse issue; or (viii) the student has experienced circumstances of abuse or neglect. This amendment requires a sponsor seeking to establish an opportunity public charter school to apply to the local board of education. A sponsor applying to establish an opportunity public charter school must comply with the application process in existing law. This amendment authorizes a sponsor to apply to a local board of education to establish an opportunity public charter school. The application process must be conducted in accordance with existing law. A public school converted to an opportunity public charter school must not give an enrollment preference to students who reside within the former school zone of the converted public school, unless the student is an at-risk student. This amendment requires the Tennessee investment in student achievement (TISA) formula school funds and the average per pupil local funds received by the LEA in the current school year above those required by the TISA for each student member in the opportunity public charter school in the prior year to follow an at-risk student who transfers to an opportunity public charter school, but who resides in an LEA other than the LEA in which the opportunity public charter school is located, into the LEA in which the opportunity public charter school is located. The receiving LEA must not charge tuition. However, this does not preclude an LEA from entering into an agreement with another LEA whereby additional funds may be transferred from the sending

LEA to the receiving LEA for the purpose of educating the child. This amendment authorizes an opportunity public charter school authorized to serve a student population composed of at-risk students in grades six through 12 through a residential program to be operated as a single-sex school that only enrolls students of a respective sex. This amendment requires an opportunity public charter school that serves a student population composed of at-risk students in grades six through 12 through a residential program to be operated on a year-round basis, which must not operate to reduce the level of state support to the public charter school. The commissioner of education must make adjustments necessary to accommodate the opportunity public charter school's year-round operation so as not to diminish state financial support. The charter agreement must specify the date by which the school year must commence. Funding for an opportunity public charter school must comply with the law relevant to allocation of state and local funds and federal funds under the Tennessee Public Charter Schools Act of 2002. This amendment prohibits an opportunity public charter school from opening before the 2026-2027 school year. This amendment authorizes the state board of education, in consultation with the commission, to promulgate rules to effectuate this amendment. Additionally, the state board of education is authorized to promulgate rules to determine whether a student is an "at-risk student" for purposes of this amendment. On or before February 1 of the year preceding the year in which the proposed public charter school plans to begin operation, present law requires the sponsor seeking to establish a public charter school to prepare and file with the authorizer and the department of education ("department") an application using the application template developed by the department in coordination with the commission and that provides, among other information, a description of the anticipated student enrollment and the nondiscriminatory admission policies. However, this amendment adds to this present law by clarifying that any charter school may be operated as a single-sex school that only enrolls students of a respective sex. This amendment also adds to the present law by requiring such application to provide a plan for the construction, development, or purchase of residential facilities for a proposed opportunity public charter school, if the proposed opportunity public charter school intends to provide a residential program, including a copy of all required permits, certificates, or other documentation evidencing the sponsor's ability to secure, provide, and safely operate the residential program. This amendment authorizes the membership of a governing body for an opportunity public charter school to, but is not required to, include a parent representative; and an advisory school council established by a charter management organization for an opportunity public charter school may, but is not required to, include a parent member. This amendment requires an opportunity public charter school to enroll an at-risk student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. Students who attended the opportunity public charter school during the previous year may re-enroll in the opportunity public charter school for the upcoming year and are not subject to an enrollment lottery. If the number of applications exceeds the capacity of a program, class, grade level, or building, then the opportunity public charter school must select students through an enrollment lottery. Returning students who re-enroll in the opportunity public charter school are excluded from entering into an enrollment lottery. Students who are at-risk students must be given an enrollment preference. This amendment authorizes an authorizer of an opportunity public charter school to revoke a public charter school agreement if the public charter school receives identification as a priority school. However, an authorizer must not revoke a public charter school agreement based on the public charter school being identified as a priority school on the priority school list issued in 2022 or 2023. The revocation takes effect immediately following the close of the school year in which the public charter school is identified as a priority school. This amendment requires the authorizer of an opportunity public charter school to revoke a public charter school agreement if the public charter school receives identification as a priority school for two consecutive cycles. The revocation takes effect immediately following the close of the school year in which the public charter school is identified as a priority school for the second consecutive cycle. The priority school lists issued in 2022 and 2023 must not be considered a priority school and must not subject a public charter school to automatic revocation of its charter agreement. Present law requires the performance-related provisions within a charter agreement to be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the authorizer's evaluation of each public charter school. The department must develop a model performance framework that includes, at a minimum, student academic performance, achievement gaps between major student subgroups, postsecondary readiness, and financial performance and sustainability. This amendment adds to the present law by requiring the department to also adopt an opportunity public charter school performance framework in alignment with the state board of education's quality authorizing standards. This amendment authorizes a sponsor to apply to open an opportunity public charter school pursuant to the application process outlined in this amendment and the Tennessee Public Charter Schools Act of 2002. However, the department, in consultation with the commission, may develop a specific opportunity public charter school application. This amendment requires the state board of education to promulgate rules to establish an annual evaluation of the at-risk student enrollment at opportunity public charter schools. If an opportunity public charter school fails to meet the 75 percent at-risk student enrollment requirement described in this amendment for three consecutive years, then the opportunity public charter school must (i) petition the authorizer to amend its charter agreement; or (ii) voluntarily close. This amendment authorizes opportunity public charter schools to establish alternative education programs in compliance with the existing law relevant to alternative schools for suspended or expelled students. This amendment requires the department to recommend, and the state board of education to adopt, an opportunity public charter school accountability framework in compliance with all federal requirements under the Every Student Succeeds Act. The opportunity public charter school accountability framework must include multiple measures and include performance metrics and targets that ensure students are prepared for post high school success. The department must convene an opportunity public charter school accountability working group to provide input and feedback prior to the recommendation of an accountability framework to the state board of education. Senate amendment 2 (017915) adds that, with regard to enrollment, an opportunity public charter school that provides a residential program must not enroll a student who is in the custody of the department of children's services in the opportunity public charter school's residential program. However, this provision does not prohibit: (1) An opportunity public charter school that does not provide a residential program from enrolling a student who is in the custody of the department of children's services; or (2) An opportunity public charter school that provides a residential program from enrolling or re-enrolling a student who is in the custody of the department of children's services in the opportunity public charter school's residential program if the student was enrolled in the opportunity public charter school's residential program at the time the student was placed in the custody of the department of children's services. House amendment 1 (017590) authorizes the formation of opportunity public charter schools, which are public charter schools that serve any of the grades six through twelve (6-12) for which at least 75 percent of the students enrolled are at-risk and which may operate a residential program. Requires a sponsor seeking to establish an opportunity public charter school to apply to a local board of education. Requires that Tennessee Investment in Student Achievement (TISA) funds and the average per pupil local funds follow an at-risk student who transfers to an opportunity public charter school, for the first year in which the at-risk student is enrolled, if the student resides in a local education agency (LEA) other than the LEA in which the opportunity public charter school is located. Prohibits the LEA that enrolls an at-risk transfer student from charging tuition. Establishes that any public charter school may be operated as a single-sex school that only enrolls students of a respective sex. Requires an opportunity public charter school serving students through a residential program to be operated on a year-round basis, which must not operate to reduce the level of state support to the public charter school. Prohibits an opportunity public charter school from charging registration and enrollment fees or tuition to the students. Prohibits an opportunity public charter school from providing a residential program for enrolled students unless 50 percent or more of the students enrolled in the opportunity public charter school are residents of the LEA in which the opportunity public charter school is

located, and were residents of such LEA when the students applied to enroll. Requires the Department of Education (DOE) to adopt an opportunity public charter school performance framework in alignment with the State Board of Education's adopted quality authorizing standard. Effective July 1, 2024, for most purposes of the legislation. Applies to the 2026-27 school year or subsequent school years. House amendment 2 (018038) authorizes the formation of opportunity public charter schools, which are public charter schools that serve any of the grades six through twelve (6-12) for which at least 75 percent of the students enrolled are at-risk and which may operate a residential program. Requires a sponsor seeking to establish an opportunity public charter school to apply to a local board of education. Requires that Tennessee Investment in Student Achievement (TISA) funds follow an at-risk student who transfers to an opportunity public charter school, for the first year in which the at risk student is enrolled, if the student resides in a local education agency (LEA) other than the LEA in which the opportunity public charter school is located. Prohibits the LEA that enrolls an at-risk transfer student from charging tuition. Establishes that any public charter school may be operated as a single-sex school that only enrolls students of a respective sex. Requires an opportunity public charter school serving students through a residential program to be operated on a year-round basis, which must not operate to reduce the level of state support to the public charter school. Prohibits an opportunity public charter school from charging registration and enrollment fees or tuition to the students. Prohibits an opportunity public charter school from providing a residential program for enrolled students unless 50 percent or more of the students enrolled in the opportunity public charter school are residents of the LEA in which the opportunity public charter school is located, and were residents of such LEA when the students applied to enroll. Prohibits an opportunity public charter school that provides a residential program from enrolling a student who is in the custody of the Department of Children's Services (DCS) in the school's residential program, unless the student was enrolled in such program at the time the student was placed in the custody of the DCS. Requires the Department of Education (DOE) to adopt an opportunity public charter school performance framework in alignment with the State Board of Education's adopted quality authorizing standard. Effective July 1, 2024, for most purposes of the legislation. Applies to the 2026-27 school year or subsequent school years.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1066, effective July 1, 2024.

**SB2822/HB2851 EDUCATION: Audit by comptroller - compliance with the equal protection provisions of the TN and US constitutions.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Hill, Timothy  
*Summary:* Requires the office of the comptroller of the treasury to include in any audit conducted by the office of a governing board of a public institution of higher education an examination into whether each institution governed by the board is complying with the equal protection provisions of the Tennessee and United States constitutions in the institution's admission program and practices. Broadly captioned.  
*Fiscal Note:* (Dated March 3, 2024) NOT SIGNIFICANT  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/15/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Public Chapter 1067, effective July 1, 2024.

**SB2826/HB2393 EDUCATION: Fees collected by THEC from Tennessee SARA institutions.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Lafferty, Justin  
*Summary:* Allows for the Tennessee higher education education commission to set fees by defaulting to the fees assessed by NC-SARA or any successor organization and allows for the commission to promulgate rules governing the schedule of fees which will constitute the fees applicable to Tennessee SARA institutions in the event of waived fees. Also requires that beginning July 1, 2025, a Tennessee SARA institution must pay its annual renewal fees by December 1.  
*Fiscal Note:* (Dated March 3, 2024) Other Fiscal Impact The increase to the THEC fees is unknown and cannot be determined with reasonable certainty. Any increase to the current fees would result in an increase to THEC revenue and a corresponding increase to participating institution expenditures beginning in FY25-26.  
*Senate Status:* 04/22/24 - Signed by Senate speaker.  
*House Status:* 04/23/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0879, effective July 1, 2024.

**SB2827/HB2859 ENVIRONMENT & NATURE: Operation of golf carts on gravel roads within the campgrounds of state parks.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Ragan, John  
*Summary:* Authorizes the operation of a golf cart on gravel roads within the campgrounds of state parks in addition to paved roads if such gravel roads are marked suitable for a golf cart. Broadly captioned.  
*Amendment Summary:* Senate amendment 2 (003516) rewrites the bill to, instead, provide that an owner of land who enters into a cooperative agreement with a public utility owned by the federal government for the use of the public utility's land in conjunction with the owner's land of at least 100 acres that is made available to the public as a park for outdoor recreational purposes without charge, except for a nominal parking fee or special event fee, owes no duty of care to persons entering or going upon such land and is not liable for any loss, damages, or injury to such persons. However, this amendment does not limit liability for any conduct that constitutes gross negligence or willful and wanton misconduct. As used in this amendment, "outdoor recreational purposes" means any activity within an outdoor environment, including, but not limited to, fishing, wildlife viewing, swimming, boating, camping, picnicking, hiking, biking trails and bike skills areas, greenway trails, nature study, non-motorized boat access, and playgrounds.  
*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/06/24 - Enacted as Public Chapter 0819 effective April 29, 2024.

**SB2834/HB2925 UTILITIES: Deletes obsolete provision requiring TPUC report on state-issued certificates of franchise authority.**

*Sponsors:* Sen. Stevens, John , Rep. Sexton, Cameron

*Summary:* Deletes an obsolete provision requiring the public utility commission to report by 2011 to the speaker of the senate, the speaker of the house of representatives, the governor, the chair of the commerce and labor committee of the senate, and the chair of the commerce committee of the house of representatives regarding state-issued certificates of franchise authority under the Competitive Cable and Video Services Act. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (017323) rewrites the bill to, instead, do the following: (1) Require that the state fire marshal, in promulgating rules establishing minimum statewide building construction safety standards, not prohibit less than six stories of Group R-2 occupancy, as defined in the building code adopted by the department of commerce and insurance, division of fire prevention, to be served by a single exit if: (A) The building has not more than six stories above grade plane; (B) The building does not contain more than four dwelling units on any floor; (C) An exterior stairway or interior exit stairway is provided; (D) A corridor separates each dwelling unit entry or exit door from the door to an interior exit stairway, including any related exit passageway on each floor, and the dwelling unit doors do not open directly into an interior exit stairway, but may open directly into an exterior stairway; (E) There is no more than 20 feet of travel to the exit stairway from the entry/exit door of any dwelling unit; (F) Travel distance measured in accordance with the building code adopted by the department of commerce and insurance, division of fire prevention, does not exceed 125 feet; (G) Other occupancies in the same building do not have access to the Group R-2 occupancy portion of the building or with the single-exit stairway. For purposes of this (1), parking garages and occupied roofs accessory to the Group R-2 occupancy may have access to the exit stairway; (H) The exit serving the Group R-2 occupancy does not discharge through any other occupancy, including an accessory parking garage; and (I) There are no openings within 10 feet of unprotected openings into the stairway other than required exit doors having a one-hour, fire-resistive rating; and (2) Authorize a local government to adopt the exception set out in (1) above by resolution or ordinance, and the exception becomes operative on the date of adoption of the resolution or ordinance; (3) When the owner of real property applies for utility service from a utility system for residential or commercial development on the owner's property and the utility has an existing utility line or system immediately adjacent to the real property, prohibit the utility system from requiring the owner to construct or pay for the construction of any offsite utility improvements as a condition for service or permit issuance; (4) If a utility system determines that offsite utility improvements must be constructed to provide the utility service requested and to maintain the utility's current level of service and capacity to serve its existing customers, require the utility system to require the owner to construct or pay for the construction of such offsite utility improvements; (5) Authorize the utility system to require the owner to upgrade the offsite utility improvements required pursuant to (4) above to increase the utility system's capacity to serve future customers, but only pursuant to a cost-sharing arrangement between the owner and the utility system; (6) Establish that a utility system has 60 days from the date on which a building permit is requested from the local government or state fire marshal to make the determinations in (4) and (5) above; (7) If the owner and the utility system are unable to agree upon the amount of the cost-sharing arrangement described in (5) above, authorize the owner to request the Tennessee board of utility regulation to determine the cost-sharing amount; (8) Define, for purposes of the bill, an "offsite utility improvement" as any utility improvement or utility extension beyond the boundary of the real property being developed by the owner; and (9) Authorize the Tennessee board of utility regulation to review and conduct informal hearings of cost-sharing amounts pursuant to the (3)-(9), above.

*Fiscal Note:* (Dated February 4, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0820 effective April 29, 2024.

#### **SB2840/HB2911 FAMILY LAW: Grandparent visitation.**

*Sponsors:* Sen. Jackson, Ed , Rep. Eldridge, Rick

*Summary:* Defines reasonable visitation with regard to grandparent visitation as being sufficient contact to reasonable permit a strong and meaningful relationship to be established with the child as a minimum.

*Fiscal Note:* (Dated February 29, 2024) NOT SIGNIFICANT

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/05/24 - Signed by House speaker.

*Executive Status:* 04/26/24 - Enacted as Public Chapter 0715 effective April 1, 2024.

#### **SB2844/HB2686 CRIMINAL LAW: Expunction - filing of petition.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Doggett, Clay

*Summary:* Clarifies that an eligible petitioner may file a petition for expunction under certain circumstances if the offense the person is seeking to expunge occurred prior to any conviction for an offense that is not eligible for expunction. Allows an eligible petitioner who has been convicted of more than two offenses to seek expunction of two eligible offenses under certain circumstances. Makes various other clarifications relating to expunction laws.

*Amendment Summary:* Senate amendment 1 (015482) makes the following changes: (a) Adds to the present law in (1)(ii) of the summary by also requiring that the person has not previously been granted expunction under this bill or under the present law authorizing a person to seek expunction for illegal registration or voting; (b) Revises the bill by, instead, rewriting (C) in the bill summary to provide at the time of the filing of the petition for expunction at least (i) five years have elapsed since the completion of the sentence imposed for any misdemeanor or Class E felony the person is seeking to have expunged; and (ii) 10 years have elapsed since the completion of the sentence imposed for any Class C or D felony offense the person is seeking to have expunged; (c) Adds to the present law in the bill summary relevant to expunction of two offenses by also requiring that the person has not previously been granted expunction under present law and this bill; (d) Provides that if a person was convicted of more than one Class E Felony in the present law relevant to destruction or release of records and the conduct upon which each conviction is based occurred contemporaneously, occurred at the same location, represented a single continuous criminal episode with a single criminal intent, and all such convictions are eligible for expunction, then such convictions are considered a single offense for purposes of the law referenced under expunction of two offenses in the bill summary; (e) Deletes the present law provision that authorizes a person to petition for expunction of two offenses under the law referenced under expunction of two offenses in the bill summary only one time; and (f) Revises the present law that authorizes a person to petition for expunction of an offense of illegal registration or voting, if, among other things, the person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction. This amendment revises the present law by, instead, authorizing a person to petition for expunction of an offense of illegal registration or voting, if, among other things, the offense for which the person is seeking expunction occurred prior to any conviction for a criminal offense that is ineligible for expunction, including convictions for federal offenses and offenses in other states that would be ineligible for expunction in this state.

*Fiscal Note:* (Dated February 24, 2024) NOT SIGNIFICANT

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0962, effective May 9, 2024.

**SB2847/HB1997 PUBLIC FINANCE: Reallocation of portion of trust principal of K-12 mental health endowment account.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Hicks, Gary

*Summary:* Requires the trust principal of the K-12 mental health endowment account to be reduced by \$75,000,000 in the fiscal year ending June 30, 2024, and reallocated to the trust's K-12 mental health special reserve account.

*Fiscal Note:* (Dated February 10, 2024) Increase State Revenue \$75,000,000/FY23-24/K-12 Mental Health Special Reserve Account Increase State Expenditures \$75,000,000/FY23-24/K-12 Mental Health Endowment Account

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0792, effective April 23, 2024.

**SB2850/HB2900 PROFESSIONS & LICENSURE: Authorization to work in the US - proof of application for a valid visa.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Kumar, Sabi

*Summary:* Allows, as an alternative for an applicant for certain professional licenses or certificates having to show United States citizenship or authorization to work in the United States as verified by the SAVE program, the applicant to show proof of application for a valid visa that would authorize the applicant to lawfully work in the United States or a valid J-1 or F-1 student visa. Requires the board of medical examiners to grant a full and unrestricted license to practice medicine to certain temporary licensees who are in good standing two years after the temporary licensee begins practicing medicine at a healthcare provider in this state as a temporary licensee, rather than two years after the date of initial licensure. Broadly captioned.

*Amendment Summary:* House amendment 1 (014354) revises the bill by, instead, authorizing an applicant for a professional license or certificate that is issued pursuant to the law regarding medicine and surgery and osteopathic physicians, for practice as a physician, to show that the applicant has applied for a valid visa that would authorize the applicant to work in the U.S. under federal law. Senate amendment 1 (017824) makes the following changes: (1) Requires every state governmental entity and local health department to verify, in the manner provided in the Eligibility Verification for Entitlements Act, that each applicant who is 18 or older and applies for a federal, state, or local public benefit from the state governmental entity or local health department, is a United States citizen or lawfully present in the United States pursuant to the federal Immigration and Nationality Act; and (2) To satisfy the citizenship or lawful presence requirement of (1) above, authorizes an applicant for a professional license or certificate that is issued pursuant to: (i) state law for practice as a physician, including osteopathic physicians, to show that the applicant has applied for a valid visa that would authorize the applicant to work in the United States under federal law; or (ii) state law relative to intoxicating liquors, to show that the applicant has a valid J-1 or F-1 student visa, as verified by the alcoholic beverage commission.

*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0921, effective July 1, 2024, & effective May 3, 2024.

**SB2855/HB1830 JUDICIARY: Creates one additional circuit court in the 23rd judicial district.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Littleton, Mary

*Summary:* Creates one additional circuit court in the 23rd judicial district for a total of four.

*Fiscal Note:* (Dated February 17, 2024) Increase State Expenditures \$346,200/FY24-25 \$380,100/FY25-26 and Subsequent Years

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0880, effective May 1, 2024.

**SB2861/HB2619 CORRECTIONS: Electronic reporting of the effectiveness of diversion of offenders.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John

*Summary:* Allows the department of correction to file its annual report regarding the effectiveness of diversion of offenders from state correctional institutions electronically. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015954) rewrites the bill to, instead, prohibit the department of correction ("department") from using state funds (i) to administer hormone replacement therapy to state inmates incarcerated in a state penitentiary or a county jail or workhouse; however, this provision does not apply to state inmates receiving hormone replacement therapy prior to the effective date of the bill; or (ii) for sex reassignment surgery for state inmates incarcerated in a state penitentiary or a county jail or workhouse. This amendment establishes that (i) and (ii) above do not prohibit the department from administering psychotropic medication to state inmates incarcerated in a state penitentiary or a county jail or workhouse if deemed necessary by trained medical personnel. For purposes of this amendment, "psychotropic medications" means medication used for antipsychotic, antidepressant, antimanic, antianxiety, behavioral modification, or behavioral management purposes, as listed in the Physician's Desk Reference, or where there is a body of peer-reviewed medical literature supporting its use.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/16/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0821 effective April 29, 2024.

**SB2879/HB2959 CORRECTIONS: Creates a committee to study the establishment of incarcerated parenting plans.**

*Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.

*Summary:* Creates a committee to study the establishment of incarcerated parenting plans to facilitate the ongoing relationships between incarcerated parents and their children within this state. Requires the committee to report its findings and recommendations to the civil justice committee of the house of representatives and the judiciary committee of the senate by December 1, 2024, including any model incarcerated parenting plan and any proposed legislation. Broadly captioned.

*Fiscal Note:* (Dated March 7, 2024) Increase State Expenditures \$5,700/FY24-25

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.



*Executive Status:* 05/28/24 - Enacted as Public Chapter 1068, effective May 28, 2024.

#### **SB2883/HB2954 INSURANCE HEALTH: Prostate-Specific Antigen Screening for High-risk Insured Men Act.**

*Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.

*Summary:* Enacts the "Prostate-Specific Antigen Screening for High-risk Insured Men Act," which requires health insurance coverage for the early detection of prostate cancer for men 40 to 49 years of age who are at a high risk of developing prostate cancer, including African-American men and men with a family history of prostate cancer, men 50 years of age and older, and other men, if a physician determines that early detection for prostate cancer is medically necessary.

*Amendment Summary:* House amendment 1 (015851) revises the bill to, instead, require a health benefit plan to provide, upon the recommendation of a physician and when determined by the health benefit plan to be medically necessary, coverage for the early detection of prostate cancer for (i) men 40 to 49 who are at a high risk of developing prostate cancer, including African-American men and men with a family history of prostate cancer; (ii) men 50 and older; and (iii) other men, if early detection for prostate cancer is medically necessary. Senate amendment 2 (018711) revises the requirement for health benefit plans, mandating them to provide coverage for the early detection of prostate cancer upon the recommendation of a physician and when determined by the health benefit plan to be medically necessary. Requires coverage to be provided for (i) men aged 40 to 49 who are at high risk, including African-American men and those with a family history of prostate cancer; (ii) men aged 50 and older; and (iii) other men if early detection is deemed medically necessary. Stipulates that coverage must be provided without imposing cost-sharing requirements, except in cases where compliance would affect the eligibility of certain health plans under the Internal Revenue Code.

*Fiscal Note:* (Dated March 7, 2024) NOT SIGNIFICANT Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation could result in an increase in the cost of health insurance premiums for coverage of mental health wellness examinations being provided by plans that do not currently offer these benefits at the proposed mandated levels. It is estimated that the increase to each individual's total premium will be less than one percent.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 1003, effective July 1, 2024.

#### **SB2897/HB2677 LOCAL GOVERNMENT: Continuing education requirements for county commissioners.**

*Sponsors:* Sen. Bailey, Paul , Rep. White, Mark

*Summary:* Increases the annual continuing education requirement for county commissioners from seven to eight hours and requires that the training be obtained at conferences or meetings provided by CTAS. Extends a \$600 stipend to county commissioners for completion of annual training requirements. Broadly captioned.

*Amendment Summary:* House amendment 1 (018223) increases the annual continuing education requirement for county commissioners from seven to eight hours and requires that the training be obtained at conferences or meetings provided or approved by the County Technical Assistance Service (CTAS). Extends a \$600 stipend to county commissioners for completion of annual training requirements. Senate amendment 1 (018846) allows counties to provide a \$600 supplement to commissioners who complete annual continuing education training. Deletes subsection (e), which stated that a member of a county legislative body who doesn't comply with the training requirements is ineligible for re-election or appointment until completing the required training.

*Fiscal Note:* (Dated March 10, 2024) Other Fiscal Impact A mandatory, recurring increase in local expenditures, beginning in FY26-27, cannot be estimated with certainty. \*

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/24/24 - Enacted as Public Chapter 0997, effective May 21, 2024.

#### **SB2898/HB2642 LOCAL GOVERNMENT: Fire engine converted to a for-hire passenger vehicle.**

*Sponsors:* Sen. Bailey, Paul , Rep. Lamberth, William

*Summary:* Includes a fire engine that has been converted to a for-hire passenger vehicle in the definition of entertainment transportation in relation to providing passenger transportation services. Broadly captioned.

*Amendment Summary:* House amendment 2 (017166) prohibits a governmental entity that regulates entertainment transportation from: (1) refusing to renew a permit to a business that provides entertainment transportation if the permit was issued prior to the effective date of the act, or (2) revoking a permit except for good cause shown in an administrative hearing.

*Fiscal Note:* (Dated February 27, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/22/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0894, effective May 1, 2024.

#### **SB2901/HB2682 PUBLIC EMPLOYEES: Reemployment of TCRS member who is a law enforcement officer.**

*Sponsors:* Sen. Bailey, Paul , Rep. Doggett, Clay

*Summary:* Reduces from 60 to 30 days the waiting period before a law enforcement officer who is a member of the Tennessee Consolidated Retirement System may be reemployed after the officer's effective date of retirement.

*Amendment  
Summary:*

House amendment 1, Joint Council on Pensions amendment 1 (014106) rewrites the bill to, instead, do the following: (1) Until June 30, 2026, authorizes a retired member of the Tennessee consolidated retirement system or of a superseded system, or of a local retirement fund established under state law, to be reemployed in a position covered by the retirement system without the loss or suspension of the retired member's retirement benefits if the member meets the following criteria: (A) The member retired on an unreduced service retirement allowance under state law relative to retirement plan membership benefits; (B) The retired member is reemployed as a law enforcement officer with a law enforcement agency for the sole purpose of serving full-time as a school resource officer, at a public school in an LEA that serves students in any of the grades K-12; (C) The retired member is not reemployed until the expiration of at least 60 calendar days from the member's effective date of retirement; (D) The retired member's reemployment must not exceed one year; however, the retired member may be reemployed for an additional one-year period if the conditions in this section are met for each period of reemployment. A retiree must not be reemployed pursuant to this bill for more than two years; (E) To fund the liability created by this bill, the retired member's new employer must pay to TCRS, during each period of reemployment, a payment equal to the amount the employer would have contributed to the retirement system had the retired member been a contributing member of the retirement system during the period of reemployment; (F) The retired member is not eligible to accrue additional retirement benefits as a result of the member's reemployment pursuant to this bill; (G) Upon the reemployment of the retired member, the retired member's new employer must (i) notify the retirement system of the member's reemployment pursuant to this bill and provide any documents or information required by the retirement system; (ii) certify, in writing, to the retirement system that the retired member has the requisite experience and training for the position to be filled and that no other qualified person is available to fill the position; and (iii) certify, in writing, to the retirement system that the employer is employing the retired member to serve full-time as a school resource officer at a public school in this state that serves students in any of the grades K-12; and (H) The retiree is not drawing disability retirement benefits under state law relative to disability retirement; and (2) If an LEA or multiple LEAs in the jurisdiction of a law enforcement agency have multiple full-time school resource officer positions available at one or more public schools in the LEA or LEAs, authorizes a law enforcement agency to employ a retired member for each position, if the conditions of (A)-(H) above are met.

*Fiscal Note:*

(Dated February 13, 2024) NOT SIGNIFICANT

*Senate Status:*

04/23/24 - Signed by Senate speaker.

*House Status:*

04/23/24 - Signed by House speaker.

*Executive Status:*

05/08/24 - Enacted as Public Chapter 0918, effective July 1, 2024.

**SB2902/HB2683 PUBLIC EMPLOYEES: Requirements for TCRS board of trustees' annual report showing the fiscal transactions of the retirement system.**

*Sponsors:*

Sen. Bailey, Paul , Rep. Doggett, Clay

*Summary:*

Requires the board of trustees for the retirement system to include a certification of the amount of normal contributions, accumulated liability contribution, and cost of living contribution required from an employer for state judges and attorneys general in the board's annual report showing the fiscal transactions of the retirement system. Broadly captioned.

*Amendment*

*Summary:*

House amendment 1, Joint Council on Pensions amendment 1 (014049) rewrites the bill as follows: (1) Establishes that members employed as public safety officers are eligible to receive a hazardous duty supplemental benefit in addition to the member's retirement allowance if they meet the following criteria: (A) The member meets the eligibility requirements for retirement; (B) The member has at least 20 years of creditable service in the retirement system as a public safety officer; (C) The member retires on a service retirement allowance or early service retirement allowance, and does not retire under disability retirement; (D) The chief governing body of the political subdivision passes a resolution authorizing an actuarial study to determine the liability associated with providing the hazardous duty supplemental benefit and accepting responsibility for the costs of the study; (E) Following receipt of the actuarial study, the governing body of the political subdivision passes a resolution authorizing the supplemental benefit and accepting the liability for the benefit; however, the political subdivision must not establish the supplemental benefit unless the political subdivision's funded status in the retirement system will be at least 70 percent after implementation of the supplemental benefit. All costs associated with providing the supplemental benefit must be paid by the political subdivision and not the state; and (F) After authorizing the supplemental benefit, the political subdivision pays the estimated increased pension liability through one of the following methods: (i) a lump sum; (ii) an increase in the employer's contribution rate over the course of the fiscal year following the adoption of the authorizing resolution; or (iii) amortizing the unfunded accrued liability over a period of time not to exceed 10 years from the date of the adoption of the resolution; (2) Establishes that the hazardous duty supplemental benefit is calculated as follows: (A) For any such member retiring on a service retirement allowance, the hazardous duty supplemental benefit is equal to 3/8 of one percent of the member's average final compensation multiplied by the member's years of creditable service as a public safety officer with a political subdivision that has adopted the hazardous duty supplemental benefit; (B) For any such member participating in the legacy plan retiring on an early service retirement allowance, the hazardous duty supplemental benefit is computed in accordance with (2)(A), but is reduced by 4/10 of one percent for each month by which the member's date of early service retirement precedes the member's service retirement date; and (C) For any such member participating in the alternate defined benefit plan, hybrid plan, or the hybrid retirement plan for state employees and teachers retiring on an early service retirement allowance, the hazardous duty supplemental benefit is computed in accordance with (2)(A), but is reduced by an actuarially determined factor as set by the board from time to time; (3) Establishes that a retired member covered by this bill is entitled to receive an adjustment in the retiree's hazardous duty supplemental benefit for cost-of-living adjustments, except as otherwise provided in the hybrid retirement plans for state employees and teachers. Any such adjustment to the hazardous duty supplemental benefit is computed separately from the member's service retirement allowance; (4) Establishes that state laws relative to the limitation on amount of retirement allowance, maximum allowance, establishment of a hybrid plan, and determination of amount of annual service retirement allowance do not reduce or eliminate the supplemental benefit provided by this bill, and the supplemental benefit must not be reduced as a result of any optional retirement allowance selected by the member pursuant to state law on election of options for retirement allowances; (5) Establishes that the hazardous duty supplemental benefit begins on the member's effective date of retirement or on the first day of the month following the month the member reaches age 60, whichever is later; (6) Establishes that the hazardous duty supplemental benefit, including any cost-of-living adjustments attributable to that benefit, ceases on the first day of the month following the month in which the member dies, or on the first day of the month following the month in which the member reaches full retirement age for receipt of old age and survivors benefits under Title II of the Social Security Act; (7) Establishes that the hazardous duty supplemental benefit provided by this bill applies to all current and future retired members who meet the eligibility criteria for the supplemental benefit; however, the benefit must not be paid retroactively; and (8) Defines, for this bill, a "public safety officer" as a full-time, salaried employee of a political subdivision who is a sheriff, sheriff's deputy, police officer, chief of police, or any other law enforcement officer with the political subdivision whose primary responsibility is the prevention and detection of crime and apprehension of offenders. The term also means a full-time, salaried employee of a political subdivision who is a correctional officer or firefighter.

*Fiscal Note:*

(Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/23/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/08/24 - Enacted as Public Chapter 0919, effective January 1, 2025.

**SB2911/HB1600 CRIMINAL LAW: Juvenile offenders - prohibits purchase or possession of a firearm.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan

*Summary:* Prohibits the purchase or possession of a firearm by a person under 25 years of age if the person was previously adjudicated delinquent for an act that, if committed by an adult, would have constituted one or more certain offenses. Allows TBI access to juvenile court records for the limited purpose of performing a background check prior to the purchase or transfer of a firearm to determine whether a person has been adjudicated as a mental defective or committed to a mental health institution at 16 years of age or older, as required by federal law, or is prohibited from purchasing a firearm because of an adjudication as delinquent.

*Amendment Summary:* House amendment 1 (018173) makes the following changes: (1) Removes cruelty to animals from the offenses listed in (1)-(9) in the bill summary; (2) Revises the provision in the bill requiring the clerk of the juvenile court to notify the Tennessee bureau of investigation (TBI) of final disposition of delinquency proceedings against a juvenile adjudicated delinquent for an act described in this bill as soon as practicable but not later than three business days after final disposition of the delinquency proceedings by, instead, requiring the clerk of the juvenile court to electronically submit to the instant check unit of the TBI the final disposition of delinquency proceedings against a juvenile adjudicated delinquent for an act described in this bill as soon as practicable but not later than three business days after final disposition of the delinquency proceedings; (3) If a person prohibited from purchasing or possessing a firearm until the juvenile reaches 25 or older and at least one year removed from person's most recent delinquency adjudication and completion of any disposition imposed, then authorizes the person to petition the juvenile court for reinstatement of the person's right to purchase or possess a firearm. In determining whether to grant a petition, the court must consider (i) the behavior of the person since the delinquency adjudication resulting in the prohibition; (ii) the likelihood that the person will engage in further criminal activity; and (iii) any other information the court considers relevant. The criminal court, or a court having criminal jurisdiction, may review the juvenile court's determination; (4) If the court grants a petition for reinstatement of the person's right to purchase or possess a firearm and the court's order is not appealed, then requires the clerk of the juvenile court to electronically submit to the instant check unit of the Tennessee bureau of investigation a certified copy of the order reinstating the person's right to purchase or possess a firearm within three business days after the time period for filing an appeal has closed; (5) Provides that the juvenile court has exclusive original jurisdiction over the proceedings arising under (1) and (2) above; (6) Provides that the provisions relevant to the unlawful possession of a firearm in the bill summary do not apply if a court has reinstated the person's right to possess a firearm pursuant to (1) and (2) above; (7) Revises the provision in the bill authorizing a person appropriately licensed by the federal government to stock and sell firearms to persons desiring firearms; however, sales are prohibited to persons who are under 25 and have been adjudicated delinquent on or after July 1, 2024, for an act which, if committed by an adult, would have constituted one more of the following offenses listed in (A)-(E) in the bill summary by, instead, prohibiting sales to persons who are under 25 and are currently prohibited from purchasing a firearm as a result of having been adjudicated delinquent on or after July 1, 2024, for an act which, if committed by an adult, would have constituted one or more of the following offenses listed in (A)-(E) in the bill summary; (8) Revises the provision in the bill authorizing the TBI to inspect files and records of the court in a proceeding for the limited purpose of performing a background check prior to the transfer of a firearm to determine whether a person has been adjudicated as a mental defective or committed to a mental institution at 16 or older, as required by federal law, or is prohibited from purchasing a firearm pursuant to this bill by, instead, authorizing the TBI to inspect files and records of the court in a proceeding for the limited purpose of performing a background check prior to the transfer of a firearm pursuant to this bill or to determine eligibility for a handgun carry permit pursuant to existing law; (9) Provides that the disposition of a child and evidence adduced in a juvenile court hearing can be used in a proceeding determining the suspension or revocation a handgun permit; (10) Provides that it is an eligibility requirements for obtaining an enhanced handgun carry permit that if the applicant is under 25, that the applicant is not currently prohibited from purchasing or possessing a firearm as a result of having been adjudicated delinquent on or after July 1, 2024, for an act which, if committed by an adult, would have constituted one or more of the following offenses: (i) aggravated assault; (ii) aggravated assault against a first responder or nurse; (iii) criminal homicide; (iv) robbery, aggravated robbery, especially aggravated robbery, or carjacking; (v) burglary, aggravated burglary, especially aggravated burglary; (vi) aggravated cruelty to animals; (vii) a threat of mass violence; or (viii) a criminal offense involving the use or display of a firearm; (11) Requires the department of safety to suspend or revoke a handgun permit upon a showing by its records or other sufficient evidence that the permit holder is under 25 and is currently prohibited from possessing a firearm as a result of having been adjudicated delinquent on or after July 1, 2024, for an act which, if committed by an adult, would have constituted one or more of the offenses (i)-(viii) in (4) above; and (12) Authorizes a petitioner or the state to appeal a court's determination under (1) and (2) above to the criminal court or a court having criminal jurisdiction. The criminal court, or court having criminal jurisdiction, must hear the case de novo. An appeal from a court's determination under (1) and (2) above must be filed within 10 days, excluding nonjudicial days, following the entry of the juvenile court's order. House amendment 3 (018860) clarifies that the Tennessee bureau of investigation must transmit the final disposition to the department of safety for the department's use in determining eligibility under law relative to enhanced handgun carry permits and concealed handgun carry permits.

*Fiscal Note:* (Dated February 10, 2024) Increase Local Expenditures - \$9,700/FY25-26\* Exceeds \$9,700/FY26-27 and Subsequent Years\* HB 1600 SB 2911

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/23/24 - Enacted as Public Chapter 0973, effective July 1, 2024.

**SB2915/HB1805 TRANSPORTATION VEHICLES: Death of eligible operator of freight motor vehicle - refund on portion of registration paid.**

*Sponsors:* Sen. Bailey, Paul , Rep. Butler, Ed

*Summary:* Authorizes a refund of the unused portion of the registration fee paid fee for freight motor vehicles operated for commercial purposes upon the death of an eligible operator of the freight motor vehicle. Requires surrendering of the certificate of registration and related license plate and submission of a copy of the death certificate of the deceased eligible operator to the department of revenue prior to issuance of the refund.

*Amendment Summary:* Senate amendment 1 (012787) clarifies that the bill does not apply to refunds of another state's apportioned registration fees governed by a reciprocity agreement. House amendment 2 (017871) creates the "Ethan Wade Walls Act." Allows for the refund of unused registration fees following the death of a freight motor vehicle operator. It defines an "eligible operator" as either the owner of a registered freight motor vehicle or a person owning a majority of the stock in the owning entity. Upon the operator's death, their certificate of registration, license plate, and a copy of the death certificate must be submitted to the Department of Motor Vehicles. Within 30 days, the department issues a refund proportionate to the remaining registration period, limited to three vehicles per operator. The act, effective upon enactment and retroactive to June 1, 2023, excludes refunds for apportioned registration fees under reciprocity agreements with other states.

*Fiscal Note:* (Dated January 25, 2024) Decrease State Revenue Exceeds \$6,000/FY24-25 and Subsequent Years/Highway Fund Exceeds \$100/FY24-25 and Subsequent Years/General Fund

*Senate Status:* 04/25/24 - Signed by Senate speaker.

*House Status:* 04/26/24 - Signed by House speaker.

*Executive Status:* 05/13/24 - Enacted as Public Chapter 0963, effective May 9, 2024.

**SB2920/HB2262 WELFARE: Business enterprise program for the blind.**

*Sponsors:* Sen. Bailey, Paul , Rep. Darby, Tandy

*Summary:* Changes the authorization from the director of services for the blind to the commissioner of human services or the commissioner's designee to make purchases of materials, equipment, stock, merchandise and expands the right to include services for use in a business enterprise program for the blind without needing to take bids for the purchases. Does not apply to the purchase of software for use in the inmate commissary facilities.

*Fiscal Note:* (Dated February 16, 2024) NOT SIGNIFICANT

*Senate Status:* 03/18/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 04/02/24 - Enacted as Public Chapter 0609 effective March 27, 2024.

**SB2923/HB2882 EDUCATION: Age-appropriate and grade-appropriate instruction on firearm safety.**

*Sponsors:* Sen. Bailey, Paul , Rep. Todd, Chris

*Summary:* Requires, beginning with the 2025-2026 school year, each local education agency and public charter school to provide students with age-appropriate and grade-appropriate instruction on firearm safety.

*Fiscal Note:* (Dated February 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 04/23/24 - Enacted as Public Chapter 0800, effective April 23, 2024.

**SB2926/HB2950 ALCOHOLIC BEVERAGES: Deletes a redundant definition in law relative to intoxicating liquors that defines the commission.**

*Sponsors:* Sen. Bailey, Paul , Rep. Travis, Ron

*Summary:* Removes the redundant definition of commission as the alcoholic commission as it relates to intoxicating liquors. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015019) rewrites the bill to, instead, in the context of licensee bond payments, require each holder of a license authorizing the consumption of alcoholic beverages on the premises to post with the department of revenue a bond of not less than \$10,000 for purposes of ensuring proper payment of taxes in accordance with rules promulgated under the bill. Such bond may be in the form of a corporate surety bond, a cash deposit, a bond secured by a certificate of deposit, or other form as authorized by the department by rule. The department must promulgate rules for purposes of carrying out the bill.

*Fiscal Note:* (Dated February 13, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/28/24 - Enacted as Public Chapter 1069, effective July 1, 2024.

**SB2928/HB2937 LOCAL GOVERNMENT: Member may not serve on both the county and municipal governing body at the same time.**

*Sponsors:* Sen. Powers, Bill , Rep. Johnson, Curtis

*Summary:* States that upon approval by majority vote of the governing body of a county or municipality, prohibits the respective member of the approving governing body from serving on both the county and municipal governing body simultaneously. Applies only to counties, and municipalities within such counties, with a population in excess of 200,000, according to the 2020 or a subsequent federal census. Authorizes, if approved, a member of both a county and municipal governing body to serve out the member's terms. Broadly captioned.

*Amendment Summary:* House amendment 1 (014534) makes the following changes to the bill: (1) Requires the county to approve the bill by a two-thirds vote of the entire county governing body in order for the bill to apply to the county; and (2) Requires the municipality to approve the bill by a two-thirds vote of the entire governing body of the municipality in order for the bill to apply to the municipality.

*Fiscal Note:* (Dated February 22, 2024) NOT SIGNIFICANT

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/01/24 - Enacted as Public Chapter 0763, effective April 22, 2024.

**SB2929/HB2704 FAMILY LAW: Report requirement for second look commission.**

*Sponsors:* Sen. Powers, Bill , Rep. Littleton, Mary

*Summary:* Permits the second look commission to electronically submit the report detailing the commission's findings and recommendations from a review of an appropriate sampling of cases involving a second or subsequent incident of severe child abuse to the governor, the senate judiciary and health and welfare committees, and the house of representatives civil justice committee. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014357) rewrites the bill to, instead, require the department of children's services, county medical examiners, chief medical examiners, and facilities that perform autopsies to establish policies and procedures for the prioritization of the completion of final autopsy reports for fatalities of (i) any child in the custody of the department; (ii) any child who is the subject of an ongoing investigation by child protective services or has been the subject of an investigation by child protective services within the 45 days immediately preceding the child's fatality or near fatality; or (iii) any child whose fatality or near fatality resulted in an investigation of the safety and well-being of another child in the home.

*Fiscal Note:* (Dated February 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/16/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0881, effective May 1, 2024.

**SB2931/HB2487 EDUCATION: Threats of mass violence made by a student.**

*Sponsors:* Sen. Powers, Bill , Rep. Hurt, Chris

*Summary:* Conditions the expulsion of a student for committing the zero-tolerance offense of threatening mass violence on school property or at a school-related activity to threats of mass violence determined to be valid based on the results of a threat assessment. Requires directors of schools and heads of public charter schools to report threats of mass violence on school property or at a school-related activity made by a student that are determined, based on the results of a threat assessment, to be valid. Broadly captioned.

*Fiscal Note:* (Dated March 10, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0882, effective May 1, 2024.

**SB2932/HB2486 EDUCATION: Director of schools - delegation of duties.**

*Sponsors:* Sen. Powers, Bill , Rep. Hurt, Chris

*Summary:* Allows for a director of schools to delegate one or more of the duties assigned to the director by the board of education to another administrator or employee of the LEA as long as the board of education has adopted a policy authorizing the delegation.

*Amendment Summary:* Senate amendment 1 (014263) authorizes a director of schools to delegate one or more of the duties assigned to the director by the board of education to another administrator or employee of the local education agency, if the board of education has adopted a policy authorizing such delegation. Requires a director of schools to have a baccalaureate degree and meet any other qualifications or requirements established by the local board of education.

*Fiscal Note:* (Dated March 8, 2024) NOT SIGNIFICANT

*Senate Status:* 04/18/24 - Signed by Senate speaker.

*House Status:* 04/18/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0883, effective May 1, 2024.

**SB2933/HB2494 EDUCATION: Education funding for students admitted to residential mental health facilities.**

*Sponsors:* Sen. Powers, Bill , Rep. Hurt, Chris

*Summary:* Revises certain enrollment, attendance, individualized education program, and resident requirements for certain education funding to follow a student who is admitted to a state-licensed or out-of-state mental health facility from the student's LEA to the facility. Broadly captioned.

*Fiscal Note:* (Dated March 2, 2024) NOT SIGNIFICANT

*Senate Status:* 04/22/24 - Signed by Senate speaker.

*House Status:* 04/23/24 - Signed by House speaker.

*Executive Status:* 05/06/24 - Enacted as Public Chapter 0884, effective July 1, 2024.

**SB2938/HB2966 LOCAL GOVERNMENT: Van Buren County - repeal of private purchasing power act.**

*Sponsors:* Sen. Bailey, Paul , Rep. Travis, Ron

*Summary:* Repeals the private purchasing act for Van Buren County that requires the County to solicit sealed bids for purchases and contracts in excess of \$2,500, thereby bringing the County under the general law purchasing authority for counties (The County Purchasing Law of 1957), which authorizes a county to approve purchases and contracts of up to \$10,000 without bid solicitation.

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0038, effective March 27, 2024.

**SB2939/HB2969 LOCAL GOVERNMENT: Clay County - hotel/motel tax increase.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly

*Summary:* Local bill for Clay County that increases the hotel-motel tax rate from two- and one-half percent to four percent. Amends Chapter 25 of the Private Acts of 2009.

*Senate Status:* 04/01/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0043, effective April 9, 2024.

**SB2940/HB2971 PUBLIC FINANCE: Deletes the Tennessee job skills program and fund.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William

*Summary:* Deletes the Tennessee job skills program and fund.

*Fiscal Note:* (Dated March 22, 2024) NOT SIGNIFICANT

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/01/24 - Signed by House speaker.

*Executive Status:* 05/17/24 - Enacted as Public Chapter 0964, effective May 15, 2024.

**SB2941/HB2972 PUBLIC FINANCE: Bond issuance.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Authorizes the state to issue and sell bonds of up to \$87,700,000.  
*Amendment Summary:* House amendment 1 (014000) decreases the allocation of the proceeds of any and all issues of bonds to the Department of Finance and Administration for the purpose of acquisition of equipment, and erection, construction and equipment of site and buildings expressly for repairs to existing structures for the Tennessee Board of Regents from \$34 million to \$12 million. Increases the allocation of the proceeds of any and all issues of bonds to the Department of Finance and Administration for the purpose of acquisition of equipment, and erection, construction and equipment of site and buildings expressly for repairs to existing structures and for the purpose of making grants to any county, metropolitan government, incorporated town, city, special district of the state, or any governmental agency or instrumentality of any of them as approved by the State Building Commission from \$7.9 million to \$29.9 million.  
*Fiscal Note:* (Dated March 25, 2024) Increase State Expenditures \$9,647,000 First-Year Debt Service \$142,951,000 Over the life of the bonds \$87,700,000 Principal \$55,251,000 Interest The Governors proposed budget for FY24-25, on page A-13, recognizes a proposed bond authorization of \$87,700,000.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/17/24 - Enacted as Public Chapter 0965, effective May 15, 2024.

**SB2942/HB2973 PUBLIC FINANCE: Appropriations - FY beginning July 1, 2023, and July 1, 2024.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Makes appropriations for the fiscal years beginning July 1, 2023, and July 1, 2024.  
*Amendment Summary:* House amendment 2 (013900) is the administration amendment to the appropriations bill. House amendment 3 (015000) is the legislative schedule amendment to the appropriations bill.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/17/24 - Enacted as Public Chapter 0966, effective July 1, 2024.

**SB2943/HB2967 LOCAL GOVERNMENT: Rutherford County - threshold requiring purchases to be procured through bidding process.**

*Sponsors:* Sen. Reeves, Shane , Rep. Terry, Bryan  
*Summary:* Local bill for Rutherford County that raises the threshold requiring purchases and contracts to be procured through a public, competitive bidding process from \$25,000 to \$50,000. Amends Chapter 421 of the Private Acts of 1943, as amended and rewritten.  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0047, effective April 9, 2024.

**SB2944/HB2974 LOCAL GOVERNMENT: Town of Trenton - election cycle for the Board of Mayor and Aldermen.**

*Sponsors:* Sen. Stevens, John , Rep. Martin, Brock  
*Summary:* Amends the City of Trenton's election cycle for the Board of Mayor and Aldermen to align the election with the state and federal general election in November of even-numbered years.  
*Senate Status:* 03/19/24 - Signed by Senate speaker.  
*House Status:* 03/18/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0039, effective March 27, 2024.

**SB2946/HB2976 LOCAL GOVERNMENT: Tipton County - creates the West Tennessee Regional Utility Authority.**

*Sponsors:* Sen. Rose, Paul , Rep. Moody, Debra  
*Summary:* Creates the "West Tennessee Regional Utility Authority" for Tipton County.  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0056, effective April 23, 2024.

**SB2947/HB2975 LOCAL GOVERNMENT: Bruceton - purchases that do not require competitive bidding.**

*Sponsors:* Sen. Stevens, John , Rep. Darby, Tandy  
*Summary:* Local bill for Bruceton that raises the monetary limit on purchases that do not require competitive bidding from \$2,500 to \$25,000. Amends Chapter 325 of the Private Acts of 1980, as amended.  
*Senate Status:* 04/08/24 - Signed by Senate speaker.  
*House Status:* 04/04/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0053, effective April 22, 2024.

**SB2962/HB2978 LOCAL GOVERNMENT: Fayette County - water authority.**

*Sponsors:* Sen. Walley, Page , Rep. Gant, Ron  
*Summary:* Creates the Fayette County Water Authority (23pp.).  
*Senate Status:* 03/27/24 - Signed by Senate speaker.  
*House Status:* 03/26/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0048, effective April 9, 2024.

**SB2963/HB2990 LOCAL GOVERNMENT: Athens - term limits for city council.**

*Sponsors:* Sen. Lowe, Adam , Rep. Cochran, Mark

*Summary:* Local bill for Athens that sets a term limit of three terms for members of the city council. Specifies the emergency management powers of the mayor. Changes references from "councilman" to "councilperson." Amends Chapter 455 of the Private Acts of 1953, as amended.

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 04/30/24 - Enacted as Private Chapter 0060, effective April 23, 2024.

**SB2964/HB2979 LOCAL GOVERNMENT: Pikeville - salary increase for board of alderman members.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Travis, Ron

*Summary:* Local bill for Pikeville that increases the monthly salary for the members of the board of aldermen from \$150 to \$500 a month. Amends Chapter 574 of the Private Acts of 1939, as amended.

*Senate Status:* 04/03/24 - Signed by Senate speaker.

*House Status:* 04/02/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0052, effective April 16, 2024.

**SB2965/HB2980 LOCAL GOVERNMENT: Cottage Grove - residency requirement for board of mayor and alderman.**

*Sponsors:* Sen. Stevens, John , Rep. Darby, Tandy

*Summary:* Local bill for Cottage Grove that deletes the position of town marshal. Requires candidates for the board of mayor and alderman to be permanent residents of the city. Changes reasons to declare a vacancy on the board of mayor and alderman. Amends Chapter 333 of the Private Acts of 1953, as rewritten.

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0049, effective April 9, 2024.

**SB2966/HB2981 LOCAL GOVERNMENT: Humboldt - Humboldt Utilities Authority Act & Humboldt Utilities Authority.**

*Sponsors:* Sen. Stevens, John , Rep. Martin, Brock

*Summary:* Local bill for Humboldt that enacts the Humboldt Utilities Authority Act to create and empower the Humboldt Utilities Authority. Amends Chapter 61 of the Private Acts of 2001 (36 pp.).

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0041, effective March 27, 2024.

**SB2967/HB2982 LOCAL GOVERNMENT: Graysville - duties of city clerk.**

*Sponsors:* Sen. Lowe, Adam , Rep. Travis, Ron

*Summary:* Local bill for Graysville that removes as a duty of the city clerk to serve as the clerk of the municipal court. Removes an unnecessary reference to a treasurer. Amends Chapter 41 of the Private Acts of 1917, as rewritten.

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0050, effective April 9, 2024.

**SB2968/HB2984 LOCAL GOVERNMENT: Davidson County - East Bank Development Authority.**

*Sponsors:* Sen. Oliver, Charlane , Rep. Freeman, Bob

*Summary:* Creates the East Bank Development Authority for the metropolitan government of Nashville and Davidson County. (12pp.).

*Amendment Summary:* Senate amendment 1 (018285) proposes the creation of the East Bank Development Authority within Nashville and Davidson County. Defines the Authority's jurisdiction as the East Bank area, bounded by the Cumberland River, Interstate 24, and Interstate 65. Grants the Authority broad powers, including the acquisition, development, and management of property, enforcement of compliance, and borrowing authority. Establishes a nine-member Board of Directors, with appointments made by the Mayor and Metropolitan Council, along with ex officio members from relevant departments. Mandates the appointment of a chief executive officer and outlines provisions for Metropolitan Government assistance. The amendment prohibits the Authority from exercising eminent domain. Includes oversight measures such as annual audits and reporting requirements to the Metropolitan Council. Aims to facilitate development within the East Bank while ensuring transparency and accountability in governance. Senate amendment 2 (018730) adds the speaker of the senate and the speaker of the house of representatives as ex officio voting members. House Local Government Committee amendment 1 (018384) prohibits the Metropolitan government from delegating any law enforcement powers to the Authority. Prohibits the Authority from condemning or exercising the power of eminent domain over any real property located within the East Bank or otherwise. House Local Government Committee amendment 2 (018398) increases the Board membership to consist of nine voting members instead of seven with the speaker of the senate and the speaker of the house each acting as ex officio voting members. Removes the comptroller of the treasury, the state treasurer, and the secretary of state, or their designees, from serving as non-voting ex officio member of the Board.

*Senate Status:* 05/09/24 - Signed by Senate speaker.

*House Status:* 05/15/24 - Signed by House speaker.

*Executive Status:* 05/29/24 - Enacted as Private Chapter 0068, effective May 28, 2024.

**SB2969/HB2983 LOCAL GOVERNMENT: Maury County - civil service system for sheriff's department employees.**

*Sponsors:* Sen. Hensley, Joey , Rep. Cepicky, Scott

*Summary:* Local bill for Maury County that repeals obsolete language regarding the establishment of a civil service system for sheriff's department employees, which has been replaced by a new civil service system for such employees. Amends Chapter 475 of the Private Acts of 1967, as amended.

*Senate Status:* 03/27/24 - Signed by Senate speaker.

*House Status:* 03/26/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0051, effective April 9, 2024.

**SB2970/HB2977 LOCAL GOVERNMENT: Petersburg - police officers and municipal audits.**

*Sponsors:* Sen. Bowling, Janice , Rep. Marsh, Pat

*Summary:* Local bill for Petersburg that adds duties and authorities of the chief of police and police officers of the town. Restates that only a certified public accountant must be chosen by the board of mayor and aldermen to conduct an audit of the financial affairs of the town, removing the option of having the audit conducted by a public accountant. Amends Chapter 272 of the Acts of 1901, as amended and rewritten.

*Senate Status:* 03/19/24 - Signed by Senate speaker.

*House Status:* 03/18/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0040, effective March 27, 2024.

**SB2971/HB2987 LOCAL GOVERNMENT: Algood - leasing of property by city.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan

*Summary:* Local bill for Algood that authorizes the city to lease real, mixed, and personal property inside or outside of the city. Amends Chapter 78 of the Private Acts of 2014.

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0054, effective April 22, 2024.

**SB2972/HB2986 LOCAL GOVERNMENT: Carroll County - establishes the office of highway supervisor.**

*Sponsors:* Sen. Stevens, John , Rep. Martin, Brock

*Summary:* Local bill for Carroll County that establishes the office of highway supervisor; aligns the powers and duties of the highway supervisor with the Tennessee County Uniform Highway Law. Amends the Private Acts of 1986, as amended.

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0058, effective April 23, 2024.

**SB2973/HB2985 LOCAL GOVERNMENT: Carroll County - creates a financial management system.**

*Sponsors:* Sen. Stevens, John , Rep. Martin, Brock

*Summary:* Local bill for Carroll County that enacts the "Carroll County Financial Management System of 2024" to create a financial management system in Carroll County.

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0057, effective April 23, 2024.

**SB2974/HB2989 LOCAL GOVERNMENT: Gibson County - election date for county special school district board of trustees.**

*Sponsors:* Sen. Stevens, John , Rep. Martin, Brock

*Summary:* Local bill for Gibson County that moves election date for the county special school district board of trustees to coincide with the general election. Amends Chapter 62 of the Private Acts of 1981, as amended.

*Senate Status:* 04/10/24 - Signed by Senate speaker.

*House Status:* 04/10/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0059, effective April 23, 2024.

**SB2975/HB2992 LOCAL GOVERNMENT: Henry County - sell or lease of assets by Henry County Hospital District.**

*Sponsors:* Sen. Stevens, John , Rep. Darby, Tandy

*Summary:* Local bill for Henry County that authorizes the Henry County Hospital District to sell or lease assets outside of the ordinary course of business, including, without limitation, substantially all the assets of the Henry County Nursing Home. Amends Chapter 176 of the Private Acts of 1953, as amended.

*Senate Status:* 04/04/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0042, effective April 8, 2024.

**SB2976/HB2991 LOCAL GOVERNMENT: Rockwood - revises certain provisions related to city employees.**

*Sponsors:* Sen. Yager, Ken , Rep. Fritts, Monty

*Summary:* Local bill for Rockwood that repeals requirement that the city create and maintain a roster of current employees and previous applicants qualified for the classified service. Repeals ambiguous language relating to probationary period for employee discipline and grievances. Implements term limits for members of the civil service board. Repeals Chapter 32 of the Private Acts of 1997.

*Senate Status:* 04/08/24 - Signed by Senate speaker.

*House Status:* 04/04/24 - Signed by House speaker.

*Executive Status:* 05/09/24 - Enacted as Private Chapter 0055, effective April 22, 2024.

**SB2977/HB2993 LOCAL GOVERNMENT: Enville - increases monthly salary of mayor.**

*Sponsors:* Sen. Walley, Page , Rep. Haston, Kirk

*Summary:* Local bill for Enville, which increases the monthly salary of the Mayor from two dollars a month to \$1,200 a month; changes the regular meeting date for the mayor and board from Friday to a monthly, regularly scheduled date, as determined by the board; removes certain voting prohibitions for persons who live outside the limits of the municipality but who own real estate within the corporate limits of the municipality. Amends the Private Acts of 1953.

*Senate Status:* 04/04/24 - Signed by Senate speaker.



*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0045, effective April 11, 2024.

**SB2978/HB2997 LOCAL GOVERNMENT: Gates - authority of board of mayor and aldermen to elect town marshal.**

*Sponsors:* Sen. Rose, Paul , Rep. Hurt, Chris  
*Summary:* Local bill for Gates that removes authority of the board of mayor and aldermen to elect a town marshal or marshals. Removes authority of a member of the board to serve as city recorder. Repeals residency requirement for a person to be elected as city recorder. Amends Chapter 286 of the Private Acts of 1943, as amended.  
*Senate Status:* 04/04/24 - Signed by Senate speaker.  
*House Status:* 04/05/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0046, effective April 11, 2024.

**SB2979/HB2998 LOCAL GOVERNMENT: Tullahoma - rewrites the city charter.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bricken, Rush  
*Summary:* Local bill for Tullahoma that rewrites the city charter. Amends Chapter 553 of the Acts of 1903, as amended.  
*Amendment Summary:* House amendment 1 (017468) requires elections for the board of education commencing in the year 2024 to coincide with the November general election. Any person nominated during the March 5, 2024, presidential preference primary election for the August 1, 2024, general election must have his/her name placed on the November 5, 2024, general election ballot for the respective offices, and board of education offices must not be placed on the August 1, 2024, general election ballot. The term of office for each member of the board of education must be extended from August until the member's successor is elected and qualified for the next November general election following the expiration of his or her term. Each elected member of the board of education must be elected for a four-year term.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Private Chapter 0063, effective May 21, 2024.

**SB2981/HB2994 LOCAL GOVERNMENT: Viola - reduction in alderman numbers.**

*Sponsors:* Sen. Bowling, Janice , Rep. Sherrell, Paul  
*Summary:* Local bill for Viola that reduces the number of aldermen from five to two. Deletes an obsolete provision regarding work houses. Amends Chapter 320 of the Acts of 1901, as amended  
*Senate Status:* 04/10/24 - Signed by Senate speaker.  
*House Status:* 04/10/24 - Signed by House speaker.  
*Executive Status:* 04/30/24 - Enacted as Private Chapter 0061, effective April 23, 2024.

**SB2983/HB2999 LOCAL GOVERNMENT: Morristown - rewriting of city charter.**

*Sponsors:* Sen. Southerland, Steve , Rep. Eldridge, Rick  
*Summary:* Rewrites the city charter for Morristown.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Private Chapter 0064, effective May 21, 2024.

**SB2984/HB3001 LOCAL GOVERNMENT: Oneida - powers of town.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly  
*Summary:* Local bill for Oneida that grants the town with the same powers and authorities granted to municipalities chartered under the general law mayor-aldermanic charter. Amends Chapter 211 of the Private Acts of 1917, as amended.  
*Amendment Summary:* Senate amendment 1 (017646) removes the task of assessing fees for the use of or impact upon such property and facilities from the responsibilities of the Mayor and Board of Aldermen of the Town of Oneida.  
*Senate Status:* 04/16/24 - Signed by Senate speaker.  
*House Status:* 04/16/24 - Signed by House speaker.  
*Executive Status:* 05/09/24 - Enacted as Private Chapter 0062, effective April 29, 2024.

**SB2985/HB3002 LOCAL GOVERNMENT: Bolivar - appointing authority for vacancies on the Board of Directors of the Bolivar Energy Authority.**

*Sponsors:* Sen. Walley, Page , Rep. Shaw, Johnny  
*Summary:* Changes the appointing authority for vacancies on the Board of Directors of the Bolivar Energy Authority from the mayor to the members of the Board of Directors.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Private Chapter 0066, effective May 21, 2024.

**SB2986/HB3000 LOCAL GOVERNMENT: Cheatham County - privilege tax on vehicles driving on public roads in county.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Littleton, Mary  
*Summary:* Local bill for Cheatham County that levies a privilege tax upon motor vehicles driving on the public roads and highways of Cheatham County. Repeals prior private acts levying such privilege tax.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Private Chapter 0065, effective May 21, 2024.

**SB2987/HB3004 LOCAL GOVERNMENT: Shelby County - changes the allocation of the revenue from the privilege tax on occupancy in a hotel.**

*Sponsors:* Sen. Taylor, Brent , Rep. Vaughan, Kevin  
*Summary:* Local bill for Shelby County that changes the allocation of the revenue from the privilege tax on occupancy in a hotel. Amends Chapter 131 of the Private Acts of 1969, as amended.  
*Senate Status:* 05/09/24 - Signed by Senate speaker.  
*House Status:* 05/01/24 - Signed by House speaker.  
*Executive Status:* 05/29/24 - Enacted as Private Chapter 0067, effective May 21, 2024.

**SB7085/HB7012 CRIMINAL LAW: Department of safety to provide free firearm locks to Tennessee residents upon request.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Requires the department of safety to provide free firearm locks to a Tennessee resident upon the resident's request. Requires the department to prominently display on the department's website instructions for requesting free firearm locks. Requires the department to collaborate with the TBI, and other state agencies to create a public safety campaign dedicated to safe firearm storage. Exempts the retail sale of firearm safes and firearm safety devices from sales and use taxes beginning November 1, 2023. Defines firearm safes and firearm safety devices.  
*Amendment Summary:* Senate amendment 1 (009541) clarifies that the requirement of the department of safety to provide free firearm locks to a Tennessee resident upon the resident's request is subject to appropriations. Present law requires the department to determine that a firearms training or safety course or class meets the requirements for a concealed handgun carry permit if, amongst meeting other criteria, the course or class curriculum conveys the basic knowledge and skills necessary for safe handling and storage of firearms and ammunition and includes firearm safety rules, handgun uses, features, basic skills and techniques, safe cleaning, transportation, and storage methods. The bill changed "storage methods" in the prior provision to "safe storage methods". This amendment clarifies that, despite the above change, a course that was approved by the department prior to October 1, 2023, may continue to provide instruction in the same manner under which the course was previously approved. Further, a person who has obtained a concealed carry permit prior to October 1, 2023, is not required by this bill to take an additional handgun safety course. House amendment 2 (009588) incorporates the changes made by Senate Amendment #1 and adds that the department's safety campaign dedicated to safe firearm storage be created using funds specifically appropriated for that purpose during the 2023-2024 fiscal year. This amendment also adds a statement of legislative intent that \$1,100,000 be appropriated for the department's public safety campaign dedicated to safe firearm storage.  
*Fiscal Note:* (Dated August 22, 2023) Decrease State Revenue Net Impact - \$1,022,800/FY23-24 \$1,534,200/FY24-25 and Subsequent Years Increase State Expenditures \$7,500/FY26-27 and Subsequent Years Decrease Local Revenue Net Impact - \$416,500/FY23-24 \$624,700/FY24-25 and Subsequent Years  
*Senate Status:* 08/29/23 - Senate concurred in House amendment 2 (009588).  
*House Status:* 08/28/23 - House passed with amendment 2 (009588).  
*Executive Status:* 09/12/23 - Enacted as Public Chapter 0001 effective November 1, 2023.

**SB7086/HB7013 JUDICIARY: Notification to TBI of final disposition of criminal proceedings against a person.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Changes from 30 days to 72 hours the time frame within which a clerk of the circuit or general sessions court must notify the TBI of the final disposition of criminal proceedings against a person after final disposition of such proceedings. Requires the clerk to notify the TBI of the final disposition of such proceedings by electronic submission. Requires the clerk of the municipal court, when exercising concurrent general sessions court jurisdiction, to notify the TBI by electronic submission of the final disposition of such proceedings against a person as soon as practicable but no later than 72 hours after final disposition of such proceedings.  
*Amendment Summary:* Senate amendment 1 (009544) makes the following changes to this bill: (1) Changes from 72 hours to three business days, the time frame within which a clerk of the circuit or general sessions court must notify the TBI of the final disposition of criminal proceedings against a person after final disposition of such proceedings; and (2) Changes from 72 hours to three business days after final disposition, the time frame within which the clerk of the municipal court, when exercising concurrent general sessions court jurisdiction, must notify the TBI by electronic submission of the final disposition of such proceedings against a person. House amendment 1 (009551) reduces, from no later than 30 days, to no later than three business days, the time period by which the clerks of circuit courts, general sessions courts, and municipal courts, when municipal courts are exercising concurrent general sessions court jurisdiction, must notify the Tennessee Bureau of Investigation (TBI) of the final disposition of criminal proceedings against a person. Requires such notifications to be made by electronic submission. House amendment 2 (009652) removes the changes made by Senate Amendment 1 (009544).  
*Fiscal Note:* (Dated August 22, 2023) NOT SIGNIFICANT  
*Senate Status:* 08/29/23 - Senate concurred in House amendment 1 (009551) and amendment 2 (009652).  
*House Status:* 08/28/23 - House passed with amendment 2 (009652), which removes the changes made by Senate amendment 1 (009544).  
*Executive Status:* 09/12/23 - Enacted as Public Chapter 0002 effective September 8, 2023.

**SB7088/HB7041 CRIMINAL LAW: TBI report on child and human trafficking crimes and trends in state.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Requires TBI to submit a report on child and human trafficking crimes and trends in this state, based upon data available to the bureau, as well as current programs and activities of the TBI's human trafficking unit, to the governor, the speaker of the house of representatives, and the speaker of the senate by December 1, 2023, and by each December 1 thereafter.  
*Fiscal Note:* (Dated August 20, 2023) NOT SIGNIFICANT  
*Senate Status:* 08/23/23 - Senate passed.  
*House Status:* 08/28/23 - House passed.  
*Executive Status:* 09/12/23 - Enacted as Public Chapter 0003 effective September 8, 2023.

**SB7089/HB7070 PUBLIC FINANCE: Appropriations - extraordinary session.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Makes appropriations sufficient for the payment of any lawful expenses, including, but not limited to, staffing, per diem, travel, and other expenses, of the first extraordinary session of the 113th General Assembly. Makes other appropriations related to such extraordinary session.  
*Senate Status:* 08/29/23 - Senate concurred in House amendment 1 (009640), amendment 2 (009373) and amendment 3 (009647).  
*House Status:* 08/24/23 - House passed with amendment 1 (009640), amendment 2 (009373) and amendment 3 (009647).

