

**INDEX OF ACTS
RELATED TO COUNTY GOVERNMENT**

2017 EDITION



**Prepared by
CTAS Legal Staff**

July 2017

This publication contains summaries of acts passed by the General Assembly in 2017 that may be of interest to county governments. These summaries are intended for information only and should not be relied upon for implementation purposes. The full text of all acts summarized in this publication can be viewed on the Secretary of State's website:
<http://tnsos.org/acts/PublicActs.110.php?showall>.

Table of Contents

PART I - PUBLIC ACTS OF GENERAL APPLICATION	10
ALCOHOLIC BEVERAGES.....	10
Public Chapter 147 Alcoholic Beverages.....	10
Public Chapter 160 Consumption of Alcoholic Beverages on Premises	10
Public Chapter 295 Distilleries - Consumption on the Premises.....	10
Public Chapter 357 Licenses.....	11
Public Chapter 373 Wineries.....	11
COUNTY CLERKS	11
Public Chapter 8 Insurance Verification Program.....	11
Public Chapter 10 Antique Motor Vehicles.....	11
Public Chapter 97 Special License Plates	11
Public Chapter 179 Titling of Boats	12
Public Chapter 288 Marriage	12
Public Chapter 325 Vehicle Registrations	12
Public Chapter 359 Special License Plates	12
Public Chapter 384 Special License Plates	12
Public Chapter 388 Vertical Format Driver Licenses.....	14
Public Chapter 397 Marriage for Deployed Military Servicemembers.....	14
Public Chapter 429 License Plates Displaying “In God We Trust”	14
COUNTY GOVERNMENT.....	14
Public Chapter 21 Local Education Fiscal Accounting.....	14
Public Chapter 107 Regulation of Employers.....	14
Public Chapter 123 Donations to Nonprofits.....	15
Public Chapter 126 Libraries	15
Public Chapter 128 Regional Airport Authorities.....	15
Public Chapter 206 Animal Control.....	16
Public Chapter 383 Audit Findings	16
Public Chapter 385 Annexation	16
Public Chapter 399 Annexation	16
Public Chapter 406 Fraudulent UCC Filings against Public Officials.....	17
Public Chapter 422 Eminent Domain.....	17

Public Chapter 431	Industrial Development Corporations.....	17
Public Chapter 434	Ocoee River Recreation and Economic Development Fund.....	17
Public Chapter 444	Medical Examiner Advisory Council	18
Public Chapter 457	Uniform Unclaimed Property Act	18
Public Chapter 460	State Appropriations	18
Public Chapter 467	POSTing County Property - Liability.....	19
Public Chapter 474	Autonomous Vehicles.....	20
Public Chapter 493	Cause of Death Determinations	20
COURTS & COURT CLERKS.....		20
Public Chapter 83	Certificates of Employability.....	20
Public Chapter 93	Diversion.....	21
Public Chapter 100	Bond Forfeitures.....	21
Public Chapter 127	Firearm Possession by Domestic Violence Offenders	21
Public Chapter 131	Retired Judges	21
Public Chapter 140	Juvenile Reporting	21
Public Chapter 145	Child Support Arrearages	22
Public Chapter 149	License Revocation Stays.....	22
Public Chapter 187	Foreclosures	22
Public Chapter 196	Motions to Expunge Juvenile Records.....	22
Public Chapter 197	Expungement of Delinquency Adjudications	22
Public Chapter 199	Expungement of Juvenile Court Records.....	23
Public Chapter 241	Orders of Protection and Divorce Actions.....	24
Public Chapter 263	Juvenile Petitions.....	24
Public Chapter 267	Commencement of Civil Actions in General Sessions	24
Public Chapter 280	Estate Administration and Forms.....	25
Public Chapter 290	Residuary Beneficiaries	25
Public Chapter 298	Expungement of Multiple Convictions	25
Public Chapter 358	Electronic Expungements and Seat Belt Fines.....	26
Public Chapter 366	Zero to Three Court Initiative	26
Public Chapter 403	Insufficient Daylight Fluorescent Orange Colors	27
Public Chapter 412	License Revocation for Outstanding Costs and Fines.....	27
Public Chapter 419	Retroactive Child Support.....	28
Public Chapter 427	Background Checks.....	28

Public Chapter 456	Expungement Fees	29
Public Chapter 466	Elderly and Vulnerable Adult Protection Act.....	29
Public Chapter 487	Expungement of Certain Old Convictions.....	29
ECONOMIC DEVELOPMENT		29
Public Chapter 17	Tax Increment Financing.....	29
Public Chapter 228	Tennessee Broadband Accessibility Act	29
EDUCATION.....		30
Public Chapter 152	Education of Students in Detention Centers.....	30
Public Chapter 177	Student Accountability	30
Public Chapter 189	School Security Officers.....	30
Public Chapter 192	Use of Assessment Data	31
Public Chapter 205	School Improvement Plans.....	31
Public Chapter 256	Opioid Antagonists in Schools	31
Public Chapter 289	Transportation Services.....	31
Public Chapter 307	High Quality Charter Schools Act.....	32
Public Chapter 361	Charter School Application Fees.....	34
Public Chapter 379	Truancy	34
Public Chapter 387	Retired Teachers as Substitute Teachers.....	35
Public Chapter 389	Money for Classroom Instructional Supplies.....	35
Public Chapter 407	Tennessee Educators Protection Act.....	35
Public Chapter 450	Early Postsecondary Credit Courses	35
Public Chapter 482	Tennessee History	35
ELECTIONS.....		35
Public Chapter 1	Presidential Primary Ballots.....	35
Public Chapter 15	Election Officials	36
Public Chapter 109	Campaign Funds	36
Public Chapter 137	Absentee Ballots.....	36
Public Chapter 245	Address Verification Programs	36
Public Chapter 246	Voter Fraud.....	37
Public Chapter 294	Freedom of Speech Act	37
Public Chapter 347	Political Campaign Committees.....	38
EMERGENCY SERVICES.....		38
Public Chapter 217	Emergency Communications Districts.....	38

Public Chapter 258	Ground Ambulance Service Provider Assessment Act	38
Public Chapter 345	Exposure to Hepatitis or HIV/AIDS Virus	39
Public Chapter 408	Local Emergency Management Agency Personnel	39
Public Chapter 418	Emergency Communications Districts	39
Public Chapter 445	Emergency Responder - Death Benefit	40
Public Chapter 484	Addiction Treatment	40
ENVIRONMENT		41
Public Chapter 282	Transfer Stations.....	41
Public Chapter 284	Air Pollution Control Regulations	41
Public Chapter 293	Concentrated Animal Feeding Operations	41
Public Chapter 335	Appointments to Solid Waste Regional Boards.....	41
Public Chapter 404	Fluoride Levels	41
HIGHWAYS		42
Public Chapter 181	IMPROVE Act	42
Public Chapter 275	Natural Disasters	43
Public Chapter 425	Maintenance of Roads and Bridges.....	43
Public Chapter 442	Local Match for State-Aid Projects	44
Public Chapter 477	Overweight Loads.....	44
Public Chapter 478	Allocation of Fuel Tax	44
JAILS		44
Public Chapter 85	Payment of Costs and Fees.....	44
Public Chapter 261	Liability for Deputy Jailers	44
Public Chapter 401	Appointment of Jailer - Liability	44
LAW ENFORCEMENT		45
Public Chapter 16	Tennessee Bureau of Investigation - Fees	45
Public Chapter 34	Yellow Dot Program.....	45
Public Chapter 120	Drugs.....	45
Public Chapter 121	Obstruction of Public Highways and Streets	46
Public Chapter 124	Preemption of Local Marijuana Ordinances.....	46
Public Chapter 151	POST Commission	46
Public Chapter 202	Firearms.....	47
Public Chapter 208	Reports of Suspicious Activity	47
Public Chapter 239	Help Find the Missing Act.....	47

Public Chapter 249	Sexual Exploitation of Children.....	48
Public Chapter 252	Guidelines for Best Behavior During Traffic Stops	48
Public Chapter 255	Body Cam Video	49
Public Chapter 265	Offenses Committed Against Uniformed Personnel	49
Public Chapter 277	Officer-Involved Shooting Death Investigations.....	49
Public Chapter 301	Report of Arrest of POST Certified Officers.....	50
Public Chapter 304	Implied Consent Law	50
Public Chapter 313	Armed Intruder Drills.....	50
Public Chapter 339	Firearms - Tennessee Hearing Protection Act	50
Public Chapter 341	Firearms - Public Parks, Playgrounds, Civic Centers.....	50
Public Chapter 345	Exposure to Hepatitis or HIV/AIDS Virus	51
Public Chapter 378	Lights Displayed on Vehicles.....	51
Public Chapter 441	Civil Asset Forfeitures	51
PERSONNEL.....		51
Public Chapter 238	Health Insurance for Education Employees	51
Public Chapter 476	Health Insurance.....	52
PLANNING AND ZONING.....		52
Public Chapter 3	Electrical Safety Codes.....	52
Public Chapter 254	Transit-Oriented Redevelopment Projects.....	53
Public Chapter 281	Building Codes	53
PURCHASING.....		53
Public Chapter 92	Bonds for Public Works Projects	53
Public Chapter 237	General Contractors' Monetary Limits.....	53
Public Chapter 415	Local Education Agency Bid Thresholds	53
Public Chapter 491	Stairs in Public Buildings.....	54
RECORDS.....		54
Public Chapter 91	Tennessee Identity Theft Deterrence Act of 1999	54
Public Chapter 113	Personally Identifying Data.....	54
Public Chapter 114	Identity of Vendors Used to Protect Data	54
Public Chapter 233	Open Records Requests.....	55
Public Chapter 296	Addresses of Law Enforcement Officers.....	56
Public Chapter 308	Minor Victim's Information	56
Public Chapter 421	Economic and Community Development Contracts	56

RETIREMENT	57
Public Chapter 287 Substitute Teaching	57
Public Chapter 374 Pension Stabilization Reserve Trusts	57
TAXATION.....	58
Public Chapter 193 Streamlined Sales Tax Provisions	58
Public Chapter 236 Business Tax.....	58
Public Chapter 346 Mixed Drink Tax Distribution.....	58
Public Chapter 452 Out-of-State Dealers with Sales Exceeding \$500,000	58
TAXATION - PROPERTY.....	58
Public Chapter 11 Tax Relief for Victims of Certain Natural Disasters.....	58
Public Chapter 13 County Board of Equalization - Continuing Education	59
Public Chapter 103 County Board of Equalization - Notice	59
Public Chapter 133 Property Tax Appeals.....	59
Public Chapter 155 Assessor of Property – Records	60
Public Chapter 198 Notice Requirements.....	60
Public Chapter 248 Assessor of Property – Records	60
Public Chapter 297 Real Property - Classification	60
Public Chapter 299 Property Tax Proceedings.....	61
Public Chapter 312 De Minimis Property Tax	63
Public Chapter 351 Real Property - Classification	63
Public Chapter 409 Property Tax - Exemptions	63
Public Chapter 490 Modern Market Telecommunications Providers	63
UTILITIES.....	64
Public Chapter 118 Training Requirements	64
Public Chapter 129 Utility Districts and Water or Wastewater Systems.....	64
Public Chapter 132 Audited Financial Reports	65
Public Chapter 174 Wastewater Authority Regulations	65
Public Chapter 220 USACE Reservoirs.....	65
Public Chapter 446 Municipal Energy Authorities	65
WORKERS’ COMPENSATION	66
Public Chapter 380 Panel of Independent Reputable Providers	66
PART II - PUBLIC ACTS OF LOCAL APPLICATION	67
CAMPBELL.....	67

Public Chapter 172	Operation of Off-Highway Vehicles	67
CUMBERLAND		67
Public Chapter 214	Consumption of Alcoholic Beverages on Premises	67
DAVIDSON		67
Public Chapter 214	Consumption of Alcoholic Beverages on Premises	67
Public Chapter 223	Consumption of Alcoholic Beverages on Premises	67
Public Chapter 231	County Board of Equalization	67
Public Chapter 273	Consumption of Alcoholic Beverages on Premises	67
Public Chapter 337	Consumption of Alcoholic Beverages on Premises	67
Public Chapter 371	Consumption of Alcoholic Beverages on Premises	68
Public Chapter 411	Sale of Alcoholic Beverages	68
Public Chapter 449	Major League Soccer-Related Sales Taxes.....	68
Public Chapter 465	Property Tax - Exemptions	68
FRANKLIN		68
Public Chapter 214	Consumption of Alcoholic Beverages on Premises	68
HAMILTON		68
Public Chapter 141	Consumption of Alcoholic Beverages on Premises	68
Public Chapter 142	Consumption of Alcoholic Beverages on Premises	69
Public Chapter 170	Hotel/Motel Tax	69
Public Chapter 195	Consumption of Alcoholic Beverages on Premises	69
Public Chapter 340	Water and Wastewater Treatment Authorities	69
JEFFERSON		69
Public Chapter 119	Consumption of Alcoholic Beverages on Premises	69
KNOX		69
Public Chapter 222	Domestic Abuse Magistrate	69
MORGAN.....		69
Public Chapter 183	Operation of Off – Highway Vehicles	69
PICKETT		70
Public Chapter 278	Handguns on School Property in Distressed Rural County.....	70
SCOTT		70
Public Chapter 218	Operation of Off – Highway Vehicles	70
SEVIER		70
Public Chapter 23	Tourist-Oriented Directional Signs	70

Public Chapter 390	Sales Tax	70
SHELBY		71
Public Chapter 173	Consumption of Alcoholic Beverages on Premises	71
TIPTON		71
Public Chapter 98	Entergy Arkansas	71
WASHINGTON		71
Public Chapter 428	Consumption of Alcoholic Beverages on Premises	71
WAYNE		71
Public Chapter 278	Handguns on School Property in Distressed Rural County.....	71
WILLIAMSON.....		72
Public Chapter 394	Consumption of Alcoholic Beverages on Premises	72
PART III – PRIVATE ACTS		73
DICKSON.....		73
Private Chapter 14	Highway Commission.....	73
GIBSON.....		73
Private Chapter 7	Wheel Tax	73
GREENE		73
Private Chapter 15	General Session Court.....	73
LAWRENCE		73
Private Chapter 13	Clerk of the Grand Jury	73
LEWIS		73
Private Chapter 6	Landfills	73
ROANE.....		74
Private Chapter 8	Occupancy Tax	74
RUTHERFORD		74
Private Chapter 17	Rutherford County Purchasing Act of 2017	74
TIPTON		74
Private Chapter 23	Revisions to Several Private Acts	74
Private Chapter 24	Tipton County Budget and Fiscal Procedure Act of 2017	74
WILLIAMSON.....		75
Private Chapter 4	Road Tax.....	75
Private Chapter 18	Juvenile Court	75
Private Chapter 19	Road Tax.....	75.

PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 147

SB 695 - HB 435

Alcoholic Beverages

Amends 57-3-805. Provides that if a county-wide referendum is approved under part 8, the premises of a retail food store wine license may be located in any municipality that participated in the referendum regardless of the minimum population requirement for a municipality in 57-3-101.

Amends 57-4-107. Provides that if a county-wide referendum for the legal sale of alcoholic beverages for consumption on the premises is approved in a county, the sales of alcoholic beverages are permitted in any municipality that participated in the referendum regardless of the minimum population requirement for a municipality in 57-3-101.

Amends 57-4-203(k). Provides that a charitable, nonprofit, or political organization, or any representative thereof, may accept donations of alcoholic beverages and beer from any licensee holding a license issued pursuant to 57-3-202, 57-3-203, 57-3-204, 57-3-207, 57-3-605 or 57-4-101; provided, that the charitable, nonprofit, or political organization serves or sells such alcoholic beverages and beer at an event conducted by the charitable, nonprofit, or political organization as a special occasion licensee.

Amends 57-4-101. Provides that it is lawful to furnish, dispense, or give away alcoholic beverages and beer without a license or permit issued by the commission at a private party or private event.

Effective April 17, 2017

Public Chapter 160

SB 48 - HB 375

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(19)(A)(ii). Authorizes certain historic performing arts centers to sell alcoholic beverages during a performance; authorizes the consumption of alcoholic beverages in the auditoriums of such performing arts centers.

Effective April 24, 2017

Public Chapter 295

SB 930 - HB 1287

Distilleries - Consumption on the Premises

Amends 57-3-202. Provides that a distiller's license authorizes a distillery to sell to any person of legal drinking age alcoholic beverages for consumption on the premises of the distillery, other than the bonded premises, where such consumption is also

permitted by federal law. Requires that distilled spirits sold be manufactured on the premises of the distillery.

Effective May 4, 2017.

Public Chapter 357

SB 1375 - HB 757

Licenses

Amends 57-3-208 and 57-3-806. Requires an applicant for a retail package store license and for a retail food store wine license to obtain and submit to a local government a criminal history record for purposes of certifying that the applicant has not committed a felony within the immediately preceding 10-year period.

Effective July 1, 2017.

Public Chapter 373

SB 688 - HB 1292

Wineries

Amends 57-3-207 to increase from 8 to 12 the number of wine festivals that may be held by a winery and removes the requirement that servers at wine festivals must hold a server permit.

Effective May 11, 2017

COUNTY CLERKS

Public Chapter 8

SB 549 – HB 280

Insurance Verification Program

Amends 55-12-210 to extend the time for an owner of a vehicle to provide evidence of financial security, exemption, or evidence the vehicle is no longer owned, from 15 to 30 days. Earmarks the revenues distributed to the county clerk (\$5 of the state's coverage failure fee and \$10 of the \$100 continued coverage failure fee) for the county clerk's work in administering the vehicle insurance verification program and provides that such funds do not revert to the general fund if unexpended. Amends 55-12-211 to impose (rather than authorize) a \$25 county reinstatement fee for reinstatement after suspension or revocation of a registration, and earmarks those funds to the county clerk as above.

Effective March 22, 2017.

Public Chapter 10

SB 223 – HB 293

Antique Motor Vehicles

Amends 55-4-111(b) to authorize vehicles registered as antique motor vehicles to be driven for general transportation on federal holidays, in addition to Saturdays and Sundays.

Effective March 15, 2017.

Public Chapter 97

SB 1074 – HB 1031

Special License Plates

Amends 55-4-202, -203, and -222 to allow Tennessee constables who are authorized by the county legislative body and certified as

having been trained and qualified under Title 8, Chapter 10, to be issued an emergency registration plate after paying the regular fee.

Effective April 4, 2017.

Public Chapter 179

SB 1261 – HB 1068

Titling of Boats

Amends Title 4, Chapter 10, to require the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to perform a study of the creation and implementation of a system for the titling of boats in Tennessee. No deadline for completion of the study.

Effective April 24, 2017.

Public Chapter 288

SB 267 – HB 276

Marriage

Amends 36-3-301 to authorize federal administrative law judges to solemnize marriages.

Effective May 4, 2017.

Public Chapter 325

SB 162 – HB 946

Vehicle Registrations

Amends 55-4-104(c)(2) to authorize the issuance of registrations to rental companies registering at least 15,000 vehicles annually for periods of 24 months.

Effective July 1, 2017.

Public Chapter 359

SB 1345 – HB 106

Special License Plates

Amends 55-4-201 to delete the prohibition against re-issuance for a period of three years for plates that did not meet minimum issuance or renewal requirements.

Effective July 1, 2017.

Public Chapter 384

SB 317 – HB 102

Special License Plates

Amends Title 55, Chapter 4, part 2, to create special license plates for (1) "Save the Bees" with funds allocated to Honeybee Tennessee for community education, (2) "Childhood Hunger Awareness" with funds allocated to A Work of Life to feed children at risk, (3) "Boy Scouts of America" with funds allocated to the five Tennessee councils of the Boy Scouts of America, (4) "In Remembrance" with funds allocated to Tennessee Voices for Victims to help reduce violent crime, (5) "Strictly Vettes" with funds allocated to Strictly Vettes of Memphis Corvette Club, Inc., (6) "Baylor School" with funds allocated to the Baylor School to provide financial aid to students, (7) "Police Activities League" with funds to the Shelby Metro Sheriff's and Police Activities League for prevention of juvenile crime and violence, (8) "Martin Luther King, Jr." with funds allocated to the Disciples Embracing Christian Education Bible College to support

education, the National Civil Rights Museum, the Whiteville Food Bank, and the Sickie Cell Foundation of TN, (9) “Alzheimer’s Association” with funds allocated to the Alzheimer’s Disease and Related Disorders Association, Mid-South Chapter, to aid the association in fighting Alzheimer’s disease, (10) “Diabetes Awareness” with funds allocated to the Tennessee Division of the American Diabetes Association to support the organization’s programs and activities in TN, (11) “Germantown Charity Horse Show” with funds allocated to support that organization’s community and charitable activities, (12) “Mothers Against Drunk Driving (MADD)” with funds allocated to the Tennessee Chapter of MADD to promote the organization’s mission, (13) “Retired Female Firefighter” to be issued upon payment of the regular fee plus design costs of the plate, (14) “A Soldier’s Child” with funds to A Soldier’s Child Foundation to support their programs, (15) “Childhood Cancer Awareness” with funds allocated to Alex’s Lemonade Stand Foundation for Childhood Cancer, (16) “Children’s Hospital at Erlanger” with funds allocated to the Erlanger Health Systems Foundations to construct a new children’s hospital in Chattanooga, (17) “Cystic Fibrosis Awareness” with funds allocated to the Cystic Fibrosis Foundation, (18) “Legislator Emeritus” special purpose plates, (19) “Chattanooga Football Club” with funds allocated to the Chattanooga Football Club. Amends 55-4-332 to give the Historic Whitehaven plate until July 1, 2018 to meet minimum issuance requirements. Amends 55-4-246 to give the Historic Collierville plate until July 1, 2018 to meet minimum issuance requirements. Amends 55-4-331 to give the Ohio State University plates until July 1, 2018 to meet minimum issuance requirements. Amends 55-4-336 to give the Justin P. Wilson Cumberland Trail State Scenic Trail State Park plate until July 1, 2018 to meet minimum issuance requirements. Amends 55-4-253 to remove the Vietnam flag from the Vietnam Veteran plate. Amends 55-4-253 to remove the Korean flag from the Korean War Veteran plate. Amends 55-4-253 to remove the Kuwait flag from the Desert Storm Veteran plate. Amends 55-4-253 to remove the Iraq flag from the Operation Iraqi Freedom Veteran plate. Amends 55-4-253 to remove the Afghanistan flag from the Operation Iraqi Freedom Veteran plate. Amends 55-4-253 to provide for the design of the Operation New Dawn Veteran plate. Amends 55-4-313 to give the Niswonger Children’s Hospital plate until July 1, 2018 to meet minimum issuance requirements. Amends 55-4-315 to give the Pat Summitt Foundation plate until July 1, 2018 to meet minimum issuance requirements.

Effective May 18, 2017.

Public Chapter 388
SB 384 – HB 397

Vertical Format Driver Licenses

Amends 55-50-334 to provide that driver licenses for persons under 21 years of age shall be in vertical format.

Effective May 18, 2017 for purposes of rulemaking. Effective 30 days after the commissioner of safety notifies the secretary of state and the code commission in writing that the department's driver license program is capable of implementing the act, or July 1, 2018, whichever is earlier.

Public Chapter 397
SB 494 - HB 463

Marriage for Deployed Military Servicemembers

Amends 36-3-302 to authorize a member of the U. S. armed forces who is stationed in another country to participate in a marriage ceremony by videoconference. Amends 36-3-104 to authorize such member to apply for a marriage license by submitting (1) a notarized statement with the name, age, address, and names and addresses of the parents, guardian, or next of kin; (2) a certified copy of the applicant's deployment orders; and (3) an affidavit from the battalion, ship, or squadron commander notarized by the judge advocate stating that the applicant is deployed. If the applicant intends to appear for the ceremony via video conferencing, the applicant must indicate that intention in the statement.

Effective May 18, 2017.

Public Chapter 429
SB 1355 – HB 26

License Plates Displaying "In God We Trust"

Amends 55-4-103 to allow a person registering a vehicle to choose a registration plate bearing the language "In God We Trust" beginning July 1, 2017, but the redesign of any registration plates shall only be effectuated upon the utilization of existing inventory.

Effective May 18, 2017, and applicable to plates issued or renewed on or after July 1, 2017.

COUNTY GOVERNMENT

Public Chapter 21
SB 490 - HB 565

Local Education Fiscal Accounting

Amends 49-3-316(a)(4) to delete the requirement that the county trustee, treasurer, or other fiscal agent of an LEA annually submit a complete certified copy of the financial report of the LEA to the commissioner of education.

Effective March 24, 2017.

Public Chapter 107
SB 262 – HB 180

Regulation of Employers

Amends 7-51-1802 to prohibit local governments from adopting any ordinance, resolution, regulation, policy, or other legal requirement that regulates or imposes a requirement on an employer pertaining

to employee scheduling, except when necessary to avoid creating a public or private nuisance.

Effective April 7, 2017.

Public Chapter 123

SB 144 - HB 81

Donations to Nonprofits

Amends 5-9-109 to provide that any nonprofit organization that desires to receive funds from the county may file, in lieu of the annual audit, an annual report detailing all receipts and expenditures in a form prescribed by the comptroller of the treasury.

Effective April 12, 2017.

Public Chapter 126

SB 710 – HB 520

Libraries

Amends numerous provisions related to the state’s public library system. Amends 10-1-104 to delete the authorization for the secretary of state to contract with local public library boards to establish and fund library positions for the local public library. Amends 10-3-103 to revise the number of possible library board members to 7, 9 or 11 and to provide that board members may serve two consecutive terms and be reappointed to further terms after a three-year break in service. Also provides that counties with populations over 400,000 may vest authority over the library with the mayor by 2/3 vote of the legislative body. Amends 10-3-104 to provide that the library administrator has the authority to hire and supervise library employees. Also provides that the library board has line-item control over the library budget and may set aside unencumbered funds at the end of the year for future use. Amends 10-5-103 to remove the language providing for concurrence of the regional library board with the secretary of state’s decision to remove the chief administrative officer of the regional library program. Deletes 10-5-104, which authorized cities and counties to provide funds to the secretary of state for regional libraries. Deletes 10-5-107 regarding mandatory representation on a regional library board. Amends 40-39-216 to provide that public library boards are authorized to restrict access to libraries by registered sex offenders. Provides this authority may be delegated to library administrators.

Effective July 1, 2017.

Public Chapter 128

SB 20 – HB 28

Regional Airport Authorities

Amends 42-3-111 to authorize a regional airport authority formed by three or more municipalities and counties and at least one political subdivision of another state (currently only the Tri-Cities Airport Authority meets this criteria) to borrow money and issue revenue bonds for any corporate purpose. Authorizes participating municipalities and counties to pledge their full faith and credit and unlimited taxing power by resolution.

Effective April 17, 2017.

Public Chapter 206

SB 989 – HB 1103

Animal Control

Amends 39-14-210 to specify that if an animal has an identification chip and the agent or officer has access to a chip reader, then the “reasonable effort to locate and notify the animal’s owners” must be made within 48 hours of the time the animal comes into custody, or within two business days if the animal comes into custody on a Friday. Amends 39-14-215 and 44-17-304 to add that same requirement.

Effective April 27, 2017.

Public Chapter 383

SB 315 – HB 136

Audit Findings

Enacts a new section at Title 9, Chapter 3, Part 4 to require local governments with one or more audit findings to submit a corrective action plan to the comptroller setting out the actions take or to be taken to address the findings. The plan must include contact information for the person responsible for the corrective action, the corrective actions taken or to be taken and the anticipated completion date. If a local government disagrees with an audit finding, the plan should include the reasons and justifications for the disagreement.

Effective May 18, 2017.

Public Chapter 385

SB 338 – HB 1299

Annexation

Enacts a new section at Title 8, Chapter 3, Part 1 to provide that property owners and municipalities can file a complaint with the secretary of state if a dispute arises as to whether a property has been annexed. Provides that the burden of proof is on the municipality to prove the property has been annexed. Provides for the secretary of state to appoint an administrative judge to hear the case. Provides that if the final order concludes that the property was not annexed, any property taxes paid to the municipality will be refunded to the taxpayer, with interest.

Effective May 18, 2017.

Public Chapter 399

SB 568 – HB 552

Annexation

Deletes subdivision 6-51-104(d)(5) to authorize municipalities to annex property, by resolution, that does not adjoin the main part of the municipality if the property is to be used for industrial or commercial purposes or for future residential development or if the property is owned by a governmental entity. Provides that the resolution can only be ratified with the written consent of the affected property owners. Provides that the resolution must include a plan of services for the property to be annexed and that the municipality and county must enter into an interlocal agreement for

the provision of emergency services and road and bridge maintenance.

Effective May 18, 2017.

Public Chapter 406

SB 728 – HB 535

Fraudulent UCC Filings against Public Officials

Enacts a new subsection at 47-9-513 to create a process by which public officials may challenge UCC filings listing such officials as debtor. Provides that “public official” includes county officials, county department heads, high-ranking county employees, first responders and law enforcement officers.

Effective May 18, 2017 for administrative and rulemaking purposes and effective October 1, 2017 for all other purposes and applies to financing statements regardless of when they were filed.

Public Chapter 422

SB 1184 – HB 1167

Eminent Domain

Amends 29-17-102(2) to include the acquisition of property for an industrial park as a “public use.” Amends 13-16-203(1) to limit the exercise of eminent domain only for “public use” as defined in 29-17-102. Amends 29-17-106(b) and 29-17-912(b) to revise the provisions on recovery of costs and fees, including attorneys’ fees.

Effective May 18, 2017.

Public Chapter 431

SB 1362 – HB 1223

Industrial Development Corporations

Amends Title 7, Chapter 53, Part 3 to direct TACIR to perform a study on PILOTS. Directs TACIR to submit its report to the House of Representatives by February 1, 2018.

Effective May 18, 2017.

Public Chapter 434

SB 466 – HB 74

Ocoee River Recreation and Economic Development Fund

Enacts 11-26-101 et seq., the Ocoee River Recreation and Economic Development Fund Act, to support recreational water releases on the Ocoee River and to encourage economic growth of the river.

Establishes the Ocoee River Recreation and Economic Development Fund as a special agency account in the state general fund.

Establishes the Ocoee River Recreation and Economic Development Fund Board beginning on July 1, 2018, consisting of 9 members including the Polk County mayor. Sets out the board’s powers and duties. Provides that any county that incurs costs for the management of the Ocoee River management zone shall submit a financial statement and justification for costs incurred to the board, and the board shall reimburse such counties for all costs determined to be reasonable. Authorizes the commissioner of environment and conservation to issue permits to commercial operations conducting business within the Ocoee River management zone beginning with the 2019 rafting season, and to levy and collect a recreation fee in

the amount of 10% of the annual gross revenue generated by the commercial activity, with the revenue deposited in the Ocoee River Recreation and Economic Development Fund. The commissioner may revoke permits for failure to comply with rules promulgated by the commissioner.

Effective May 17, 2017.

Public Chapter 444

SB 1016 - HB 1027

Medical Examiner Advisory Council

Amends 38-7-201 to create the Tennessee Medical Examiner Advisory Council. The council shall consist of 15 members, including one county mayor.

Effective July 1, 2017.

Public Chapter 457

SB 371 - HB 420

Uniform Unclaimed Property Act

Amends Title 66, Chapter 29, Part 1, to revise the Uniform Disposition of Unclaimed Property Act and renames the Act to be the "Uniform Unclaimed Property Act."

Effective July 1, 2017.

Public Chapter 460

SB 483 - HB 511

State Appropriations

Makes the following appropriations affecting counties: (1) \$5.4 million additional funding for counties housing state prisoners (increases current \$37/day per diem cap to \$39/day); (2) \$70 million a year for county highway departments once increases in the state gasoline and diesel fuel users fees are phased in over the next three years, which is \$42.2 million in FY2017-2018, \$56.5 million in FY2018-2019 and \$70.8 million in FY2019-2020 and subsequent years; (3) \$39 million a year in new funds to cover annual growth and inflationary costs with the BEP; (4) more than \$100 million for teacher compensation, effective July 1, 2017, to be distributed based on individual school board salary policies; (5) more than \$22.2 million for increasing the number of teachers and interpreters for English Language Learners; (6) nearly \$12.5 million to cover the state share of an anticipated 6.9-percent increase in teacher health insurance premiums beginning Jan. 1, 2018; (7) \$15 million for equipment updates, delivered through non-recurring competitive grants to systems, related to high-growth industries; (8) \$18 million for increased average daily membership to the state's fastest growing public school districts; (9) \$55 million in non-recurring funds for the State-Aid Road Program administered by TDOT for county highway use (this is in addition to the \$21 million budgeted each year for that program); (10) \$9.54 million annually appropriated for the State Bridge Program continues unchanged; and (11) \$15 million for grants to assist in the creation of pre-arrest diversion services through the Department of Mental Health &

Substance Abuse Services (these programs could identify individuals with mental health and substance abuse problems that could be diverted from the criminal justice system into appropriate treatment programs and keep them out of the jail).

Effective July 1, 2017.

Public Chapter 467
SB 445 - HB 508

POSTing County Property - Liability

Amends 39-17-1359. Provides that local governments cannot POST county property unless all of the following are provided at each public entrance to the property: (1) metal detection devices, (2) a law enforcement or private security officer who has been trained to conduct inspections with metal detection devices, and (3) each person along with their possessions are inspected by a law enforcement or private security officer or an authorized representative with the authority to deny entry to the property. The new requirements for POSTING do not apply to the following properties: (1) facilities that are licensed under Title 33, Title 37, or Title 68; (2) schools and public parks while in use by any school; (3) courthouses and criminal justice centers (regardless of whether judicial proceedings are in progress); (4) buildings that contain a law enforcement agency; (5) libraries; or (6) facilities that are licensed by the Department of Human Services under Title 71, Chapter 3, Part 5, and administer a Head Start program.

Amends 39-17-1314 to provide that a party who is adversely affected by an ordinance, resolution, policy, rule, or other enactment that is adopted or enforced by a county, that violates the POSTing requirements, may file an action against the county for declaratory and injunctive relief and damages. The new cause of action applies to any aforementioned ordinance, resolution, policy, rule, or other enactment that is adopted or enforced on or after July 1, 2017. A prevailing plaintiff is entitled to recover from the county the following: (1) the greater of: (a) actual damages, including consequential damages, attributable to the ordinance, resolution, policy, rule, or other enactment; or (b) three times the plaintiffs attorney's fees; (2) court costs, including fees; and (3) reasonable attorney's fees; provided, that attorney's fees will not be awarded if the plaintiff recovers treble damages.

Amends 39-17-1306(a). Make it a Class E felony to intentionally, knowingly, or recklessly carry on or about the person while inside any building in which judicial proceedings are in progress any weapon prohibited by T.C.A. 39-17-1302(a), for the purpose of going armed; provided, that if the weapon carried is a firearm, the person is in violation of this section regardless of whether the weapon is carried for the purpose of going armed.

Effective July 1, 2017.

Public Chapter 474

SB 151 – HB 381

Autonomous Vehicles

Amends 55-4-108 to provide that the requirement to carry a vehicle registration in the vehicle to which it refers is satisfied if a registration for an Automated Driving System (ADS) is carried in or available electronically through the ADS. Amends 55-8-101 to amend the definition of “driver”, “operator” and “person” to include the ADS. Also amends 55-8-101 to include a definition of “ADS.” Amends 55-8-162 to exclude ADS-operated vehicles from unattended vehicle provisions. Amends 55-9-602 to provide that the ADS has no responsibility or liability relating to child restraint requirements. Amends 55-9-603 and 55-9-606 to provide that the ADS has no responsibility or liability relating to safety belt requirements. Amends numerous sections in Title 55 relative to reporting ADS-operated vehicle accidents. Amends 55-50-304 to add an exemption to the licensing requirement for an ADS or a person operating an ADS-operated vehicle. Enacts a new chapter at Title 55, Chapter 54, Part 1, entitled the “Automated Vehicles Act.” Authorizes ADS-operated vehicles to operate within the state as long as certain conditions are met, including obtaining insurance as specified in the act. Prohibits local governments from regulating ADS-operated vehicles. Provides that liability for accidents involving ADS-operated vehicles shall be determined by applicable product liability law, common law or other applicable federal or state law. Creates a Class A Misdemeanor for operating a vehicle without a human driver unless the requirements of the act are satisfied.

Effective June 6, 2017.

Public Chapter 493

SB 893 - HB 1149

Cause of Death Determinations

Amends 68-3-502. Provides that when a county medical examiner suspects that suicide may be a potential manner of death, the medical examiner is encouraged to consult the decedent's treating mental health professional, if known or applicable, prior to determination of manner of death. Provides that the deceased's next of kin may seek reconsideration of the manner of death determination, if the next of kin disputes the manner of death determination on the death certificate.

Effective June 13, 2017.

COURTS & COURT CLERKS

Public Chapter 83

SB 16 - HB 128

Certificates of Employability

Amends 40-29-107 to clarify that a person may petition for a certificate of employability either in conjunction with or

independently of petitioning the court for restoration of the person's rights of citizenship.

Effective July 1, 2017 (and applicable to all certificates of employability filed on or after that date).

Public Chapter 93
SB 690 - HB 8

Diversion

Amends 40-15-105 to add public employees to the list of those ineligible for suspended prosecution and pretrial diversion for a misdemeanor offense committed in the course of the person's employment, under the same provisions currently applicable to elected and appointed state and local officials.

Effective July 1, 2017.

Public Chapter 100
SB 391 - HB 330

Bond Forfeitures

Amends 40-11-201 to provide that no forfeiture or conditional forfeiture of any appearance or bail bond shall be rendered in any case where a statement of a licensed physician is furnished to the court showing that the principal in the bond is prevented from attending by some mental or physical disability, or where evidence of the defendant's incarceration is furnished to the court.

Effective April 4, 2017.

Public Chapter 127
SB 229 - HB 1112

Firearm Possession by Domestic Violence Offenders

Amends 40-14-109 to revise the notifications relative to the firearm dispossession consequences of a domestic violence conviction the court must give either prior to a guilty plea or after a conviction. Amends 39-13-111 to revise the procedure for dispossession and instruct the domestic violence coordinating council and AOC to develop an affidavit of firearms dispossession form.

Effective July 1, 2017.

Public Chapter 131
SB 198 - HB 365

Retired Judges

Amends 17-3-105 to exempt retired judges from attending annual meetings of the state judicial conference.

Effective April 17, 2017.

Public Chapter 140
SB 433 - HB 875

Juvenile Reporting

Amends 37-1-506 to provide that in counties with a youth services officer, the youth services officer, instead of the juvenile court clerk, shall be responsible for furnishing the required information to DCS relative to county probation programs and prevention grants, funding and services.

Effective July 1, 2017.

Public Chapter 145
SB 677 - HB 407

Child Support Arrearages

Amends 36-5-101 to provide that interest shall no longer accrue on child support arrearages unless the court makes a written finding that interest shall continue to accrue. In making such finding, the court shall set the rate at which interest shall accrue after consideration of any factors the court deems relevant; provided, that the interest rate shall be no more than 4% per year.

Effective April 17, 2017.

Public Chapter 149
SB 823 - HB 736

License Revocation Stays

Amends 40-24-105 to provide that a person who is unable to pay any portion of assessed litigation taxes, court costs, and fines may apply one time to the court for an order temporarily staying the revocation of their driver's license. An order to stay the revocation of the license shall be granted if the court finds that the person would experience extreme hardship from the revocation of the license and that no other means of transportation are reasonably available to the person. Grounds for finding of extreme hardship are limited to travel necessary for: (i) employment; (ii) serious illness of the person or an immediate family member; or (iii) participation in a recovery court, which includes drug courts, DUI courts, mental health courts, and veterans treatment courts.

Effective April 17, 2017.

Public Chapter 187
SB 236 - HB 95

Foreclosures

Amends 26-5-104 and 35-5-109 to extend the time of execution and judicial sales to 9:00 a.m. to 7:00 p.m.

Effective April 19, 2017.

Public Chapter 196
SB 1244 - HB 577

Motions to Expunge Juvenile Records

Amends 37-1-153 to provide that the court shall inform the child, at the time of adjudication, of the need to file a motion to expunge the child's juvenile record. The administrative office of the courts shall create a motion that can be completed by a child and shall be circulated to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all children.

Effective July 1, 2017.

Public Chapter 197
SB 1243 - HB 578

Expungement of Delinquency Adjudications

Amends 37-1-153 to reduce the age at which a court may expunge an adjudication of delinquency or unruliness from 18 to 17 years of age.

Provides that in any case in which a child's juvenile record contains convictions solely for unruly adjudications or delinquency adjudications for offenses that would be misdemeanors if committed by an adult, the juvenile court shall expunge all court files and

records after one (1) year from the child's completion of and discharge from any probation or conditions of supervision, upon the filing of a motion by the child. Provides the court shall inform the child, at the time of adjudication, of the need to file a motion to expunge after a year from the successful completion of probation and provide the child with a model expunction motion prepared by the administrative office of the courts. The administrative office of the courts shall create a motion that can be completed by a child and shall circulate the motion to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all children.

Effective July 1, 2017.

Public Chapter 199
SB 1253 - HB 636

Expungement of Juvenile Court Records

Amends 37-1-153 to provide that the juvenile records an expunction applies to includes all documents, reports, and information received, kept, or maintained in any form, including electronic, by the juvenile court clerk or juvenile court staff relating to a delinquency or unruly case, with the exception of assessment reports under 37-1-136.

Provides that a motion shall be filed instead of a petition relative to juvenile expungements.

Provides that in any case in which there is a successful completion of a pretrial diversion pursuant to 37-1-110 or judicial diversion pursuant to 37-1-129, the juvenile record shall be expunged by the juvenile court after one (1) year, upon the filing of a motion for expunction and without cost to the child.

Provides that in any case that is dismissed, excluding a case dismissed after successful completion of an informal adjustment, pretrial diversion, or judicial diversion, the juvenile record shall be expunged by the juvenile court as a part of the court's order of dismissal, without the filing of a pleading for expunction, and at no cost to the child.

Provides that a motion for expunction may be filed prior to the one-year period set out in 37-1-153. If the motion is filed, the court may order all or any portion of the requested expunction if the court finds by clear and convincing evidence that the movant has successfully completed the informal adjustment or diversion and has made such an adjustment of circumstances that the court, in its discretion, determines that expunction serves the best interest of the child and the community.

Provides that the order of expunction, the original delinquent or unruly petition, and the order of adjudication and disposition shall be sealed and maintained by the clerk of the court in a locked file

cabinet and kept separate from all other records. In courts that maintain a case management system capable of expunging a record and only allowing access to the system administrator, paper copies need not be maintained. The sealed orders and petition shall not be released to anyone except at the written request of the person whose records are expunged or in response to an order of a court with proper jurisdiction.

Effective July 1, 2017.

Public Chapter 241

SB 50 - HB 434

Orders of Protection and Divorce Actions

Amends 36-3-603 to provide that if an order of protection is in effect at the time either the petitioner or respondent files a complaint for divorce, the order of protection shall remain in effect until the court to which the divorce action is assigned: (1) modifies the order, (2) dissolves the order, or (3) makes the order part of the divorce decree. If the court modifies the order or makes the order of protection part of the divorce decree, the court shall issue a separate order of protection.

Provides that the clerk shall immediately forward a copy of any order of protection issued and any subsequent modifications to the petitioner, respondent, and the local law enforcement agencies having jurisdiction in the area where the petitioner resides in the manner provided by 36-3-609(e).

Effective July 1, 2017.

Public Chapter 263

SB 1252 - HB 840

Juvenile Petitions

Amends 36-1-113 to revise the evidence rules in hearings relative to termination of parental rights.

Amends 37-1-120 to revise what must be included in juvenile petitions.

Amends 37-1-120 to provide that if the petitioner, counter-petitioner, or child is a victim of abuse or has been placed at risk of abuse by any of the parties to the proceeding, the petitioner may exclude the address of the petitioner or the child from the petition and file that information with the clerk in a separate document, which the clerk shall place under seal.

Effective July 1, 2017.

Public Chapter 267

SB 160 - HB 188

Commencement of Civil Actions in General Sessions

Amends 16-15-716 to provide that a civil action in general sessions is commenced by filing a civil warrant with the court clerk (instead of commencing when a civil warrant is issued by the clerk).

Effective May 4, 2017.

Public Chapter 280
SB 1163 - HB 1016

Estate Administration and Forms

Amends 30-2-601, 30-2-602, 30-2-701 and 30-2-707 relative to estate administration. Provides that if accountings have been waived the personal representative must file a status report detailing any remaining estate issues within fifteen (15) months from the date of qualification and each year thereafter that the estate remains open.

Allows the personal representative to move the court for closure of the estate after making diligent efforts to obtain acknowledgements from all distributees.

Requires certain receipts of distributees to be sworn before the clerk or notary on a form to be developed by the AOC and posted on its website.

Makes other procedural revisions relative to estate administration.

Effective July 1, 2017.

Public Chapter 290
SB 769 - HB 567

Residuary Beneficiaries

Amends 30-2-307 to provide that if a claim filed against the decedent's estate is filed by a personal representative of the decedent's estate, the personal representative must provide the clerk of the court with the name and current mailing address of each residuary beneficiary of the decedent's estate at the time the claim is filed.

Amends 30-2-313(b) to provide that if a personal representative of the decedent's estate files a claim against the estate of the decedent, the clerk of the court, within five days after the filing of a claim and the entry thereof in the claim book as provided in 30-2-312, shall give written notice to each residuary beneficiary of the decedent's estate of the filing of the claim, by mailing each a true and correct copy of the claim. Provides that such notice is in addition to the notice required to be given by subsection (a) of 30-2-313.

Amends 30-2-312 to provide that if notice is required to be given to the residuary beneficiary or beneficiaries of the decedent's estate as required by 30-2-313(b), the claimant shall pay to the clerk on the filing of the claim the fee provided by 8-21-401(c)(9) for each residuary beneficiary to whom notice is to be given.

Amends numerous other provisions relative to probate matters.

Numerous sections have an effective date of January 1, 2017, while the remaining sections have an effective date of July 1, 2017.

Public Chapter 298
SB 800 - HB 873

Expungement of Multiple Convictions

Enacts a new subsection (k) in 40-32-101 to allow a person convicted of no more than two offenses to apply one time to have

both expunged if no more than one is a felony and both would otherwise be eligible for expungement under subsection (g) of 40-32-101.

Effective May 5, 2017.

Public Chapter 358
SB 1137 - HB 99

Electronic Expungements and Seat Belt Fines

Amends 40-32-101(j) to provide that a person who is otherwise ineligible for expunction of the person's records shall, upon petition by that person to the court having jurisdiction in the previous action, be entitled to removal of public records from electronic databases relating to the person's arrest, indictment, charging instrument, or disposition for any charges other than the offense for which the person was convicted.

Provides that the public records shall be removed from the relevant electronic databases of the national crime information center system and similar state databases, and the person shall be entered into the Tennessee bureau of investigation's expunged criminal offender and pretrial diversion database with regard to the offenses removed.

Provides that the public records shall also be removed from any public electronic database maintained by a court clerk. Provides that nothing shall require court clerks to expunge records relating to an offense for which the person was convicted. Provides that court clerks shall not be liable for any errors or omissions relating to the removal and destruction of records under this law.

Amends 55-9-603 to increase seat belt fines by \$5. Provides that this additional \$5 shall be retained by the court clerk.

Effective July 1, 2017.

Public Chapter 366
SB 887 - HB 862

Zero to Three Court Initiative

Enacts a new Part 9 in Title 37, Chapter 1 to be known as the Tennessee Zero to Three Court Initiative. Creates, on January 1, 2018, five (5) zero to three court programs that shall be in addition to any zero to three court programs already established. Provides that the department of children's services, in consultation with the administrative office of the courts and the council of juvenile and family court judges, shall determine the location of each program. Provides that the department of children's services, in consultation with the administrative office of the courts, council of juvenile and family court judges, and the department of mental health and substance abuse services, shall administer the zero to three court programs.

Effective January 1, 2018 (ceasing January 1, 2022).

Public Chapter 403
SB 633 - HB 865

Insufficient Daylight Fluorescent Orange Colors

Amends 70-4-124 to limit court costs to \$50 for failure to wear orange with a dominant wave length between 0.595 and 0.605 nanometers, excitation purity of not less than 85% and a luminance factor of not less than 40% while big game gun hunting (except for those hunting turkeys or hunting on their own property).

Effective July 1, 2017 (applicable to violations occurring on or after such date).

Public Chapter 412
SB 802 - HB 1173

License Revocation for Outstanding Costs and Fines

Amends 40-24-105 to provide additional options for those facing license revocation for unpaid court costs, taxes and fines. Also allows indigent persons to petition the court for waiver of outstanding court costs and fines.

Provides that a person who is unable to pay any portion of assessed litigation taxes, court costs, and fines may apply to the court having original jurisdiction over the offense for an order staying the revocation of their license. An order to stay the revocation of the license shall be granted if the court finds that the person would experience hardship from the revocation of the license and that other means of transportation are not readily available to the person. Grounds for finding of hardship are limited to travel necessary for: (i) employment; (ii) school; (iii) religious worship; (iv) participation in a recovery court; (v) serious illness of the person or an immediate family member; or (vi) other reasons or destinations as determined by the court.

Provides that a person who is unable to pay all of the assessed litigation taxes, court costs, and fines but is able to pay some of them may apply to the court having original jurisdiction over the offense for an order setting up a payment plan for such taxes, costs, and fines. If the person and court agree to such a payment plan, the court shall so order and such order shall have the effect of staying the revocation of the license. The order staying the revocation of license shall remain in effect for as long as the person is current and in compliance with the payment plan. If the person fails to make payments according to the plan for three consecutive months without good cause, the court may revoke the order and notify the clerk. The court clerk shall promptly notify the commissioner of safety of the issuance or termination of any stay of revocation. The commissioner of safety shall not revoke while the stay is in effect.

Provides that a person who is indigent, as defined in 40-14-201, may apply for the waiver of any outstanding court costs and fines. A person who is indigent may apply for the waiver of outstanding court costs and fines prior to or after the revocation of license. An

application for such a waiver must include: (i) a signed affidavit of indigency; and (ii) payment of a fee of up to \$50, subject to the discretion of the court after consideration of the person's ability to pay. After consideration of the affidavit of indigency and the payment of any fee that may be required, the court may waive any outstanding court costs and fines.

Provides that if a person has a license revoked, the person may apply to the trial court having original jurisdiction over the offense for a restricted driver license. The court is vested with the authority and discretion to order the issuance of a restricted driver license for the purposes specified in the statute. The order shall state with all practicable specificity the necessary times and places of permissible operation of a motor vehicle. The person may obtain a certified copy of the order and within 10 days after issuance present the order, together with an application fee of \$65, to the department of safety, which shall issue a restricted license embodying the limitations imposed in the order. After proper application and until the restricted license is issued, a certified copy of the order may serve in lieu of a driver license. Any restricted license issued shall be valid for a period not to exceed one year. A restricted license issued under this section may be renewed; provided, that each renewal shall be valid for a period not to exceed one year.

Clarifies that costs under this statute include jail fees or other incarceration costs.

Effective January 1, 2018.

Public Chapter 419

SB 993 - HB 1126

Retroactive Child Support

Amends 36-2-311 and 36-5-101 to limit retroactive child support awards to five years unless the court determines that a longer award is in the interest of justice.

Effective July 1, 2017.

Public Chapter 427

SB 1287 - HB 415

Background Checks

Amends 33-2-1202 to require background checks on volunteers that will have direct contact with service recipients under the Mental Health, Alcohol and Drug Abuse Prevention and/or Treatment, Intellectual and Developmental Disabilities, and Personal Support Services Licensure Law. Amends 68-11-256 to require background checks on employees at assisted-care facilities that will have direct contact with patients.

Effective July 1, 2017.

Public Chapter 456
SB 1245 - HB 418

Expungement Fees

Amends 40-32-101(g) to reduce the fee for expungements under that section (certain less serious convictions) from \$350 to \$180. Also, changes the distribution of such fee. Provides that \$50 of the fee shall be distributed to the TBI and \$130 shall be distributed to the district attorneys' expunction fund.

Effective May 25, 2017.

Public Chapter 466
SB 1230 - HB 810

Elderly and Vulnerable Adult Protection Act

Enacts a new Part 5 in Title 39, Chapter 15 to establish the Elderly and Vulnerable Adult Protection Act. Creates the offense of knowingly financially exploiting an elderly or vulnerable adult. Provides for criminal penalties and civil remedies. Provides that following a conviction, the clerk shall notify the department of health by sending a copy of the judgment as provided in 68-11-1003.

Effective July 1, 2017.

Public Chapter 487
SB 1334 - HB 1296

Expungement of Certain Old Convictions

Amends 40-32-101(g) to slightly expand the class of less serious crimes committed before November 1, 1989 that a person may petition to be expunged.

Effective June 6, 2017.

ECONOMIC DEVELOPMENT

Public Chapter 17
SB 314 - HB 386

Tax Increment Financing

Amends 9-23-102 and 9-23-106 to only require tax increment agencies to file an annual statement of tax increment revenues allocated to the agency through active, rather than all, plans.

Effective March 24, 2017.

Public Chapter 228
SB 1215 - HB 529

Tennessee Broadband Accessibility Act

Enacts 4-3-708, which authorizes the commissioner of ECD to establish and administer the broadband accessibility grant program. Provides that grants are available (subject to funding by the general assembly or from funds received by ECD from other sources) to public and private entities providing broadband services. Enacts 4-3-709, which provides guidelines for designation as a "broadband ready community." Amends 65-25-134 to authorize electric cooperatives to provide broadband services. Amends 67-4-2009 to create a franchise and excise tax credit for qualified broadband internet access equipment placed in service in a Tier 3 or 4 enhancement county.

Effective April 24, 2017.

EDUCATION

Public Chapter 152

SB 1195 – HB 307

Education of Students in Detention Centers

Enacts 49-6-30__ to require the state department of education to develop rules to be adopted by the state board of education to ensure that students incarcerated in juvenile detention facilities are provided educational services by an LEA serving in the county where the detention center is located. The rules must provide for funding in an amount equal to the per pupil state and local funds received by the LEA in which the student was enrolled at the time of incarceration on a prorated daily basis for the length of incarceration, and transfer of the student's educational records to the LEA in which the detention center is located.

Effective April 17, 2017.

Public Chapter 177

SB 1198 – HB 308

Student Accountability

Amends Title 49, Chapter 1, Part 6, and 49-6-6001, to revise student accountability measures to implement the federal Every Student Succeeds Act (ESSA).

Effective April 24, 2017.

Public Chapter 189

SB 217 – HB 147

School Security Officers

Enacts 49-6-42__ to create the position of "school security officer," defined as a person employed exclusively by a local school board to (1) maintain order and discipline, (2) prevent crime, (3) investigate violations of school board policies, (4) return students who may be in violation of the law or policies to school property or to a school-sponsored event until the officer can place the student into the custody of the school administrator, the school resources officer, or a law enforcement officer, and (5) ensure the safety, security, and welfare of all students, faculty, staff and visitors in the officer's assigned school. Authorizes an LEA to adopt, in consultation with the appropriate local law enforcement agency, a policy authorizing a school security officer to patrol within a one-mile radius of the assigned school but not outside the boundaries of the LEA. A copy of any policy adopted must be filed with the appropriate local chief law enforcement officer. In patrolling the one-mile radius, the school security officer can only patrol for violations of laws involving minors, including truancy, and must immediately notify the appropriate local law enforcement agency of any violation of the law if the officer reasonably believes the perpetrator is a minor.

Effective April 27, 2017.

Public Chapter 192
SB 1196 – HB 309

Use of Assessment Data

Amends Title 49, Chapter 1, and 10-7-504, to revise provisions for use of TVAAS data for teacher evaluations, change the percentages by which student TCAP scores affect a student’s final spring semester grade in grades 3-8, and make available for research purposes the estimates of the statistical distribution of teacher effects on educational progress of students within school districts for grades 3-8.

Effective April 19, 2017.

Public Chapter 205
SB 2 – HB 1043

School Improvement Plans

Amends 49-1-613 to allow a school and LEA to choose either the ACT or SAT scores as one of the measurements for specific goals for improvement in their school improvement plan.

Effective April 19, 2017.

Public Chapter 256
SB 458 – HB 448

Opioid Antagonists in Schools

Enacts 49-50-16__ to require the state board of education to develop guidelines for management of students with a drug overdose for which an opioid antagonist may be appropriate, and requires LEAs to implement a plan based on those guidelines for management of students presenting with a drug overdose. Authorizes each school to maintain an opioid antagonist in at least two locations. Authorizes physicians to prescribe opioid antagonists in the name of an LEA or nonpublic school. School nurses, school resource officers, and other trained school personnel may administer opioid antagonists under a physician’s standing protocol. Limits liability for those involved in administration of the opioid antagonist except in cases of intentional disregard for safety.

Effective July 1, 2017.

Public Chapter 289
SB 1210 – HB 322

Transportation Services

Enacts 49-6-21__ to require each LEA and charter school providing transportation services to appoint a transportation supervisor to oversee transportation services for the district or school, and the name must be submitted to the department of education by February 15, 2018. All local boards of education and charter schools must adopt a transportation policy providing for reporting and investigation of complaints and recordkeeping in accordance with the requirements set out in the statute. Each school bus must have the phone number for reporting complaints on the rear bumper. Requires training of transportation supervisors and school bus drivers. Amends 55-50-302(d) to require that school bus drivers be at least 25 years of age and have at least 5 consecutive years of

unrestricted driving experience prior to their application for an initial school bus endorsement.

Effective January 1, 2018.

Public Chapter 307

SB 1197 – HB 310

High Quality Charter Schools Act

Amends Title 49, Chapter 13, relative to public charter schools.

Authorizes initial terms of charter agreements to be less than 10 years. Deletes requirement in 49-13-106(b)(1)(D) that newly-created public charter schools give enrollment preferences. Deletes provisions in 49-13-106(b)(3)(b) which gave certain preferences to in-zone students when an existing school is converted to a charter school by a charter school sponsor. Amends 49-13-106(a)(3)(A) to provide that charter schools authorized by an achievement school district may enroll the siblings of students already enrolled in the charter school after the initial enrollment period. Repeals 49-13-115 and amends 49-13-108(d) to prohibit chartering authorities from placing any contingencies or conditions on approval of charters, including conditional approval based on obtaining sufficient working capital to run the school. Amends 49-13-108(f) to delete reference to national authorizing standards, and instead provide for authorizing standards to be approved by the state board of education. Amends 49-13-108 to require a chartering authority to report to the department of education within 10 days of approving or denying a charter application and provide a copy of the resolution setting forth its action and reasons.

Enacts 49-13-___ providing for annual authorizer fees for local school boards, beginning with the 2018-19 school year, in the amount of the lesser of 3% of the annual per student state and local allocations or \$35,000, to be used exclusively for fulfilling authorizing obligations. By December 1 each year each LEA must report all annual authorizer fees collected in the prior school year and the authorizing obligations fulfilled using the fees, and the LEA must distribute any unused amounts back to its public charter schools using a refund process to be developed by the department of education.

Amends 49-13-112(a) to require LEAs to make adjustments to their payments to charter schools at a minimum in October, February, and June, based on changes in revenue, student enrollment, or student services, and deletes requirement for approval of the commissioner; also deletes authorization for local boards of education to act as fiscal agent for charter schools. Repeals 49-13-112(b)(2), which required that student enrollments used in allocations be for the same period used in calculating state funds to the LEA under the BEP. Amends 49-13-112(b)(3) to provide that, other than the authorizer fee, a charter school cannot be required to pay any fees or purchase any services from the authorizer; if the charter school

chooses to purchase services from the LEA there must be a separate annual service contract setting out the agreement and providing for any fees to be charged, and if the services include employee benefits or retirement the chartering authority may withhold funds to cover the cost. Amends 49-13-112(c)(1) to delete the requirement that the per pupil share of the charter school be based in prior year ADM except in the first year.

Rewrites 49-13-113 relative to enrollment, giving preference to student attending during the previous year and requiring a lottery for all other students if applications exceed capacity (preference to be given, in order, to students enrolled in pre-K operated by charter school sponsor, students enrolled in a charter school with an articulation agreement approved by the chartering authority, siblings of enrolled students, students from group(s) set out in 49-13-106(b)(1)(C) if the charter school has that focus, students residing within and attending public school within the charter school's LEA, and students residing outside the LEA. Allows preference to children of teachers, sponsors, and members of the governing body of the charter school not to exceed 10% of enrollment or 25 students, whichever is less. Public schools converting to charter schools under 49-13-106 must give enrollment preference (outside the lottery) to students residing within the attendance area of that public school, giving parents the option to enroll in another public school in the LEA without penalty. Out-of-zone students may enroll in a conversion charter school only after those living in the zone have the opportunity to enroll, and will be determined by lottery. Charter schools must have their enrollment lotteries certified to the department of education by an independent accounting firm or a law firm, or they may request that the department review and approve their lottery process.

Amends 49-13-120 to require that each chartering authority submit to the department an annual authorizing report by January 1 each year. Amends 49-13-121(a) to provide that charter agreements become effective on approval of the application and expire 10 years after the first day of instruction; allows the initial opening to be delayed for no more than one year with approval of the chartering authority. Rewrites 49-13-122 regarding revocation or denial of a charter school's charter agreement. Enacts 49-13-__ to govern procedures for closure of a charter school, requiring the chartering authority to have closure procedures in place before denying renewal or revoking a charter agreement. Enacts 49-13-__ to require an LEA to provide free of charge a list of student names, ages, addresses, dates of attendance, and grade levels completed, in accordance with 10-7-504 and FERPA, within 30 days after receiving a request from a chartering authority or public charter school. The

information is not to be released to outside parties without consent, and each recipient must have a policy allowing parents or students to decline any further information from the charter school. Repeals 49-13-137 related to delays in opening charter schools. Enacts 49-13-___ to require chartering authorities to adopt a model performance framework of academic and operational performance indicators, measures, and metrics to guide the evaluation of charter schools, and requires the department of education to develop a model performance framework that must be used by chartering authorities that do not develop their own policies. Enacts 49-13-___ to authorize the commissioner of education to establish a public charter schools facilities program to assist charter schools with capital improvement projects, which may include grants and loans, with a public charter schools facilities fund to be established subject to appropriations. Amends 49-13-107(b)(4) to allow an applicant's operating budget to be projected up to 10 years. Amends 49-13-107(e) to provide that when evaluating an application, a chartering authority must take into account the performance, including both student growth and achievement, of any charter school operated by the sponsor.

Effective July 1, 2017.

Public Chapter 361
SB 263 – HB 267

Charter School Application Fees

Amends 49-13-108(a)(5) to authorize a chartering authority to require a charter school sponsor to pay an application fee of up to \$2,500 with each application the sponsor files.

Effective July 1, 2017.

Public Chapter 379
SB 196 – HB 483

Truancy

Amends 49-6-3006(b) to require the director of schools to designate at least one employee as the system attendance supervisor. Amends 49-6-3007(e) to require the principal or head of each school to give written notification at the beginning of each school year to parents/guardians that they are responsible for their student's attendance and if the student is absent for 5 unexcused days during the year the student is subject to referral to juvenile court. Provides for notices after any 5 unexcused absences, and provides for a conference with the parent to trigger the first tier of progressive truancy interventions. Amends 49-6-3009(c) and (d) to provide for progressive truancy interventions. Referrals to juvenile court must be accompanied by a statement that the progressive truancy interventions were applied and failed.

Effective July 1, 2018.

Public Chapter 387
SB 379 – HB 368

Retired Teachers as Substitute Teachers

Amends 49-3-312 to require an LEA to pay retired teachers without an active teaching license no less than retired teachers with an active teaching license, for “teachers who retired after July 1, 2011 through July 1, 2016.”

Effective July 1, 2017.

Public Chapter 389
SB 401 – HB 457

Money for Classroom Instructional Supplies

Amends 49-3-359(a) to include in the BEP an amount sufficient to pay \$200 for every teacher in grades K-12 for instructional supplies, to be given to each teacher by October 31 each school year.

Effective July 1, 2017.

Public Chapter 407
SB 729 – HB 1196

Tennessee Educators Protection Act

Enacts 49-1-1201 *et seq.*, the Tennessee Educators Protection Act. Employees of educational entities, including LEAs, are not liable for punitive or exemplary damages for acts or omissions in the scope of their employment, except where they act with specific intent to cause harm. Authorizes employees to file civil actions for damages against a student 18 years of age or older, and against their parents if younger, if a student acts with the specific intent to cause harm by making an accusation of criminal activity against the employee which the student knows or should know is false.

Effective July 1, 2017.

Public Chapter 450
SB 248 – HB 22

Early Postsecondary Credit Courses

Enacts 49-6-4__ to require every LEA to make available to its high school students, beginning with the 2018-19 school year, at least 4 early postsecondary opportunities provided through traditional classroom instruction, online or virtual instruction, blended learning, or other appropriate methods.

Effective May 25, 2017.

Public Chapter 482
SB 864 – HB 1169

Tennessee History

Enacts 49-6-10__, the Senator Douglas Henry Tennessee History Act, to require a course in Tennessee history for students beginning with the 2018-19 school year.

Effective June 6, 2017.

ELECTIONS

Public Chapter 1
SB 47 - HB 57

Presidential Primary Ballots

Amends 2-13-311 to provide that on presidential primary ballots the names of candidates for state, county, and municipal offices shall

immediately follow the names of the presidential candidates.
Increases the number of vertical columns for each respective party's primary election on the ballot from two to three.

Effective July 1, 2017.

Public Chapter 15
SB 228 - HB 264

Election Officials

Amends 2-4-102 to expand the time period in which county election commissions must appoint election officials. Amends 2-4-109 to provide that election officials may volunteer without compensation.

Effective March 24, 2017.

Public Chapter 109
SB 377 - HB 704

Campaign Funds

Enacts a new section in Title 2, Chapter 10, Part 1 to provide that all campaign funds must be deposited into and maintained in a financial institution insured by the FDIC or the NCUA duly authorized to do business in Tennessee and operating under the authority of the department of financial institutions, the United States comptroller of the currency, or the federal reserve board. Provides that any interest, dividends, or income earned must be reported on the candidate's or political campaign committee's financial disclosure report. Provides that any campaign contribution received in a non-monetary form may be held in the form received until the contribution is used to pay expenditures and then must be deposited as provided for above. Provides that any other investment is prohibited and the candidate, or in the case of a multicandidate political campaign committee, the treasurer, shall be subject to a civil penalty by the registry of election finance. The registry of election finance may impose a civil penalty for a violation of not more than \$10,000 or 115% of the amount invested, whichever is greater.

Effective July 1, 2017.

Public Chapter 137
SB 286 - HB 162

Absentee Ballots

Amends 2-6-202 to allow an absentee ballot to be sent to an address within the same county of residence under certain circumstances.

Effective April 17, 2017.

Public Chapter 245
SB 616 - HB 672

Address Verification Programs

Amends 2-2-106 to make numerous changes to the county election commission's address verification program.

Amends 2-2-112 to revise the date an applicant may submit an online voter registration application from "July 1, 2017" to "as soon as practicable but no later than September 1, 2017."

Amends 2-6-201 to allow persons 60 years of age or older to vote absentee.

Amends 2-6-204 to allow the county election commission to send a notice of rejection of an absentee ballot by email under certain circumstances.

Effective May 2, 2017.

Public Chapter 246
SB 645 - HB 686

Voter Fraud

Amends 2-19-107 to impose a \$1,000 fine on those convicted of voter fraud. Enacts a new section in Title 40, Chapter 8 to provide a \$1,000 reward for reporting voter fraud.

Effective July 1, 2017.

Public Chapter 294
SB 1089 - HB 1199

Freedom of Speech Act

Enacts a new section in Title 2, Chapter 7 to be known as the Tennessee Freedom of Speech Act. Provides that during the period beginning 60 days before a general election until the day after the next subsequent general election the state, a local government, or any other political subdivision of this state shall not regulate the shape or quantity of political or campaign posters or signs placed on private property that is located more than 100 feet from a polling place if the signs or posters are placed on the property by the owner of the property or any lawful resident of a residence on the property. However, provides that such governmental entities may prohibit any political or campaign poster or sign from exceeding 32 square feet in size on commercial property and 16 square feet in size on residential property. Also provides that such governmental entities may adopt reasonable restrictions limiting the number of political campaign signs or posters that may be placed on property so long as such restrictions authorize an owner or resident to place at least one poster or sign on the property per candidate, issue, or subject.

Provides that a homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable covenants, conditions, restrictions, or rules with respect to the placement of political or campaign posters or signs placed on homeowner association common space and private property maintained by the owner or resident, including limiting the size of campaign posters or signs in those common and private property areas to 4 square feet.

Provides that a lessor of residential property may require a lessee to obtain the written permission of the lessor prior to placing any political or campaign posters or signs on such residential property. Any such requirement must be included in the lease or rental agreement.

Effective July 1, 2017 (applicable to any clause, covenant, condition, restriction, or rule contained in any agreement or contract between a homeowners' association and property owner or between a lessor and lessee executed or modified after July 1, 2017).

Public Chapter 347

SB 1265 - HB 550

Political Campaign Committees

Amends the definition of political campaign committee in 2-10-102(12) to mean any corporation or any other organization making expenditures, except as provided in 2-10-102(4), to support or oppose a measure or any committee, club, corporation, association, or other group of persons which receives contributions or makes expenditures to support or oppose any candidate for public office or measure during a calendar year in an aggregate amount exceeding \$1,000.

Effective May 9, 2017.

EMERGENCY SERVICES

Public Chapter 217

SB 596 - HB 556

Emergency Communications Districts

Amends 7-86-314 to provide that effective July 1, 2017, any member of the board of directors of an emergency communications district with four consecutive unexcused absences or who fails to attend at least 50% of regularly scheduled meetings within any 12-month period shall automatically be removed from the board. Any member so removed shall be eligible for reappointment at any time by the appointing authority. Provides further that if any member of the board of directors of an emergency communications district is removed by order of a chancery court, that member ineligible for reappointment at any time.

Amends 8-44-108 to provide that members of an emergency communications district board of directors may participate in meetings by any electronic means approved by such board. A board member who participates in a meeting electronically is present for purposes of creating a quorum and voting on matters presented to the board for consideration during the meeting to the same extent as a board member who is physically present at the meeting. Specifies that the Open Meetings Law will apply to electronic participation in board meetings.

Effective April 28, 2017.

Public Chapter 258

SB 704 - HB 879

Ground Ambulance Service Provider Assessment Act

Amends Title 71, Chapter 5. Requires an ambulance service to pay a quarterly assessment to the bureau of TennCare. The assessment, calculated by the bureau, will equal the non-federal portion divided by total state-wide ground transports, multiplied by the number of

ground transports for the ambulance service provider. A "non-federal portion" is defined as the non-federal share the bureau needs to fund amounts that will support fee-for-service ambulance provider rates.

Requires the Bureau of TennCare to reimburse each ambulance service, upon approval by the centers for Medicare and Medicaid services of the assessment imposed for fee-for-service rates effective on or after July 1, 2017, that provided qualifying ground ambulance service transports during the relevant assessment period in an amount not to exceed the emergency medical services ambulance rates adopted annually by the department. The assessment will not be implemented until after the commissioner of finance and administration receives notice from the centers for Medicare and Medicaid services that federal matching fund approval for the assessment is granted.

Effective May 2, 2017, for the purpose of rulemaking. Effective July 1, 2017, for all other purposes.

Public Chapter 345
SB 1223 - HB 1283

Exposure to Hepatitis or HIV/AIDS Virus

Amends 68-10-116 to require a blood test for the presence of the hepatitis and AIDS/HIV viruses to be administered to an arrested person if requested by a law enforcement officer, TBI employee, firefighter, EMT-paramedic, or EMT who may have been exposed to the virus. Specifies that the test is for any hepatitis virus, rather than just hepatitis B.

Effective May 9, 2017.

Public Chapter 408
SB 763 - HB 604

Local Emergency Management Agency Personnel

Enacts 58-2-126. Provides that all local emergency management agency personnel are considered first responders from local emergency management agencies with all the rights, benefits, privileges, and protections available to them pursuant to state and local laws. Provides that the estate of any first responder from a local emergency management agency who is killed in the line of duty is entitled to receive the sum of \$25,000, with payment to be made from the general fund after receipt by the Department of Finance and Administration of a certified death certificate and an affidavit from the decedent's employer that the decedent was killed in the line of duty.

Effective July 1, 2017.

Public Chapter 418
SB 970 - HB 1076

Emergency Communications Districts

Amends 7-86-119(a) to provide that an emergency communications district may purchase, in lieu of the surety bonds, fidelity bonds to cover any losses from breach of the condition of faithful discharge of

the duties of any board member, executive committee member, employee, officer, or any other authorized person of an emergency communications district who receives public funds, has authority to make expenditures from public funds, or has access to any public funds. Such fidelity bonds must provide coverage for government crime and employee dishonesty that insures the lawful performance by officials and their employees of their fiduciary duties and responsibilities, and the bonds must be purchased from a corporation licensed to do business in this state. A certificate evidencing the persons covered by the fidelity bond, the amount of coverage maintained, and the type of coverage provided shall be filed in the register's office for the county in which the emergency communications district is located.

Effective May 18, 2017.

Public Chapter 445

SB 1059 - HB 1368

Emergency Responder - Death Benefit

Amends Title 7, Chapter 51, Part 2. Provides that the estate of any emergency responder who is killed in the line of duty shall be entitled to receive a \$250,000 annuity, with the estate receiving an annual installment of \$50,000 for five years. The emergency responder must have been current in any required training and physical exams at the time the death occurred for the estate to receive the payment. Payment shall be made from the general fund after receipt by the Department of Finance and Administration of a certified death certificate, letters testamentary or letters of administration for the estate of the deceased from a probate court, and an affidavit from the decedent's employer or volunteer unit that the decedent was killed in the line of duty. A claim for payment of an annuity must be filed with the Department of Finance and Administration no later than three years after the date of death of the decedent. A person's estate is only entitled to receive one two-hundred-fifty-thousand dollar annuity, regardless of the person being in more than one category of emergency responder. Repeals 7-51-206, 207 and 208.

Effective July 1, 2017.

Public Chapter 484

SB 669 - HB 1209

Addiction Treatment

Amends 63-1-152 to provide that any person treated for a drug-related overdose with an opioid antagonist by a first responder shall be taken to a medical facility by emergency medical services for evaluation, unless the person is competent to refuse medical treatment and chooses to refuse treatment.

Effective July 1, 2017.

ENVIRONMENT

Public Chapter 282

SB 1199 - HB 311

Transfer Stations

Amends 68-211-862 to include transfer stations in the law that requires certain facilities to maintain and submit to TDEC records of all amounts and county of origin of solid waste, measured in tons, received at the facilities.

Effective May 4, 2017.

Public Chapter 284

SB 1371 - HB 1405

Air Pollution Control Regulations

Amends 68-201-115 to provide that no municipality or county may include land use or zoning requirements in its air pollution control regulations or its certificate of exemption granting it the authority to enact the regulations. Provides that no municipality or county may request the air pollution control board include land use or zoning requirements in the state implementation plan submitted to the EPA.

Effective May 4, 2017.

Public Chapter 293

SB 899 - HB 1017

Concentrated Animal Feeding Operations

Amends 69-3-103 and 69-3-108 to restrict TDEC from defining concentrated animal feeding operations more stringently than federal law requires and provide that such operations are only required to have a permit if they actually discharge a pollutant into water.

Effective March 1, 2018.

Public Chapter 335

SB 527 - HB 724

Appointments to Solid Waste Regional Boards

Amends 68-211-813 to provide that county and municipal mayors, and any other authorities, who appoint members to solid waste regional boards must strive to ensure that at least two elected officials serve on each regional board.

Amends 68-211-872 to provide that TDEC may provide guidelines and best practices for composting and recycling to regional board members, advisory committees, and Class I, Class III, and Class IV landfill owners and operators.

Effective May 9, 2017.

Public Chapter 404

SB 683 - HB 158

Fluoride Levels

Enacts a new section in Title 68, Chapter 221, Part 7 to require customer notification and additional water testing if fluoride levels exceed 1.5 milligrams per liter.

Effective May 18, 2017.

HIGHWAYS

Public Chapter 181

SB 1221 – HB 534

IMPROVE Act

Amends 55-4-111, 55-4-112 and 55-4-113 to increase various vehicle registration fees. Enacts a new section in Title 55, chapter 4, part 1 to impose an additional registration fee of \$100 on electric vehicles. Enacts a new subsection in 55-6-107 to provide that revenue from increases in registration fees is to be distributed solely to the state highway fund. Amends 67-2-102 to gradually phase out the Hall income tax. Provides the tax will be fully phased out by 2021. Amends 67-3-201 to increase the tax on gasoline by four cents effective July 1, 2017, an additional one cent effective July 1, 2018, and an additional one cent effective July 1, 2019, for a total increase of six cents. Amends 67-3-901 to provide the increased revenues from gasoline tax are to be distributed in the following manner: 25.4% to counties per 54-4-103, 12.7% to cities per 54-4-403 and 61.9% to the state highway fund. Also provides that counties are only eligible to receive their full distribution of the increased revenue if they allocate local funds for road purposes in an amount not less than the average of the five preceding fiscal years, excluding bond issues and federal revenue sharing proceeds. Amends 67-3-202 to increase the tax on diesel fuel by four cents effective July 1, 2017, an additional three cents effective July 1, 2018, and an additional three cents effective July 1, 2019, for a total increase of ten cents. Amends 67-3-905 to provide the increased revenues from diesel tax are to be distributed in the following manner: 17.5% to counties per 54-4-103, 8.8% to cities per 54-4-203 and 73.7% to the state highway fund. Repeals Title 67, chapter 3, part 10, entitled “Gasoline Tax for Local Transportation Funding.” Amends 67-3-1102 to increase the tax on liquefied gas from fourteen cents to twenty-two cents as of July 1, 2019 (revenue goes to state highway fund). Amends 67-3-1113 to increase the tax on compressed natural gas from thirteen cents to twenty-one cents as of July 1, 2019 (revenue goes to state highway fund). Enacts Title 67, chapter 4, part 32 to authorize certain local governments (county population over 112,000 and city population over 165,000 per 2010 census or subsequent census) to levy a local option transit surcharge on the following local privilege taxes: local option sales tax, business tax, wheel tax, rental car tax, tourist accommodation tax or hotel/motel tax and residential development tax. Provides that surcharge must be approved by referendum. Provides that a city and county cannot both levy a surcharge. Provides for maximum rates of the surcharge. Provides that the surcharge is to be collected in the same manner as the underlying tax. Provides certain exemptions from the surcharge applicable to local option sales tax. Requires that revenue from the surcharge must be used for a public transit system. Requires that a transit improvement program be adopted before a surcharge may be

imposed. Amends 67-4-2012 and 67-4-2111 to revise the manner in which franchise and excise tax is calculated. Amends 67-6-228 to reduce the sales tax on groceries from five to four percent. Amends 67-5-702 to increase the threshold for tax relief for low-income seniors from the first \$23,500 of the full market value of the property to \$27,000 of the full market value of the property. Provides that this amount is to be increased annually to reflect inflation. Amends 67-5-703 to increase the threshold for tax relief for disabled persons from the first \$23,500 of the full market value of the property to \$27,000 of the full market value of the property. Provides that this amount is to be increased annually to reflect inflation. Amends 67-5-704 to increase the threshold for tax relief for disabled veterans from the first \$100,000 of the full market value of the property to the first \$175,000 of the full market value of the property.

Sections 1, 27, 35, and 36 became effective April 26, 2017. Sections 13, 14, 15, 28, and 29 became effective April 26, 2017 and apply to tax years beginning on or after January 1, 2017. All other sections take effect July 1, 2017.

Public Chapter 275

SB 964 – HB 1166

Natural Disasters

Amends 7-51-1601 to expand the definition of “private residential property” which can be cleaned up after a natural disaster beyond only property owned by persons who qualify for property tax relief under 67-5-702--67-5-704. Specifies that county highway departments may only perform work under this statute if the county legislative body approves such work prior to it being performed and provides for the highway department’s costs associated with such work to be reimbursed.

Effective May 4, 2017.

Public Chapter 425

SB 1220 – HB 533

Maintenance of Roads and Bridges

Amends 54-1-126 to provide that TDOT is responsible for maintaining roads and bridges within state parks. Provides that TDEC remains responsible for mowing, litter removal, greenways, trails, parking lots, driveways, restricted access roads and all similar facilities. Authorizes TDOT to enter into agreements with counties to maintain the roads within the parks. Enacts a new Part 6 in Title 54, Chapter 4 to create the High Priority Bridge Replacement Program. Provides for the eligibility criteria, selection process, funding and maintenance of the projects.

Effective July 1, 2017.

Public Chapter 442
SB 700 – HB 1097

Local Match for State-Aid Projects

Amends 54-4-404 to extend the provision allowing counties to provide a two percent match for state-aid projects until July 1, 2019. Allows the matching contribution to be in the form of county funds or in-kind project work.

Effective May 25, 2017.

Public Chapter 477
SB 1352 – HB 812

Overweight Loads

Amends 55-7-203 to provide for alternative weight limits for heavy-duty tow and recovery vehicles and emergency fire suppression vehicles. Amends 55-7-205 to make numerous changes to provisions relating to towing vehicles.

Effective June 6, 2017.

Public Chapter 478
SB 230 – HB 910

Allocation of Fuel Tax

Amends 67-3-901(b) to revise the distribution to counties from 28.6% to 28.68% and municipalities from 14.3% to 14.38%. Also amends 67-3-901(g) to revise the tax allocation to the wildlife resources fund. Increases the allocation from 0.1074% to 0.5344% but excludes the revenue from the three cent increase from 1989 and the revenue from the increases in 2017.

Effective July 1, 2017.

JAILS

Public Chapter 85
SB 167 - HB 1274

Payment of Costs and Fees

Amends 40-25-144 to provide that for good cause shown, the commissioner of the department of correction, or the commissioner's representative, may extend the six (6) month limitation period for filing claims for an additional six (6) months.

Effective July 1, 2017, and shall apply to all claims against the state submitted on or after that date. This act is repealed on June 30, 2018.

Public Chapter 261
SB 1060 - HB 1015

Liability for Deputy Jailers

Amends 8-8-301 to specify that for purposes of immunity from liability for any wrongs, injuries, losses, damages or expenses incurred as a result of any act or failure to act on the part of any deputy appointed by the sheriff, "deputy" includes a jailer appointed by a sheriff.

Effective May 2, 2017.

Public Chapter 401
SB 603 - HB 551

Appointment of Jailer - Liability

Amends 41-4-101 to remove the specification that a sheriff is civilly liable for the actions of a jailer who was hired by the sheriff.

Effective May 18, 2017.

LAW ENFORCEMENT

Public Chapter 16

SB 285 - HB 186

Tennessee Bureau of Investigation - Fees

Amends 55-10-413. Provides that in addition to all other fines, fees, costs, and punishments now prescribed by law, a blood alcohol or drug concentration test (BADT) fee in the amount of \$250 shall be assessed upon a conviction for driving under the influence of an intoxicant under 55-10-401, vehicular assault under 39-13-106, aggravated vehicular assault under 39-13-115, vehicular homicide under 39-13-213(a)(2), simple possession or casual exchange of a controlled substance under 39-17-418, reckless driving under 55-10-205, or aggravated vehicular homicide under 39-13-218, for each offender who has taken a breath alcohol test on an evidential breath testing unit provided, maintained, and administered by a law enforcement agency for the purpose of determining the breath alcohol content or has submitted to a chemical test to determine the alcohol or drug content of the blood or urine.

Effective March 24, 2017.

Public Chapter 34

SB 1304 - HB 1116

Yellow Dot Program

Amends 55-20-301, 304 and 308 to expand the scope of the yellow dot program by adding as one of the program's purposes assisting law enforcement officers in becoming aware of a motorist's or passenger's critical health information that may impact the officer's encounter with the motorist or passenger during a traffic stop or welfare check. If a law enforcement officer stops a motor vehicle with a yellow dot decal affixed to the vehicle, and if during the encounter with the driver or passenger of the motor vehicle the officer reasonably believes the driver or passenger has a medical condition that is impacting the officer's encounter with the driver or passenger, the law enforcement officer, upon receiving consent from the driver or passenger, may review any yellow dot folder or folders present in the vehicle.

Effective March 29, 2017.

Public Chapter 120

SB 385 - HB 694

Drugs

Amends 39-17-402(16) to exclude from the definition of marijuana a cannabidiol product approved as a prescription medication by the United States Food and Drug Administration.

Effective April 12, 2017.

Public Chapter 121
SB 902 - HB 1051

Obstruction of Public Highways and Streets

Amends 39-17-307(c) to make violations of the offense of obstructing public highways and streets where the obstruction restricts emergency vehicle access a Class B misdemeanor, and imposes a fine of \$200 for a violation.

Effective July 1, 2017.

Public Chapter 124
SB 894 – HB 173

Preemption of Local Marijuana Ordinances

Amends 39-17-401 to provide that the state preempts the entire field of determining sanctions for drug offenses. Provides that local governments may not enact any ordinance or regulation providing for sanctions which differ from those in state law. Provides that any local ordinance or regulation adopted prior to enactment of this law is void.

Effective April 12, 2017.

Public Chapter 151
SB 1191 - HB 303

POST Commission

Amends 38-8-104(a). Specifies that the POST commission's duty to establish uniform employment and training standards for police officers includes the establishment of such standards for police recruits. Requires the POST Commission to establish minimum standards and curriculum requirements for the courses of study offered by or for universities, colleges, community colleges, colleges of applied technology, and other educational institutions for the specific purpose of training police recruits or police officers. Requires the POST Commission to consult and cooperate with universities, colleges, community colleges, colleges of applied technology, and other educational institutions for the specific purpose of training police recruits or police officers. Requires the POST Commission to consult and cooperate with universities, colleges, community colleges, colleges of applied technology, and other educational institutions concerning the development of police training schools and programs limited to education and training in the area of police science, police administration, and all allied and supporting fields. Requires the POST Commission to approve facilities for school operation by universities, colleges, community colleges, colleges of applied technology, and other educational institutions for the specific purpose of training police recruits and police officers.

Amends 38-8-104 by adding a new subsection giving the Commission the authority to obtain a set of classifiable fingerprints for any person hired as a police officer or enrolled as a police recruit in an approved recruit training program and to submit the set of fingerprints to the Tennessee Bureau of Investigation for a search of its criminal history records systems to determine whether the

person has any recorded convictions in Tennessee and meets the minimum qualifications as provided in 38-8-106. Provides that the Tennessee Bureau of Investigation shall forward the set of fingerprints to the Federal Bureau of Investigation for a search of the national criminal history database per federal bureau of investigation policy to determine whether the person has any recorded convictions and meets the minimum qualifications as provided in 38-8-106.

Amends 38-8-107(a) to require that all officers employed on and after July 1, 2017, must enroll in an approved recruit training program within six months of their date of employment.

Effective July 1, 2017.

Public Chapter 202
SB 1339 - HB 688

Firearms

Amends 39-17-1307(e) to expand the exception to unlawful carrying or possession of a firearm or firearm ammunition to include carrying or possession in a boat; clarifies that the exception includes a loaded firearm, as well as a firearm or ammunition.

Effective July 1, 2017.

Public Chapter 208
SB 816 - HB 1366

Reports of Suspicious Activity

Amends Title 39, Chapter 13, Part 8. Provides that a person who in good faith makes a report of suspicious activity or behavior shall be immune from civil and criminal liability for the making of the report if the report is based on articulable suspicion. A "report of suspicious activity or behavior" means any communication to a law enforcement officer or agency or other appropriate authority of the behavior or activity of another person if the report is made with the articulable belief that the behavior or activity constitutes or is in furtherance of an act of terrorism.

Effective April 19, 2017.

Public Chapter 239
SB 113 - HB 44

Help Find the Missing Act

Amends Title 38, Chapter 6, Part 1. Provides that in all cases in which the county medical examiner is not satisfied with the decedent's identification, the body shall be referred for examination to a regional forensic center. Requires the regional forensic center to furnish the Tennessee Bureau of Investigation (TBI) and the National Missing and Unidentified Persons System (NamUs), if physically possible, with copies of fingerprints on standardized eight inch by eight inch fingerprint cards or the equivalent digital image; prints or partial prints of any fingers; any forensic odontology report concerning the body; detailed personal descriptions; DNA results; and all other identifying data, including date and place of death, of all deceased persons whose deaths are in a classification requiring

inquiry by the medical examiner and who remain unidentified after all available methods have been exhausted. Provides that when any person makes a report of a missing person to a law enforcement agency, the agency shall immediately request a member of the family or next of kin of the missing person to authorize the release to local law enforcement of the dental records of the person reported missing. If the person reported missing is still missing 30 days after the report is made, the law enforcement agency shall deliver the release to the dentist or dentists of the missing person, and request the dentist or dentists to deliver such records, including dental x-rays, to the local law enforcement agency. Provides that whenever a law enforcement agency determines that a person is a missing citizen, or that an unidentified living person may be a missing citizen, such law enforcement agency shall enter the report of such missing citizen in any database of missing persons currently required by their agency, into any missing person database utilized by the TBI and into NamUs. Information contained in the TBI's missing person files shall be made available to NamUs and to law enforcement agencies attempting to locate missing persons. Provides that no law enforcement agency shall establish or maintain any policy which requires the observance of a waiting period before accepting and investigating a missing child report. Upon receipt of a report of a missing child, a law enforcement agency shall enter the child into the National Crime information Center (NCIC) pursuant to Federal Bureau of Investigation mandate, which is two hours from the time the child is reported missing to law enforcement. When a person previously reported missing has been found, the sheriff, chief of police, medical examiner, regional forensic center, or other law enforcement agency shall report to the TBI and to NamUs within 24 hours that the person has been found.

Effective July 1, 2017.

Public Chapter 249

SB 605 - HB 781

Sexual Exploitation of Children

Amends 39-17-1002(2) to expand the definition of "material" relative to sexual exploitation of children to include any computer image, or computer-generated image, whether made or produced by electronic, mechanical, or other means.

Effective May 2, 2017.

Public Chapter 252

SB 1082 - HB 903

Guidelines for Best Behavior During Traffic Stops

Amends Title 55, Chapter 8, Part 2, to require the Department of Safety, in consultation with state and local law enforcement agencies, to develop advisory guidelines concerning best behaviors for drivers to exercise when stopped by law enforcement officers.

Effective May 2, 2017.

Public Chapter 255
SB 442 - HB 732

Body Cam Video

Amends 10-7-504 to provide that video taken by a law enforcement body camera that depicts the following shall be treated as confidential and not subject to public inspection: (1) minors, when taken within a school that serves any grades from kindergarten through grade twelve (K-12); (2) the interior of a facility licensed under Title 33 or Title 68; or (3) the interior of a private residence that is not being investigated as a crime scene. The new law does not (1) prevent the district attorney general or attorney general and reporter and counsel for a defendant charged with a criminal offense from providing to each other in a pending criminal case or appeal, where the constitutional rights of the defendant require it, information which otherwise may be held confidential under this bill; (2) limit or deny access to otherwise public information because a file, document, or data file contains some information made confidential by this bill; however the confidential information must be redacted before any access is granted to a member of the public; or (3) limit access to records by law enforcement agencies, courts, or other governmental agencies performing official functions.

Effective May 2, 2017, and expires on July 1, 2022.

Public Chapter 265
SB 1342 - HB 835

Offenses Committed Against Uniformed Personnel

Amends 40-35-114 to create an enhancement factor, by which the defendant's sentence can be increased, where the defendant is convicted of committing a violent offense against a uniformed law enforcement officer or uniformed member of the military or National Guard and the defendant intentionally selected the victim because of the victim's status as a law enforcement officer or service member.

Effective July 1, 2017.

Public Chapter 277
SB 1039 - HB 277

Officer-Involved Shooting Death Investigations

Amends Title 38, Chapter 8, Part 3. Provides that after completion of an investigation into an officer-involved shooting death by the Tennessee Bureau of Investigation and after the completion of the prosecutorial function by the district attorney general, notwithstanding 10-7-504 to the contrary, the investigative record of the incident shall become a public record pursuant to Title 10, Chapter 7. Notwithstanding 10-7-504, the district attorney general may disclose all or part of the investigative record to the public prior to the record becoming a public record. Specifies that an "officer-involved shooting death" means a death that results from a shooting by a law enforcement officer that occurs while the officer is on-duty or is off-duty while performing activities that are within the scope of the law enforcement officer's duties.

Effective May 4, 2017.

Public Chapter 301
SB 459 - HB 1049

Report of Arrest of POST Certified Officers

Amends Title 38, Chapter 8, Part 1. Creates reporting requirements and penalties in the event of an arrest of a POST certified officer. Provides that a POST certified officer who is arrested for any offense must notify the executive secretary of the POST commission of the arrest and the chief officer of the employing law enforcement agency or their designee within twenty-four hours of the time the arrest was made, as contained in the arrest report. Requires the chief officer, or the chief officer's designee, of the employing law enforcement agency to notify the executive secretary of the POST commission of the arrest within twenty-four hours of gaining knowledge of the arrest. Provides that the POST commission may revoke or suspend the certification, withhold a pay supplement, or take any other lawful action against a POST certified officer who is arrested for any offense and knowingly fails to notify the executive secretary of the POST commission of the arrest within the prescribed time period.

Effective July 1, 2017.

Public Chapter 304
SB 134 - HB 39

Implied Consent Law

Amends 55-10-406 to revise the "implied consent" law regarding breath and blood tests to check the drug or alcohol content in a person. Authorizes blood testing without a warrant if one or more of the recognized exigent circumstance to the search warrant requirements exist.

Effective July 1, 2017.

Public Chapter 313
SB 733 - HB 439

Armed Intruder Drills

Amends 49-6-807 to require that each school safety team must conduct at least one armed intruder drill annually in coordination with the appropriate local law enforcement agency.

Effective July 1, 2017.

Public Chapter 339
SB 921 - HB 11

Firearms - Tennessee Hearing Protection Act

Amends 39-17-1301 and 1302 to repeal the offense of intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a firearm silencer.

Effective July 1, 2017.

Public Chapter 341
SB 1077 - HB 995

Firearms - Public Parks, Playgrounds, Civic Centers

Amends 39-17-1311 to clarify the present law concerning possession of handguns in or on the grounds of any public park, playground, civic center or other building facility, area or property owned, used or operated by any municipal, county or state government, or instrumentality thereof, for recreational purposes when the property is "in use" for school purposes.

Effective May 9, 2017.

Public Chapter 345
SB 1223 - HB 1283

Exposure to Hepatitis or HIV/AIDS Virus

Amends 68-10-116 to require a blood test for the presence of the hepatitis and AIDS/HIV viruses to be administered to an arrested person if requested by a law enforcement officer, TBI employee, firefighter, EMT-paramedic, or EMT who may have been exposed to the virus. Specifies that the test is for any hepatitis virus, rather than just hepatitis B.

Effective May 9, 2017.

Public Chapter 378
SB 194 - HB 332

Lights Displayed on Vehicles

Amends 55-9-402(d)(3) to provide that authorized law enforcement vehicles and other vehicles listed in 55-9-414 may display steady-burning red, white, and blue lights in combination. Amends 55-9-402(d)(1) to provide that authorized law enforcement vehicles and other vehicles authorized listed in 55-9-414 may display flashing red, white, and blue lights in combination.

Effective January 1, 2018.

Public Chapter 441
SB 644 - HB 813

Civil Asset Forfeitures

Amends 40-33-216 to expand the reporting requirements for the annual civil asset forfeiture report provided by the Department of Safety to certain committees of the General Assembly.

Amends 40-33-204 to provide that a person in possession of, a secured party of, or an owner of property for which a forfeiture warrant has been issued by a magistrate or judicial commissioner may appeal the forfeiture warrant within 10 days of issuance for review by the general sessions court in the county in which the seizure occurred. On appeal, the general sessions court must conduct a hearing and review the issuance of the forfeiture warrant within 10 days of the appeal being filed.

Effective May 25, 2017, for the purposes of promulgating rules, policies, forms, and procedures and making necessary provisions for the implementation of this act. Effective July 1, 2017, for all other purposes.

PERSONNEL

Public Chapter 238
SB 1283 - HB 922

Health Insurance for Education Employees

Amends 8-27-301 and 8-27-302 relative to group insurance plans for eligible employees of local education agencies (LEAs). Requires the local education insurance committee to provide claims data for underwriting and premium rating purposes within 30 days of

receipt of a written request from an LEA, if the LEA: (1) identifies the HIPAA-covered entity to receive the claims data, including contact information necessary for transmittal; and (2) submits a confidentiality agreement from each proposed recipient, including the recipient's certification that it is a HIPAA-covered health plan.

Upon the covered entity's receipt of the requested claims data, the LEA may request certification of the accuracy and completeness of the claims data by an outside independent consultant, selected and retained by the local education insurance committee. The LEA must reimburse the state for fees charged by the outside consultant for review and certification, pursuant to the hourly rates in the state's consulting agreement. No contract or memorandum of understanding may limit the LEA's access to claims data in a manner contrary to this act. The release of claims data pursuant to this act must meet the minimum standards established by HIPAA and the rules and regulations promulgated thereunder.

The 30-day response requirement will not apply if more than 10 requests for claims data are pending. Upon request by an LEA, the local education insurance committee must provide information regarding pending requests and the response time.

Effective April 28, 2017.

Public Chapter 476
SB 822 – HB 466

Health Insurance

Enacts 8-27-2__ and 8-27-4__ to authorize the state and local governments to provide health insurance to the surviving spouses and children of first responders who are killed in the line of duty, for a period not exceeding two years after the death of the first responder. Any local government that provides this insurance is to notify the commissioner of finance and administration. The state will reimburse the local government in an amount equal to the portion of health insurance premiums and benefits for which the local government is responsible under the health insurance policy. "First responders" means paid, full-time law enforcement officers and firefighters.

Effective July 1, 2017.

PLANNING AND ZONING

Public Chapter 3
SB 128 – HB 295

Electrical Safety Codes

Amends 68-101-104 to update references to the applicable electrical safety code for electric supply stations and lines.

Effective January 1, 2018.

Public Chapter 254
SB 783 – HB 1384

Transit-Oriented Redevelopment Projects

Enacts a new part at Title 13, Chapter 20 to authorize housing authorities to carry out transit-oriented development projects. Requires a transit-oriented development plan be adopted prior to engaging in any transit-oriented development projects. Requires a public hearing prior to adoption of any plan. Allows plans to contain a tax increment financing provision. Authorizes housing agencies to borrow money or accept contributions from the federal government in order to assist in development of the projects.

Effective May 2, 2017.

Public Chapter 281
SB 1167 – HB 539

Building Codes

Amends 68-120-101(b)(1) to authorize building owners in counties or cities that have opted out of statewide residential building codes to request the state fire marshal to inspect their buildings for compliance with the statewide code. Requires the state fire marshal to issue documentation of compliance to the owner.

Effective May 4, 2017.

PURCHASING

Public Chapter 92
SB 681 – HB 981

Bonds for Public Works Projects

Amends 12-4-201 to clarify that the bond amount on public works projects is to be a minimum of 25% of the contract price on all contracts over \$100,000.

Effective March 20, 2017.

Public Chapter 237
SB 355 – HB 906

General Contractors' Monetary Limits

Amends 62-6-111 to provide that if an applicant for a contractor license requests a monetary limitation greater than \$3 million (raised from \$1.5 million), an audited financial statement is required. Amends 62-6-112 to authorize a small commercial building contractor to bid on projects up to \$1.5 million (raised from \$750,000).

Effective April 28, 2017.

Public Chapter 415
SB 897 – HB 1379

Local Education Agency Bid Thresholds

Amends 12-3-1212 to authorize an LEA having centralized purchasing authority with a full-time purchasing agent to increase its bid threshold to \$25,000 by resolution of its governing body.

Effective May 18, 2017.

Public Chapter 491
SB 1079 – HB 1381

Stairs in Public Buildings

Enacts 68-120-1__ to require that all stair steps leading into the main public entrance of a public building have detectable nosings of a contrasting color at a width between 1” and 2” for the entire length of the step. The nosing of stairs must comply with this section not later than 90 days after the public building is constructed, renovated, or purchased. Does not apply to buildings listed on the national or Tennessee register of historic places.

Effective July 1, 2017.

RECORDS

Public Chapter 91
SB 547 - HB 545

Tennessee Identity Theft Deterrence Act of 1999

Amends 47-18-2107 to revise the definitions of “breach of system security” and “encrypted” relative to an entity’s obligations to notify individuals following discovery that their personal information is believed to have been acquired by an unauthorized person. Revises “breach of system security” to mean the acquisition of unencrypted computerized data or encrypted computerized data and the encryption key. Revises “encrypted” to mean data that is indecipherable without use of a decryption process or key and in accordance with the current version of the Federal Information Processing Standard (FIPS) 140-2. Requires notification if the unauthorized person obtained the information with the intent to use it for an unlawful purpose (as opposed to just requiring notification in cases of actual intentional unlawful use).

Effective April 4, 2017.

Public Chapter 113
SB 842 - HB 516

Personally Identifying Data

Amends 10-7-504 to remove “addresses” from the list of confidential personally identifying data.

Effective April 7, 2017.

Public Chapter 114
SB 1201 - HB 313

Identity of Vendors Used to Protect Data

Amends 10-7-504 to provide that the identity of a vendor that provides to a governmental entity, other than the state, goods and services used to protect electronic information processing systems, telecommunication and other communication systems, data storage systems, government employee information, or citizen information shall not be confidential; provided, that the identity of the vendor shall be confidential if the governing body of the governmental entity votes affirmatively to make such information confidential.

Effective April 7, 2017.

Open Records Requests

Amends 10-7-503 to provide that requests to view public records may be submitted in person or by telephone, fax, mail, or email if the governmental entity uses such means of communication to transact official business, or via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

Provides that a governmental entity may require a request for copies of public records to be: (a) in writing; (b) on a form that complies with 10-7-503(c); or (c) on a form developed by the office of open records counsel. If a governmental entity does not require a request for copies to be in writing or on a form, then a request for copies of public records may be submitted in the same manner as a request to view records. If a governmental entity requires a request to be in writing, the records custodian of the governmental entity shall accept any of the following: (a) a request submitted in person or by mail; (b) an email request if the governmental entity uses email to transact official business; and (c) a request submitted on an electronic form via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests. If a governmental entity requires that a request for copies of public records be made on a form, then the governmental entity shall provide such form in the most expeditious means possible when the form is requested.

Provides that a governmental entity may require any person making a request to view or make a copy of a public record to present a government-issued photo identification, if the person possesses photo identification, that includes the person's address. If a person does not possess photo identification, the governmental entity may require other forms of identification acceptable to the governmental entity.

Provides that notwithstanding any other law to the contrary: (a) if a person makes two or more requests to view a public record within a six-month period and, for each request, the person fails to view the public record within 15 business days of receiving notification that the record is available to view, the governmental entity is not required to comply with any public records request from the person for a period of six months from the date of the second request to view the public record unless the governmental entity determines failure to view the public record was for good cause; and (b) if a person makes a request for copies of a public record and, after copies have been produced, the person fails to pay to the governmental entity the cost for producing such copies, the governmental entity is not required to comply with any public

records request from the person until the person pays for such copies; provided, that the person was provided with an estimated cost for producing the copies prior to producing the copies and the person agreed to pay the estimated cost for such copies.

Effective July 1, 2017.

Public Chapter 296

SB 467 - HB 560

Addresses of Law Enforcement Officers

Amends 10-7-504 to create the misdemeanor offense of releasing the residential address of any law enforcement officer when held by the county in its capacity as an employer.

Effective July 1, 2017.

Public Chapter 308

SB 550 - HB 344

Minor Victim's Information

Enacts a new section (t) in 10-7-504 to make confidential certain information concerning a victim of a criminal offense who is a minor.

Effective July 1, 2017.

Public Chapter 421

SB 1179 - HB 947

Economic and Community Development Contracts

Enacts a new section in Title 5, Chapter 1, Part 1 to provide that any contract or agreement, together with all supporting records and documentation, that obligates public funds as part of a county's economic and community development program to assist new and existing businesses and industries in locating or expanding in the county is a public record as of the date such contract or agreement is made available to the governing body. Provides that the proposed contract or agreement shall be disclosed in a manner that will adequately notify and fairly inform the public of the proposed contract or agreement before voting on the proposal.

Provides this law does not apply to trade secrets received or maintained by a county and makes such confidential. Defines trade secrets as manufacturing processes, materials used in manufacturing processes, and costs associated with the manufacturing process of a person or company submitting information to a county relating to an opportunity to contract with the county.

Provides this law does not apply to any company documents or records containing marketing information or capital plans that are provided to a county with the understanding that they are confidential. Any such document or record is confidential until such time as the provider thereof no longer requires its confidentiality. Defines capital plans as plans, feasibility studies, and similar research and information that will contribute to the identification of future business sites and capital investments. Defines marketing information as marketing studies, marketing analyses, and similar

research and information designed to identify potential customers and business relationships.

Effective May 18, 2017.

RETIREMENT

Public Chapter 287

SB 156 - HB 166

Substitute Teaching

Amends 8-36-805 to allow a retired member to work in addition to the customary 120 days, if employed as a substitute teacher in a public school system; provided, that the director of such school system certifies to the division of retirement that no other qualified personnel are available to substitute teach during such period, and that the compensation payable to the retired member for such work does not exceed the rate of compensation set by the public school system for substitute teachers filling similar vacant positions; and provided further, that the total salary paid to any such retired member for teaching during the twelve-month period shall not exceed the pertinent pro rata share of average salary being paid at the institution in the academic discipline concerned.

Effective July 1, 2017.

Public Chapter 374

SB 1000 - HB 1373

Pension Stabilization Reserve Trusts

Enacts 57-9-4__ to create a pension stabilization reserve trust, to be funded through employer contributions and administered by the treasury department. The trust is for state employees and teachers participating in the Hybrid Retirement Plan for State Employees and Teachers. The trust will consist of individual separate stabilization reserve trust accounts established in the name of each political subdivision participating in the Hybrid Retirement Plan for State Employees and Teachers for the purpose of accounting for the employer contributions made to the trust by the political subdivision on account of its employees. Amends 8-36-922 relative to employer contributions to the hybrid plan.

Enacts 58-9-4__ to create a state employee legacy pension stabilization reserve trust fund for state employees participating in TCRS.

Enacts 59-9-4__ to create a teacher legacy pension stabilization reserve trust fund for teachers participating in TCRS.

Effective May 11, 2017.

TAXATION

Public Chapter 193

SB 1208 - HB 318

Streamlined Sales Tax Provisions

Amends numerous prior public chapters to further delay multiple streamlined sales tax provisions until July 1, 2019.

Effective April 19, 2017.

Public Chapter 236

SB 302 – HB 646

Business Tax

Amends 67-4-711 to exclude from gross receipts reported on the business tax return the bail bond taxes collected by bail bondsmen.

Effective April 28, 2017.

Public Chapter 346

SB 1262 – HB 230

Mixed Drink Tax Distribution

Amends 57-4-306 to extend the current distribution formula for mixed drink tax proceeds until June 30, 2018.

Effective July 1, 2017.

Public Chapter 452

SB 53 - HB 261

Out-of-State Dealers with Sales Exceeding \$500,000

Provides that the department of revenue shall be prohibited from collecting any internet sales or use taxes authorized under department rule 1320-05-01-.129(2) and permitted under a ruling of any court, until such court's ruling has been fully reviewed and rule 1320-05-01.129(2) has been approved by the general assembly pursuant to 4-5-226. Department rule 1320-05-01-.129(2) requires collection by out-of-state dealers who engage in the regular or systematic solicitation of consumers in this state through any means and make sales that exceed \$500,000 to consumers in this state.

Provides for the continuation of all permanent rules filed in the office of secretary of state after January 1, 2016 that are scheduled for expiration under 4-5-226 on June 30, 2017 besides Tennessee Auctioneer Commission Rule 0160-01-.28, relative to online auctions.

Effective May 25, 2017.

TAXATION - PROPERTY

Public Chapter 11

SB 114 - HB 52

Tax Relief for Victims of Certain Natural Disasters

Amends 67-5-603 and 606. Authorizes local governing bodies, by a two-thirds vote, to prorate the 2016 tax assessment for a homeowner's real property or business owner's personal property, if the property was damaged as a result of a FEMA-certified disaster between September 1, 2016, and December 31, 2016. Provides that the owner must apply to the assessor for this relief by June 30, 2017. Expires December 31, 2017.

Effective March 24, 2017.

Public Chapter 13

SB 142 - HB 83

County Board of Equalization - Continuing Education

Amends 67-1-403(e). Provides that the county mayor shall require board members and county board hearing officers to complete annual continuing education and training on duties and responsibilities of their office as a condition of appointment or continued service. Requires the county legislative body to establish the minimum of at least four hours of training for board members to complete annually and minimum recordkeeping requirements related to members' certificates of attendance. Provides that the mandatory annual continuing education and training is required only to the extent that such education and training is provided by the comptroller of the treasury free of charge.

Effective March 24, 2017.

Public Chapter 103

SB 139 - HB 87

County Board of Equalization - Notice

Amends 67-5-1411(b). Provides that the county board of equalization shall give notice of its final decision and the procedure of appeal to the state board of equalization to each property owner heard. The notice shall include the following: (1) the taxpayer's right to electronically file an appeal to the state board of equalization, including a link to the online appeal form; (2) the current address of the state board of equalization as indicated on its website; (3) all relevant statutory deadlines; and (a) any other information required by the state board of equalization.

Effective July 1, 2017.

Public Chapter 133

SB 238 - HB 282

Property Tax Appeals

Amends 67-5-1505 and 1506. Limits the review of the state board of equalization and assessment appeals commission and establishes other requirements for a hearing as follows: (1) the hearing must be confined to the record except that additional proof may be taken in cases involving alleged irregularities in procedure that are not shown in the record; and (2) the board or the commission may: (a) affirm the decision of the hearing examiner or remand the case for further proceedings; or (b) reverse or modify the decision if the rights of the petitioner have been prejudiced because the administrative findings, inferences, conclusions, or decisions are: (i) in violation of constitutional or statutory provisions; (ii) made upon unlawful procedure; (iii) arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or (iv) unsupported by evidence that is both substantial and material in light of the entire record. In determining the substantiality of evidence, the board or the commission will take into account whatever in the record fairly detracts from its weight, but will not

substitute its judgment for that of the hearing examiner as to the weight of the evidence on questions of fact.

Effective July 1, 2017; applies only to appeals filed with the state board of equalization on or after July 1, 2017.

Public Chapter 155
SB 1318 - HB 86

Assessor of Property - Records

Amends 67-5-212 to provide that the assessor shall retain copies of any approved applications in paper, electronic, or digital format.

Effective July 1, 2017.

Public Chapter 198
SB 257 - HB 579

Notice Requirements

Amends 67-5-2415(g). Provides that the return of the receipt signed by the defendant, spouse, or other person deemed appropriate to receive summons or notice as provided for in the Rules of Civil Procedure, or its return marked "refused", "unclaimed", or other similar notation, as evidenced by appropriate notation of such fact by the postal authorities, and filed as a part of the record by the clerk shall be evidence of actual notice and shall be grounds for a default judgment.

Effective July 1, 2017.

Public Chapter 248
SB 748 - HB 762

Assessor of Property - Records

Amends 67-5-508 to authorize an assessor of property to maintain records in electronic format.

Effective May 2, 2017.

Public Chapter 297
SB 907 - HB 768

Real Property - Classification

Amends 67-5-801(c)(2) to provide that when a mobile home attached to real property is used as a residence, the assessor of property may presume the classification is residential.

Amends 67-5-1004 to provide that "forest land" means land constituting a forest unit engaged in the growing of trees under a sound program of sustained yield management that is at least fifteen (15) acres and that has tree growth in such quantity and quality and so managed as to constitute a forest.

Amends 67-5-1006 to provide that any person aggrieved by the denial of an application for the classification of land as forest land has the same rights and remedies for appeal and relief as are provided in the general statutes for taxpayers claiming to be aggrieved by the actions of assessors of property or boards of equalization.

Effective May 5, 2017; applies to the tax year beginning January 1, 2017.

Property Tax Proceedings

Enacts 28-2-112 to provide that a person, and those claiming through such person, who receives title to a parcel conveyed pursuant to a tax proceeding is vested with an absolute and indefeasible title in fee in the parcel, unless a judicial action challenging the title of the parcel is filed in an appropriate court within three years of the recording of the tax deed or order confirming the sale of the parcel in the office of the register of deeds for the county in which the parcel lies. A person, and those claiming through such person, whether under disability or not, who fails or neglects to file a judicial action challenging the title of a parcel conveyed pursuant to a tax proceeding within three years of the recording of the tax deed or order confirming the sale of the parcel in the office of the register of deeds for the county in which the parcel lies, is barred from challenging the title of the parcel.

Amends 67-5-705(e)(1), 67-5-1329(c)(1), 67-5-2010, 67-5-2012(e)(3) to eliminate the 0.5 percent penalty in delinquent tax cases and increase the interest rate to 1.5 percent.

Amends 67-5-2418 to clarify that orders may be entered, notices may be filed, including notices adding parties and consolidating cases, and judgments may be taken against any one or more defendants included in the action, without affecting the rights of the other parties to the action.

Amends 67-5-2501(a) and (b) to provide that in addition to a court order of sale of land for cash, payment may also be made by certified funds, cashier's check, money order, or automated clearing house transfer. Also authorizes delinquent property tax sales to be made electronically.

Amends 67-5-2502(a) to add that service on or notice to a nominee or agent of an owner, where the nominee or agent is identifiable from information provided in the deed or deed of trust, will constitute service on or notice to the owner. Also authorizes the clerk or special master conducting the tax sale to, on suggestion of the delinquent tax attorney, withdraw any parcel from the sale.

Amends 67-5-2504 to add that an interested person may file an action to challenge a tax title or the instrument conveying such title if the delinquent tax attorney fails to make a diligent effort to give actual notice of the proceeding to the interested person. Authorizes the purchaser at a tax sale to file suit to quiet title "after entry of an order confirming the sale of a parcel" instead of "after expiration of the period of redemption". Requires a court to specify in an order quieting title to a tax sale parcel entered before the expiration of the

redemption period that the purchaser's title to the parcel remains subject to the remaining redemption period.

Amends 67-5-2507(a) to provide that if the county mayor determines, prior to the sale of a parcel brought in by the county at a delinquent tax sale, that there may be a defect in the title to the parcel, the county mayor may move the court in which the parcel was sold in the tax proceeding to take action to cure the defect. A diligent effort to give notice of any such motion shall be made as to all interested persons as of the date of the filing of the motion.

Amends 67-5-2507(c) to clarify that the mayor must make the evaluation as to particular parcels conveyed to a county under a court-ordered sale and that the provisions apply only to the financial obligations or environmental risks of an individual parcel and not to the aggregated financial obligations or environmental risks of all or multiple parcels bid in to the county. Removes the 90-120 day period for evaluating the property, and instead requires that the county mayor file for relief within 120 days after the entry of the order confirming the sale. Authorizes the court to include terms and conditions for the second sale, including the reduction or elimination of the minimum bid that may be accepted at the sale.

Amends 67-5-2511 to require the county mayor to prepare and maintain a listing of all parcels acquired by the county at a delinquent tax sale. Lists must be prepared by July 1, 2018. The listings are to be published in a newspaper of general circulation in the county or posted on the local government website with a notice of the posting published in a newspaper of general circulation in the county. At least annually, the county mayor shall determine if any additional parcels have been purchased by the county and shall publish an updated list, as necessary, in the same manner as the original list. Each list or notice published may contain a solicitation for offers to purchase the parcels listed and a statement as to how and where such offers may be filed.

Amends 67-5-2701 to make changes to the procedure to enforce a right of redemption brought by a transferee against a tax sale purchaser or other interested party. Also provides that during the redemption period, the purchaser shall have no obligation to purchase insurance on the parcel and shall not be liable to a person redeeming the parcel for damages to the parcel during such redemption period unless the damages are directly caused by intentional acts of the purchaser. Also provides that during the redemption period and thereafter, a taxing entity which has purchased a parcel at a delinquent tax sale has no obligation to preserve the value of the parcel.

Effective July 1, 2017.

Public Chapter 312

SB 1370 - HB 425

De Minimis Property Tax

Amends Title 67, Chapter 5, Part 20. Provides that with respect to a de minimis property tax totaling less than \$5.00 as calculated for a duly assessed parcel of real property, if authorized by a private act, resolution, or ordinance levying the tax, the county trustee or other property tax collecting official may: (1) decline to bill the tax; (2) decline to refer the tax for further collection; or (3) abate any penalty or interest otherwise due for late payment of the tax. The tax collecting official shall maintain a list of de minimis taxes by parcel and by year, and the tax may be collected when a tax related to the same parcel is tendered for a later year; provided, that such collection is not barred by any applicable statute of limitations.

Effective May 5, 2017.

Public Chapter 351

SB 904 - HB 912

Real Property - Classification

Amends 67-5-501(3) to clarify the definition of "agriculture" for the purposes of classification and assessment of property tax.

Effective May 11, 2017.

Public Chapter 409

SB 786 - HB 1369

Property Tax - Exemptions

Amends 67-5-212(a)(1) to provides that there shall be exempt from property taxation the property, or any part of the property, owned by an exempt institution that is occupied and actually used by another exempt institution for one or more of the exempt purposes for which it was created or exists under an arrangement: (1) in which the owning institution receives no more rent than a reasonably allocated share of the cost of use, excluding the cost of capital improvements, debt service, depreciation, and interest, as determined by the State Board of Equalization; or (2) which is solely between exempt institutions that originated as part of a single exempt institution and that continue to use the property for the same religious, charitable, scientific, or nonprofit educational purposes, whether by charter, contract, or other agreement or arrangement.

Effective May 18, 2017.

Public Chapter 490

SB 1363 - HB 1367

Modern Market Telecommunications Providers

Amends numerous provisions relative to the taxation of modern market telecommunications providers (MMTPs). Defines MMTPs to mean: (i) an incumbent local exchange telephone company that elects market regulation pursuant to 65-5-109; (ii) a telephone cooperative organized pursuant to 65-29-102; or (iii) a nongovernmental entity or separate operating division within the entity if the business activity of the entity or division is limited to

providing: (a) competitive local exchange telephone services; or (b) interconnected voice over internet protocol services.

Amends 67-6-221 to provide for a different distribution of the tax on interstate or international telecommunications sold to businesses in order to mitigate the impact on local governments of assessing the operating property of MMTPs as commercial and industrial property.

Amends 67-6-221 to enact a privilege tax on MMTPs. Provides for the distribution of a portion of the privilege tax revenues to local governments.

Amends 67-6-222 to discontinue the telecommunications ad valorem tax reduction fund.

Enacts a provision in Title 67, Chapter 5, Part 5 to reclassify certain municipal or similar telecommunications providers to MMTPs for the purposes of calculating in lieu of tax payments.

Provides for numerous effective dates applicable to specific sections.

UTILITIES

Public Chapter 118

SB 138 – HB 88

Training Requirements

Amends 7-34-115, 7-82-307, 7-82-308, 68-221-605 and 68-221-1305 to provide training and continuing education requirements for certain governing bodies of municipal utility systems, members of municipal utility boards, water and wastewater treatment authorities, and regional water and wastewater treatment authorities. Provides for limited extension periods to complete training requirements, including for utility districts members. Provides for certain sanctions against the utility or the members if training and continuing education requirements are not met.

Effective April 12, 2017.

Public Chapter 129

SB 159 – HB 119

Utility Districts and Water or Wastewater Systems

Amends numerous provisions in Title 7, Chapter 82 and Title 68, Chapter 221, Part 10, relative to utility districts and water or wastewater systems. Revises and expands the utility management review board's authority. Eliminates numerous exceptions and provides for more uniform oversight by the utility management review board. Revises provisions relative to audit requirements and customer complaint procedures. Makes all water and wastewater facilities subject to the jurisdiction of the water and wastewater financing board. Amends provisions relative to required customer notice of a bond issuance that will require a rate increase. Provides

that utility districts may sell appliances that have a natural gas or propane gas component. Amends several other provisions relative to utility districts and water or wastewater systems.

Effective April 17, 2017.

Public Chapter 132
SB 231 – HB 152

Audited Financial Reports

Amends 7-82-401 and 68-221-1010 to revise the conditions under which utility districts are deemed to be financially distressed and when, after an audit, the comptroller must report a water system or wastewater facility to the water and wastewater financing board.

Effective April 17, 2017.

Public Chapter 174
SB 999 – HB 1170

Wastewater Authority Regulations

Amends 68-221-607 and 68-221-608 to authorize water and wastewater treatment authorities to promulgate rules necessary to effectuate the purposes of the Water and Wastewater Treatment Authority Act, including, but not limited to, rules relative to requiring customers to inspect and repair service laterals, setting penalties for noncompliance, and shutting off services for noncompliance.

Provides that a municipality or county government entity within the service area of a sewer authority may not issue a building permit or a demolition permit prior to a sewer permit being issued by the sewer authority, or a certificate of occupancy prior to a sewer permit being finalized by the sewer authority.

Effective April 24, 2017.

Public Chapter 220
SB 818 – HB 1014

USACE Reservoirs

Amends 69-3-108 to provide that, subject to any regulatory requirements imposed by TDEC and to the availability to the person of unused storage capacity within the reservoir to store such return flows, a person who has contracted for the right to store water in a reservoir owned by the U.S. Army Corps of Engineers shall have exclusive rights to any return flows generated directly or indirectly to that reservoir by the person.

Effective July 1, 2017.

Public Chapter 446
SB 1087 - HB 1290

Municipal Energy Authorities

Amends numerous provisions in Title 7, Chapter 36, Part 1 relative to the Municipal Energy Authority Act. Enlarges the definition of “associated municipality.” Authorizes such authorities to operate water and wastewater systems and places restrictions upon how such authorities may operate.

Amends 7-36-122 to provide that the authority is authorized to pay or cause to be paid from the revenues of each of the systems for each

fiscal year payments in lieu of taxes to the associated municipality or such other municipality as shall properly receive said payments. Payments from the electric system revenues must be made and computed in accordance with the Municipal Electric Plant Law of 1935, compiled in Chapter 52 of this Title 7, and payments made from revenues of the telecommunication system must be made in accordance with 7-52-404 and 7-52-606. Payments made from revenues of the water and wastewater systems must be made by agreement with the affected municipality. The authority shall make payments in lieu of taxes to the associated municipality, accruing from and after the effective date of the transfer of such system or systems from the associated municipality, from such system's revenues on the same basis as payments are currently being made by the supervisory body. The authority shall provide the associated municipality with a copy of its annual audited financial statements at the time each such annual payment is made and shall provide access to such financial information of the authority as is necessary for the associated municipality to review the basis for and amounts of payments required.

Amends numerous other provisions relative to Municipal Energy Authorities.

Effective May 25, 2017.

WORKERS' COMPENSATION

Public Chapter 380 SB 297 - HB 666

Panel of Independent Reputable Providers

Amends 50-6-204(a)(3)(B). Expands from 100 miles to 125 miles the radius from an employee's community of residence the area from which an employer must provide a panel of independent reputable providers. Requires that two of the three independent reputable physicians, surgeons, chiropractors, or specialty practice groups must not be associated in practice together. Amends 50-6-204 to increase to the maximum amount that an employer must pay for the burial expenses of a deceased employee to \$10,000.

Effective May 18, 2017.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

CAMPBELL

Public Chapter 172

SB 811 - HB 743

Operation of Off-Highway Vehicles

Amends 55-8-185(c)(1) to authorize off-highway vehicles on certain state routes in Campbell County.

Effective April 24, 2017.

CUMBERLAND

Public Chapter 214

SB 390 - HB 400

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) to designate a commercially operated facility in Cumberland County as a premier type tourist resort for the purposes of on-premises consumption of alcoholic beverages.

Effective April 28, 2017.

DAVIDSON

Public Chapter 214

SB 390 - HB 400

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) to designate the new Restoration Hardware store in Davidson County as a premier type tourist resort for the purposes of on-premises consumption of alcoholic beverages.

Effective April 28, 2017.

Public Chapter 223

SB 848 - HB 661

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) to authorize the sale of alcoholic beverages for on premises consumption at an agritourism facility in Davidson County.

Effective April 28, 2017.

Public Chapter 231

SB 1246 - HB 491

County Board of Equalization

Amends 67-1-401(a)(1) to increase membership on the county board of equalization from nine to 13 members.

Effective April 28, 2017.

Public Chapter 273

SB 739 - HB 594

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(38) to designate Fresh Hospitality located in Nashville as an urban park center for purposes of consumption on the premises.

Effective May 4, 2017.

Public Chapter 337

SB 740 - HB 722

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) to designate The Plaza in Nashville as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages.

Effective May 9, 2017.

Public Chapter 371
SB 705 - HB 1289

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102(29) to authorize The Avenue Diner and Scoreboard Restaurant in Nashville to sell alcoholic beverages for on-premises consumption.

Effective May 11, 2017.

Public Chapter 411
SB 796 - HB 155

Sale of Alcoholic Beverages
Amends 57-3-207(h) to authorize the Belle Meade Winery in Davidson County to sell alcoholic beverages on the premises of the winery if the label of the alcoholic beverage product sold contains the name of the winery or is so intrinsically related to the property upon which the winery is located as to be identified as a product of or created for the winery.

Effective May 18, 2017.

Public Chapter 449
SB 3 – HB 6

Major League Soccer-Related Sales Taxes
Amends 67-6-103 to extend the special state sales tax revenue distribution exception applicable to certain major and minor league sports teams to a major league soccer team.

Effective July 1, 2017.

Public Chapter 465
SB 564 - HB 585

Property Tax - Exemptions
Amends 67-5-212 (b)(3)(C) to exempt a nonprofit educational institution in Davidson County from property taxes, under certain circumstances.

Effective May 25, 2017.

FRANKLIN

Public Chapter 214
SB 390 - HB 400

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102(26) to designate the Sewanee Inn in Franklin County as a premier type tourist resort for the purposes of on-premises consumption of alcoholic beverages.

Effective April 28, 2017.

HAMILTON

Public Chapter 141
SB 506 - HB 153

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102(13) to authorize the sale of alcoholic beverages for on-premises consumption at the Chattanooga Theatre Center in the city of Chattanooga.

Effective April 17, 2017.

Public Chapter 142
SB 510 - HB 154

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(33) to designate Finley Stadium in Chattanooga as a sports authority facility for purposes of on-premises consumption of alcoholic beverages.

Effective April 17, 2017.

Public Chapter 170
SB 665 - HB 735

Hotel/Motel Tax

Amends Chapter 905 of the Public Acts of 1980 (an uncodified act applying only to Hamilton County), as amended, to require the comptroller of the treasury to audit any person or entity receiving proceeds from the hotel/motel tax to ensure that the proceeds are being used in accordance with the law, with the cost of the audit to be paid by the recipient of the funds.

Effective April 24, 2017.

Public Chapter 195
SB 542 - HB 527

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(27) to expand the definition of "premises" for purposes of the sale of alcoholic beverages for on-premises consumption to include the Station Street entertainment district in Chattanooga.

Effective April 27, 2017.

Public Chapter 340
SB 951 - HB 1132

Water and Wastewater Treatment Authorities

Deletes 68-221-619 relative to the dissolution of the water and wastewater treatment authority.

Effective May 9, 2017.

JEFFERSON

Public Chapter 119
SB 348 - HB 1171

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) to authorize the sale of alcoholic beverages for on-premises consumption at Swann's Marina in Jefferson County.

Effective April 12, 2017.

KNOX

Public Chapter 222
SB 844 - HB 919

Domestic Abuse Magistrate

Amends 40-1-111 to create the office and set forth the duties of a domestic abuse magistrate.

Effective April 28, 2017.

MORGAN

Public Chapter 183
SB 679 - HB 34

Operation of Off - Highway Vehicles

Amends 55-8-185(c)(1) to authorize off-highway vehicles on certain state routes in Morgan County.

Effective April 27, 2017.

PICKETT

Public Chapter 278
SB 1151 - HB 409

Handguns on School Property in Distressed Rural County

Amends 49-6-816 to provide that prior to carrying a concealed handgun on school property, an employee must successfully complete at least 40 hours of handgun instruction administered and taught by a local law enforcement agency. The handgun instruction curriculum shall be taken by the law enforcement agency from an existing curriculum that has been approved by the Peace Officers Standards and Training (POST) Commission for use in training school resource officers and other law enforcement officers; and on an annual basis, completes at least 16 hours of continuing handgun instruction administered and taught by a local law enforcement agency. Provides that any handgun instruction curriculum that a law enforcement agency uses for school employees shall include instruction designed to: (1) emphasize strategies for preventing school shootings and for securing the safety of potential victims of school shootings; (2) educate the employee about legal issues relating to the use of force or deadly force in the protection of others; (3) introduce the employee to effective school safety strategies and techniques; (4) improve the employee's proficiency with a handgun; and (5) enable the employee to respond to an emergency situation requiring deadly force, such as a situation involving an active shooter.

Effective May 4, 2017.

SCOTT

Public Chapter 218
SB 680 - HB 809

Operation of Off - Highway Vehicles

Amends 55-8-185(c)(1) to remove the restriction that off-highway vehicles only be operated during daylight hours during one day of each of two weekends per year in which the vehicles may be operated in Scott County.

Effective April 28, 2017.

SEVIER

Public Chapter 23
SB 36 - HB 36

Tourist-Oriented Directional Signs

Amends 54-5-1302(b) to expand the grandfathering provision for signs installed prior to April 27, 2016 by anyone other than TDOT to all of Sevier County.

Effective March 29, 2017.

Public Chapter 390
SB 409 - HB 494

Sales Tax

Amends 67-6-396 to increase the sales tax refund for certain natural disaster related purchases from \$2,500 to \$3,500.

Amends 67-6-103 to suspend until 2021 a provision that places certain limits on alternative sales tax distributions to certain premiere type tourist resort municipalities.

Effective May 18, 2017.

SHELBY

Public Chapter 173

SB 885 - HB 1273

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(38) to authorize Ballet Memphis to be licensed as an urban park center for purposes of consumption of alcoholic beverages on premises.

Effective April 24, 2017.

TIPTON

Public Chapter 98

SB 1266 - HB 339

Entergy Arkansas

Amends 65-4-104 to limit TRA's regulation of Entergy Arkansas.

Effective July 1, 2017.

WASHINGTON

Public Chapter 428

SB 1321 - HB 1066

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(8) to authorize Blackthorn Club in Washington County to serve and sell alcoholic beverages for consumption on premises.

Effective May 18, 2017.

WAYNE

Public Chapter 278

SB 1151 - HB 409

Handguns on School Property in Distressed Rural County

Amends 49-6-816. Provides that prior to carrying a concealed handgun on school property, an employee must successfully complete at least 40 hours of handgun instruction administered and taught by a local law enforcement agency. The handgun instruction curriculum shall be taken by the law enforcement agency from an existing curriculum that has been approved by the Peace Officers Standards and Training (POST) Commission for use in training school resource officers and other law enforcement officers; and on an annual basis, completes at least 16 hours of continuing handgun instruction administered and taught by a local law enforcement agency. Provides that any handgun instruction curriculum that a law enforcement agency uses for school employees shall include instruction designed to: (1) emphasize strategies for preventing school shootings and for securing the safety of potential victims of school shootings; (2) educate the employee about legal issues relating to the use of force or deadly force in the protection of others; (3) introduce the employee to effective school safety strategies and techniques; (4) improve the employee's proficiency with a handgun;

and (5) enable the employee to respond to an emergency situation requiring deadly force, such as a situation involving an active shooter.

Effective May 4, 2017.

WILLIAMSON

Public Chapter 394

SB 439 - HB 1141

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) to designate Hideaway of Arrington, the Barn at Sycamore Farms, and SouthCreek, all located in Williamson County, as premier type tourist resorts for purposes of consumption of alcoholic beverages on the premises.

Effective May 18, 2017.

PART III – PRIVATE ACTS

DICKSON

Private Chapter 14

SB 1461 - HB 1424

Highway Commission

Repeals Private Acts of 1985, Chapter 53, to abolish the County Highway Commission and office of the County Highway Engineer.

Effective upon approval by a 2/3 vote of the county legislative body.

GIBSON

Private Chapter 7

SB 1429 – HB 1416

Wheel Tax

Amends Private Acts of 1975, Chapter 1, to increase the wheel tax on motor vehicles from a maximum of \$10.00 to \$50.00 and impose a wheel tax on motorcycles in the amount of \$15.00. The proceeds of the tax shall be allocated to the Gibson County Highway Department.

Effective upon approval by a 2/3 vote of the county legislative body.

GREENE

Private Chapter 15

SB 1437 - HB 1426

General Session Court

Amends Private Acts of 1955, Chapter 170, to create two divisions within the General Sessions Court in Greene County and establishes the office of a second judge to preside over the second division.

Effective upon approval by a 2/3 vote of the county legislative body.

LAWRENCE

Private Chapter 13

SB 1445 - HB 1433

Clerk of the Grand Jury

Enacts Private Acts of 2017, Chapter 13, to authorize Lawrence County to establish a part-time clerk of the grand jury, to be appointed by and serve at the pleasure of the foreman of the grand jury.

Effective upon approval by a 2/3 vote of the county legislative body.

LEWIS

Private Chapter 6

SB 1434 - HB 1422

Landfills

Amends Private Acts of 1990, Chapter 169, to provide that no landfill for the disposal of solid or hazardous wastes shall be located within four and one-half miles from the center of the Buffalo River on each side in Lewis County.

Effective upon approval by a 2/3 vote of the county legislative body.

ROANE

Private Chapter 8

SB 1435 - HB 1423

Occupancy Tax

Amends Private Acts of 1992, Chapter 166, to change the date by which the occupancy tax must be remitted, from not later than the 20th of the month to not later than the date the operator is required to remit sales taxes.

Effective upon approval by a 2/3 vote of the county legislative body.

RUTHERFORD

Private Chapter 17

SB 1452 - HB 1443

Rutherford County Purchasing Act of 2017

Amends Private Acts of 1943, Chapter 421, to create a new county purchasing act.

Effective upon approval by a 2/3 vote of the county legislative body.

TIPTON

Private Chapter 23

SB 1450 - HB 1441

Revisions to Several Private Acts

Repeals Private Acts of 1975, Chapter 115, to repeal the requirement that owners of real property obtain a building permit.

Repeals Private Acts of 1978, Chapter 294, to repeal authorization to hunt red foxes.

Repeals Private Acts of 1983, Chapter 72, to repeal provisions relative to litter and refuse control.

Amends Private Acts of 1941, Chapter 518, to increase from four to five the membership of the Purchasing Committee; revise certain notice requirements; and, revise provisions relative to jurisdiction of Purchasing Committee.

Amends Private Acts of 1951, Chapter 193, to make changes to the compensation of the judge of the General Sessions Court; delete provision authorizing attorneys to appoint a substitute judge under certain circumstances; and, delete provision authorizing the Governor to fill a judicial vacancy.

Amends Private Acts of 1988, Chapter 127, to require the proceeds of the hotel/motel tax to be designated and used for industrial development purposes and/or community development purposes.

Effective upon approval by a 2/3 vote of the county legislative body.

Private Chapter 24

SB 1451 - HB 1444

Tipton County Budget and Fiscal Procedure Act of 2017

Enacts Private Acts of 2017, Chapter 24, to enact the Tipton County Budget and Fiscal Procedure Act of 2017.

Effective upon approval by a 2/3 vote of the county legislative body.

WILLIAMSON

Private Chapter 4

SB 1431 - HB 1419

Road Tax

Amends Private Acts of 1937, Chapter 373, to repeal the county road tax.

Effective upon approval by a 2/3 vote of the county legislative body.

Private Chapter 18

SB 1460 - HB 1445

Juvenile Court

Amends Private Acts of 2012, Chapter 56, to authorize the judge of the juvenile court to appoint, retain, reappoint, and supervise judicial commissioners. Further authorizes the juvenile judge to appoint and supervise a temporary or part-time judicial commissioner, subject to county legislative body appropriations for personnel.

Effective upon approval by a 2/3 vote of the county legislative body.

Private Chapter 19

SB 1459 - HB 1446

Road Tax

Amends Private Acts of 1937, Chapter 373, to repeal the county road tax.

Effective upon approval by a 2/3 vote of the county legislative body.

PLEASE NOTE: Private Chapter 19 is identical to Private Chapter 4.