

**INDEX OF ACTS
RELATED TO COUNTY GOVERNMENT**

2020 EDITION



**Prepared by
CTAS Legal Staff**

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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.

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PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 774 SB 2115 - HB 2355

Manufacturer's or Distiller's Licenses

Amends 57-3-202(i). Allows a manufacturer to sell product transferred between different sites owned by the same manufacturer upon certain conditions.

Effective July 15, 2019.

COUNTY CLERKS

Public Chapter 519 SB 1613 - HB 1620

Driver Licenses

Amends 55-50-354(b) to allow an honorably discharged veteran to submit to the department of safety a certified copy of the veteran's AGO Form 53-55 or NAVPERS 553 showing the dates of service as documentation for having military service indicated on a driver license.

Effective July 1, 2020.

Public Chapter 571 SB 1749 - HB 1614

Registration of Boat Trailers

Authorizes issuance of special purpose boat dealer plates to manufacturers and dealers who hire operators of boat trailers to transport boats to customers.

Effective July 1, 2020.

Public Chapter 597 SB 2766 - HB 2537

Emergency License Plates

Amends 55-4-204 and 55-4-223 to extend eligibility for emergency license plates to emergency medical technician-paramedics and other emergency medical services providers or emergency medical responders. EMT-paramedics not associated with a local rescue squad must present their current license prior to issuance of the plate. Other emergency medical services providers or emergency medical responders must present a current, valid emergency medical responder's certification prior to issuance of the plate.

Effective July 1, 2020.

Public Chapter 660 SB 1591 - HB 1605

Special License Plates

Amends Title 55, Chapter 4, to authorize new specialty license plates for: Alumni Program of the University of

Tennessee, Knoxville; University of Miami (Florida); I RECYCLE; University of Texas; West Virginia University; ALS Awareness; Make-A-Wish Foundation; African American Breast Cancer Awareness; Loyal Order of Moose; Isaiah 117 House; Habitat for Humanity; Tennessee Chamber of Commerce and Industry; Mothers Against Drunk Driving; Greene County School System; Service Dogs Changing Lives; Childhood Cancer Awareness; Enjoy the Ride; 101st Airborne Screaming Eagle; Big Brothers Big Sisters; and Women's Suffrage Centennial. Authorizes new military plates for Disabled Veteran (service-connected). Authorizes new cultural plates for Delta Kappa Gamma Society International. Extends eligibility for the Masons license plate to spouses of members of the Free and Accepted Masons. Redefines "collegiate plate" to include an unaccredited four-year law school in Tennessee. Extends the time to July 1, 2021 for meeting the minimum issuance requirement for the Friends of Shelby Park and Bottoms and the Niswonger Children's Hospital plates.

Effective July 1, 2020.

Public Chapter 675
SB 1597 – HB 1684

Salvage Certificates of Title

Amends 55-3-209 to provide that if an insurance company, or a salvage pool operator or an automotive dismantler and recycler authorized by an insurance company, is unable to obtain an acceptable certificate of ownership or other evidence of ownership within 30 days after the acceptance by the owner of an offer of an amount in settlement of a total loss, then the insurance company or salvage pool operator or automotive dismantler and recycler may request the department of revenue to issue a salvage certificate for the vehicle by submitting the following: (1) written confirmation by the requester that the insurance company has paid the claim; (2) written confirmation by the requester that the requester has made at least two written attempts via commercial delivery service with evidence of delivery to the last known address of the owner to obtain the certificate of ownership or other acceptable evidence of title; and (3) the fee as set by the department.

Effective June 15, 2020 for rulemaking; effective October 1, 2020 for all other purposes.

Public Chapter 704
SB 2487 – HB 2028

Online Sale of Beer

Amends 57-5-103 to authorize beer permit holders to sell beer online for curbside pickup at the permit holder's location. The beer must be delivered to the customer's vehicle in a paved parking lot adjacent to the permitted location, and the beer must be pulled from inventory at the permitted location. Employees delivering beer to the vehicle must confirm the individual receiving the beer is at least 21 years old.

Effective June 22, 2020.

Public Chapter 785
SB 1756 – HB 1640

Special License Plates

Amends 55-4-361 to authorize issuance of Linemen Power Tennessee new specialty earmarked license plates to operators of vehicles used for passenger transport that are owned by an entity subject to the Rural Electric and Community Services Cooperative Act and that have a maximum gross weight less than 9,000 pounds.

Effective July 15, 2020.

COUNTY GOVERNMENT

Public Chapter 522
SB 1629 - HB 1636

County Bounty Act

Repeals Title 38, Chapter 11, Part 2, the County Bounty Act.

Effective March 6, 2020.

Public Chapter 529
SB 9 - HB 9

Regulation of Smoking

Amends 39-17-1551. Allows a local government to prohibit smoking on the grounds of a playground owned by the local government by adopting a resolution approved by a 2/3 vote of the legislative body of the local government.

Effective July 1, 2019.

Public Chapter 536
SB 1632 – HB 1597

County Legislative Body Compensation

Amends 5-5-107 to authorize counties to pay legislative body members a base salary and an amount greater than or equal to the minimum daily compensation for attendance at meetings of the body or at committee meetings for which the member is an appointed

member. Further amends 5-5-107 to provide that any increase in compensation for members of the body will not take effect until the beginning of the term following the next election of members after the resolution is adopted.

Effective March 19, 2020.

Public Chapter 576
SB 1962 – HB 2001

County Education Budgets

Amends 49-2-101(1) to require county legislative bodies to make revenue estimates and determine the level of revenue necessary to establish a budget for the operation of county schools that is at least equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP. Also amends 49-2-203(a)(10(A) to require the director of schools and the chair of the local board of education to prepare a budget according to the revenue estimates and revenue determinations made by the county legislative body under 49-2-101(1)(D).

Effective March 19, 2020.

Public Chapter 651
SB 2466 – HB 2821

Appropriations

Makes appropriations for the fiscal year beginning July 1, 2020. These appropriations include: a new \$150 million fund created to respond to health and safety costs related to COVID-19; an additional \$350 million for the state's "rainy day fund"; BEP funding growth, an annual appropriation increase to cover enrollment growth and inflationary costs, at about \$50.3 million; the state portion of k-12 teacher salaries was approved at 2 percent growth (instead of the 4 percent originally proposed) adding \$58,680,000 to the pay pool to be distributed based on local policy; a \$100 million grant program for local governments was doubled to \$200 million for one-time use on such things as information technologies hardware upgrades, capital maintenance, utility system upgrades, roads projects, public safety, and newly added uses of tornado and virus-related relief; grants to counties of at least \$500,000 per county, with additional funds awarded based on population (similarly, no municipality will receive less than \$30,000). Also see Public Chapter 760, summarized below, which amends this act.

Effective July 1, 2020.

Public Chapter 681
SB 2066 - HB 2590

Carrying Weapons During Judicial Proceedings

Amends 39-17-1306(c)(4). Allows an elected official of any county or municipality who is in the actual discharge of official duties as an elected official and who is authorized to carry a handgun pursuant to 39-17-1351, to carry inside any building where judicial proceedings take place, provided the official is not in the room in which judicial proceedings are in progress.

Adds 39-17-1306(c)(). Allows the county attorney of any county who is in the actual discharge of official duties as the county attorney and who is authorized to carry a handgun pursuant to 39-17-1351, to carry inside any building where judicial proceedings take place, provided the county attorney is not in the room in which judicial proceedings are in progress.

Effective July 1, 2020.

Public Chapter 683
SB 2423 - HB 2371

Agritourism – Immunity from Liability

Amends 43-39-102 and 103. Extends immunity from liability to include property damage caused by inherent risks of agritourism activities.

Effective June 15, 2020.

Public Chapter 685
SB 2836 - HB 2365

Regulation of Personal Delivery Devices

Amends 55-1-103 and 55-8-101. Establishes requirements governing personal delivery devices, defined as a device that is solely powered by an electric motor; operated primarily on sidewalks and crosswalks; intended primarily for the transport of property on public rights-of-way; and capable of navigating with or without the active control or monitoring of a natural person.

Amends Title 55, Chapter 8, Part 2, by adding a new section which provides that personal delivery devices may be prohibited by local resolutions or ordinances if the local government determines that the prohibition is necessary, in the interest of public safety. Does not affect the authority of a local authority's law enforcement officers to enforce the laws of this state relating to the operation of a personal delivery

device.

Effective July 1, 2020.

Public Chapter 688
SB 2072 - HB 2292

Constables

Amends 8-10-104. Provides that a constable with law enforcement authority loses that authority if the constable fails to complete annual in-service education requirements. A constable who violates this section commits a Class C misdemeanor, subject to a fine only. Each day of a violation of this section constitutes a separate offense.

Effective July 1, 2020.

Public Chapter 697
SB 1630 – HB 1571

Budget Amendments

Amends 5-12-213(a)(3) to provide that when the budget has been adopted, whether by action of the county legislative body or by operation of law, amendments to major categories of the budget may be made with the approval of the county mayor, or a committee appointed by the county mayor, and passage of the amendment by a majority vote of the county legislative body. Also provides that if the county mayor, or the committee appointed by the mayor, does not approve the amendments to the major appropriation categories of the budget, or if the county mayor, or the committee appointed by the mayor, fails to take action on the amendment within 7 calendar days after written submission of the amendment to the county mayor, such amendment may be subsequently approved by a 2/3 vote of the county legislative body

Effective June 15, 2020.

Public Chapter 706
SB 2188 – HB 2255

Regulation of Outdoor Advertising

Amends various provisions in Title 54, Chapter 17, Part 1, relative to regulation of outdoor advertising along scenic highways and various provisions in Title 54, Chapter 17, Part 2, relative to regulation of outdoor advertising along designated Tennessee parkways. Also enacts the “Outdoor Advertising Control Act of 2020” at Title 54, Chapter 21.

Effective June 22, 2020.

Public Chapter 742
SB 2378 – HB 2366

Regulation of Livestock Exhibitions

Enacts a new section at Title 44, Chapter 11 to prohibit local governments from enacting or enforcing any ordinances or regulations which regulate or prohibit the exhibition of livestock. Provides that this prohibition does not apply to regulations otherwise authorized by state law or which are related to reasonable time, place and manner restrictions consistent with similar events or the protection of public health, safety or welfare.

Effective June 22, 2020.

Public Chapter 760
SB 2931 – HB 2922

Appropriations

Amends various appropriations in Public Chapter 651. Increases grants to cities and counties to a total amount of \$210.5 million. Specifies that there are no use restrictions for the grant money and the money will be dispersed automatically without the requirement of an application. Provides no personnel raises with the exception of the governor and other constitutionally required positions (such as judges). Restores a grant for development districts in the amount of \$174,000. Also lowers the online purchasing threshold from \$500,000 to \$100,000 which is estimated to bring in about \$8M in FY2020-2021 and closer to \$10M in subsequent years.

Effective July 1, 2020.

COURTS & COURT CLERKS

Public Chapter 530
SB 561 - HB 1156

Increase in Judicial Districts

Amends 16-2-506 to create a thirty-second judicial district effective September 1, 2022. Provides that the twenty-first judicial district will consist of the county of Williamson and the thirty-second judicial district will consist of the counties of Hickman, Lewis and Perry.

Provides for staffing related to the office of the district attorney general and the district public defender.

Provides that the act shall not be construed to limit, terminate, or otherwise affect the term or future terms of office of any circuit court clerk, criminal court clerk, or clerk and master. All such incumbents shall continue

in office until the expiration of their respective terms of office and shall be eligible for reelection or reappointment. Nothing in the act shall be construed to require, permit, or authorize the consolidation of the offices of clerk and master, circuit court clerk, or criminal court clerk or to place any clerk in a position of dominance over any other clerk.

Provides for the orderly transfer of cases and records.

Effective March 10, 2020.

Public Chapter 535
SB 1627 - HB 1634

Child and Spousal Support Case Reimbursements
Amends 36-5-117 to provide that the actual costs and the clerks of court reimbursement rates shall be set according to the Study of Actual Costs of Activities by Clerks of Court for Child and Spousal Support Cases and Determination of Actual Costs for Reimbursement by the department of human services - revised report of study dated November 18, 1998.

Effective March 19, 2020.

Public Chapter 607
SB 2746 - HB 2069

Promoting or Patronizing Prostitution of a Minor
Amends 40-35-313 to add patronizing prostitution from a minor or an individual with an intellectual disability to the list of offenses for which a person is not eligible for judicial diversion. Does the same for the offense of promoting the prostitution of a minor.

Effective March 20, 2020.

Public Chapter 647
SB 2630 - HB 2772

Electronic Filings
Amends 8-21-401 to provide that electronic filing, signing, or verification of papers must be in compliance with technological standards established by the supreme court.

Amends 8-21-409 to make the electronic filing fee provision in 8-21-401(o) applicable to all courts in Knox County.

Effective April 1, 2020.

Public Chapter 668
SB 2467 - HB 2822

TBI Fund

Amends 38-6-103, 38-6-118, 40-39-201, and 40-39-204 to provide that certain fees be deposited in the general fund rather than the TBI fund.

Effective April 2, 2020.

Public Chapter 741
SB 2332 - HB 2770

Child Abuse - Judicial Diversion

Amends 40-35-313(a)(1)(B). Makes a defendant charged with continuous sexual abuse of a child ineligible for judicial diversion.

Effective June 22, 2020.

Public Chapter 803
SB 2734 - HB 2517

Drug-Free School Zone

Amends 39-17-432 and 49-2-116. Revises provisions governing drug-free school zones and school safety zones and sentences related to violations.

Effective September 1, 2020.

Public Chapter 805
SB 2741 - HB 2768

Holding Court Temporarily Outside County Seat

Amends 16-1-105 to allow a court to temporarily hold its session outside the county seat if necessitated by a natural disaster.

Effective July 15, 2020.

Public Chapter 806
SB 2747 - HB 1846

Acts of Terrorism Committed by Juveniles

Amends 37-1-153 and 37-1-154 to make public the records of a juvenile who commits an act that if committed by an adult would constitute an act of terrorism or an attempt to commit terrorism. Prohibits the expunction of such records even after completion of an informal adjustment or diversion.

Effective October 1, 2020.

ECONOMIC DEVELOPMENT

Public Chapter 606
SB 2158 - HB 2227

Brownfield Tax Credits

Amends 67-4-2009 to revise the provisions relative to franchise and excise tax credits for brownfield developments.

Effective July 1, 2020.

Public Chapter 609
SB 1607 – HB 1654

Redevelopment Projects

Amends 13-20-202(a)(4)(G) to authorize housing authorities or third parties engaged to act on the housing authority's behalf to take all other necessary actions designed to further the goals and local objectives articulated in the redevelopment plan or urban renewal plan, including, but not limited to, the assistance, undertaking, or development of projects that promote affordable rental housing, including mixed-income rental housing, primarily for persons of low and moderate income, as determined by the board of commissioners of the authority. Further states that the authority may exercise all powers with respect to such projects in the same manner as mixed-finance projects for persons of low income as provided in Part 1 of Title 13, Chapter 20.

Effective March 25, 2020.

Public Chapter 722
SB 1956 – HB 2041

Tourism Projects

Amends 7-53-302(a)(4) to exclude tourism attractions involving an aggregate investment of public and private funds in excess of \$75 million designed to attract tourists to the state, including a cultural or historical site, a museum or visitors center, a recreation or entertainment facility, and all related hotel or hotels, convention center facilities, administrative facilities and offices, mixed use facilities, restaurants and other tourism amenities constructed or acquired as a part of the attraction from the prohibition on industrial development corporations purchasing or otherwise acquiring hotels, motels or apartment buildings.

Effective June 22, 2020.

Public Chapter 752
SB 2826 – HB 2111

Local Tourism Development Zone Business Tax Act

Amends 67-4-3002 to revise the definitions of “qualified public use facility” and “public use facility.” Also amends 67-4-3003 to revise the time during which the privilege tax may be collected. Also amends 67-4-3005 to revise the authorized uses of the revenue from the privilege tax.

Effective June 22, 2020.

EDUCATION

Public Chapter 618

SB 1886 - HB 1935

Administrative Offices

Amends 49-2-203 to authorize the location of the local board of education's administrative office within a building owned by the United States government (or an agency or instrumentality) pursuant to a lease or easement authorized by the US government, notwithstanding any law or private act to the contrary.

Effective March 16, 2020.

Public Chapter 652

SB 2672 – HB 2818

Provisions Related to Pandemics and Disasters

Amends numerous provisions in Title 49 to hold LEAs, teachers, and students harmless from testing requirements and accountability measures during school closures resulting from the COVID-19 epidemic and natural disasters. Amends 49-3-317 to provide that the suspension of schools during the 2019-2020 school year will not deprive the LEA of state funds to which it would otherwise be entitled, and declares justifiable cause to exist for the 2019-2020 school year.

Authorizes the state board of education to promulgate emergency rules to address issues created by school closures due to COVID-19 during the 2019-2020 school year.

Effective April 2, 2020.

Public Chapter 708

SB 2088 - HB 2461

Child Abuse Reporting

Amends 49-6-1601. Creates a procedure for school teachers, school officials, and other school personnel to follow in regard to reporting suspected child abuse or child sexual abuse. Requires all school officials and other school personnel to complete annual child abuse training.

Effective August 1, 2020.

ELECTIONS

Public Chapter 648

SB 2758 - HB 2565

Nominee for President

Amends 2-13-203 to provide that the chair of the nominating body of a statewide political party or recognized minor party shall certify the party's nominees for president and vice president for the

November general election to the coordinator of elections by the first business day in September.

Effective April 1, 2020.

Public Chapter 654
SB 2298 - HB 2363

Voter Registration

Deletes 2-19-132 relative to voter registration disclaimers and disclosures. Deletes 2-2-143 relative to filing incomplete voter registration applications. Amends numerous provisions in 2-2-142 relative to voter registration drives. Amends 2-2-137 to provide that the coordinator of elections and the state election commission shall consider the cyber security practices in place to protect the integrity of the voter registration process when certifying voter registration systems.

Effective April 2, 2020.

Public Chapter 655
SB 2297 - HB 2362

Election Officials

Amends 2-5-207 relative to the use of paper ballots and stubs. Amends 2-7-114 relative to reconciling the number of ballot applications issued with scanned ballots.

Amends 2-1-112 to revise who may serve as an election official. Provides that the following persons shall not serve as election officials: (1) an employee of a county or city who works directly under the supervision of an elected official who is on the ballot; (2) the spouse, parent, father-in-law, mother-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece of a candidate or declared write-in candidate to be voted for at the election in that precinct or district (provides that this does not disqualify a person from serving as an election official if the candidate to whom the person is related is an unopposed candidate); or (3) a member of a reserve unit of the United States army, air force, marine corps or navy, or a member of the national guard who is on active duty.

Amends 2-3-110 relative to changing polling places when necessitated by an emergency.

Amends 2-4-102 and 2-4-103 regarding appointment of election officials.

Effective April 2, 2020.

Public Chapter 713
SB 1009 - HB 1278

Incumbent Members of the General Assembly

Amends 2-5-101 relative to the qualifying deadlines for an incumbent member of the general assembly who is disqualified by the political party executive committee.

Effective June 22, 2020.

EMERGENCY SERVICES

Public Chapter 575
SB 1958 - HB 1933

T-CPR Training for E911 and Dispatchers

Amends 7-86-205(a). Provides that training and course of study requirements must now include high-quality, nationally recognized, evidence-based emergency cardiovascular care guidelines for T-CPR.

Amends 29-20-108. Provides that an emergency call taker or public safety dispatcher who assists or instructs a caller or bystander on T-CPR is not liable for any civil damages or subject to a civil suit of any nature arising out of the assistance and instruction provided to the caller or bystander, except in cases of gross negligence or willful misconduct.

Effective January 1, 2021.

Public Chapter 643
SB 2078 - HB 2184

Ground Ambulance Service Providers

Amends 71-5-1504(c). Provides that if the quarterly transport data is not adequate or available for the calculation of assessments, then the bureau shall use total transports submitted to the office of emergency medical services for calendar year 2019. If neither the quarterly transport data nor total transports submitted to the office of emergency medical services are adequate or available, then the bureau shall use the annual cost and utilization report submitted pursuant to 71-5-1507. The adequacy and availability of the data must be determined solely by the bureau.

Amends 71-5-1504(f). Deletes the requirement that each ambulance provider submit revenue reports to the bureau no more than 90 days after the end of each

calendar year, for that entity's most recent fiscal year that ended at least 90 days before this due date.

Adds a new 71-5-1507. Requires all ambulance providers to file an annual cost and utilization report reflecting the most recently completed calendar year. Sets out in detail the information that the report must contain, including data on any vehicle owned or operated by the ambulance provider that is used for the purposes of patient transport; revenue data by payer type; and total transport data by payer type.

Amends 71-5-1508(d). Provides that the ground ambulance provider assessment established by this part terminates on June 30, 2021.

Effective April 1, 2020.

Public Chapter 754
SB 2863 - HB 1819

Firefighters - Compensation for Injury or Death

Amends 7-51-201(d)(2)(A). Provides that any firefighter desiring to utilize the presumption established in subsection (d), must obtain a physical medical examination after July 1, 2019, and the examination must include a cancer screening that fails to reveal any evidence of the cancers listed in this subsection (d).

Effective June 22, 2020.

Public Chapter 776
SB 29 - HB 384

Compensation for Death In Line of Duty

Amends 7-51-210(a). Extends the \$250,000 annuity to the estate of an emergency medical technician, emergency medical technician advanced, or paramedic who is killed in the line of duty.

Amends 8-27-404(a). Authorizes local governments to continue to provide health insurance to the surviving spouse and children of an emergency medical technician, emergency medical technician advanced, or paramedic killed in the line of duty.

Effective July 15, 2020.

ENVIRONMENT

Public Chapter 593

SB 2155 - HB 2224

TDEC Reporting Requirements

Amends 4-3-506, 68-211-305, 68-212-118 and 68-212-212 to make various non-substantive changes to the reporting requirements of TDEC.

Effective March 20, 2020.

Public Chapter 712

SB 811 - HB 845

Soil Waste

Amends 68-211-103 and 68-212-104 to provide that except as inconsistent with federal law, soil is not discarded material constituting waste as long as the soil is intended for use or reuse as soil.

Effective October 1, 2020.

HIGHWAYS

Public Chapter 585

SB 1734 - HB 1682

Opening, Closing and Changing Roads

Amends 54-10-216 to revise the process for opening, closing and changing county roads. Provides a process to open, close or change a county road for counties that do not have a regional planning commission. Provides that counties without regional planning commissions may utilize a committee formed by the legislative body to facilitate the process of opening, closing or changing a county road.

Effective March 20, 2020.

Public Chapter 703

SB 1896 - HB 1914

Easements on Private Property

Amends various provisions in Title 54, Chapter 14 to revise the process by which persons can obtain an easement over intervening private land to obtain access to a public road or highway.

Effective June 22, 2020.

JAILS

Public Chapter 705

SB 1809 - HB 2120

Work Training Programs

Amends Title 41, Chapter 22, Part 4 by adding a new section. Provides that TRICOR may enter into contractual agreements with counties and cities to provide work training programs, including the Private

Sector Prison Industry Enhancement Certification Program, for prisoners incarcerated in county and city jails.

Effective June 22, 2020.

Public Chapter 762
SB 1839 - HB 1651

Medical Care of Pregnant Prisoners

Amends 41-21-204(c). Mandates that pregnant prisoners and detainees must be provided with regular prenatal and postpartum medical care by a doctor, as necessary.

Amends Title 41, Chapter 21, Part 2 by adding a new section. Mandates that a pregnant prisoner or detainee shall be provided with nutritionally appropriate meals and appropriate supplemental provisions between meals.

Effective July 1, 2020.

LAW ENFORCEMENT

Public Chapter 584
SB 1635 - HB 1618

Evading Arrest

Amends 39-16-603. Requires a court to order a person who is convicted of evading arrest who damaged government property to pay restitution to the appropriate government agency for the damaged property. Includes, but is not limited to, a law enforcement officer's uniform or motor vehicle.

Effective July 1, 2020.

Public Chapter 595
SB 2464 - HB 2308

Alerts

Amends Title 38, Chapter 6, Part 1. Enacts the "Holly Bobo Act," which expands the Tennessee Bureau of Investigation's endangered child and young adult alert program to include endangered persons under 21 years of age.

Effective March 20, 2020.

Public Chapter 598
SB 1497 - HB 618

Slow Poke Law

Amends 55-8-204(a). Extends the "Slow Poke Law," which prohibits the operation of vehicles in the left lane except when overtaking or passing a vehicle that is in a

nonpassing lane, to interstates and multilane divided highways with two or more lanes.

Effective July 1, 2020.

Public Chapter 636
SB 1568 - HB 1583

Sexual Offenders

Amends 40-39-211(c). Provides that an offender may reside, conduct an overnight visit, or be alone with a minor if the offender is the parent of the minor, unless: (1) the offender's parental rights have been or are in the process of being terminated; (2) any minor or adult child of the offender was a victim of a sexual offense or violent sexual offense committed by the offender; or (3) the offender has been convicted of a sexual offense or violent sexual offense and the following conditions have been satisfied: (A) the victim of the sexual offense or violent sexual offense was a minor 12 years of age or less; and (B) a circuit court, exercising its jurisdiction over civil matters, has found by clear and convincing evidence that the offender presents a danger of substantial harm to the minor.

Effective April 1, 2020.

Public Chapter 732
SB 2202 - HB 2269

Tobacco and Tobacco Products

Amends numerous statutes. Increases the minimum age to purchase, possess, transport, and consume any tobacco products, smoking hemp, or vapor products from 18 to 21. Provides that persons who are 18 years of age or older will continue to be permitted to transport, possess, sell, or dispense tobacco, smoking hemp, or vapor products in the course of such persons' employment. Clarifies that law enforcement officials will be authorized to use persons under 21 years of age in "sting" operations involving sales of such products.

Effective January 1, 2021.

Public Chapter 781
SB 1622 - HB 1611

Electronic Citations

Amends 40-7-118(a) and (e). Authorizes the issuance of electronic citations, in addition to written citations on paper, for certain misdemeanor criminal offenses in lieu of arrest.

Amends 55-10-207(c)(1). Provides that an electronic signature may be used to sign a citation issued

electronically and has the same force and effect as a written signature.

Effective July 15, 2020.

Public Chapter 801
SB 2458 - HB 2702

Traffic Offense Citation Quotas

Amends 39-16-516. Prohibits public officials and public employees from establishing traffic offense citation quotas. Creates a Class B misdemeanor offense, subject to fine only, for officials and employees violating that prohibition.

Effective October 1, 2020.

Public Chapter 804
SB 2737 - HB 2333

Handgun Carry Permits

Amends 39-17-1351(x)(5)(A) and (B). Waives the lifetime handgun carry permit fees for retired law enforcement officers who served for at least 10 years, rather than former law enforcement officers who served for at least 10 years.

Effective July 15, 2020.

Public Chapter 810
SB 2884 - HB 2303

Arson

Amends 39-14-301. Classifies knowingly damaging farm equipment by means of fire or explosion as arson, a Class C felony.

Effective October 1, 2020.

PERSONNEL

Public Chapter 745
SB 2520 – HB 2708

Pregnant Workers Fairness Act (and COVID-19 Unemployment Benefits)

Enacts the “Tennessee Pregnant Workers Fairness Act,” 50-10-101 *et seq.*, to require persons employing more than 15 employees to make reasonable accommodations for medical needs arising from pregnancy, childbirth, or related medical conditions of an applicant for employment or an employee, unless doing so would impose an undue hardship on the operations of the employer. "Reasonable accommodation" may include: (A) making existing facilities used by employees readily accessible and usable; (B) providing more frequent, longer, or flexible breaks; (C) providing a private place, other than a

bathroom stall, for the purpose of expressing milk; (D) modifying food or drink policy; (E) providing modified seating or allowing the employee to sit more frequently if the job requires standing; (F) providing assistance with manual labor and limits on lifting; (G) authorizing a temporary transfer to a vacant position; (H) providing job restructuring or light duty, if available; (I) acquiring or modifying of equipment, devices, or an employee's work station; (J) modifying work schedules; and (K) allowing flexible scheduling for prenatal visits. The employer may request medical certification if it is required of other employees with medical conditions.

Also amends 50-7-302 to authorize the commissioner to suspend the one-week waiting period for unemployment benefits, and amends 50-7-403 to allow the commissioner to authorize a non-charge to the account of a contributory employer for unemployment benefits paid as a result of the COVID-19 pandemic, in accordance with the federal Families First Coronavirus Response Act.

Effective October 1, 2020 (effective June 22, 2020 for rulemaking). The unemployment provisions are repealed January 1, 2021.

PURCHASING

Public Chapter 721 SB 1862 – HB 1857

Disposal of Surplus Property

Amends 5-7-119 to authorize counties, upon 2/3 vote of the county legislative body, to dispose of surplus real property at a nominal cost by private negotiation and sale to a nonprofit corporation incorporated under the laws of this state that has received a determination of exemption from the Internal Revenue Service pursuant to 26 U.S.C. § 501(c)(3), and whose purpose includes providing educational services to youth in areas, including health, science, agriculture, and civic engagement through in-school and after-school programs, and school and community clubs and camps.

Effective June 22, 2020.

Public Chapter 782 SB 1642 – HB 2075

Purchases from Persons with Disabilities

Amends Title 71, Chapter 4, Part 7, to revise administrative provisions and to make permissive

rather than mandatory the provision in 71-4-703 that all governmental entities receiving state funds purchase all services or commodities required by the governmental entity from the central nonprofit agency as long as commodities or services purchased by state governmental entities are certified pursuant to procedures approved by the procurement commission and are available, and commodities or services purchased by political subdivisions are certified by the chief financial officer of the political subdivision.

Effective July 15, 2020.

RECORDS

Public Chapter 577 SB 1980 - HB 1663

Victim Address Confidentiality Program

Amends numerous sections in Title 40, Chapter 38, Part 6 relative to the home address confidentiality program administered by the secretary of state. Requires that participants be Tennessee residents. Creates an exception to the requirement to relocate for those living in a shelter. Reduces the period of time a person may be unreachable before losing certification from 60 days to 20 days. Removes exception for requirement of notarized statement for those with an *ex parte* protection order.

Effective March 19, 2020.

Public Chapter 624 SB 2247 - HB 2463

Utility Records

Amends 10-7-504(a)(20) relative to utility records to clarify that the provisions of the subdivision only apply to the private records of a utility (not all records under subsection (a)).

Effective March 25, 2020.

Public Chapter 676 SB 1626 - HB 1632

Open Records Responses

Amends 10-7-503 to allow a records custodian to provide a writing stating the time reasonably necessary to produce the record in lieu of completing a record request response form.

Effective June 15, 2020.

Public Chapter 735
SB 2268 - HB 2383

Memorializing Minor Crime Victims

Amends 10-7-504 to allow a county to release the name or photograph of a minor victim of a criminal offense for the purpose of memorializing the victim in a memorial garden if the parent or guardian consents.

Effective June 22, 2020.

Public Chapter 738
SB 2313 - HB 2578

Retention of Requested Records

Amends 10-7-503 to provide that a county shall not destroy public records subject to a pending public records request. Prior to destruction, the county shall contact the public record request coordinator to confirm the records are not subject to a pending request. Provides for a \$500 fine for violations. Provides that this section does not prohibit the destruction of records in accordance with an established records retention schedule or policy if the custodian is without knowledge that the records are subject to a pending request. Provides that written or electronic correspondence regarding a public record request, including, without limitation, forms, emails, letters, facsimiles, and other attachments must be retained by the respective records custodian for not less than 12 months (though this provision does not apply to the public records subject to the request).

Effective June 22, 2020.

Public Chapter 798
SB 2244 – HB 2329

Indexes of Public Records

Amends 10-7-202(b) to authorize registers of deeds to maintain all indices required of the office by electronic means in compliance with the requirements found in 10- 7-121.

Effective July 15, 2020.

RETIREMENT

Public Chapter 686
SB 1575 - HB 1641

Plan Changes

Amends 8-35-253 to provide that in the event a political subdivision participating in the retirement system changes to any other plan offered by the retirement system pursuant to Chapters 34-37 of Title 8, a person hired by that political subdivision after the effective date of the change will not be eligible for the political

subdivision's former plan unless the person participated in the former plan as an employee of that political subdivision before the effective date of the change to the new plan and has not otherwise lost membership in the retirement system. Provides that any employee serving a temporary employment period pursuant to 8-35-107 on the effective date of the change will be eligible for the plan in effect as of the date the employee becomes eligible to join the retirement system.

Amends 8-37-214 to provide that any person who desires to establish credit pursuant to Chapters 34-37 of Title 8, shall establish such service under the terms of the retirement system plan that existed at the time the service was established and not at the time the service was rendered, unless the person is still eligible to participate in the former plan and has not lost membership in the retirement system.

Effective June 11, 2020.

Public Chapter 783
SB 1727 - HB 1806

Independent Pension Plans

Amends 9-3-504 through 9-3-506 relative to the administration, funding and other requirements of pension plans which are independent of TCRS.

Effective July 15, 2020.

TAXATION

Public Chapter 646
SB 2182 – HB 2249

Marketplace Facilitators

Amends numerous sections in Title 67, Chapter 6 to require marketplace facilitators to collect sales and use taxes. Defines a marketplace facilitator as a person, including any affiliate of the person, that: (1) for consideration agrees with a marketplace seller to facilitate the sale of the marketplace seller's tangible personal property or things or services through a physical or electronic marketplace controlled by the person or the person's affiliate; and (2) either directly or indirectly, collects the payment from the purchaser of the marketplace seller's tangible personal property or things or services and transmits payment to the marketplace seller. Provides for numerous exceptions.

Effective October 1, 2020.

Public Chapter 680

SB 1923- HB 1992

Airport Authorities

Amends 42-3-116 to provide that all revenue and property held by airport authorities is exempt from state, county and municipal taxation.

Effective June 15, 2020.

Public Chapter 696

SB 2523 – HB 2832

Mixed Drink Tax Distribution

Amends 57-4-306 to make permanent the temporary distribution formula for mixed drink tax proceeds received by a local political subdivision.

Effective July 1, 2020.

Public Chapter 759

SB 2932 - HB 2924

Collecting Online Sales Tax

Amends numerous sections relative to the allocation of revenue and collection of taxes.

Effective October 1, 2020, reduces the threshold at which dealers with no physical presence in Tennessee are required to register to collect and remit sales tax for sales made in Tennessee from \$500,000 to \$100,000 in a previous 12-month period. Makes the same reduction in the sales or sales facilitated threshold for triggering the liability of a marketplace facilitator for sales and use taxes on sales made through its platform. Does not change the substantial nexus criteria for determining when a person is required to pay the business tax, excise tax, or franchise tax.

Provides for additional sales tax holidays in 2020.

Provides that some provisions shall be effective June 30, 2020 and others shall be effective October 1, 2020.

Public Chapter 787

SB 1778 – HB 1830

Short-Term Rental Properties – Hotel/Motel Taxes

Amends Title 7, Chapter 4, and 67-4-1401 and -1405, and enacts 67-4-1426, to provide that after January 1, 2021, hotel occupancy taxes on short-term rental (STR) units secured through a short-term rental unit marketplace (for example, Airbnb, VRBO, and similar platforms) must be collected and remitted by the STR marketplace to the department of revenue for distribution to the local government levying the tax.

Enacts Title 67, Chapter 4, Part 33, to govern the collection of hotel occupancy taxes on STRs secured through a STR marketplace. Requires STR marketplaces to register with the department of revenue for collection and remittance of the tax. The taxes must be reported monthly, and they are subject to audit only by the department of revenue. The department will deduct 1.125% administrative fee and remit the remainder to the appropriate local government entity monthly. Each local government imposing the tax must certify their hotel-motel tax rate annually to the department of revenue on a form provided by the department, and must report any changes to the rate. All other hotel/motel taxes will continue to be collected by the county clerk or other tax collector identified in the county's private act or other law under which the tax is levied. The provisions of this law will not apply during the term of any contracts currently in place between a county and a short-term rental marketplace.

Amends the Short-Term Rental Unit Act relative to STRs that are "grandfathered" under local ordinances to define the term "transferred."

Amends 67-5-801 relative to the classification of STR properties by the assessor of property.

Effective January 1, 2021 (the amendment to the Short Term Rental Unit Act is effective July 15, 2020).

Public Chapter 809
SB 2878 - HB 2734

Commercial Development Districts

Amends 67-6-104 to provide that, after January 1, 2021, a county that borders at least three distressed rural counties will be defined as an "eligible county" for purposes of sales and use tax revenue apportionment to commercial development districts in rural, economically distressed counties. Requires that an application for properties in such eligible counties must be submitted to the Commissioner of Finance and Administration on or after January 1, 2021, and no later than December 31, 2026. Requires the Commissioners of Revenue, Economic and Community Development, and Finance and Administration to determine that the tax revenue allocation is in the "best interest of the

state” as defined in the act, prior to certifying the commercial development district.

Effective July 15, 2020.

TAXATION – PROPERTY

Public Chapter 521 SB 1625 - HB 1813

Property Tax Appeals

Amends 67-5-1412(b)(3). Authorizes taxpayers in previously excluded counties to make direct appeals of the valuation of industrial and commercial real and tangible personal property to the state board of equalization.

Amends 67-5-1412(c). Provides that the appellant has the right to withdraw any complaint and appeal at any time before a decision has been entered on the primary issue of the complaint and appeal.

Amends 67-5-1512(b) and (c). Rewrites these sections to add that sixty (60) days after issuance of the final assessment certificate of the state board of equalization, the interest rate on a deferred refund shall increase two points until the refund is finally paid. Provides that "deferred refund" means the amount owed to the taxpayer, excluding any penalties and interest.

Effective March 6, 2020.

Public Chapter 787 SB 1778 - HB 1830

Short Term Rental Unit

Amends 67-5-801(b). Provides that when a parcel of real property is the principal residence of its owner, contains not more than one rental unit, and is used as a short term rental unit, as defined by 13-7-602, the assessor of property should presume the classification of the property is residential. Further provides that when a parcel is classified as residential, the same owner of the property may request residential classification for a maximum of one additional parcel in this state and the assessor of property should presume residential classification when the one additional parcel meets certain conditions.

Effective January 1, 2021.

UTILITIES

Public Chapter 572

SB 1792 – HB 1709

Annual Reports to Boards

Enacts a new section in Title 7, Chapter 82, Part 3 to provide that each utility district shall submit to the utility management review board by the first day of the utility district's fiscal year an annual report on a form approved by the board. If a utility district fails to submit the annual report, then the board may order reasonable sanctions against the utility district.

Enacts a new section in Title 68, Chapter 221, Part 10 to provide that each water system and wastewater facility shall submit to the water and wastewater financing board by the first day of the system or facility's fiscal year an annual report on a form approved by the board. If a system or facility fails to submit the annual report, then the board may order reasonable sanctions against the system or facility.

Effective March 19, 2020.

Public Chapter 591

SB 1934 – HB 1838

Regulation of Energy Sources

Enacts a new Part 21 in Title 7, Chapter 51 to provide that a political subdivision may not adopt a policy that prohibits, or has the effect of prohibiting, the connection or reconnection of a utility service based upon the type or source of energy to be delivered to an individual customer.

Effective March 20, 2020.

Public Chapter 627

SB 1798 – HB 1630

Expanded Review Board Jurisdiction

Amends 7-82-308 to delete training exception for members of the governing board of a gas utility district. Amends 68-221-605 and 68-221-1305 to clarify training requirements for members of governing bodies under the Water and Wastewater Treatment Authority Act or Regional Water and Wastewater Treatment Authority Act.

Amends 7-82-709 to expand the utility management review board's power to investigate all utility districts under its jurisdiction. Amends 68-221-1009 to expand the investigative authority of the water and wastewater financing board. Amends TCA 68-211-1206 to delete

reference to local governments agreeing to be subject to the jurisdiction of the water and wastewater financing board and the utility management review board.

Effective March 20, 2020.

Public Chapter 631
SB 2723 – HB 2739

Rural Electric Contractors

Amends 65-25-105 to provide that the Rural Electric and Community Services Cooperative Act does not impact any obligation of a cooperative's third-party contractors that are permitted by law to operate within the cooperative's service area to comply with applicable permitting requirements that the cooperative is subject to with respect to property that is held or controlled by a railroad company.

Effective March 20, 2020.

Public Chapter 720
SB 1766 - HB 1841

Water or Wastewater Treatment Authorities

Amends numerous sections to revise the process for creating or acquiring a water or wastewater treatment authority. Establishes a new water and wastewater financing board review procedure.

Effective June 22, 2020.

WORKERS' COMPENSATION

Public Chapter 731
SB 2190 - HB 2257

Claims and Payment of Compensation

Amends 50-6-207(3) and 50-6-801. Extends the deadline for an injured employee to file a claim for increased benefits with the bureau of workers' compensation and lengthens the period of time following an injury an employee has to provide notice to the bureau of workers' compensation of an injury and the failure of an employer to secure payment of compensation.

Effective June 22, 2020. Applies to injuries occurring on or after the effective date of this act.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

BLEDSON

Public Chapter 740
SB 2320 – HB 2561

Bledsoe Regional Water Authority
Amends Title 64, Chapter 1, Part 12 to remove the authority to form the Bledsoe Regional Water Authority.

Effective June 22, 2020.

BLOUNT

Public Chapter 590
SB 1929 – HB 1724

Compensation of Utility District Members
Amends 7-82-308 relative to the per diem rates applicable in Blount County for utility district members.

Effective July 1, 2020.

CARTER

Public Chapter 723
SB 1967 – HB 2047

County Recreation Boards
Amends 11-24-104(b) to provide that board members will be compensated at a rate of \$50.00 per meeting, with a maximum of 12 paid meetings occurring each year.

Effective June 22, 2020.

DAVIDSON

Public Chapter 700
SB 2485 - HB 1642

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(39). Designates the Tennessee State Fairgrounds in Nashville as an urban park center. Authorizes the granting of a franchise for the provision of food or beverage, including alcoholic beverages, on its premises.

Effective June 22, 2020.

HICKMAN

Public Chapter 773

SB 2454 – HB 2278

Off-Highway Vehicles

Amends 55-8-185(c) to authorize the operation of any Class I or Class II off-highway vehicles on certain state routes within Hickman County.

Effective July 15, 2020.

JOHNSON

Public Chapter 789

SB 1872 – HB 1887

Off-Highway Vehicles

Amends 55-8-185(c)(1) to authorize the operation of any three- or four-wheel all-terrain vehicles or three- or four-wheel off-highway vehicles on certain state routes within Johnson County.

Effective July 15, 2020.

KNOX

Public Chapter 763

SB 2915 – HB 2907

Hotel/Motel Tax

Amends Chapter 847 of the Public Acts of 1982 to include within the definition of “hotel” any rental to transients of rooms or accommodations in an owner occupied single family residence, in an apartment or condominium where no more than 25% of the total units are rented to transients, and in a single family house where each single family dwelling occupies a separate lot.

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

SHELBY

Public Chapter 751

SB 2821 – HB 2106

Tourism Development Zones

Amends 7-86-106(a) to revise the provisions concerning the apportionment and distribution of incremental increases in sales and use taxes relating to qualified public use facilities located within certain tourism development zones.

Effective June 22, 2020.

Public Chapter 778
SB 1560 - HB 1723

Alcoholic Beverages - On Premises Consumption
Amends 57-4-101(a)(9)(B). Authorizes the sale of alcoholic beverages and beer for consumption on the premises of the Memphis Zoo during the zoo's regular operating hours.

Effective July 15, 2020.

SULLIVAN

Public Chapter 797
SB 2243 - HB 2330

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(34). Designates Bristol Motor Speedway as a sports authority facility for purposes of the sale of alcoholic beverages for on-premises consumption.

Effective July 15, 2020.

SUMNER

Public Chapter 534
SB 1561 - HB 1574

Special Speed Limits
Amends 55-8-152 to authorize the county and municipalities within the county to establish special speed limits on highways and public roads adjacent to or within one-fourth mile of school grounds that are devoted to normal school day activities.

Effective March 19, 2020.

PART III - PRIVATE ACTS

BEDFORD

Private Chapter 37 SB 1645 - HB 1695

Hotel/Motel Tax

Enacts Private Acts of 2020, Chapter 37. Provides that the legislative body of Bedford County may levy a privilege tax on occupancy of hotels located within the county but outside the boundaries of any municipality that has levied a tax on hotel occupancy prior to the county's levy, as permitted by 67-4-1425, upon the privilege of occupancy by each transient in any hotel in an amount not to exceed 7.5% of the rate charged by the operator.

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

BENTON

Private Chapter 52 SB 2924 - HB 2918

Hotel/Motel Tax

Amends Private Acts of 1994, Chapter 189. Requires government-owned hotel operators to collect and remit the privilege tax on the occupancy of hotels and motels in the county.

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

DICKSON

Private Chapter 49 SB 2921 - HB 2914

Court Clerk

Amends Private Acts of 1982, Chapter 267. Specifies that the general sessions court clerk must serve as the clerk of the juvenile court rather than the county clerk.

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

HARDIN

Private Chapter 58

SB 2936 - HB 2932

Hospital Board

Amends Private Acts of 1957, Chapter 409. Increases the membership of the Hardin County General Hospital Board of Commissioners from six to eight.

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

HAYWOOD

Private Chapter 55

SB 2930 - HB 2927

Wheel Tax

Amends Private Acts of 1961, Chapter 324. Exempts one vehicle owned by an active member of a volunteer fire department or a volunteer local rescue squad from the local wheel tax.

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

HUMPHREYS

Private Chapter 44

SB 2916 - HB 2908

Probate & Juvenile Courts

Repeals Private Acts of 1981, Chapter 137. Eliminates the probate and juvenile court effective on the next election date or a vacancy that occurs in the office of the incumbent judge, whichever occurs first.

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

MADISON

Private Chapter 54

SB 2926 - HB 2926

Hotel/Motel Tax

Amends Private Acts of 1980, Chapter 324. Authorizes the county commission to utilize any and all funds allocated to the commission to make economic development grants to other governmental entities and public corporations.

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

SULLIVAN

Private Chapter 46

SB 2937 - HB 2933

Financial Management System

Enacts Private Acts of 2020, Chapter 46. Enacts the Sullivan County Financial Management System of 2020.

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

UNION

Private Chapter 43

SB 2914 - HB 2906

Highway Commissioners

Amends Private Acts of 1943, Chapter 154. Increases from \$200 to \$250 the monthly compensation of the Union County highway commissioners.

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

WILSON

Private Chapter 48

SB 2917 - HB 2912

General Sessions Court

Amends Private Acts of 1945, Chapter 34. Provides that the judge of the General Sessions Court, Division III, is empowered from time to time to freely interchange with the judges of the Circuit and Chancery Courts for matters of domestic relations and probate.

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