

INDEX OF ACTS RELATED TO COUNTY GOVERNMENT

2016 EDITION



Prepared by
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June 2016

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This publication contains summaries of acts passed by the General Assembly in 2016 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://www.tennessee.gov/sos/acts/index.htm>.

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PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 654 SB 2245 - HB 1677

Beer Permits

Enacts 57-5-105(k) to require the beer board to notify a person whose testimony at a beer permit hearing caused the beer board to deny a permit, if the applicant seeks a permit again at the same location within 12 months. The person who testified may submit their remarks in writing to the beer board at any subsequent meeting, in lieu of personal appearance. Amends 57-5-105(h) to allow someone who has been denied a beer permit 3 times to reapply at the same location only if circumstances have substantially changed.

Effective March 29, 2016.

Public Chapter 697 SB 745 - HB 870

Wine in Grocery Stores

Amends 57-3-806(f). Prohibits the issuance of a retail food store wine license to a retail food store located within a shopping center or other development unless documentation is provided to the commission that the retail food store has not prohibited or restricted, through its lease or other agreement with the owner of the shopping center or development, the sale of wine or other alcoholic products by others at the shopping center or development; or waived any prohibition or restriction on the sale of wine or other alcoholic products, if such prohibition or restriction is in the lease.

Effective April 6, 2016.

Public Chapter 787 SB 2094 - HB 2586

Wine in Grocery Stores

Amends 57-3-803. Provides that a business submitting an application for a retail food store wine license prior to July 1, 2016, may also seek a certificate from the appropriate local jurisdiction prior to July 1, 2016. Provides that the commission is authorized to consider and approve or reject any application for a retail food store wine license prior to July 1, 2016. Provides that

any wholesaler is permitted to solicit orders from any retail food store to which the commission has issued a letter of approval. The solicitation shall be permitted upon the issuance of a letter of approval. Provides that any wholesaler shall be permitted to sell and deliver wine to any retail food store as to which the commission has issued a letter of approval. Provides that any wine sold and delivered to a retail food store that has received a letter of approval from the commission shall not be accessible for sale to the public until the retail food store holds a validly issued retail food store wine license. A retail food store is authorized to stock wine on the shelves of a retail food store as long as the signage is posted advising the public that no wine may be sold prior to July 1, 2016, and steps are taken by the retail food store to ensure that no sales take place.

Effective April 12, 2016.

Public Chapter 830
SB 2113 - HB 2301

Wine in Grocery Stores

Amends 57-3-817. Removes the requirement that in order for a retail food store to obtain a license to sell alcoholic beverages for consumption on premises that the premises and business for on-premises consumption be separate and distinct from the retail food store.

Amends 57-4-201(b)(1). Authorizes the commission to issue a limited license to a retail food store authorizing a restaurant within a retail food store to serve wine but no other alcoholic beverages within a designated area within the retail food store. Provides that a retail food store may receive a restaurant license without complying with seating requirements or requirements regarding minimum food sales for a wine only licensee as long as the retail food store provides prepared food for sale to customers and pays a license fee.

Effective April 21, 2016.

Public Chapter 857
SB 1799 - HB 1989

Grape and Wine Law

Amends 57-3-207(o)(6). Authorizes a farm wine permittee to obtain an additional self-distribution permit under the Grape and Wine Law, in the same

manner as wineries are so authorized.

Effective July 1, 2016.

Public Chapter 874
SB 913 - HB 1276

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102(37). Authorizes the sale of alcoholic beverages for on-premises consumption at an establishment in which motion pictures are exhibited to the public regularly for a charge. Requires the theater to have a local beer permit for on premises consumption.

Effective April 27, 2016.

Public Chapter 1045
SB 1879 – HB 1994

Beer Delivery
Amends 57-3-224, 57-3-225, and 57-3-406 to authorize businesses holding an ABC permit to deliver sealed packages of alcoholic beverages or beer or both sold by a licensed liquor retailer, to also deliver sealed packages of beer sold by a business with an off-premises beer permit.

Effective April 28, 2016.

Public Chapter 1068
SB 844 - HB 301

Sale of Wine in Retail Food Stores
Deletes 57-3-806(e). Deletes the present law provision, which was scheduled to expire on July 1, 2017, that prohibits issuance of a retail food store wine license to an applicant for a location that is within 500 feet of an establishment holding a retailer's license unless the commission receives written permission from such licensee.

Amends 57-3-801(a). Authorizes the City of Elkton in Giles County to hold a referendum on the sale of wine in retail food stores. Present law requires that a municipality must have a population of at least 925 persons to hold such a referendum and Elkton has a population of 578 according to the 2010 census.

Effective May 20, 2016.

COUNTY CLERKS

Public Chapter 655

SB 1640 – HB 1683

Special License Plates

Amends 55-4-201 to require all nonprofit organizations receiving proceeds from special license plates to meet and maintain all state and federal requirements for their nonprofit status, and to submit an annual accounting of funds received during the preceding fiscal year, regardless of when the plates were authorized. If a nonprofit fails to meet annual accounting requirements, the comptroller may direct the withholding of proceeds to the nonprofit.

Effective March 29, 2016.

Public Chapter 663

SB 2463 – HB 2305

Financial Responsibility

Amends 55-12-102 to raise the minimum amounts for proof of financial responsibility after January 1, 2017, for single limit insurance policies and for cash deposits and bonds, from \$60,000 to \$65,000. Split limit policy amounts remain the same.

Effective March 29, 2016.

Public Chapter 691

SB 1994 – HB 1450

Motorcycle Titles

Amends 55-3-211 to remove the exemption for motorcycles from the titling requirements for wrecked, damaged, dismantled, or rebuilt vehicles, so that motorcycles will be subject to the same requirements as passenger motor vehicles.

Effective March 24, 2016, and applicable to titles issued after that date.

Public Chapter 702

SB 1635 – HB 1759

Amateur Radio Plates

Amends 55-4-229(e)(2) relative to special purpose license plates for amateur radio station licensees to allow an applicant's credentials to be approved by the county emergency management director.

Effective April 6, 2016, and applicable to plates issued or renewed on or after that date.

Public Chapter 781
SB 1980 – HB 2471

Recreational Vehicle Dealers

Amends Title 55 relative to recreational vehicle manufacturers and dealers, licensing, and sales. Regulates the sale and distribution of RVs, with licenses issued by the Tennessee motor vehicle commission. If an RV dealer fails to timely file their annual sales report, the dealer is not eligible for any RV dealer plates. If the report is timely filed and the dealer sells 24 or more RVs during the calendar year, the presumption is the dealer is eligible for dealer plates under 55-4-221. If the report is timely filed, but the dealer sells fewer than 24 RVs during the calendar year or is engaged in business for only a portion of the calendar year and sold fewer than 2 RVs on average per month, the dealer is eligible for up to 3 RV dealer plates. Upon written request the commission may approve the issuance of additional plates. The commission is required to furnish each county clerk a list of eligible RV dealers.

Effective January 1, 2017 (Section 11 regarding manufacturer/dealer agreements takes effect July 1, 2017).

Public Chapter 790
SB 2255 – HB 2288

Off-Highway Vehicles

Amends 55-3-101 to allow Class I and II off-highway vehicles to be registered and operated on county roads. Amends various provision in Title 55, Chapter 4, to provide for registration fees and procedures. Enacts 55-8-2__ to regulate registered Class 1 and II off-highway vehicles driving on county roads.

Effective January 1, 2017 (for rulemaking purposes, effective April 12, 2016).

Public Chapter 825
SB 1752 – HB 1799

Combat Action New Specialty Earmarked Plates

Amends 55-4-202 and 55-4-303 to delete provisions for Combat Action Badge, Combat Infantry Badge, and Combat Medical Badge and substitute the Combat Action new specialty earmarked license plate. The Combat Action plate will be issued with a decal available in six options (Combat Action Badge, Combat Action Medal, Combat Action Ribbon - Coast Guard, Combat Action Ribbon - Navy And Marine Corps, Combat Infantry Badge, and Combat Medical Badge).

Eligibility will be determined by the DD214 form, or if service was prior to 1950 by the equivalent form or official documentation or written communication from the department of veterans services. Proceeds from the sale of the plates will be allocated equally to Centerstone Military Services and SAFE: Soldiers and Families Embraced, to be used exclusively in Tennessee to provide resources and support to veterans, service members, and their families. The department of revenue shall charge a fee for issuance of the decal in an amount sufficient to defray the administrative costs of issuing the decal.

Effective April 21, 2016.

Public Chapter 840
SB 0129 – HB 0207

Decals for Disabled Drivers' License Plates

Amends 55-21-103(a)(6) to allow decals for disabled drivers' license plates to be affixed on any special license plate listed in 55-4-202(a) (cultural, specialty earmarked, and new specialty earmarked), instead of only on new specialty earmarked plates.

Effective April 19, 2016.

Public Chapter 850
SB 1748 – HB 1764

County Clerk Fees

Amends 8-21-701(2) to delete a duplicate business tax fee of \$7 that is covered in 67-4-724(a)(1), and a provision for a \$2 earmark of a portion of that fee for computerization that conflicted with the provision in 67-4-724(a)(1) for a \$3 earmark for computerization.

Effective April 19, 2016.

Public Chapter 879
SB 1474 – HB 1524

Special License Plates

Enacts 55-4-2__ to provide for Veterans of Foreign Wars of the United States (VFW) new specialty earmarked license plates, with the proceeds allocated to the Department of Tennessee Veterans of Foreign Wars of the United States. Enacts 55-4-2__ to provide for The Fairgrounds Nashville new specialty earmarked license plates, with the proceeds to the state department of agriculture's state fair and exposition commission to be used solely for producing an audio tour and

documentary of the history of Fairgrounds Nashville and related venues. Enacts 55-4-2__ to provide for Dollywood Foundation new specialty earmarked license plates with proceeds to the Dollywood foundation to promote childhood literacy through Dolly Parton's Imagination Library. Enacts 55-4-2__ to provide for Eastern Star new specialty earmarked license plates with proceeds to Tarshish Grand Chapter #1214A, Order of the Eastern Star Modern Free, Inc. Amends 55-4-297 to change Harpeth River Watershed Association to Protecting Rivers and Clean Waters new specialty earmarked license plates. Enacts 55-4-3__ to provide for Pat Summitt Foundation new specialty earmarked license plates with proceeds to the Pat Summitt Foundation. Enacts 55-4-3__ to provide for Historic Whitehaven new specialty earmarked license plates with proceeds to Memphis Library Foundation. Enacts 55-4-3__ to provide for BE NICE new specialty earmarked license plates with proceeds to the Kenrose Elementary PTO to support and promote character development in Williamson County schools and the Williamson County community. Enacts 55-4-3__ to provide for Prostate Cancer Awareness new specialty earmarked license plates with proceeds to Us TOO International. Amends 55-4-3__ to provide for Fallen Police and Firefighters new specialty earmarked license plates, with proceeds to the department of safety to be used solely for providing programs and services to surviving families of Tennessee's fallen law enforcement and firefighters. Enacts 55-4-2__ to provide for Justin P. Wilson Cumberland Trail State Scenic Trail State Park new specialty earmarked license plates, with proceeds to Friends of the Cumberland Trails State Park. Enacts 55-4-3__ to provide for Fallen Linemen new specialty earmarked license plates, with proceeds to the Foundation of Fallen Electrical Linemen. Enacts 55-4-3__ to provide for Nashville Parks Foundation new specialty earmarked license plates, with proceeds to Metro Nashville Parks Foundation. Enacts 55-4-3__ to provide for Tennessee School Nutrition Association new specialty earmarked license plates, with proceeds to the Tennessee School Nutrition Association for resources, training, and public awareness. Enacts 55-4-3__ to provide for Down Syndrome Awareness new specialty earmarked license plates, with proceeds to the Down Syndrome

Association of Middle Tennessee. Amends 55-4-287 to change the Vanderbilt Children's Hospital new specialty earmarked plates to the Monroe Carrell Jr. Children's Hospital at Vanderbilt. Enacts 55-4-3__ to provide for D.A.R.E. new specialty earmarked license plates, with proceeds to the Tennessee D.A.R.E. Officers Association. Amends 55-4-304 to give the Make-A-Wish Foundation until July 1, 2017 to meet the minimum issuance requirements. Amends 55-4-254 to give Tennessee Tech University until July 1, 2017 to meet the minimum issuance requirements. Amends 55-4-246 to give Historic Collierville until July 1, 2017 to meet the minimum issuance requirements. Amends 55-4-331 to change the provisions for issuance of The Ohio State University new specialty earmarked license plates to provide for design approval by, and trademark protection for, The Ohio State University, and to extend the date for meeting the minimum issuance requirements to July 1, 2017. Amends 55-4-327 to give Friends of Sycamore Shoals Historic Area, Inc., until July 1, 2017 to meet the minimum issuance requirements. Amends 55-4-305 to give Rotary International until July 1, 2017 to meet the minimum issuance requirements.

Effective April 27, 2016.

Public Chapter 902

SB 2331 – HB 2411

Special Purpose Plates for Nonprofits

Enacts 55-4-2__ to provide for the issuance of special purpose nonprofit organization plates that will allow the nonprofit to operate vehicles that have been donated to the organization for transfer to another owner legally on the highways without registering the vehicle. The vehicle must be eligible for regular vehicle registration, and may be used only for the following purposes: (1) transporting the vehicle between a prior or subsequent owner and the nonprofit, (2) transporting the vehicle for cleaning, repairing, or preparation work, or (3) testing the vehicle within a 20-mile radius of where the cleaning, repairing, or preparation is performed. "Nonprofit" only includes those with a § 501(c)(3) exemption.

Effective July 1, 2016.

Public Chapter 982
SB 2143 – HB 2185

Medium Speed Vehicles

Amends 55-1-125, 55-8-101, and 55-50-102 to redefine “medium speed vehicles” as four-wheeled gas or electric powered vehicles, excluding golf carts, whose top speed is greater than 30 mph but whose maximum speed allowed is 35 mph only on streets with a 40 mph or less posted speed limit pursuant to 55-8-191(b)(1).

Effective July 1, 2016.

COUNTY GOVERNMENT

Public Chapter 571
SB 1354 – HB 192

Approval for Changes to Certain Bonds and Notes

Amends Title 4, Chapter 31, Part 1 (Tennessee Local Development Authority), 49-3-1207 (Tennessee State School Bond Authority), and 9-9-113(b) (State Funding Board) to require prior approval of any change to a project or program financed by those entities that would affect the tax exempt status of the notes or bonds. Requires approval of such changes by the office of state and local finance in the office of the comptroller and approval by the funding entity.

Effective March 8, 2016.

Public Chapter 587
SB 1621 – HB 1674

Construction Contracts

Enacts 12-4-1__ to prohibit the state and local governments (specifically including metropolitan governments), and their agencies and instrumentalities, from requiring companies bidding or contracting on public construction projects to employ people residing within their jurisdiction or within a specific income range, unless otherwise required by federal law.

Effective March 10, 2016.

Public Chapter 594
SB 1928 – HB 2049

Gov’t Imposter/Deceptive Advertisements Act

Amends Title 47, Chapter 18, Part 1 to add a new section to the Consumer Protection Act of 1977. Creates a violation of the act for advertising or soliciting in a manner which could lead consumers to think the advertisement or solicitation was coming from a governmental entity. Requires a disclaimer on all such

advertisements or solicitations. Provides that violations are to be investigated and litigated by the attorney general's office.

Effective March 10, 2016.

Public Chapter 601
SB 2138 – HB 2129

Historical Memorials

Replaces the Tennessee Heritage Protection Act of 2013 with the Tennessee Heritage Protection Act of 2016, establishing the procedure for changing historical memorials on public property.

Effective March 11, 2016.

Public Chapter 606
SB 2103 – HB 2002

Employment Applications

Amends 7-51-1802 to prohibit local governments from prohibiting an employer from requesting any information on an application for employment or during the hiring process, as a condition for doing business within the local government boundaries.

Effective March 17, 2016.

Public Chapter 621
SB 1838 – HB 1698

Credit and Debit Card Processing Fees

Amends 9-1-108(c)(3) to delete the five percent cap on processing fees for credit and debit cards.

Effective March 22, 2016.

Public Chapter 624
SB 1995 - HB 1971

Revenue Commissioners

Deletes Title 5, Chapter 8, Part 6, removing the provisions for the appointment of county revenue commissioners; deletes 8-21-803; and amends 8-18-109(a) by deleting the language "revenue commissioners,". Provides that no incumbent shall be removed from office or abridge the term of any revenue commissioner prior to the end of the term for which the official was elected.

Effective March 22, 2016.

Public Chapter 628
SB 2332 – HB 2189

Recording of Animal Inspections

Enacts 43-1-102 to allow owners of animals subject to inspections for the purposes of determining compliance with any statutory or regulatory requirement to record such inspections (themselves or through an agent) by audiovisual means.

Effective March 22, 2016.

Public Chapter 643
SB 1934 – HB 1946

Regulation of Seed

Amends 43-10-114 to provide that the commissioner of agriculture has the sole authority to regulate agricultural seeds.

Effective March 23, 2016.

Public Chapter 749
SB 1996 – HB 1496

Insurance as Substitute for Bonds

Amends 8-19-101(e) to authorize counties to obtain a blanket surety bond in the minimum amount of \$150k for all county employees not otherwise covered by individual bonds or obtain an insurance policy that provides coverage for performance of fiduciary duties and responsibilities. The insurance coverage must provide a minimum of \$400k per occurrence. If the county chooses to obtain an insurance policy, the certificate of insurance must be filed in the register's office. Specifies that the liability limits set forth in the GTLA shall not be affected due to a county having an insurance policy under this section.

Effective April 12, 2016.

Public Chapter 800
SB 1659 – HB 1434

Airports

Enacts 66-29-301 – 306 to set forth the process by which an airport authority may dispose of abandoned aircraft.

Effective April 14, 2016.

Public Chapter 832
SB 2380 – HB 1801

Interfund Loans

Amends 9-21-408 and 9-21-604 to authorize local governments to make interfund loans of funds derived from the sale of any Tennessee private act hospital.

Effective July 1, 2016.

Public Chapter 848
SB 2377 - HB 1679

Government Employees – Attorneys’ Fees

Amends Title 29, Chapter 20. Provides that if a claim is filed with a Tennessee or federal court, the Tennessee claims commission, board of claims, or any other judicial body established by the state or by a governmental entity of the state, against an employee of the state or of a governmental entity of the state in the person's individual capacity, and the claim arises from actions or omissions of the employee acting in an official capacity or under color of law, and that employee prevails in the proceeding as provided in this section, then the court or other judicial body on motion shall award reasonable attorneys' fees and costs incurred by the employee in defending the claim filed against the employee.

Effective June 1, 2016.

Public Chapter 1013
SB 1876 – HB 1911

Seizure of Trespassing Dogs

Amends 44-8-408 to provide that local governments may authorize, by resolution or ordinance, animal control agencies to seize and take into custody dogs trespassing on the property of another. Defines “animal control agency” to include a county or municipal animal shelter, dog pound, or animal control agency; private humane society; state, county, or municipal law enforcement agency; or any combination thereof, which temporarily houses stray, unwanted, or injured animals.

Effective April 28, 2016.

Public Chapter 1059
SB 2654 – HB 2630

Audit Fees

Amends 9-3-210 to increase the comptroller’s audit fee from \$0.30 per person to \$0.36 per person. Provides for an annual 3% fee increase beginning July 1, 2017.

Effective April 28, 2016.

Public Chapter 1067
SB 1200 – HB 255

Nuisances

Amends 29-3-106 to provide that if a defendant in a nuisance action, who is the owner of the property but not the person responsible for creating the nuisance, was unaware of the nuisance prior to receiving notice under the statute and has taken steps to abate the

nuisance after receiving such notice, the court may dismiss the action or continue the proceeding pending further action by the defendant.

Effective July 1, 2016.

Public Chapter 1072
SB 466 - HB 985

Conflicts of Interest

Amends Title 5, Chapter 5, Part 1. Provides that no member of the legislative body of a county who is also an employee of the same county or whose spouse is an employee of the same county may vote on matters in which such member has a conflict of interest. Provides that a conflict of interest is created when a member is voting on a matter which, if approved by the legislative body, would increase the pay or benefits of that member or that member's spouse. Provides that the vote of any member having a conflict of interest shall be void if challenged in a timely manner; meaning during the same meeting at which the vote was cast and prior to the transaction of any further business by the body. Does not prohibit a member of a local governing body of a county from voting on the budget, appropriation resolution, or tax rate resolution, or amendments thereto, unless the vote is on a specific amendment to the budget or a specific appropriation or resolution in which the member has a conflict of interest. Provides that any member of a local governing body of a county who abstains from voting for cause on any issue coming to a vote before the body shall not be counted for the purpose of determining a majority vote.

Provides that the legislative body of any metropolitan form of government or charter form of government may opt out by resolution.

Deletes 5-5-102(c)(3); 6-20-205(b); and 12-4-101(c).

Effective May 20, 2016.

Public Chapter 1080
SB 2128 - HB 2087

Budget Adoption

Amends 5-9-402 to provide a budget adoption timeline and procedures for counties operating under the general law. Allows those counties to either follow the statutory timeline/procedures or adopt their own.

Requires county board of education approval of budget timelines established for LEAs. This section does not apply to Hamilton, Knox, Davidson and Shelby counties. Amends 5-9-404 to provide that if the county legislative body and the county school board fail to agree on a budget for the county department of education by August 31, then, by operation of law, the budget for the county department of education shall be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP. If this occurs for three consecutive years, the budget for the third year shall include a three percent increase in the required local funding amount for schools unless the LEA failed to comply with the applicable budgetary timeline. This section does not apply to Hamilton, Knox, Davidson and Shelby counties. Amends 5-9-407 to require the county legislative body to approve or reject amendments to the school budget within 40 days of receipt from the local board of education. This section does not apply to Hamilton, Knox, Davidson and Shelby counties.

Amends 5-12-105, 5-12-106, 5-12-107, and 5-12-109 to make these same changes to the County Budgeting Law of 1957 and 5-21-110 and 5-21-111 to make these same changes to the County Financial Management System of 1981.

Amends 5-12-208(a) to require all heads of departments, offices or agencies to submit their proposed budget documents to the county mayor (or budget or finance person, if applicable) by March 1st rather than April 1st. Amends 5-12-208(c) to require the county mayor or budget committee to allow any department, office or agency to alter or amend its submitted budget any time prior to when it is submitted to the county legislative body. Also provides that the county mayor or budget committee may allow any department, office or agency to submit amendments to its budget after the budget has been submitted to the county legislative body but not after it has been adopted. Amends 5-12-210(b) to provide that if the county legislative body and the county school board fail to agree on a budget for the county department of education by August 31, then, by operation of law, the budget for the county department of education shall be

equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP. If this occurs for three consecutive years, the budget for the third year shall include a three percent increase in the required local funding amount for schools unless the LEA failed to comply with the applicable budgetary timeline. Also revises the date the other portions of the budget go into effect by operation of law from August 15th to August 31st.

Sections 2, 3, 9, 12, and 16 are effective May 20, 2016. All other sections take effect on January 1, 2017.

COURTS & COURT CLERKS

Public Chapter 570 SB 326 - HB 774

Fiduciary Access to Digital Assets

Enacts a new Chapter 51 in Title 35 as the Revised Uniform Fiduciary Access to Digital Assets Acts in order to provide access to electronic assets for fiduciaries under certain circumstances.

Effective July 1, 2016.

Public Chapter 598 SB 2575 - HB 2494

Juvenile Proceedings – Citations and Hearings

Amends several sections in Title 37, Chapter 1, Part 1 relative to juvenile court proceedings. Provides that a proceeding may be commenced by citation (in addition to the use of a petition). Substantially revises the information required on the petition to commence an action. Revises the time in which a detention hearing must occur and deletes the portion of law relative to swearing out a warrant to commit a child. Also consolidates law concerning preliminary hearings for juveniles who are alleged to be neglected, dependent or abused and revises procedure and time requirements.

Effective July 1, 2016.

Public Chapter 600 SB 2574 - HB 2495

Juvenile Proceedings - Dispositions

Amends several sections in Title 37, Chapter 1, Part 1 and Part 7 relative to juvenile court proceedings. Gives juvenile courts concurrent jurisdiction with general sessions courts for the offense of contributing to the

dependency of a minor. Establishes a pretrial diversion and judicial diversion option in juvenile court. Allows the performance of community service work in lieu of a fine for traffic violations. Revises several other provisions regarding juvenile court proceedings, including, but not limited to, provisions relative to the issuance of restraining orders, the Tennessee teen court program, procedures relative to the hearings for transfer from juvenile court and provisions relative to amendment of prior orders.

Effective July 1, 2016.

Public Chapter 637
SB 2571 - HB 1812

Juvenile Proceedings - Appeals

Amends 37-1-159 to provide that appeals from juvenile court must be made within 10 days, excluding nonjudicial days, following entry of the order (instead of the court's disposition). Provides that all parties to the juvenile court proceeding shall be parties to the appeal. Provides that the juvenile court retains jurisdiction to the extent needed to complete any reviews or permanency hearings for children in foster care as may be mandated by federal or state law.

Effective July 1, 2016.

Public Chapter 640
SB 1810 - HB 1700

Investments by Fiduciaries

Amends 34-1-115 to allow a fiduciary to petition the court to waive the requirement to request court approval to change the nature of an investment in the property management plan.

Amends 35-3-102 to include income-producing commercial or residential property to the list of authorized investments.

Effective March 23, 2016.

Public Chapter 653
SB 1582 - HB 1648

Transdermal Monitoring Devices

Amends 55-10-402 to authorize courts to order those convicted of DUI to be subject to monitoring through certain individual devices. Requires those responsible

for supervision of the individual to verify proper operation of the device and report violations.

Effective July 1, 2016.

Public Chapter 658
SB 1788 - HB 1867

Bail Bond Fees and Payments

Amends 40-11-316 relative to the bail bond renewal and appeal fees that may be charged by bail bond companies to defendants who are not residents of Tennessee. Provides that bail bond companies may agree to accept fees in equal installments. Provides that bail bond companies may seek indemnification for collection costs.

Effective March 29, 2016.

Public Chapter 659
SB 2072 - HB 1903

Termination of Parental Rights

Amends 36-1-113 to provide that all records filed in chancery or circuit court in a proceeding to terminate parental or guardianship rights to a child shall be placed under seal and shall not be subject to public disclosure, in the same manner as those filed in juvenile court, unless otherwise provided by order of court.

Effective July 1, 2016.

Public Chapter 661
SB 1776 - HB 2155

Substance Abuse Prevention

Amends 67-4-601 to allow counties, by a two-thirds vote, to use the revenue from certain litigation taxes for substance abuse prevention.

Effective March 29, 2016.

Public Chapter 668
SB 2071 - HB 2052

Transfer of Child Support or Custody Cases

Amends 36-5-3001 to require the requesting party to serve the non-requesting party with the filing seeking the transfer of child support or custody cases and provides the non-requesting party fifteen days to object. Makes this notice a condition on the transfer of the case by the clerk. Amends 36-5-3004 to make certain transfers discretionary.

Effective July 1, 2016 (applicable to requests for transfer filed on or after that date).

Public Chapter 689
SB 1892 - HB 1917

Bail Bond Company Reporting

Amends 40-11-303 to provide that bondsmen shall, not later than January 31 and July 31 of each year (as opposed to January 15 and July 15), file with the clerk of the circuit or criminal court of each county in which they are furnishing bail or bonds a report of assets and liabilities as of the preceding December 31 and June 30, respectively.

Effective March 24, 2016.

Public Chapter 716
SB 2572 - HB 1889

Juvenile Proceedings - Magistrates

Amends 37-1-107 and 36-1-102 relative to juvenile proceedings involving a magistrate. Amends duties of the magistrate and sets appeal time at ten days. Removes provision requiring an order of confirmation relative to an order recommending termination of parental rights.

Effective July 1, 2016.

Public Chapter 717
SB 2573 - HB 1890

Juvenile Proceedings - Summons

Amends 37-1-121, 37-1-122, 37-1-123, 37-1-125 and 37-1-139 relative to setting hearings and service of summons. Requires the clerk to schedule the hearing and issue summons to the parties.

Effective July 1, 2016.

Public Chapter 718
SB 2577 - HB 2199

Vehicle Impairment Offenses

Amends 8-4-115 to provide that when a person is convicted of a vehicular impairment offense, the clerk shall deliver the judgment order signed by the judge to the appropriate law enforcement agency within seven (7) business days of the date the judge signs the order. Provides that if a person is convicted of a vehicular impairment offense, in a county where the clerk and the law enforcement agency have implemented an automated process for the electronic submission of final dispositions for criminal cases that is certified by the Tennessee bureau of investigation, the conviction shall be transmitted by the clerk to the Tennessee bureau of investigation within two (2) business days of the judgment order being signed by the judge. Provides that "vehicular impairment offense" means the person

was convicted of a violation of 39-13-106, 39-13-115, 39-13-213(a)(2), 39-13-218, or 55-10-401.

Effective July 1, 2016.

Public Chapter 729
SB 1921 - HB 1964

Order of Protection – Firearm Purchases

Amends 38-6-109 to provide that the instant check unit of the Tennessee bureau of investigation shall contact the agency making the entry of an order of protection into the national crime information center within one (1) day if the subject of the order of protection attempts to purchase a firearm.

Effective April 7, 2016.

Public Chapter 731
SB 1948 - HB 2159

Clerk’s Fee for Computerization

Amends 2012 Public Chapter 1039 to make the \$2 increase in the clerk’s fees for computerization permanent (the \$2 increase passed in 2012 was set to expire this year).

Effective April 7, 2016.

Public Chapter 734
SB 1819 - HB 2443

Child Custody Injunctions

Enacts a new section in Title 36, Chapter 6, Part 1 and amends 36-6-108 to provide for certain temporary injunctions whenever a petition related to child custody is filed (other than a complaint for divorce or legal separation).

Effective July 1, 2016.

Public Chapter 739
SB 1774 - HB 1509

Reports to the TBI

Amends 18-4-103 and 18-4-203 to require clerks to notify the Tennessee bureau of investigation of final disposition of criminal proceedings against a person as soon as practicable but no later than thirty (30) days after final disposition of the criminal proceedings.

Effective April 7, 2016.

Public Chapter 748
SB 1581 - HB 1495

Driver Licenses

Amends 55-50-504 and 55-50-303 relative to driver license suspensions, reinstatements and payment plans for fines and cost.

Deletes provision relative to extension of suspension for those convicted of driving with a suspended license.

Provides that a person whose license has been suspended, subject to the approval of the court, may pay any fines or costs, arising from the convictions or failure to appear in any court, by establishing a payment plan with the clerk of the court to which the fines and costs are owed. The fines and costs for a conviction of driving while suspended may be included in such payment plan.

Provides that the department of safety is authorized to reinstate a person's driving privileges when the person provides the department with certification from the local court to which the fines and costs are owed that the person has entered into a payment plan with the court clerk and has satisfied all other provisions of law relating to the issuance and restoration of a driver license. The department shall, upon notice of the person's failure to comply with any payment plan, suspend the license of the person. Persons who default shall not be eligible for any future payment plans. The department shall notify the person in writing of the proposed suspension, and upon request of the person within thirty (30) days of the notification, shall provide the person an opportunity for a hearing to show that the person has, in fact, complied with the court clerk's payment plan.

Provides that any person whose license has been suspended for having been convicted of a driving offense, and for the subsequent failure to pay a fine or cost imposed for that offense, may apply to the court where the person was convicted for the issuance of a restricted license. The court shall order the person whose license has been suspended to enter into a payment plan with the court clerk and make payments to the court clerk during the period of restricted license, as a condition of receiving the restricted license, in an amount reasonably calculated to fully pay the moneys owed the court during the period of the restricted

license, including authorization of payment of the fine by installments as authorized in 40-24-101. Failure to timely make the payments as ordered by the court shall result in the suspension of the restricted license. The restricted license shall be valid only for the purpose of going to and from work at the person's regular place of employment. The judge shall order the issuance of a restricted license, based upon the records of the department of safety, if the department suspended the person's license as a result of the person's conviction of any driving offense in that court and for the person's failure to pay or secure any fine or costs imposed for that offense; provided, however, that the judge shall not order the issuance of a restricted license and the department shall not issue a restricted license to a person whose license is suspended pursuant to 55-10-615. Provides that the order shall state with all practicable specificity the necessary times and places of permissible operation of a motor vehicle.

The person arrested may obtain a certified copy of the order and, within ten (10) days after the order is issued, present it, together with an application fee of sixty-five dollars (\$65.00), to the department, which shall issue 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 motor vehicle operator's license.

Notwithstanding these changes, retains current law provisions relative to reinstating the driving privileges and/or reissuing a driver license to any person who has been convicted of the offense of driving while under the influence.

Effective January 1, 2017.

Public Chapter 782
SB 1999 - HB 1653

Criminal Cases – Bill of Costs

Amends 40-25-129. Provides that any bill of costs or other fees owed a county by the department of correction as the result of a criminal conviction in that county shall be paid by the department within one hundred twenty (120) days of the date the bill is submitted.

Effective July 1, 2016.

Public Chapter 784
SB 2029 - HB 1772

Issuance of Forfeiture Warrants

Amends 40-33-204(c)(3). Prohibits general sessions judges from authorizing magistrates and judicial commissioners who are not licensed to practice law in this state from issuing forfeiture warrants.

Effective April 12, 2016.

Public Chapter 799
SB 1585 - HB 1560

Disinterment to Perform Autopsy

Amends 38-7-107(a). Expands the number of persons who may request that a district attorney general petition for disinterment by adding the district attorney general of the district in which it is claimed the death occurred, the district attorney general of the district in which an act causing the death occurred, and the district attorney general of the district in which the body is buried or interred, in the general's own discretion.

Effective July 1, 2016.

Public Chapter 804
SB 1972 - HB 1894

Decedent's Accounts

Amends 56-7-206 and numerous provisions in Title 45 relative to authorizations to make payments of life insurance proceeds, payments from financial accounts or payments of financial instruments. Generally, raises the amounts which can be paid out without a formal probate order.

Effective April 14, 2016.

Public Chapter 809
SB 2254 - HB 2172

Personal Representatives

Amends 30-2-601, 30-1-112, 30-1-201, and 35-50-107. Requires all of the distributees of the residue to file with the clerk of the court sworn waivers, or statements under penalty of perjury, in order to excuse the personal representative from filing all court accountings. Removes provision relative to the department of revenue release for a death occurring after 2015. Provides that any named executor in a decedent's last will and testament may decline to serve as such personal representative by filing a sworn statement, or a statement under penalty of perjury, with

the court. Amends provision relative to when a bond is required of a personal representative. Provides that it shall be the responsibility of a nonresident personal representative to secure appointment of the secretary of state as agent for service of process and to provide the court with a copy of the receipt from the secretary of state.

Effective April 14, 2016.

Public Chapter 851
SB 1969 - HB 1775

Employment Relationships Subject to Garnishments
Amends 26-2-214 to expand employment relationships subject to garnishment. Removes references to “employer garnishee” and replaces such simply with “garnishee.” Also replaces references to “salaries, wages or other compensation” with “earnings.”

Effective September 1, 2016.

Public Chapter 876
SB 1572 - HB 1478

Blood Alcohol or Drug Concentration Test Fee
Amends 55-10-413(f)(1). Adds aggravated vehicular assault (39-13-115) to the list of crimes for which the fee must be collected upon conviction. Deletes simple possession (39-17-418) and reckless driving (55-10-205) from the list of crimes for which the fee must be collected upon conviction.

Effective July 1, 2016.

Public Chapter 893
SB 2279 - HB 2102

Mistaken Identity Expungements
Amends 40-32-101 to provide an expedited expungement process for those arrested due to a case of mistaken identity.

Effective April 27, 2016.

Public Chapter 906
SB 2567 - HB 2576

Public Safety Act of 2016
Amends numerous provisions in Title 36, Title 39, Title 40 and Title 41 in order to enact the Public Safety Act of 2016. Revises numerous criminal provisions relative to domestic violence, theft, sentencing and release eligibility requirements. Allows law enforcement to seek an order of protection on behalf of an individual

under certain circumstances. Revises punishments for domestic violence and theft. Requires the department of correction and community corrections agencies to perform a validated risk and needs assessment on felony offenders. Expands information the court considers in making sentencing determinations. Revises release eligibility provisions relative to burglary and certain drug offenses. Establishes a community supervision program, which includes a system of graduated sanctions, for defendants placed on probation by the court or placements by the board of parole.

Effective January 1, 2017 (effective April 27, 2016 for the purpose of promulgating rules, policies, forms, and procedures and making necessary provisions for the implementation of the act).

Public Chapter 919
SB 1393 - HB 1369

Custody and Adoption Proceedings

Amends numerous provisions in Title 36, Chapter 1, Part 1 relative to custody and adoption. Amends definition of “abandonment” and “physical custody.” Makes home studies mandatory under certain circumstances and extends effective period of certain studies. Revises provisions relative to responsibilities of surrendering parent. Amends provisions relative to denials of paternity, revocations of surrenders, and standing to file termination petitions. Redefines “notice” in termination proceedings and amends provisions relative to adoptions by nonresidents. Amends provisions relative to the commencement of custody proceedings. Requires response to petition for termination to be personally signed, sworn to and verified, and filed with the court clerk. Amends numerous other provisions relative to custody and adoption proceedings.

Effective July 1, 2016.

Public Chapter 932
SB 1597 - HB 1651

Incapacity

Amends 28-1-106 to provide that if a person entitled to commence an action, at the time the cause of action accrued, lacks capacity, such person or such person's representatives and privies, as the case may be, may

commence the action, after removal of such incapacity, within the time of limitation for the particular cause of action, unless it exceeds three (3) years, and in that case within three (3) years from removal of such incapacity. However, provides that any individual with court ordered fiduciary responsibility towards a person who lacks capacity, or any individual who possesses the legal right to bring suit on behalf of a person who lacks capacity, shall commence the action on behalf of that person within the applicable statute of limitations and may not rely on any tolling of the statute of limitations, unless that individual can establish by clear and convincing evidence that the individual did not and could not reasonably have known of the accrued cause of action.

Effective April 27, 2016 (applicable to causes of action filed on or after that date).

Public Chapter 960
SB 1859 - HB 2026

Expungement of Class E Felonies

Amends 40-32-101(g)(1)(A) to revise and update the list of Class E felonies eligible for expungement.

Effective April 27, 2016.

Public Chapter 970
SB 1998 - HB 1857

Electronic Filing Fees

Amends 8-21-401 to provide that in any court where electronic filing, signing, or verification of papers has been authorized by local court rule, and in accordance with Rule 5B of the Tennessee Rules of Civil Procedure, clerks may assess a transaction fee for each filing submitted by a party to the case. The transaction fee is limited to a maximum of five dollars (\$5.00) per filing up to a maximum of fifty dollars (\$50.00) per case. Provides, as an alternative to a transaction fee, clerks may assess an annual subscription fee for each registered user of the electronic filing system. The subscription fee shall permit the registered user unlimited electronic filing for a one-year period. The one-year period shall be defined by the clerk and shall be consistently maintained for all registered users of the electronic filing system. The annual subscription fee shall not exceed three hundred dollars (\$300) for each annual period. Each of these fees shall be set in an

amount necessary to defray the expenses associated with implementation and maintenance of the electronic filing and document retrieval system and shall be included in the local court rule authorizing it. Provides that these fees shall not be assessed against the state. Provides that neither the transaction fee nor the subscription fee shall be assessed to a party declared indigent or to that indigent party's legal representative. Provides that in any court where electronic filing, signing, or verification of papers has been authorized by local court rule, the state and any department or contractor of the state shall not be required to file documents electronically, notwithstanding any local court rule. Provides that neither the electronic filing transaction fee nor subscription fee shall limit a clerk's statutory authority to charge subscription fees or transaction fees for obtaining copies of documents maintained by the clerk as part of an electronic filing system of a separate document management system.

Effective April 27, 2016.

Public Chapter 979

SB 2121 - HB 2195

Human Trafficking

Amends 38-6-114. Adds to the list of agencies that the TBI instructs on human trafficking and human trafficking victims, to include the Tennessee Judicial Conference, Tennessee General Sessions Judges Conference, and Clerks of Court Conference.

Effective July 1, 2016.

Public Chapter 993

SB 2399 - HB 2424

DUI Monitoring Fund and Alternate Facilities

Amends numerous provision in Title 55, Chapter 10, Part 4 and Title 40 to change the ignition interlock fund to the DUI monitoring fund. Authorizes the fund to be used for interlock ignition devices, transdermal monitoring devices or other alternative alcohol or drug monitoring devices in an amount up to \$200 per month for persons deemed indigent by the court. Requires the fund to be available in numerous situations.

Amends 55-10-402 to provide that a DUI offender sentenced to a period of incarceration shall be required to commence service of the sentence within 30 days of

conviction or, if space is not immediately available in the appropriate municipal or county jail or workhouse within such time, as soon as such space is available. Provides that if, in the opinion of the sheriff or chief administrative officer of a local jail or workhouse, space will not be available to allow the offender to commence service of the sentence, the sheriff or administrative officer shall use alternative facilities for the incarceration of the offender. Provides that "alternative facilities" include, but are not limited to, vacant schools or office buildings or any other building or structure that would be suitable for housing DUI offenders for short periods of time on an as-needed basis and licensed through the department of mental health and substance abuse services for the state of Tennessee.

Provides that the court may approve a private appropriately licensed substance abuse treatment program as an "alternative facility". Provides that if a person is ordered to participate in a court-approved private appropriately licensed substance abuse treatment program, that person shall be responsible for the cost and fees involved with the program.

Effective July 1, 2016.

Public Chapter 1005
SB 2584 - HB 2493

Juvenile Court Reporting

Amends 37-1-506 to require that on or before September 1 of each year, the clerk of each juvenile court operating county probation programs shall furnish to DCS the names and birthdates of all children receiving county probation services, and the length of probation for each child. Provides that upon receipt of an order of expunction of the charge for which the child was placed on county probation, DCS shall expunge that child's information from its records.

Provides that on or before September 1 of each year, the clerk of each juvenile court receiving prevention grants or other prevention funding through DCS shall furnish DCS the names and birthdates of all children receiving prevention services, the amount of time each child was provided services, and the percentage of prevention services provided that are evidence-based for the previous fiscal year. Provides that upon receipt of an

order of expunction of the charge for which the child received prevention services, DCS shall expunge that child's information from its records.

Amends 37-5-105 to require DCS to report to the governor and general assembly on probation and juvenile justice evidence-based treatment services.

Effective July 1, 2016.

Public Chapter 1017
SB 2585 - HB 2193

Juvenile Expungements

Amends 37-1-153 to include a juvenile who was adjudicated "unruly" under the provisions allowing certain juveniles adjudicated "delinquent" to petition for expunction of records.

Amends 37-1-153 to provide that in any case in which there is successful completion of an informal adjustment without adjudication under 37-1-110, all court files and records shall be expunged by the juvenile court after one (1) year, upon a petition by the child pursuant to 40-32-101(a), and without cost to the child. Provides the court shall inform the child, at the time of the informal adjustment, of the need to petition for expunction after a year of successful completion of an informal adjustment and provide the child with a model expunction petition prepared by the administrative office of the courts. The administrative office of the courts shall create a petition 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 petition accessible to all petitioners.

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

Provides that any person whose records are expunged under this act shall be restored to the status that the person occupied before arrest, citation, the filing of a juvenile petition, or referral.

Effective April 28, 2016.

Public Chapter 1034
SB 1558 - HB 1479

Gang Enhancement Statute

Amends 40-35-121 to revise the criminal gang enhancement statute to add a nexus requirement.

Effective April 28, 2016.

Public Chapter 1057
SB 2586 - HB 1960

Juvenile Task Force

Enacts the Juvenile Justice Realignment Act. Establishes a task force to study new approaches to the administration of juvenile justice.

Effective April 28, 2016.

Public Chapter 1062
SB 2190 - HB 2030

Campbell/Falk Act

Amends 34-3-107 and 34-3-108 to establish the Campbell/Falk Act which allows a person to petition the court to require a conservator to allow certain communications with the respondent.

Effective May 16, 2016.

Public Chapter 1074
SB 1436 - HB 1413

Custody Determinations

Amends 36-6-106 to provide that if the petitioner knows whether a child has ever been adjudicated by a court as a dependent and neglected or abused child or whether any party to the action has ever been adjudicated by a court as the perpetrator of dependency and neglect or abuse of a minor child, any petition regarding child custody shall include an affirmative statement setting out all applicable adjudications. If an adjudication has occurred as a result of a child protective services investigation, the court may order the department of children's services to disclose information regarding the investigation to protect the child from abuse or neglect consistent with 37-1-612(h). The court shall consider any such information as a factor in determining the child's best interest.

Effective July 1, 2016 (applicable to custody determinations made on or after that date).

Public Chapter 1076
SB 1670 - HB 1476

Grandparent Visitation

Amends 36-6-306 to make several revisions to the grandparent visitation petition process.

Effective May 20, 2016.

Public Chapter 1087
SB 2149 - HB 2530

Convictions for Driving Without a License

Enacts a new section in Title 55, Chapter 50, Part 5 to provide that any county or city may, by resolution or ordinance, establish a program that allows any person who is indigent and who has been convicted of driving while the person's license is cancelled, suspended, or revoked in violation of 55-50-504(a) to complete community service work in lieu of paying the fines and other costs imposed for the conviction. The community service program shall be administered and monitored by the appropriate entity that administers court-ordered community service within the applicable jurisdiction.

Effective May 20, 2016.

ECONOMIC DEVELOPMENT

Public Chapter 588
SB 1645 – HB 1688

Filing of PILOT Reports and other Agreements

Amends 7-53-305, 7-67-114, and 48-101-312 to replace all references to the “state board of equalization” with “comptroller of the treasury” thereby changing where PILOT reports and various other economic development agreements are to be filed.

Effective March 10, 2016.

Public Chapter 759
SB 302 – HB 1194

Adventure Tourism Districts

Amends 67-4-2109(a)(6) to authorize franchise and excise tax credits for businesses creating jobs within adventure tourism districts which meet certain statutory criteria. Specifies that the tax credits will be available for jobs created on or after July 1, 2017.

Effective April 19, 2016.

Public Chapter 777
SB 1728 – HB 1692

Industrial Development Corporations

Amends 7-53-305 to revise the contents of the PILOT report which must be submitted annually by lessees to the comptroller. Further amends 7-53-305 to clarify the PILOT delegation process and to extend the length of time payments may be waived without ECD and comptroller approval from 20 to 23 years.

Effective April 12, 2016.

Public Chapter 845
SB 2560 – HB 1556

Adventure Tourism and Rural Development

Amends 11-11-202, 203, 204, and 206 to transfer administration of the Tennessee Adventure Tourism and Development Act of 2011 from the department of economic and community development to the department of tourist development.

Effective April 19, 2016.

Public Chapter 909
SB 2665 – HB 2639

Four Lake Regional Industrial Development Authority

Amends 64-5-201 and 4-29-239 to rename Four Lake Regional Development Authority to Tennessee Central Economic Authority.

Effective July 1, 2016.

Public Chapter 1019
SB 2538 – HB 2570

Rural Economic Opportunity Act of 2016

Enacts new sections at Title 4, Chapter 3, Part 7 to establish the P.R.E.P. fund as a separate account in the general fund to be used for grants to facilitate economic development activities in rural areas. Amends 67-4-2109(a)(2)(C) to add a tier 4 enhancement county designation. Amends 67-4-2109(b)(1)(C) to allow qualified business enterprises to qualify for tax credits if they provide at least 20 qualified jobs in tier 3 counties and ten qualified jobs in tier 4 counties. Amends 67-4-2109(b)(2)(A) to add provisions for the new tier 4 enhancement county designation. Amends 67-4-2109(b)(2)(C) to revise the tax credit requirements for qualified business enterprises located adventure tourism districts. Amends 67-4-

2109(b)(3)(C) to add the new tier 4 enhancement designation.

Effective July 1, 2016.

Public Chapter 1027
SB 750 – HB 809

Aeronautics Economic Development Fund

Enacts new sections at Title 4, Chapter 3, Part 23 to create the aeronautics economic development fund to provide grants to local governments or their economic development organizations, other political subdivisions of the state, including airport authorities, or any subdivision of state government for economic development activities related to aeronautics and aeronautics related programs.

Effective July 1, 2016.

EDUCATION

Public Chapter 529
SB 433 – HB 238

School Buses

Amends 49-6-2109 to permit the use of Type A school buses (school bus body on van chassis) for a period of 15 years of service.

Effective January 28, 2016.

Public Chapter 620
SB 1735 – HB

Individualized Education Accounts

Amends 49-10-1402 and 49-10-1405 to allow a student attending any Tennessee school for the first time (rather than a public school) to be eligible for an individualized education account (IEA) if the student meets the other requirements, and allows the department of education to remit funds to IEAs at least quarterly (rather than quarterly).

Effective March 22, 2016.

Public Chapter 622
SB 1858 – HB 1756

Nonrecurring Expenditures

Amends 49-3-314(c)(4) to specify that appropriations for nonrecurring expenditures for priority schools are included within the current statute allowing local governments to enter into written agreements with

local school boards to make nonrecurring appropriations that are excluded from maintenance of effort and apportionment requirements.

Effective March 22, 2016.

Public Chapter 673
SB 1731 – HB 1807

Charter School Oversight

Enacts 49-13-___ relative to charter schools for which the state board of education is the chartering authority. If the state board is the chartering authority, the board receives an annual authorizer fee of up to 4% of the school's per student state and local funding for the first two school years, and 3% beginning with the third year. The board must use the authorizer fee exclusively for fulfilling its authorizing obligations, and must return any unused fees to its authorized charter schools.

Effective July 1, 2016.

Public Chapter 703
SB 1899 – HB 1485

Pre-Kindergarten

Amends the Voluntary Pre-K for Tennessee Act (49-6-103 – 49-6-110) to require pre-k programs to meet the criteria for a “highly qualified pre-kindergarten program” as identified by the department of education. In their application for funding and approval of a pre-k program, LEAs must include a plan for ensuring coordination between the pre-k classrooms and elementary schools within the LEA to ensure elementary instruction builds upon pre-k experiences, a plan for engaging parents and families, and a plan for professional development for pre-k teachers. Requires the department of education's office of early learning to annually make available to each LEA the applications submitted by the top performing pre-k programs across the state.

Effective April 6, 2016.

Public Chapter 710
SB 2118 – HB 2260

Background Checks for Athletic Event Officials

Amends 49-5-413(d)(5)(A)(iv) to require fingerprinting and criminal history checks of persons contracted to referee or officiate interscholastic athletic events.

Effective April 6, 2016.

Public Chapter 733
SB 2117 – HB 2261

Directors of Schools Association

Amends 49-2-2101 to authorize principals, assistant principals, and system-wide supervisors to join the association as affiliate members for professional development coursework and related activities.

Effective April 7, 2016.

Public Chapter 757
SB 1900 – HB 1931

Student Online Personal Protection Act

Enacts the Student Online Personal Protection Act, Title 49, Chapter 7, Part 1, to regulate the use of K-12 student data for commercial purposes by operators of websites, online services, online applications, and mobile applications designed, marketed, and used primarily for K-12 school purposes. Prohibits targeted advertising to students, the sale or rental of a student's information, and disclosure of information except under specified circumstances.

Effective July 1, 2016.

Public Chapter 770
SB 2172 – HB 2236

Community Schools

Enacts 49-6-24__ to authorize and encourage LEAs and schools to form community consortiums with a variety of community partners to establish communities of schools with an integrated focus on academics, health and social services, youth and community development, and community engagement that will lead to improved student learning, stronger families, and healthier communities. These communities of schools will have all the rights, privileges, and obligations of community schools. Both community schools and communities of schools are encouraged to become the central headquarters for the neighborhoods in which they exist. They are authorized to work with community partners, when possible, to establish local Internet network architecture to extend service throughout their neighborhoods and to devise and implement software designed to help community integration of services and activities. Community schools and communities of schools are encouraged to provide literacy classes and tutoring for all age groups and to promote education, learning, and effective communication to contribute to

the welfare of the community. GED® or HiSET® classes may be offered to those without high school diplomas.

Effective April 19, 2016.

Public Chapter 783
SB 2002 – HB 1976

Bullying Policies

Amends 49-6-4503. Requires policies to include a procedure for referral for counseling and support services for students involved in an act of harassment, intimidation, bullying, or cyber-bullying when deemed necessary by the principal. A procedure for prompt and immediate investigation must be initiated within 48 hours of receipt of a report of harassment, intimidation, bullying, or cyber-bullying, and an appropriate intervention must be initiated within 20 calendar days of receipt of the report, unless the need for more time is appropriately documented. When a report of harassment, intimidation, bullying, or cyber-bullying is received, the principal must immediately inform the parent or guardian of a student involved, and of the availability of counseling and support services that may be necessary. Beginning August 1, 2016, and annually thereafter, each LEA must report to the department of education the number of harassment, intimidation, bullying, or cyber-bullying cases reported during the preceding year and the number of such cases where investigation supported a finding that bullying had taken place; the number of such case investigations not initiated within 48 hours and the number where intervention was not initiated within 20 days, and the reasons; and the type of cases identified and manner in which the cases were resolved, including any disciplinary action taken. Encourages each LEA to review its policy at least every 3 years. Requires any changes in the policy to be transmitted to the commissioner in a timely manner.

Effective July 1, 2016.

Public Chapter 793
SB 2504 – HB 2592

Achieving a Better Life Experience Program

Amends 49-10-1403 and 71-4-806 to authorize contributions from a student's individual education account funds to an achieving a better life experience (ABLE) account for students participating in the ABLE

program, with the funds to be used only for the student's education expenses. Amends 71-4-806 to provide that all revenues collected by the ABLE program remain with the program and do not revert to the general fund if unused.

Effective April 12, 2016.

Public Chapter 882
SB 1598 – HB 1638

Regional Schools

Amends 49-6-3104(a) to delete the requirement for the consent of both LEAs when a student transfers from one LEA to another within 2 weeks of the beginning of the school year or during the school year, and authorizes local boards of education to admit pupils from outside their local school systems with no requirement for consent of the district from which the student is transferring. Enacts 49-6-3104(g) to provide that where an LEA has created a regional STEM school, local BEP funds also follow the student into the LEA to which the student is transferring and no tuition may be charged by the receiving LEA.

Effective July 1, 2016.

Public Chapter 889
SB 2497 – HB 1879

Course Access Program Act

Enacts the Course Access Program Act as a new chapter in Title 49. LEAs participating in the Course Access Program will establish a course review and approval process whereby approved nonprofit course providers provide approved courses either online or in person to eligible public school students. LEAs may enter into reciprocity agreements with other LEAs to authorize and approve providers and courses. An online catalog of courses offered through the program will inform students of opportunities for specialized study. Eligible students may enroll in no more than 2 program courses unless the LEA where the student is enrolled approves more. Parents/guardians may enroll students in more than 2 courses if the parents/guardians pay tuition and fees. Students may enroll only in courses not offered by their LEA. Enrollment may begin in the 2017-2018 school year.

Effective April 27, 2016.

Public Chapter 1008
SB 1373 – HB 577

School Bus Drivers

Amends 49-6-2107 to require LEAs providing transportation services to submit to the department of safety the names of persons authorized to drive a school bus. The names will be placed in a database by the department, who will notify the LEA if a person's license is suspended or revoked.

Effective July 1, 2016.

Public Chapter 1020
SB 2565 – HB 2574

BEP Enhancement Act

Amends Title 49, Chapter 3, Part 3 relative to the Basic Education Program (provides for approximately \$200 million in additional state funding for education). Establishes the new component amount for instructional salaries at \$44,430. Provides for funding for medical insurance for 12 months for teachers. Splits the BEP instructional component into two components (instructional salaries, and instructional benefits) to enable the state to measure whether new money is spent on salaries or benefits. Doubles technology funding (\$20 million to \$40 million). Makes changes to funding stability provisions. Phases out cost differential factor and reallocates money to other BEP improvements.

Effective April 28, 2016.

Public Chapter 1036
SB 1596 – HB 1484

Use of Electronic Devices by School Bus Drivers

Amends 55-8-192 to prohibit school bus drivers from using any portable electronic device while transporting children or while loading/unloading children. Violation is a Class A misdemeanor, punishable by confinement not less than 30 days and a minimum fine of \$1,000. Anyone convicted is permanently prohibited from operating a school bus in Tennessee.

Effective July 1, 2016,

ELECTIONS

Public Chapter 579

SB 1219 - HB 681

Constitutional Amendments

Amends 2-5-208 to provide that proposed state constitutional amendments must be preceded with a brief summary on the ballot.

Effective March 10, 2016.

Public Chapter 650

SB 1671 - HB 1475

Early Voting in Special Elections

Amends 2-6-102 to eliminate the early voting period for a special general election if there is no opposition for any of the offices involved and no other items are on the ballot.

Effective July 1, 2016.

Public Chapter 827

SB 1945 - HB 1939

Referendums and Registrations

Amends numerous provisions in Title 2 relative to elections. Amends process for correcting deficient registrations. Amends delivery requirements for absentee ballot boxes. Prohibits the appointment of a spouse of a candidate as a poll watcher. Changes referendum election dates from 45-60 days after receiving notice from the county commission to 75-90 days after receiving such notice, however, also changes the election commission's flexibility to reschedule a referendum so that it will coincide with an already scheduled election from 30 days to 90 days. Amends provisions relative to special elections to fill a vacancy in the general assembly.

Effective April 21, 2016.

Public Chapter 936

SB 1626 - HB 1742

Online Voter Registration System

Enacts 2-2-142 to require the coordinator of elections to develop an online voter registration system in conjunction with the department of safety.

Effective July 1, 2016 (online registration system to be available by July 1, 2017).

Public Chapter 954
SB 1811 - HB 2053

Prisoners

Amends 5-1-111 to provide that when a reapportionment is made, residents of a correctional institution who cannot by law register in the county as voters may be excluded from any consideration of representation.

Effective April 27, 2016.

Public Chapter 1016
SB 2605 - HB 2079

Statewide Political Parties

Amends 2-1-104 to redefine "statewide political party" to mean a political party at least one (1) of whose candidates for an office to be elected by voters of the entire state has received a number of votes equal to at least five percent (5%) of the total number of votes cast for gubernatorial candidates in the most recent election of governor.

Effective April 28, 2016.

Public Chapter 1069
SB 787 - HB 726

County Election Commission Chair and Secretary

Amends 2-12-103 to provide that the chair of the county election commission shall be a member of the majority party, and the secretary shall be a member of a minority party.

Effective July 1, 2016.

EMERGENCY SERVICES

Public Chapter 624
SB 2007 - HB 2418

Removal of E-911 District Board Members

Amends 7-86-314(a). Provides that any member of the board of directors of an emergency communications district with four (4) consecutive unexcused absences or who fails to attend at least fifty percent (50%) of regularly scheduled meetings within any twelve (12) month period shall automatically be removed from the board. Requires the chair of the board of directors or acting chair to notify the appointing authority in writing that a member has been removed and that a vacancy exists on the board. Upon the removal of a member, a successor shall be appointed to serve the remainder of the term of the member being replaced.

Effective March 29, 2016.

Public Chapter 765
SB 1824 - HB 2427

Volunteer Firefighters - Group Insurance Benefits

Amends 8-27-401(b). Authorizes volunteer firefighters who have successfully completed the Tennessee Commission on firefighting personnel and standard education certification exam for Firefighter I and have practiced as a volunteer firefighter for at least one year from the completion of such exam to receive group insurance benefits, subject to the approval of county governing bodies.

Effective July 1, 2016.

Public Chapter 808
SB 2137 - HB 2174

Kari's Law

Amends Title 7, Chapter 86. Enacts Kari's Law. Provides that an entity that owns or controls a telephone system that is capable of outbound dialing or access shall configure the telephone system to allow a person initiating a 911 call on the telephone system direct access to 911 services without an additional code, digit, prefix, postfix, or trunk access code. Further provides that if an entity would be required to replace or upgrade any component of its telephone system, including any hardware or software necessary for the operation of the telephone system, for the purposes of compliance, the entity shall not be required to comply until the entity utilizes a telephone system that is capable of being appropriately configured.

Effective January 1, 2017.

Public Chapter 855
SB 2234 - HB 1888

EMS Personnel Licensure Compact

Amends Title 68, Chapter 140. Enacts the "Emergency Medical Services (EMS) Personnel Licensure Compact" in order to facilitate the day to day movement of EMS personnel across state boundaries in the performance of their EMS duties as assigned by an appropriate authority; and authorizes state EMS offices to afford immediate legal recognition to EMS personnel licensed in a member state.

Effective April 19, 2016.

Public Chapter 1047
SB 2051 - HB 2192

911 Fee Collection

Amends Title 7, Chapter 86. Revises various provisions governing the 911 fee collection practice.

Effective July 1, 2017.

ENVIRONMENT

Public Chapter 648
SB 2225 - HB 2197

Processing of Organic Waste

Amends 68-211-603 to require TDEC to conduct a study to define the processing of organic waste and to incorporate the findings and recommendations into the state solid waste plan.

Effective March 23, 2016.

Public Chapter 699
SB 1590 - HB 1877

West TN River Basin

Amends 64-1-1102 relative to the appointments made by the speaker of the senate and house of representatives to allow appointments from the same political party under certain circumstances.

Effective April 6, 2016.

Public Chapter 704
SB 1938 - HB 1899

Highway Fund

Amends 57-5-201 and 67-4-402 to extend, for an additional six years, the temporary tax on barrels of beer and bottled soft drinks allocated to the highway fund for the purpose of funding programs for the prevention and collection of litter and trash and matters related thereto.

Effective June 1, 2016 (applicable to all tax returns filed on or after June 1, 2016).

Public Chapter 742
SB 2543 - HB 1540

Rebates on State Surcharge on Tipping Fees

Amends 68-211-825 relative to rebates of state surcharge tipping fees in lieu of recycling equipment grants. Changes eligibility criteria from the 11 highest waste generating counties to the five most populous counties.

Effective July 1, 2016.

Public Chapter 771
SB 2544 - HB 1541

Automotive Fluids

Amends 55-4-133 and numerous sections in Title 68, Chapter 211, Part 10 to include other automotive fluids (antifreeze, transmission fluids and power steering fluids) in the Used Oil Collection Act.

Effective July 1, 2016.

Public Chapter 818
SB 1049 - HB 857

Solid Waste Processing

Amends 68-211-835(f) to include solid waste processing as an authorized use for solid waste surcharge funds collected under subsection (f).

Effective April 21, 2016.

Public Chapter 877
SB 1690 - HB 1503

Underground Storage Tank Fund and Fees

Amends 68-215-109 and 68-215-110 relative to funds deposited and balances maintained in the fund and the board's powers to set or suspend fees.

Effective April 27, 2016.

Public Chapter 985
SB 2228 - HB 2169

Recycling Protections

Amends 68-212-202 to remove as a "liable party" under the Hazardous Waste Management Act any person who is excluded from liability under the Superfund Recycling Equity Act.

Effective April 27, 2016.

Public Chapter 1007
SB 1830 - HB 1892

NPDES Permits

Amends 69-3-108 to provide that any national pollutant discharge elimination system (NPDES) permit issued to a local governmental entity administering a municipal separate storm sewer system shall not impose post-construction stormwater requirements, except to the extent necessary to comply with the minimum requirements of federal law. Provides such NPDES permits that includes numeric or narrative effluent limitations to manage post-construction stormwater shall allow the local governmental entity discretion in selecting measures to meet any such limitations.

Provides that this state shall not require any local governmental entity that administers a municipal separate storm sewer system under a NPDES permit to impose control measures for post-construction stormwater that exceed the minimum requirements of federal law. Provides that any local governmental entity that adopts control measures that exceed the minimum requirements of federal law must do so by ordinance or resolution, as appropriate, by the local legislative body upon a majority vote. Provides that this requirement shall not apply to any ordinance or resolution already in effect, but nothing precludes a local governmental entity from making changes consistent with this law and when a local governmental entity seeks coverage under any future version of the NPDES permit the ordinance or resolution must comply with this law. Provides that the local government entity shall provide in writing the control measures that exceed federal minimum requirements to the local legislative body at least thirty (30) days in advance of a vote in order to provide for a public comment period.

Effective April 22, 2016.

Public Chapter 1028
SB 777 - HB 721

Motor Vehicle Inspection Requirements

Amends 55-4-130 to allow a county that has been designated by the air pollution control board to have a vehicle inspection and maintenance program for compliance with national ambient air standards to, by majority vote of its governing body, exempt vehicles that are required to undergo testing and are 3 or less model years old. The resolution authorizing the exemption must be passed on or before December 31, 2016, and a copy provided to the technical secretary of the air pollution control board on or before January 31, 2017.

Effective April 28, 2016.

FIREARMS

Public Chapter 638
SB 774 - HB 682

Posting Signs - Firearms

Amends 39-17-1359. Revises the signage provisions to require a sign as the means of posting and to require

that the sign include the phrase “NO FIREARMS ALLOWED” and the TCA citation. This phrase (but not the TCA citation) must measure at least one inch high and eight inches wide. Further requires that the sign include a pictorial representation of the phrase “NO FIREARMS ALLOWED” that includes a red circle with a red diagonal line through the circle and a black image of a firearm inside the red circle under the diagonal line, with the representation to be four inches high and four inches wide. Provides that a government entity that, as of January 1, 2015, used signs to provide notice of the prohibition shall have until January 1, 2018, to replace existing signs with signs that meet the new requirements.

Effective July 1, 2016.

Public Chapter 698
SB 1559 - HB 1644

Carrying of Handguns – Private Schools

Amends 39-17-1309 and enacts 49-50-803 and 49-7-161. Authorizes private K-12 schools and private institution of higher education to adopt a handgun carry policy for property owned or operated by the school or institution. If such policy is adopted, the institution must submit a copy of the handgun carry policy for the school to the sheriff’s department and, if applicable, police department with jurisdiction over the school.

Effective April 6, 2016.

Public Chapter 806
SB 1991 - HB 2131

Guns in Trunks

Amends Title 49, Chapter 7, Part 1. Provides that no public postsecondary institution shall take any adverse or disciplinary action against an employee or student of the postsecondary institution solely for such person's transportation and storage of a firearm or firearm ammunition in compliance with 39-17-1313 while on or using a parking area located on property owned, used, or operated by the postsecondary institution.

Effective April 14, 2016.

Public Chapter 864
SB 2395 - HB 2389

Firearms

Amends 38-3-115. Prohibits the allocation of personnel, property, and public funds of the state, or any political

subdivision of the state to the implementation, regulation, or enforcement of any international law or treaty regulating the ownership, use, or possession of firearms, ammunition, or firearm accessories, if the use of personnel or property would result in the violation of another Tennessee statute, Tennessee common law, or the Constitution of Tennessee.

Effective April 19, 2016.

Public Chapter 875
SB 1477 - HB 1424

Lifetime Handgun Carry Permits

Amends 39-17-1351(x)(2). Makes the application and processing fee for a lifetime carry permit equal to the regular carry permit fee plus a lifetime carry fee of \$200. Also provides that a holder of a regular permit who is applying for renewal may obtain instead a lifetime permit upon payment of \$200.

Effective January 1, 2017.

Public Chapter 947
SB 1736 - HB 2033

Immunity from Liability for Failure to Post

Amends Title 39, Chapter 17, Part 13. Provides that a person, business, or other entity that owns, controls, or manages property and has the authority to prohibit weapons on that property by posting, pursuant to 39-17-1359, shall be immune from civil liability with respect to any claim based on such persons, business's, or other entity's failure to adopt a policy that prohibits weapons on the property by posting pursuant to 39-17-1359. Such immunity does not apply to a person, business, or other entity whose conduct or failure to act is the result of gross negligence or willful or wanton misconduct.

Effective July 1, 2016.

Public Chapter 1037
SB 1665 - HB 1749

Lifetime Handgun Carry Permits

Amends 39-17-1351(x). Imposes a reduced fee for a lifetime handgun carry permit for certain retired federal, state, and local law enforcement officers.

Effective January 1, 2017.

Public Chapter 1061
SB 2376 - HB 1736

Carrying Weapons on University Property

Amends 39-17-1309. Employees of public higher

education institutions who have a handgun permit will be authorized to carry a handgun on property owned, operated, or controlled by the institution that employs the employee. Any employee of a public higher education institution who elects to carry a handgun pursuant to this Act must provide written notification to all law enforcement agencies with jurisdiction over the property owned, operated, or controlled by the employing institution. The employee's name and any other information that might identify the employee as a person who has elected to carry a handgun on institution grounds will be confidential. Specifies certain locations and situations where an employee will not be permitted to carry a handgun.

Effective July 1, 2016.

HIGHWAYS

Public Chapter 604 SB 1689 – HB 1640

Qualifications Challenges

Amends 54-7-104 to provide that qualifications challenges must be filed in writing with the board by noon on the third day after the qualifying deadline in counties filling the position by popular election. Provides that the local appointing authority shall determine a deadline for challenges where the position is filled by appointment. Establishes the procedure to be used by the board in handling challenges. Also amends 2-5-101 relative to disqualification by the board pursuant to 54-7-104.

Effective July 1, 2016.

Public Chapter 760 SB 412 – HB 850

Weight Limits

Amends 55-7-205(a)(8) to authorize the county legislative body to set weight limits on county roads. Requires that any weight limit set below the limit established by TDOT to be approved by a 2/3 vote of the county legislative body and be based on the same criteria used by TDOT.

Effective April 19, 2016.

Public Chapter 779
SB 1763 – HB 1778

Commercial Driver Licenses

Amends 55-50-411(a) to add two additional medical conditions, classification as a heart patient and implantation of a defibrillator, to the list of medical conditions which will not disqualify persons from receiving or renewing a CDL or deem them medically unqualified to operate a motor vehicle. Further amends 55-50-411(a) to add “renewal” to the language in the subdivision.

Effective April 12, 2016.

Public Chapter 823
SB 1705 – HB 1711

Regulation of Electric Bicycles

Enacts a new part at Title 55, Chapter 8 to regulate the operation of electric bicycles. Provides that electric bicycles are not subject to the laws applicable to motor vehicles. Enacts specific provisions regulating electric bicycles and authorizes local governments and state agencies to regulate them.

Effective July 1, 2016.

Public Chapter 892
SB 1971 – HB 2064

Tourist Oriented Directional Signs

Amends 54-5-1301 to provide that TDOT shall have exclusive jurisdiction over the design, erection, installation, and maintenance of TODS located within the right-of-way of any highway on the state highway system. Amends 54-5-1302 to require signs erected by local governments within state highway rights-of-way to be removed by the local government. Allows local governments to recover the cost of removal from the facilities advertised on the signs. Authorizes TDOT to remove the signs and recover the cost of removal from the local government if the local government fails to remove the sign within 180 days of being ordered to do so by the department. Exempts Sevierville from this provision.

Effective April 27, 2016.

Public Chapter 923
SB 1479 – HB 1471

Permits for Overweight Vehicles

Amends 55-7-205(h) to increase the permit fees for overweight vehicles. Amends 55-7-205(l) and enacts

55-7-205(m) to revise the provisions relating to special permits.

Effective July 1, 2016.

Public Chapter 975
SB 2093 – HB 2407

Public-Private Transportation Act of 2016

Enacts a new chapter 23 at Title 54 to authorize public entities, including the state, local governments and MPOs, to contract with private entities to develop, operate, redevelop, and accept funding for mass transit systems.

Effective April 27, 2016 for rulemaking purposes.
Effective October 1, 2016 for all other purposes.

Public Chapter 981
SB 2142 – HB 2180

County Bridge Relief Act

Amends 54-4-507(d) to permanently authorize counties to use unexpended balances of state-aid bridge grant funds to pay the local share of project costs for replacing or improving county bridges.

Effective April 27, 2016.

Public Chapter 1012
SB 1964 – HB 1776

Nondivisible Overweight Loads

Amends 55-7-203(c) to delete the maximum length provision and revise the maximum width of the truck and semi-trailer or trailer combination to 10 feet and provide that the load can exceed 10 feet in width if properly permitted. Amends 55-7-205(h)(4) to revise the weights and permit fees related to evaluations of bridges and similar structures to determine their capacity to handle proposed movement of an overweight or overdimensional load along a particular route. Amends 55-7-205(h)(5) to revise the weights and permit fees for vehicles used for transporting overdimensional or overweight loads.

Effective January 1, 2017.

JAILS

Public Chapter 794
SB 2536 - HB 1534

Sentence Reduction Credits

Amends 41-21-236. Allows a state inmate to receive sentence reduction credits for obtaining any high school equivalency credential, instead of only a GED. Applies to

state inmates in county jails.

Effective April 12, 2016.

Public Chapter 876
SB 1572 - HB 1478

Sentencing in Criminal Cases

Amends 40-35-501. Provides that there shall be no release eligibility for a person committing the offense of carjacking under 39-13-404, on or after July 1, 2016, until such person has served seventy-five percent (75%) of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits authorized by 41-21-236 or any other provision of law, shall operate to reduce the sentence imposed by the court by more than fifteen percent (15%).

Effective July 1, 2016.

Public Chapter 876
SB 1572 - HB 1478

DUI – Litter Pickup - Litter Removal Program

Amends 55-10-402 (a)(1)(A) and (B). Deletes litter pickup as a condition of probation upon a conviction for violating 55-10-401. Deletes 55-10-420, the litter removal program.

Effective July 1, 2016.

Public Chapter 894
SB 2070 - HB 2107

Diversions or Transitional Services

Amends Title 41. Provides that on or before January 31, 2017, the commissioner of mental health and substance abuse services shall submit a report to the health and welfare committee of the senate and the health committee of the house of representatives concerning the feasibility of a pilot program for one county that seeks to address overcrowding in jails and correction institutions by providing diversionary or transitional services that include mental health services and supports, substance abuse treatment and counseling, health care, and employment and housing supports. The report shall examine, but not be limited to, the following topics: (1) The costs and benefits of implementing the pilot program; (2) The number of people the pilot program could expect to serve; (3) Approaches taken by other states to address prison diversion and prison transition issues where mental health and substance

abuse services are involved; (4) Best practices for this type of pilot program; (5) Prospects for and barriers to potential expansion of the pilot program statewide; and (6) Potential federal funding sources to support the pilot program.

Effective April 27, 2016.

Public Chapter 1021
SB 35 - HB 576

Probation Eligibility

Amends 40-35-303. Makes a person who commits vehicular homicide where alcohol or drugs were involved ineligible for probation.

Effective January 1, 2017.

Public Chapter 1026
SB 637 - HB 203

Judicial Diversion

Amends 40-35-313(a)(1). Permits a court to order a qualified defendant to serve a period or periods of confinement in the local jail or workhouse not to exceed a total of 30 days as a reasonable condition of judicial diversion.

Effective July 1, 2016.

Public Chapter 1052
SB 2424 - HB 2370

Assaults against a Correctional Officer

Amends 39-13-101(b)(1). Any conduct by an inmate against a correctional officer, guard, jailer, or other fulltime employee of a penal institution, local jail, or workhouse, that would constitute an assault under 39-13-101 (a)(1) shall be reported by the department of correction to the appropriate district attorney general for prosecution.

Effective April 28, 2016.

LAND USE

Public Chapter 693
SB 2006 - HB 2417

Membership of Boards of Zoning Appeals

Amends 13-7-106(a) and 13-7-205(a) to increase the maximum number of members. Allows boards of zoning appeals to have three, five, seven, or nine members.

Effective March 24, 2016.

Public Chapter 727
SB 2300 – HB 1932

Neighborhood Preservation Act

Amends 13-6-102, 13-6-103, 13-6-104 and 13-6-106 to make the Act applicable to all residential property, including owner-occupied property.

Effective April 7, 2016.

Public Chapter 728
SB 2591 – HB 1941

Right to Farm

Amends 43-26-103 to remove the separate rebuttable presumption for new types of farming operations. Provides that all farming operations will now be covered by the rebuttable presumption that such operations are not public or private nuisances. Also amends 39-17-415 and 43-1-701 to revise references in the code to the amended version of 43-26-103.

Effective April 7, 2016.

Public Chapter 822
SB 1636 – HB 1632

Affordable or Workforce Housing

Amends 66-35-102 to prohibit local governments from mandating the allocation of affordable or workforce housing units in existing or newly constructed developments through zoning regulations or other land use regulations or decisions.

Effective April 21, 2016.

Public Chapter 992
SB 2375 – HB 2040

Temporary Family Healthcare Structures

Enacts 13-7-501 to provide that zoning ordinances may consider temporary family healthcare structures as a permitted accessory use in any single-family residential zoning district on lots zoned for single-family detached dwellings. Requires persons seeking to install such structures to obtain a permit from the local government and authorizes local governments to charge a fee of up to \$100. Requires the structures to comply with all local codes and ordinances. Prohibits signage advertising the structure on the structure itself or elsewhere on the property. Requires structures to be removed within 30 days from when their use is no longer necessary. Authorizes local governments to impose a fine of up to \$50/day for failing to timely remove the structure. Authorizes local governments to

revoke permits and/or seek injunctive relief or other appropriate actions for noncompliance with this section.

Effective July 1, 2016.

LAW ENFORCEMENT

Public Chapter 530

SB 190 - HB 176

Law Enforcement – Salary Supplement

Amends 38-8-201(b). Revises the provisions governing the law enforcement academy. Provides that in addition to attendance by law enforcement officers, students pursuing a degree with a major in law enforcement or police science in a college or university of this state are eligible for enrollment and training, the same as if they were law enforcement officers, at the Jerry F. Agee Tennessee law enforcement training academy. Extends eligibility to enroll and train at the academy to criminal justice majors and to former members of the military who have been honorably discharged and who served a minimum of three years' full-time service in the military.

Amends 38-8-111(a). Provides that an officer's designated beneficiary will receive a cash salary supplement for annual training despite the officer's failure to complete the required in-service training, if the failure is due to the death of the officer in the line of duty.

Effective February 1, 2016.

Public Chapter 580

SB 1433 - HB 1417

Sheriff's Fees

Amends 8-21-901(a)(1)(A). Increases the fee for in-person service of process from \$26.00 to \$40.00.

Effective July 1, 2016.

Public Chapter 582

SB 1488 - HB 1467

Sheriff's Fees

Amends 8-21-901(a)(1)(D). Authorizes sheriffs and constables to collect the same fee for unsuccessful service of process as successful service, provided that

service is attempted in accordance with the laws of the state.

Effective March 10, 2016.

Public Chapter 633

SB 1966 - HB 1777

Evading Arrest

Amends 39-16-603(a). Deletes the language “intentionally flee” and substitutes instead the language “intentionally conceal themselves or flee”.

Amends 39-16-603(b)(3). Provides that evading arrest while operating a motor vehicle is a Class E felony and shall be punished by confinement for not less than thirty (30) days. Further provides that if the flight or attempt to elude creates a risk of death or injury to innocent bystanders, pursuing law enforcement officers, or other third parties, a violation is a Class D felony and shall be punished by confinement for not less than sixty (60) days.

Effective July 1, 2016.

Public Chapter 634

SB 2000 - HB 1693

Human Trafficking for a Commercial Sex Act

Amends 39-13-309. Clarifies that for the offense of trafficking for a commercial sex act it is not a defense to prosecution that the intended victim was a law enforcement officer or that the victim is a minor who consented to the act or acts constituting the offense.

Effective March 23, 2016.

Public Chapter 641

SB 1667 - HB 1750

Police Officers - Permitted to Carry Firearms

Amends 39-17-1350(d)(1). Specifies that the authorization for a law enforcement officer to carry firearms at all times, regardless of the officer's regular duties, unless otherwise prohibited by federal law, court order, or other law, applies to a sheriff who has been certified by the POST commission, and a deputy sheriff employed by a county as a court officer or corrections officer as authorized in writing by the sheriff.

Effective March 23, 2016.

Public Chapter 652
SB 1658 - HB 1513

Retention of Service Weapon upon Retirement

Amends Title 8, Chapter 8, Part 2. Authorizes sheriffs and full-time deputy sheriffs to retain their service weapon upon retirement. Requires approval by a two-thirds (2/3) vote of the county legislative body.

Effective July 1, 2016.

Public Chapter 718
SB 2577 - HB 2199

Fingerprints - Vehicular Impairment Offenses

Amends 8-4-115. Provides that when a person is arrested for a vehicular impairment offense, and fingerprints are maintained manually, the booking agency shall mail two (2) sets of properly completed fingerprint cards to the Tennessee Bureau of Investigation within five (5) business days of the person being booked for the offense. If fingerprints of a person arrested for a vehicular impairment offense are transmitted to the Tennessee Bureau of Investigation electronically, the fingerprints shall be transmitted within up to five (5) business days of booking. "Vehicular impairment offense" means the person is charged with driving under the influence, vehicular assault, aggravated vehicular assault, vehicular homicide caused by the driver's intoxication, or aggravated vehicular homicide.

Effective July 1, 2016.

Public Chapter 720
SB 668 - HB 829

Orders of Protection

Amends 40-11-150(h). Provides that if an order of protection or restraining order has been issued against an offender arrested for the offense of stalking, aggravated stalking, or especially aggravated stalking, or domestic violence, but the offender has not been served with the order prior to incarceration, the offender shall be served whenever possible with the order prior to the offender's release from incarceration. If an order has not been served on the offender at the conclusion of the offender's twelve-hour holding period, the offender may be released, but the order shall be served as soon as possible after the release. Service remains valid on an offender if it is made after the offender is released from incarceration rather than while incarcerated for the twelve-hour hold period.

Effective July 1, 2016.

Public Chapter 729
SB 1921 - HB 1964

Orders of Protection

Amends 38-6-109. Provides that the instant check unit of the Tennessee Bureau of Investigation shall contact the agency making the entry of an order of protection into the national crime information center within one (1) day if the subject of the order of protection attempts to purchase a firearm.

Effective April 7, 2016.

Public Chapter 740
SB 2529 - HB 1529

Livestock Cruelty Examinations

Amends 39-14-211 to replace county agricultural extension agent with the commissioner of agriculture (or his duly authorized agent) as a person authorized to conduct an examination of livestock under this part. Also states that licensed veterinarians' findings are to be given the same weight as the other persons authorized to conduct examinations.

Effective April 7, 2016.

Public Chapter 746
SB 1008 - HB 1094

Constables - Carrying Firearms

Amends 39-17-1350(d). Authorizes duly elected and sworn constables in counties where constables retain law enforcement powers and duties to carry firearms at all times and in all places in Tennessee that other law enforcement officers are permitted to carry firearms, provided that they receive, at a minimum, forty (40) hours initial training, within one (1) year of election, and eight (8) hours annual in-service training in firearms qualification administered by a certified law enforcement firearms instructor.

Effective April 12, 2016.

Public Chapter 756
SB 1729 - HB 1747

Disclosure of Information - Required Policy

Amends Title 55, Chapter 10, Part 1. Requires every law enforcement agency to have a policy describing when law enforcement personnel may disclose to the public information or law enforcement records concerning the use of drugs or alcohol by a driver as a contributing factor in a motor vehicle accident. The policy shall include a requirement that the law enforcement agency make a good faith effort to notify the immediate family of those involved in the motor vehicle accident of the

presence of drugs or alcohol as a contributing factor before such information may be made available to the public.

Effective July 1, 2016.

Public Chapter 767
SB 2043 - HB 1429

Sexual Offenders

Amends Title 49, Chapter 7, Part 1. Provides that no person who is registered, or required to register, as a violent sexual offender or offender against children pursuant to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004, shall knowingly establish a primary or secondary residence or any other living accommodation in any public institution of higher education's on-campus student residence facilities, including dormitories and apartments.

Effective July 1, 2016.

Public Chapter 788
SB 2106 - HB 1811

Unmanned Aircraft

Amends 39-13-903(a). Creates the offense of using a drone to fly within 250 feet of a critical infrastructure facility for the purpose of conducting surveillance of, gathering evidence or collecting information about, or photographically or electronically recording, critical infrastructure data.

Effective July 1, 2016.

Public Chapter 801
SB 1767 - HB 2445

Epinephrine-Administration Protocol

Amends Title 63, Chapter 1, Part 1. Authorizes law enforcement agencies to develop an epinephrine-administration protocol for the purpose of an officer administering epinephrine in an emergency situation to treat anaphylactic reactions. This bill requires that the protocol be developed by a physician or osteopathic physician.

Effective July 1, 2016.

Public Chapter 842
SB 1608 - HB 1416

Slow Poke Law

Amends Title 55, Chapter 8. Prohibits a person from operating a vehicle in the passing lane on an interstate

or multilane divided highway that has three or more lanes in each direction, except when overtaking or passing a vehicle that is in a nonpassing lane. A violation will be a Class C misdemeanor punishable by a fine only of \$50.00.

Effective July 1, 2016.

Public Chapter 860
SB 2608 - HB 2095

Electronic Tracking of Motor Vehicles

Amends 39-13-606. Makes it an offense for a person who leases a motor vehicle to knowingly install, conceal, or otherwise place an electronic tracking device in or on the motor vehicle without the consent of the lessee of the vehicle.

Effective July 1, 2016.

Public Chapter 861
SB 2144 - HB 2176

Asset Forfeitures

Amends Title 40, Chapter 33, Part 2. Requires the Department of Safety to report, by March 1 of each year, to the speakers of the senate and the house and the chairs of the judiciary committee of the senate, civil justice committee of the house, and criminal justice committee of the house, a report detailing, for the previous calendar year: (1) The total number of seizure cases opened by the department; (2) The number of seizure cases where an arrest was made; (3) The total number of cases resulting in forfeiture; (4) The types of property seized and the totals of each type; (5) The amount of currency seized; and (6) The amount of currency forfeited.

Effective April 19, 2016.

Public Chapter 862
SB 2337 - HB 2256

Pawnbrokers

Enacts the Pawnbroker Restitution Act to provide that a pawnbroker is not required to relinquish an item believed to be misappropriated or stolen unless a court has ordered the pawnbroker to do so. If a law enforcement officer has probable cause to believe that property in the possession of a pawnbroker is misappropriated or stolen, the law enforcement officer

may place a written hold order on the property pursuant to 45-6-213.

Effective July 1, 2016.

Public Chapter 872
SB 1376 - HB 1244

Unlawful Exposure

Amends Title 39, Chapter 17, Part 3. Creates the Class A misdemeanor offense of unlawful exposure, which is committed when a person, with the intent to cause emotional distress, distributes an image of the intimate part or parts of another identifiable person if: (1) The image was photographed or recorded under circumstances where the parties agreed or understood that the image would remain private; and (2) The person depicted in the image suffers emotional distress.

Effective July 1, 2016.

Public Chapter 873
SB 1189 - HB 1252

Drug Paraphernalia

Amends 39-17-402. Specifies that marijuana concentrates and oils are included in the definition of marijuana.

Effective July 1, 2016.

Public Chapter 876
SB 1572 - HB 1478

Tests for Alcohol or Drug Content of Blood

Amends 55-10-406. Provides that no such test or tests may be administered pursuant to this section unless conducted at the direction of a law enforcement officer having probable cause to believe the person was driving while under the influence of any intoxicant, controlled substance, controlled substance analogue, drug, substance affecting the central nervous system, or combination thereof as prohibited by 55-10-401, or committing the offense of vehicular assault under 39-13-106, aggravated vehicular assault under 39-13-115, vehicular homicide under 39-13-213(a)(2), or aggravated vehicular homicide under 39-13-218.

Effective July 1, 2016.

Public Chapter 884
SB 2282 - HB 1666

Harassment

Amends 39-17-308. Revises the harassment statute to encompass more means of communication.

“Communicate” means contacting a person in writing or print or by telephone, wire, radio, electromagnetic, photoelectronic, photooptical, or electronic means, and includes text messages, facsimile transmissions, electronic mail, instant messages, and messages, images, video, sound recordings, or intelligence of any nature sent through or posted on social networks, social media, or web sites. Revises certain elements of the offense.

Effective July 1, 2016.

Public Chapter 896
SB 2304 - HB 2122

Reports - Law Enforcement-Related Death

Amends 38-10-102. Requires the reporting of law enforcement-related deaths to the Tennessee Bureau of Investigation. “Law Enforcement-Related Death” means: (1) The death of an individual in custody, whether in a prison, in a jail, or otherwise in the custody of law enforcement pursuant to an arrest or a transfer between institutions of any kind; or (2) The death of an individual potentially resulting from an interaction with law enforcement, while the law enforcement officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of the officer’s law enforcement duties, without regard to: (A) Whether the individual was in custody; or (B) Whether a weapon was involved. Requires the Tennessee Bureau of Investigation to provide to the Commissioner of Health and to the General Assembly, by March 31 of each year, a report on all law enforcement-related deaths that occurred in the prior calendar year. Authorizes the Tennessee Bureau of Investigation, in consultation with the department of Health, to promulgate rules with respect to collection and reporting of information concerning law enforcement-related deaths.

Effective January 1, 2017. Effective April 27, 2016, for purposes of promulgating rules.

Public Chapter 900
SB 2470 - HB 2376

Surveillance by Unmanned Aircraft

Amends 39-13-902(a) and (b). Adds to the list of situations in which the use of an unmanned aircraft to capture an image is allowed.

Effective July 1, 2016.

Public Chapter 941
SB 1663 - HB 1448

Sexual Offenders - Unlawful Photographing

Amends 39-13-605 and 40-39-202(20)(A). Makes sex offender registration for persons convicted of misdemeanor unlawful photographing in violation of privacy discretionary instead of mandatory. The judge may order registration after taking in account the facts and circumstances surrounding the offense.

Effective July 1, 2016.

Public Chapter 944
SB 1697 - HB 1487

Vehicular Use of Bicycle Lanes

Amends Title 55, Chapter 8. Creates the Class C misdemeanor offense of operating a motor vehicle within a bicycle lane or other portion of the roadway set aside for the exclusive use of bicycles. Sets forth several exceptions. Provides that any person violating this law will receive a warning citation on the first offense and be liable for a fine of \$20.00 on the second offense, and \$50.00 on the third and subsequent offenses.

Effective July 1, 2016.

Public Chapter 972
SB 2049 - HB 2421

Missing Citizen Alert Program

Amends 38-6-121. Specifies that Alzheimer's Tennessee is an additional organization which local law enforcement agencies may seek the assistance of with regard to the missing citizen alert program. Encourages the Tennessee Bureau of Investigation to develop an appropriate card patterned after the first two sections of the amber alert activation card but addressing the situation of missing citizens who have wandered due to dementia or physical impairment. This card, if produced, would be distributed to appropriate law enforcement personnel.

Effective April 27, 2016.

Public Chapter 979
SB 2121 - HB 2195

Prostitution

Amends 39-13-512. Specifies that "Promoting prostitution" means: (1) Owning, controlling, managing, supervising, or in any way keeping, alone or in association with others, a business for the purpose of engaging in prostitution, or a house of prostitution; (2) Procuring an inmate for a house of prostitution; (3)

Encouraging, inducing, or otherwise purposely causing another to become a prostitute; (4) Soliciting a person to patronize a prostitute; (5) Procuring a prostitute for a patron; or (6) Soliciting, receiving, or agreeing to receive any benefit for engaging in any of the activities defined in (1)-(5). Specifies that "Promoting prostitution" does not include a person who solicits, procures, induces, encourages, or attempts to cause another to patronize a prostitute if: (1) The person promoting the prostitute and the prostitute being promoted are the same person; and (2) The intent of the promotion is the solicitation of business for only the prostitute engaging in the promotion.

Effective July 1, 2016.

Public Chapter 988
SB 2342 - HB 2377

Preservation of Biological Evidence

Amends 39-13-512. Provides that all biological evidence collected for a criminal offense or offenses in which one (1) or more of the defendants received a sentence of death based upon the same criminal acts, whether the defendants were tried separately or together, shall be preserved until all defendants receiving a death sentence based on the same conduct are executed, otherwise die, or all related charges for which the defendants were convicted are dismissed. Provides further that "biological evidence" (1) is any identifiable biological material that was collected as part of a criminal investigation or that may reasonably be used to incriminate or exculpate a person charged with a criminal offense; (2) includes the contents of a sexual assault examination kit or any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids, or other identifiable biological material, and applies whether the material is catalogued separately or is present on other evidence collected; and (3) does not include perishable liquid or tissue specimens collected for toxicological analysis. Specifies that "biological evidence" that is required to be preserved shall be preserved as follows: (1) By the investigating law enforcement agency or agencies for biological evidence that was collected for the case but never introduced at a trial; and (2) By the clerk of the court in which any biological evidence was introduced

at the defendant's trial. Specifies further that if the origin of a biological sample is well documented through photographs or case files, and the sample was taken from a larger piece of evidence, only the documented biological sample is required to be preserved. Applies to all applicable biological evidence that is collected on or after the effective date of this Act; and all applicable biological evidence that was collected prior to the effective date of this Act, and is in the custody of, and being preserved by, a court clerk or law enforcement agency or agencies.

Effective April 27, 2016.

Public Chapter 1002
SB 2552 - HB 2571

Tennessee Prescription Safety Act of 2016

Amends Title 53, Chapter 10, Part 3. Repeals the "Controlled Substance Monitoring Act of 2002" and enacts the "Tennessee Prescription Safety Act of 2016,," which revises regulation of controlled substances; makes permanent most all of the changes made under the "Tennessee Prescription Safety Act of 2012," and revises and enacts other provisions.

Effective April 27, 2016.

Public Chapter 1006
SB 2588 - HB 1936

Vulnerable Adult Protective Investigative Team

Amends Title 71, Chapter 6, Part 1. Requires, by January 1, 2017, the district attorney general of each judicial district to establish, or cause to be established, a vulnerable adult protective investigative team (VAPIT) for the purpose of: (1) Coordinating the investigation of suspected instances of abuse, neglect, or exploitation of an adult; and (2) Receiving and reviewing information generated by the multi-disciplinary adult protective services evaluation teams. Specifies that any obligation or duty imposed upon a district attorney general by this Act shall be contingent upon the availability of adequate resources.

Effective April 27, 2016.

Public Chapter 1014
SB 1586 - HB 1981

Manufacturing Marijuana Concentrate

Amends Title 39, Chapter 17, Part 4. Creates the Class E felony offense of manufacturing marijuana concentrate

by a process which uses an inherently hazardous substance. Creates the Class A misdemeanor offense for any person who owns, manages, operates, or otherwise controls the use of any premises to knowingly allow marijuana concentrate to be manufactured on the premises by a process which includes use of an inherently hazardous substance.

Effective July 1, 2016.

Public Chapter 1025
SB 593 - HB 587

Robberies Involving Drugs

Amends 40-35-114. Creates a new sentencing enhancement factor when the defendant committed the offense of robbery, aggravated robbery, or especially aggravated robbery on the premises of a licensed pharmacy in an effort to unlawfully obtain, sell, give, or exchange a controlled substance, controlled substance analogue, or other illegal drug.

Effective January 1, 2017.

Public Chapter 1054
SB 2533 - HB 1532

Retired Law Enforcement Officers - Carry Permits

Amends 38-8-116. Provides that the Tennessee POST commission shall deny a permit application if the applicant has been convicted of the offense of driving under the influence of an intoxicant in this or any other state two or more times within ten years from the date of the application and at least one of the convictions has occurred within five years from the date of application or renewal. Provides further that if a retired law enforcement officer who has been certified to carry a firearm pursuant to present law is arrested and charged with DUI and the officer has one or more prior convictions for the same offense within the last 10 years, then the court first having jurisdiction over the officer with respect to the charge must order the officer to surrender the certificate and send the certificate to the certifying agency with a copy of the court's order that required the surrender of the certificate, unless the officer petitions the court for a hearing on the surrender. If the officer does petition the court for a hearing, the court must determine whether the officer will present a material risk of physical harm to the public if released and allowed to retain the certificate. If

the court determines that the officer will present a material risk of physical harm to the public, it must condition the release of the officer, whether on bond or otherwise, upon the officer's surrender of the certificate to the court. The certifying agency will suspend the certificate pending a final disposition on the charge against the officer. If the officer is not convicted of the charge or charges, the certificate will be restored and returned to the officer and the temporary prohibition against the carrying of a firearm as a law enforcement officer will be lifted. If the officer is convicted of the charge or charges, the court will revoke the certificate and the revocation will be noted in the judgment and minutes of the court. The court will send the surrendered certificate to the issuing agency.

Effective July 1, 2016.

Public Chapter 1073
SB 1372 - HB 1270

Victims of Domestic Violence

Amends Title 40, Chapter 38, Part 1. Requires a law enforcement officer, when the officer responds to a report of (1) Domestic assault; (2) Vandalism or false imprisonment where the victim of the offense is a domestic abuse victim; (3) Violation of an order of protection or restraining order; or (4) Stalking, to ensure that the alleged victim is aware of the Tennessee Statewide Automated Victim Information and Notification Service provided by the Tennessee Sheriffs' Association. The officer must provide written informational materials, if available, and briefly explain the purpose of the program and the requirements for participating. If the alleged victim is injured or otherwise unable to understand the officer, the officer must leave materials, if available, on the notification system with the alleged victim. Provides that any law enforcement agency that does not already have written informational materials regarding the Tennessee Statewide Automated Victim Information and Notification Service shall, by July 1, 2016, obtain a supply, if available, from the victim witness coordinator in the district attorneys general office or from the Tennessee Sheriffs' Association.

Effective July 1, 2016.

Public Chapter 1075
SB 2576 - HB 1427

Determining the Existence of Prior Arrests

Amends Title 40, Chapter 11, Part 1. Requires an officer who arrests a person for a DUI-related offense to exercise, after the arrest but prior to the determination of bail for the arrest, due diligence in determining the existence of prior arrests for (1) Vehicular assault; (2) Aggravated vehicular assault; (3) Vehicular homicide due to intoxication; (4) Aggravated vehicular homicide; or (5) Driving under the influence. Specifies that due diligence means making use of all available databases to which the officer or officer's agency has access.

Effective July 1, 2016.

Public Chapter 1077
SB 1589 - HB 1511

Texting While Driving

Amends 55-8-199. Makes texting while driving a moving violation. In addition to any fine imposed for a violation of this statute, a person who violates this statute as a first offense shall be required to attend and complete a driver education course.

Effective July 1, 2016.

PERSONNEL

Public Chapter 683
SB 1619 - HB 1955

Health Insurance Mandates

Enacts 56-7-10__ to require that any mandated health benefit (defined in 3-2-111 as a benefit or coverage that is proposed or required by law to be offered or provided by a health insurance issuer including, but not limited to, coverage for or offering of specific health care services, treatments, diagnostic tests or practices) that takes effect on or after March 24, 2016, shall apply not only to private health insurance issuers but also any managed care organization contracting with the state to provide insurance through the TennCare program and state or local insurance program.

Effective March 24, 2016.

Public Chapter 741
SB 2556 - HB 1552

Employment Security Law

Amends 50-7-213, 50-7-306, 50-7-404 and 50-7-715 relative to the taxable wage base, seasonal employers

and penalties for unjustly receiving unemployment benefits.

Provides that the taxable wage base shall be adjusted in accordance with current law; however, if the balance is below a trigger level at a subsequent reading of the unemployment trust fund balance, then the taxable wage base shall not change (increase). The adjustment of the taxable wage base, if any, published on June 30 shall be effective on January 1 of the following year. The adjustment of the taxable wage base, if any, published on December 31 shall be effective on July 1 of the following year.

Makes numerous revisions to the seasonal employer law and delays the implementation of the seasonal employment provisions until July 1, 2020.

Increases penalties for unjustly receiving unemployment benefits.

Effective July 1, 2016.

Public Chapter 828
SB 1965 – HB 1830

Tennessee Lawful Employment Act

Makes various procedural changes to the Tennessee Lawful Employment Act, 50-1-703, including requiring private employers (but not government employers) to enroll in and use E-Verify beginning January 1, 2017.

Effective July 1, 2016.

Public Chapter 1056
SB 2582 – HB 2416

Workers Compensation and Drug Free Workplace

Amends 50-6-201 to require employees to notify their employer of a workplace injury within 15 days (rather than 30) in order to be eligible for compensation, absent reasonable excuse. Amends 50-6-226(d) to authorize the court of workers' compensation claims to award attorneys' fees if an employer wrongfully denies a claim by filing a timely notice of denial, or fails to timely initiate benefits to which the employee is entitled, if the judge makes a finding that the benefits were owed at an expedited hearing. Amends 50-9-101(a) and 50-9-111(d) to provide that an employer certified as a drug-free workplace may renew the certification annually without requiring repeated annual training of existing employees as long as the employer certifies that all

existing employees have undergone training at least once and have acknowledged annually in writing the existence of the employer's drug-free workplace policy. Amends 50-6-216(e)(3) to allow a workers' comp ombudsman who is a licensed attorney to provide limited legal advice but not represent the party as the party's attorney.

Effective July 1, 2016.

Public Chapter 1063
SB 2481 - HB 2512

Sickness, Disability, or Pregnancy

Amends 50-7-303 to revise the unemployment regulations for those leaving work due to sickness, disability, or pregnancy.

Effective July 1, 2016 (applicable to unemployment claims filed on or after that date).

PURCHASING

Public Chapter 686
SB 1742 - HB 2347

Confidential Records

Amends 10-7-504(a) to make confidential the proposals and statements of qualifications, and all related records, received by local governments in response to requests for proposals or requests for qualifications solicitations for personal services, professional services, or consultant services, until the intent to award the contract has been announced.

Effective March 24, 2016.

Public Chapter 817
SB 377 - HB 261

Iran Divestment Act

Enacts the Iran Divestment Act, 12-12-101 et seq. Requires the state chief procurement officer to publish and keep updated on its website a list of persons it determines engage in investment activities in Iran. The list is to be published within 120 days after the effective date of the act. Persons on that list are ineligible to contract with the state or any political subdivision. On or after July 1, 2016, all bids and proposals submitted to political subdivisions must contain the bidder's sworn statement under penalties of perjury: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each

party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to § 12-12-106.” The statement may be submitted electronically. Bids cannot be considered nor awards made to anyone without the required statement. If a bidder cannot make the required statement, the political subdivision may make an exception and award the bid if (1) the investment activities in Iran occurred before July 1, 2016, have not been expanded or renewed on or after July 1, 2016, and the bidder is implementing a formal plan to cease the investment activities in Iran and refrain from engaging in any new investments there, or (2) the political subdivision determines in writing that the goods or services are necessary and, absent and exemption, the political subdivision would be unable to obtain the goods or services.

Effective July 1, 2016.

Public Chapter 935
SB 1615 - HB 1629

Cooperative Purchasing with Federal Agencies
Amends 12-3-1205 to authorize cooperative purchasing agreements with federal agencies, Excludes new or used motor vehicles (except special purpose vehicles); construction, engineering, and architectural services; construction materials, machinery and equipment; and fuel and oil purchases.

Effective July 1, 2016.

RECORDS

Public Chapter 672
SB 1464 - HB 1625

Post-Mortem Examinations
Amends 33-3-105 to permit the disclosure of certain mental health records if necessary for the preparation of a post-mortem examination under certain circumstances.

Effective March 29, 2016.

Public Chapter 692
SB 2005 - HB 1631

Security Breaches of Computerized Data
Amends 47-18-2107 regarding the reporting requirements when a breach of computerized data

containing personal information occurs. Provides that a breach of the security system includes the unauthorized acquisition of all computerized data, whether encrypted or unencrypted. Changes the notification requirement after a breach from “in the most expedient time possible and without unreasonable delay” to “immediately, but no later than forty-five (45) days from the discovery.”

Effective July 1, 2016 (applicable to breaches occurring on or after such date).

Public Chapter 722
SB 2033 - HB 2082

Records Request Coordinator and Policy

Amends 4-4-125, 8-4-604, 10-7-503 and 10-7-504 relative to government entities’ obligations under the open records law and the confidentiality of certain records.

Provides that by July 1, 2017, every governmental entity shall establish a written public records policy and that such policy must be adopted by the entity’s appropriate governing authority. Provides that the Office of Open Records Counsel shall establish a model best practices and public records policy. Provides that a policy cannot include requirements more burdensome than authorized by state law and must include: (1) The process for making requests to inspect public records or receive copies of public records and a copy of any required request form; (2) The process for responding to requests, including redaction practices; (3) A statement of any fees charged for copies of public records and the procedures for billing and payment; and (4) The name or title and the contact information of the individual or individuals within such governmental entity designated as the public records request coordinator. Defines “public records request coordinator” as any individual within a governmental entity whose role it is to ensure that public records requests are routed to the appropriate records custodian and that requests are fulfilled in accordance with 10-7-503(a)(2)(B).

Moves the provisions relative to the confidentiality of social security numbers from 4-4-125 to 10-7-504(a)(28) and expands the information protected by such subdivision to include any “personally identifying

information.” Defines “personally identifying information” as: (i) Social security numbers; (ii) Official state or government issued driver licenses or identification numbers; (iii) Alien registration numbers or passport numbers; (iv) Employer or taxpayer identification numbers; (v) Unique biometric data, such as fingerprints, voice prints, retina or iris images, or other unique physical representations; and (vi) Unique electronic identification numbers, addresses, routing codes or other personal identifying data which enables an individual to obtain merchandise or service or to otherwise financially encumber the legitimate possessor of the identifying data.

Effective July 1, 2016 (policy must be adopted by July 1, 2017).

Public Chapter 796

SB 1450 – HB 1465

Hotel/Motel Tax Records

Amends 67-4-1410(a), 7-4-108, and 67-1-1702 to provide that Title 67, Chapter 1, Part 17 (confidentiality of tax information) does not apply to any records or other information pertaining to hotel/motel taxes.

Effective April 14, 2016.

Public Chapter 1009

SB 2546 - HB 1543

Costs of Protecting Government Property

Amends 10-7-504(i) to provide that documents concerning the cost of protecting government property or electronic information shall not be confidential. Provides that the identity of a vendor that provides goods and services used to protect government property, government employee information, or citizen information to the state shall be confidential. Provides that the identity of a vendor that provides goods and services used to protect government property, government employee information, or citizen information to a governmental entity other than the state 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. Provides that a governmental entity shall, upon request, provide the identity of a vendor to the comptroller of

the treasury and the fiscal review committee of the general assembly.

Effective April 28, 2016.

REGISTERS OF DEEDS

Public Chapter 694 SB 2034 – HB 2080

Removal or Redaction of Documents

Amends 10-7-513 to restore the entire form for requesting removal or redaction of social security numbers from military discharges. The form had been inadvertently deleted from the code. Amends 10-7-515 (allows registers to redact social security numbers from records) to state that registers shall be deemed to have satisfied all requirements in 4-4-125 (prohibits disclosure of social security numbers) by complying with 10-7-515.

Effective March 24, 2016.

Public Chapter 914 SB 910 – HB 876

Removal or Redaction of Documents

Amends 10-7-515 to remove references to 4-4-125. Replaces those references with 10-7-504(a)(28) (see PC 722). Expands information which may be redacted to all personally identifying information.

Effective July 1, 2016.

RETIREMENT

Public Chapter 605 SB 1779 - HB 1919

Federal Compliance

Makes numerous administrative amendments in Title 8 in order to bring TCRS statutes into technical compliance with federal laws.

Effective March 17, 2016.

Public Chapter 931
SB 1587 - HB 1870

Qualified Domestic Relations Orders

Amends 26-2-105 to require retirement plans to recognize a qualified domestic relations order regarding a member's benefits.

Effective July 1, 2016.

Public Chapter 962
SB 1869 - HB 1920

Retirement Plans and Benefits

Amends 3-9-103, 26-2-105 and numerous provision in Title 8. Provides that a county that participates in the hybrid plan but previously participated in the retirement system may allow, under certain limited circumstances, employees who still participate under the previous plan the option to transfer to the hybrid plan.

Provides that any employer that desires to participate in the retirement system on or after July 1, 2016, shall, as condition of participating, pay in a lump sum its accrued unfunded liability, if any, created on account of its participation. At the request of the employer, the state treasurer may, in the treasurer's sole discretion, allow the employer to amortize the accrued unfunded liability over a period of time not to exceed twenty (20) years from the date of participation. Provides that any participating employer who desires to establish a benefit improvement authorized under Chapters 34 -37 of Title 8 shall pay the estimated increased pension liability created by the improvement in a lump sum or through an increase in the employer's contribution rate for the next fiscal year (July 1 -June 30) following the adoption of the resolution by the employer. No former or current employee of the employer shall be entitled to the benefit improvement until the estimated increased pension liability has been totally funded by the employer.

Provides that any person who is employed by a county that is admitted into the hybrid plan on or after July 1, 2016, and who has optional membership, shall, upon the date approval is given, file an irrevocable election to become or not to become a participant in the hybrid plan. Any employee of a political subdivision who had optional membership in the hybrid plan on June 30, 2016, and who has not elected to participate, shall, by no later than October 31, 2016, file an irrevocable

election to become or not to become a participant in the hybrid plan. These elections must be made in the manner prescribed by the retirement system and shall be filed with the retirement system.

Requires a county participating in the hybrid plan to set the employee contribution rate for its employees at the same rate as the county's preexisting plan.

Provides a process, under limited circumstances, to establish credit for time in which a member was employed by a joint venture of political subdivisions.

Amends numerous other provisions relative to retirement plans and benefits.

Effective April 27, 2016.

TAXATION

Public Chapter 705

SB 1946 - HB 1860

Confidentiality of Tax Data

Amends 67-1-1704 to allow, upon written request, tax information to be disclosed to duly authorized officials of a unit of local government to the extent necessary to ascertain whether allocations from state levied taxes are being distributed to the correct unit of local government; provided, that such information shall not include the taxpayer's returns, receipts, income, tax liability, tax payments, or other financial information.

Effective April 6, 2016.

Public Chapter 796

SB 1450 - HB 1465

Hotel/Motel Tax Collection

Enacts 67-4-1412, applicable to all cities and counties in the state, including metropolitan governments, and to all hotel/motel taxes imposed by ordinance, resolution, or private act. Authorizes the tax collector for a hotel/motel tax to publish a notice listing the name of each hotel operator who has failed to collect and pay over the tax, and the amount of the tax due or delinquent, if the amount due or delinquent is over \$10,000 and has been due for 120 days or more, or if the amount exceeds \$50,000. If the city or county elects to publish the notice, it shall be published once a week

for two consecutive weeks in a newspaper of general circulation in the city or county or in one or more newspapers published or widely distributed in the city or county, or if there is no newspaper, the notice shall be posted on the courthouse door. The cost of publication must be paid by the city or county. Publication shall not be made of any operator's name and amount of tax due if all or any portion of the tax is at issue in a suit filed by the operator challenging the collection or assessment of the tax. Amends 67-4-1410(a), 7-4-108, and 67-1-1702 to provide that Title 67, Chapter 1, Part 17 (confidentiality of tax information) does not apply to any records or other information pertaining to hotel/motel taxes.

Effective April 14, 2016.

Public Chapter 885

SB 2603 – HB 1691

Liquor-by-the-Drink Tax Proceeds

Amends 57-4-306 to extend the current distribution formula for liquor-by-the-drink tax proceeds through June 30, 2017.

Effective July 1, 2016.

Public Chapter 978

SB 2109 – HB 2105

Fantasy Sports

Enacts the Fantasy Sports Act, 47-18-601 et seq., to regulate fantasy sports. Enacts the Fantasy Sports Tax Act, 67-4-3201 et seq., to impose a 6% state privilege tax on fantasy sports contests. Includes a distribution of 20% of the proceeds of the tax to counties by population under 67-4-3205.

Effective July 1, 2016.

Public Chapter 1001

SB 2537 - HB 1535

Qualified Data Centers

Amends 67-6-102 and 67-6-206 to adjust the sales tax obligations and requirements of qualified data centers and provide additional requirements relative to such data centers applying for job tax credits.

Effective July 1, 2016 (applicable to tax years ending on or after July 1, 2016).

Public Chapter 1048
SB 2239 - HB 1652

Sales Tax Holiday

Amends 67-6-393 to change the date of the annual sales tax holiday from the first weekend in August to the last weekend in July.

Effective April 28, 2016.

Public Chapter 1055
SB 2539 - HB 1536

Hall Income Tax Credit for Angel Investors

Enacts 67-2-124 to establish an “angel investor tax credit” against Hall income tax liability in the amount of 33% of a qualifying cash investment in certain innovative small businesses, up to a maximum of \$50,000 per tax year.

Effective January 1, 2017.

Public Chapter 1064
SB 0047 - HB 0813

Hall Income Tax

Amends 67-2-102 and 67-2-119 to reduce the Hall Income Tax from 6% to 5% for tax years beginning on or after January 1, 2016. Enacts 67-2-124 to provide that the tax “is eliminated for tax years that begin on or after January 1, 2022.”

Effective May 20, 2016.

Public Chapter 1070
SB 799 - HB 879

Compressed Natural Gas

Amends 67-6-329 to exempt compressed natural gas from sales tax in the same manner as liquefied gas.

Effective July 1, 2016.

TAXATION - PROPERTY

Public Chapter 642
SB 1897 - HB 1846

Taxation of Public Housing Authorities

Amends 67-5-203(e)(1)(B). Exempts public housing authorities from property tax liability when they enter into leases that permit the public housing authority to acquire the property for a nominal sum at or before the completion of the lease term.

Effective March 23, 2016.

Public Chapter 685
SB 1642 - HB 1685

Rollback Tax Liability

Amends 67-5-1008(e). Provides if any property or any portion of the property classified as agricultural, forest, or open space land is disqualified by a change in the law or as a result of an assessor's correction of a prior error of law or fact, then the property or any portion of the property that is disqualified shall not be assessable for rollback taxes. Provides that the property owner shall be liable for rollback taxes under these circumstances if the erroneous classification resulted from any fraud, deception, or intentional misrepresentation, misstatement, or omission of full statement by the property owner or the property owner's designee.

Effective March 24, 2016.

Public Chapter 853
SB 2604 - HB 1826

Delinquent Property Taxes – County as Purchaser

Amends 67-5-2507(a). Provides that during the period of redemption the land shall be held and put only to a use that will not result in a waste of the land; or sold to a third party, in accordance with 67-5-2507(b), subject to the right of redemption. If any parcel is sold subject to redemption, it may be redeemed in accordance with 67-5-2701. Further provides that after the period of redemption has elapsed, it shall be the duty of the county mayor to arrange for the disposition of every tract of such land as expeditiously and advantageously as possible unless parcels acquired by the county are identified by the county mayor, or the mayor's designee, as being in an area or zoning classification that would make the accumulation of larger areas advantageous to the parcels' reuse and redevelopment. In such cases, the mayor may hold those properties until a sufficient number of parcels or area has been acquired to improve the parcels' marketability and redevelopment profile. In no event shall this accumulation result in property being held without being marketed for more than five years.

Amends 67-5-2201. Redefines “delinquent tax” to include a tax that has been due and payable for at least one year on real property that is vacant and abandoned pursuant to 67-5-2701(a)(3)(D).

Effective April 19, 2016.

Public Chapter 938
SB 1646 - HB 1689

Appeals - Notice to Property Owner of Delinquency

Amends 67-5-1501(d)(1). Provides that if the ordered reduction is less than one-half (1/2) of the appellant's claim, then the refund of hearing costs shall be one-half (1/2) of the amount paid by the appellant for hearing costs.

Amends 67-5-1502(k). Provides that if the state board of equalization does not exercise its discretion to review a matter heard by the assessment appeals commission, then the assessment appeals commission shall issue a notice pursuant to 67-5-1512(a)(3), or, upon request, a certificate of assessment or other final certificate of its actions. The date of the notice or certificate shall commence the period for seeking judicial review of the final order of the board or commission.

Amends 67-5-2402(a). Requires the county trustee or collector to include taxpayers who are delinquent in unpaid rollback taxes in the group of delinquent taxpayers receiving a notice of delinquent taxes.

Effective April 27, 2016.

Public Chapter 1065
SB 1796 - HB 2156

Tax Relief

Amends 67-5-702 - 704. Removes the tax exemption provision requiring a disabled veteran homeowner's annual income from all sources not exceed \$60,000 or such amount set forth in the appropriations act. Increases the amount on which reimbursement will be paid from the first \$23,000 to the first \$23,500 for low-income, elderly homeowners and for disabled homeowners. Removes the provision providing that taxpayers who have not received a reimbursement for tax year 2014 and who apply to receive a reimbursement shall submit proof and documentation of the taxpayer's annual income in order to qualify for the reimbursement.

Effective May 20, 2016.

Public Chapter 1085
SB 1949 - HB 2343

Delinquent Property Taxes – County as Purchaser

Amends 67-5-2501(a)(2); 67-5-2506(a)(2); and 67-5-2507. Authorizes a county, after obtaining property at a

delinquent property tax sale, to evaluate the property and if the financial or environmental risks outweigh the value of the property, allows the chancellor to set aside the county's bid on such property. Provides that if satisfactory proof of the financial or environmental risks associated with the property is presented to the chancellor, then the chancellor shall void the sale to the county and refer the property to a special master for deferred sale.

Effective May 20, 2016.

TORT LIABILITY

Public Chapter 662
SB 1600 – HB 2170

Civil Liability for Injury Caused by Dogs

Amends 44-8-413(e) to clarify that land ownership, by itself, is not enough to qualify a person as being a regular harbinger of a dog under the statute.

Effective July 1, 2016.

UTILITIES

Public Chapter 645
SB 1988 – HB 2055

Natural Gas Franchises Approved by TRA

Amends 65-4-107, 6-2-201 and 6-19-101 to provide that natural gas franchises approved by the Tennessee Regulatory Authority (TRA) shall not expire until approval of a subsequent franchise by TRA.

Effective March 23, 2016.

Public Chapter 836
SB 2450 - HB 2212

Notification of Lead in Public Water Systems

Amends 68-221-720 to decrease the amount of time allowed for notification to the public in relation to certain lead levels in the water system to 72 hours. Requires notification to TDEC within 24 hours.

Effective January 1, 2017.

Public Chapter 1011
SB 1647 - HB 1690

Fiduciary Responsibilities

Amends 7-82-307 to provide that failing to fulfill a utility district commissioner's fiduciary responsibility

includes, but is not limited to, an action where a utility district commissioner derives a personal benefit from the underlying misconduct, breach of duty, or failure in the operation or oversight of the utility district. Provides that “fiduciary responsibility” means a responsibility to act with: (i) the highest degree of honesty and loyalty towards a utility district and in the best interests of the utility district; and (ii) the utmost good faith for the benefit of the utility district when exercising the duties, powers, and authority enumerated in Title 7, Chapter 82.

Effective April 18, 2016.

Public Chapter 1050
SB 2364 – HB 2381

Water and Wastewater Treatment Authorities
Amends 68-221-607 to authorize authorities to contact the appropriate permitting department when services are cut off to certain food service businesses. Amends 68-221-608 relative to setting rates, prices, or charges and relative to the appeal process for appealing actions of the board.

Effective July 1, 2016.

WORKERS' COMPENSATION

Public Chapter 803
SB 1880 - HB 2038

Case Managers
Amends 50-6-123. Requires all case managers, including case manager assistants, coordinating the medical care services provided to employees claiming benefits or handling workers' compensation claims of employees to be certified by the bureau. Provides further that any case manager, case manager assistant, or person or entity that employs a case manager who fails to comply with this section, or rules promulgated pursuant to this section, may be subject, after notice of a violation has been provided, to a penalty of not less than \$100 nor more than \$1,000 per violation, at the discretion of the administrator. In addition to any penalty assessed pursuant to this section, the administrator may also suspend the person's certification as a case manager or case manager assistant if, in the discretion of the administrator, the

person has an established pattern of violations of this section.

Amends 50-6-419. Provides that the administrator may enforce the standards and any rules promulgated through assessment of civil penalties pursuant to the Uniform Administrative Procedures Act against any entity employing individuals who adjust workers' compensation claims under this title. Such penalties may be in an amount not less than \$50.00 nor more than \$5,000 per violation. Each separate act shall constitute a separate violation and may subject the entity to assessment of additional civil penalties.

Effective January 1, 2017. Effective April 14, 2016, for the purpose of promulgating rules.

Public Chapter 816
SB 2563 - HB 1559

Settlements – Appeals - Attorneys' Fees

Amends 50-6-240. Provides that interested parties shall have the right to settle all matters of compensation between themselves, but all settlements shall be reduced to writing and shall be approved by a judge of the court of workers' compensation claims before they are binding on either party.

Amends 50-6-207(3). Clarifies what is an original award, what is a resulting award, and the calculations for further increasing a resulting award in the case of a person with a partial permanent disability who returns to work at wages less those received prior to the injury.

Amends 50-6-217(a)(2). Provides that any party aggrieved by an order issued by a workers' compensation judge may appeal the order to the workers' compensation appeals board by filing a notice of appeal on a form prescribed by the administrator.

Amends 50-6-226(d). Provides that attorneys' fees and costs may be awarded in connection with an expedited hearing order or compensation hearing order when the employer fails to furnish appropriate medical, surgical and dental treatment or care, medicine, medical and surgical supplies, crutches, artificial members, and

other apparatus to an employee provided for in a settlement or judgment.

Effective April 14, 2016.

Public Chapter 826
SB 1758 - HB 1720

PPO Network Rights

Amends 50-6-215. Authorizes the bureau of workers' compensation of the department of labor and workforce development to investigate complaints alleging a violation of certain insurance laws by individuals or entities licensed by the department of commerce and insurance. The bureau will be required to direct all such complaints, along with any investigatory materials, to the department of commerce and insurance.

Effective July 1, 2016.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

BLEDSON

Public Chapter 713
SB 2520 - HB 2566

Soak Creek

Amends 11-13-104 to classify a portion of the Soak Creek as a Class III Developed River Area.

Effective April 6, 2016.

BLOUNT

Public Chapter 791
SB 2396 - HB 2304

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(20)(F). Allows Blackberry Farms to hold a manufacturer's license or non-manufacturer nonresident seller permit in addition to holding a license for consumption of alcoholic beverages on premises.

Effective April 12, 2016.

Public Chapter 922
SB 1469 - HB 1735

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26). Authorizes the sale of alcoholic beverages for on-premises consumption at the Salt Box Inn in Putnam County, Lillie Belle's in Williamson County, Mt. Brushy in Morgan County, and Laurel Valley Golf Club in Blount County.

Effective April 27, 2016.

CUMBERLAND

Public Chapter 1022
SB 396 - HB 634

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102. Designates Reds Ale House in Cumberland County as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages.

Effective April 28, 2016.

DAVIDSON

Public Chapter 532

SB 1470 – HB 1488

Electronic School Board Meetings

Repeals 49-2-203(c)(2), which exempted Davidson County from the statute authorizing local boards of education to conduct meetings by electronic means.

Effective February 24, 2016.

Public Chapter 577

SB 1809 – HB 1848

Zoning Amendments

Amends 13-7-105(b) to reduce the notice the county must give prior to a public hearing on a zoning amendment from 30 to 15 days.

Effective March 8, 2016.

Public Chapter 818

SB 1049 – HB 857

Solid Waste Fee

Amends 68-211-835 to authorize the imposition of a solid waste collection, processing and disposal fee. The county is to set the fee in consultation with and subject to the approval of the underground storage tanks and solid waste disposal control board.

Effective April 21, 2016.

Public Chapter 833

SB 2419 – HB 2298

Juvenile Assessment Reports

Enacts a new section in Title 37, Chapter 1, Part 1 relative to reports compiled by the juvenile court assessment team. Generally makes such reports confidential and details exceptions.

Effective April 21, 2016.

Public Chapter 847

SB 2350 - HB 1657

Smoking

Amends 39-17-1551. Authorizes Davidson County and municipalities in Sullivan County to prohibit smoking on the grounds of a swimming pool owned or operated by such local government or an outdoor amphitheater with a seating capacity of at least six thousand owned or operated by such local government.

Effective July 1, 2016.

Public Chapter 953
SB 1766 - HB 2520

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102. Authorizes the sale of alcoholic beverages for on-premises consumption at the Holston Hills Country Club in Knox County, the Orpheum Theater's Halloran Center in Shelby County, and the Porter Inn in Davidson County.

Effective April 27, 2016.

GILES

Public Chapter 1068
SB 844 - HB 301

Sale of Wine in Retail Food Stores
Deletes 57-3-806(e). Deletes the present law provision, which was scheduled to expire on July 1, 2017, that prohibits issuance of a retail food store wine license to an applicant for a location that is within 500 feet of an establishment holding a retailer's license unless the commission receives written permission from such licensee.

Amends 57-3-801(a). Authorizes the City of Elkton in Giles County to hold a referendum on the sale of wine in retail food stores. Present law requires that a municipality must have a population of at least 925 persons to hold such a referendum and Elkton has a population of 578 according to the 2010 census.

Effective May 20, 2016.

HAMILTON

Public Chapter 964
SB 1910 - HB 1915

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102. Authorizes the sale of alcoholic beverages for on-premises consumption at the Bessie Smith Cultural Center in Hamilton County.

Effective April 27, 2016.

Public Chapter 1050
SB 2364 - HB 2381

Water and Wastewater Treatment Authority
Enacts a new section in Title 68, Chapter 221, Part 6 to provide for the dissolution of the water and wastewater treatment authority by July 1, 2021.

Effective July 1, 2016.

Public Chapter 1082
SB 2370 – HB 2119

Water Authority

Enacts a new section in Title 68, Chapter 221, Part 6 to provide, for a limited time and for limited residential rental agreements, that the authority shall not require a property owner who leases residential property, the property owner's agent, or a subsequent tenant of the property to pay or to guarantee the payment of charges, penalties, or other fees owed to the authority that were incurred by a former tenant of such property owner or agent. Provides that the authority shall create a written acknowledgement for the provision of services, to be made available to a property owner who leases residential property or the property owner's agent and to be completed by a tenant at the time the tenant enters into or renews a residential rental agreement. Revises provisions relative to deposits and the recovery of attorney fees.

Effective May 20, 2016 for the purposes of implementing the payment restriction and creating the written acknowledgement. Effective January 1, 2017 for all other purposes.

HAWKINS

Public Chapter 780
SB 1924 – HB 2264

Natural Gas Utility District

Amends 7-82-304 to authorize the natural gas utility district to provide funding to chambers of commerce and economic and community organizations.

Effective April 12, 2016.

JOHNSON

Public Chapter 940
SB 1650 – HB 2181

Off-Highway Vehicles

Amends 55-8-185(c) to authorize off-highway motor vehicles to be operated in Johnson County on the segment of State Route 167 from the entrance of the Roan Creek Campground to Doe Mountain.

Effective April 27, 2016.

KNOX

Public Chapter 675
SB 2032 - HB 2078

Court Clerk Community Service Program

Amends 40-25-123 to allow the general sessions or criminal court judge, upon application of an indigent defendant, to refer the defendant to a community service program implemented by the court clerk and suspend the court costs and certain litigation taxes upon successful completion of the program.

Effective March 29, 2016 (effective until July 1, 2018).

Public Chapter 953
SB 1766 - HB 2520

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102. Authorizes the sale of alcoholic beverages for on-premises consumption at the Holston Hills Country Club in Knox County, the Orpheum Theater's Halloran Center in Shelby County, and the Porter Inn in Davidson County.

Effective April 27, 2016.

MONTGOMERY

Public Chapter 617
SB 1616 - HB 1628

Delinquent Tax Suit - Penalty

Amends 67-5-2410(a)(1)(B). Removes the provision for Montgomery County that allowed the county to impose an additional penalty of 20 percent on suits to enforce tax liens for the purpose of defraying the expenses of such suits; places Montgomery County with other counties which impose an additional penalty of 10 percent for such purposes.

Effective March 22, 2016.

MORGAN

Public Chapter 922
SB 1469 - HB 1735

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26). Authorizes the sale of alcoholic beverages for on-premises consumption at the Salt Box Inn in Putnam County, Lillie Belle's in Williamson County, Mt. Brushy in Morgan County, and Laurel Valley

Golf Club in Blount County.

Effective April 27, 2016.

PICKETT

Public Chapter 1049

SB 2249 – HB 1751

Firearms on School Property

Enacts 49-6-816 to authorize the local board of education in Pickett and Wayne counties to adopt a policy authorizing the director of schools to select and authorize one or more employees to carry a concealed handgun on school grounds. No more than one person may be authorized per each 100 students enrolled in the school. The director of schools is required to notify the chief of the appropriate local law enforcement agency of each such authorization. Provides for training approved by the POST commission. If either county is removed from the distressed rural counties list, the law will no longer apply.

Effective July 1, 2016.

PUTNAM

Public Chapter 681

SB 1462 – HB 1439

Dilapidated Property

Amends 5-1-115(e) to authorize Putnam County to remedy dangerous conditions on all parcels of property, including those in which an owner-occupied residence is located.

Effective March 24, 2016.

Public Chapter 922

SB 1469 - HB 1735

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26). Authorizes the sale of alcoholic beverages for on-premises consumption at the Salt Box Inn in Putnam County, Lillie Belle's in Williamson County, Mt. Brushy in Morgan County, and Laurel Valley Golf Club in Blount County.

Effective April 27, 2016.

RHEA

Public Chapter 713

SB 2520 – HB 2566

Soak Creek

Amends 11-13-104 to classify a portion of the Soak Creek as a Class III Developed River Area.

Effective April 6, 2016.

ROBERTSON

Public Chapter 531

SB 1398 – HB 703

Judicial Commissioner Training and Tax

Amends 67-4-602 to make the \$2.00 general sessions litigation tax, on all criminal charges upon conviction or by order, for judicial commissioner training applicable in Robertson County. Amends 40-1-111 to allow the county to rescind, by two-thirds vote, prior decision to not have judicial commissioners trained through the Judicial Commissioner Association of Tennessee.

Effective February 1, 2016.

RUTHERFORD

Public Chapter 768

SB 2101 – HB 2125

Convenient Voting Centers – Pilot Project

Amends 2-3-301 through 2-3-308 to authorize the county election commission to elect to participate in a convenient voting centers pilot project.

Effective January 1, 2017.

Public Chapter 897

SB 2100 – HB 2145

Litigation Taxes

Amends 67-4-601 to authorize an additional litigation tax not to exceed \$50 per case to be used for the jail, workhouse, juvenile detention center or courthouse.

Effective April 27, 2016.

SEVIER

Public Chapter 695

SB 2086 - HB 2123

Location of Alcohol Manufacturers

Amends Title 57, Chapter 2. Authorizes Pigeon Forge to

adopt an ordinance to prohibit the construction or operation of any licensed manufacturer within 1,000 feet of the state right-of-way of U.S. Highway 441 within the corporate limits of such city. Specifies that it will not affect any licensed manufacturer in operation and open to the public before or on the effective date of this bill.

Effective March 24, 2016.

Public Chapter 786

SB 2089 - HB 1996

Location of Alcohol Manufacturers

Amends 57-2-103(d). Authorizes the City of Gatlinburg to adopt an ordinance imposing a minimum distance, not to exceed one thousand feet, between distilleries manufacturing distilled spirits; provided, that the ordinance shall not apply to or affect any licensed distillery in operation and open to the public prior to the effective date of this act. Provides that a distillery that is exempt from the adopted ordinance shall remain exempt upon the transfer of any ownership interest in the distillery to a successor in interest.

Effective April 12, 2016.

SHELBY

Public Chapter 953

SB 1766 - HB 2520

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102. Authorizes the sale of alcoholic beverages for on-premises consumption at the Holston Hills Country Club in Knox County, the Orpheum Theater's Halloran Center in Shelby County, and the Porter Inn in Davidson County.

Effective April 27, 2016.

SULLIVAN

Public Chapter 847

SB 2350 - HB 1657

Smoking

Amends 39-17-1551. Authorizes Davidson County and municipalities in Sullivan County to prohibit smoking on the grounds of a swimming pool owned or operated by such local government or an outdoor amphitheater

with a seating capacity of at least six thousand owned or operated by such local government.

Effective July 1, 2016.

WASHINGTON

Public Chapter 917
SB 1180 – HB 1060

Budget Amendments

Amends 5-9-407 to remove the exemption for Washington County.

Effective April 27, 2016.

WAYNE

Public Chapter 1049
SB 2249 – HB 1751

Firearms on School Property

Enacts 49-6-816 to authorize the local board of education in Wayne and Pickett counties to adopt a policy authorizing the director of schools to select and authorize one or more employees to carry a concealed handgun on school grounds. No more than one person may be authorized per each 100 students enrolled in the school. The director of schools is required to notify the chief of the appropriate local law enforcement agency of each such authorization. Provides for training approved by the POST commission. If either county is removed from the distressed rural counties list, the law will no longer apply.

Effective July 1, 2016.

WILLIAMSON

Public Chapter 901
SB 2120 – HB 2406

Juvenile Court Facilities Fees

Enacts a new section in Title 8, Chapter 21, Part 4 to authorize the county commission to adopt a \$75 fee to be collected by clerks of special juvenile and general sessions courts with juvenile jurisdiction to be used for juvenile court facilities.

Effective July 1, 2016.

Public Chapter 922
SB 1469 - HB 1735

Consumption of Alcoholic Beverages on Premises
Amends 57-4-102(26). Authorizes the sale of alcoholic beverages for on-premises consumption at the Salt Box Inn in Putnam County, Lillie Belle's in Williamson County, Mt. Brushy in Morgan County, and Laurel Valley Golf Club in Blount County.

Effective April 27, 2016.

Public Chapter 945
SB 1698 - HB 2557

Litigation Tax
Amends 67-4-601 to authorize, upon the adoption of a resolution by a two-thirds (2/3) majority vote of the county legislative body, a privilege tax on litigation in all civil cases in an amount not to exceed twenty-five dollars (\$25.00) per case. Provides that a civil case shall not include any original proceedings brought in juvenile court where the court is exercising jurisdiction granted under Title 37, Chapter 1. Provides that the revenue shall be used exclusively for personnel and operating costs of the circuit court.

Effective July 1, 2016.

PART III – PRIVATE ACTS

BRADLEY

Private Chapter 39
SB 1445 - HB 1447

Hotel/Motel Tax

Amends Privates Acts of 1991, Chapter 19, to increase the hotel/motel tax from five percent to seven percent; revises the allocation formula.

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

CANNON

Private Chapter 37
SB 2663 - HB 2640

Mental Health Cases

Amends Privates Acts of 1943, Chapter 318. Transfers the filing of petitions and claims concerning mental health commitments from the general sessions court clerk to the clerk and master but retains the authority of the general sessions judge to hear and determine these cases.

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

CLAY

Private Chapter 59
SB 2671 - HB 2655

Clay County Board of Education

Amends Privates Acts of 1947, Chapter 330, to decrease the Clay County board of education from 10 members to five members.

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

GIBSON

Private Chapter 34 SB 2656 - HB 2628

Gibson County Utility District

Amends Privates Acts of 1953, Chapter 192, to remove term limits for commissioners of the Gibson County utility district taking office September 1, 2002.

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

Private Chapter 42 SB 2647 - HB 2625

Gibson County Special School District

Amends Privates Acts of 1981, Chapter 62, to permit the district to issue bonds or notes in an amount of \$18,500,000 or less and to issue bond, revenue, and grant anticipation notes.

Effective April 19, 2016.

GILES

Private Chapter 36 SB 2661 - HB 2635

Giles County – County Attorney

Amends Privates Acts of 1931, Chapter 255, to authorize the county commission to set the compensation for the county attorney; to reduce the term of office of the county attorney from four years to one year; and to authorize the county mayor to retain counsel for extraordinary legal matters.

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

HARDEMAN

Private Chapter 38 SB 2657 - HB 2632

Solid Waste Disposal Fees

Enacts Privates Acts of 2016, Chapter 38, to authorize the collection of solid waste disposal fees with the county property tax; requires the disposal fee to be distinguished from the property tax amount on the tax notice.

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

HENRY

Private Chapter 27
SB 1563 - HB 1944

Paris Special School District

Amends Privates Acts of 1919, Chapter 150, and repeals Chapter 136 of the Private Acts of 1977, to permit the district to issue bonds or notes in an amount not to exceed \$12 million and to issue bond anticipation notes in an amount not to exceed \$12 million.

Effective March 29, 2016.

JACKSON

Private Chapter 64
SB 2687 - HB 2662

Highway Commissioner

Amends Privates Acts of 1951, Chapter 111, to remove an outdated requirement that the highway commissioner submit a quarterly report of expenditures to the quarterly county court.

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

MONTGOMERY

Private Chapter 46
SB 2651 - HB 2621

Hotel/Motel Tax

Amends Privates Acts of 1979, Chapter 167, to add governmental units to the list of entities from which the hotel and motel occupancy tax is collected.

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

PUTNAM

Private Chapter 47
SB 2650 - HB 2623

Hotel/Motel Tax

Amends Privates Acts of 1979, Chapter 118, to increases the authorized maximum amount of the hotel motel tax from six percent to seven percent; requires revenues generated from such increase to be used for increased

funding for parks and recreation, economic development, and tourism.

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

RUTHERFORD

Private Chapter 40
SB 2672 - HB 2647

General Sessions Court

Amends Privates Acts of 1947, Chapter 384, to add a fourth general sessions court in Rutherford County.

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

SCOTT

Private Chapter 68
SB 2688 - HB 2663

Hotel/Motel Tax

Amends Privates Acts of 1983, Chapter 144, to expand the application of the hotel motel tax to include campgrounds in which rooms, lodgings, or accommodations are furnished to transients for a consideration.

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

VAN BUREN

Private Chapter 50
SB 2674 - HB 2649

Hotel/Motel Tax

Amends Privates Acts of 1984, Chapter 168, to revise the allocation of occupancy tax proceeds to 16 percent to the city of Spencer and 84 percent to the county trustee.

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

WILLIAMSON

Private Chapter 33
SB 2645 - HB 2620

Franklin Special School District

Amends Privates Acts of 1949, Chapter 563, to authorize the Franklin Special School District to issue and sell school bonds and notes in an aggregate principal amount of not to exceed \$12 million.

Effective April 8, 2016.