

**INDEX OF ACTS  
RELATED TO COUNTY GOVERNMENT**

**INTERIM 2020 EDITION\***



**County Technical Assistance Service**  
INSTITUTE *for* PUBLIC SERVICE  
...a service of The University of Tennessee

**Prepared by  
CTAS Legal Staff**

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**\*This publication contains summaries of acts of interest to counties that were passed by the General Assembly prior to its recess in March due to COVID-19. This publication will be updated after the General Assembly reconvenes on June 1 and additional acts of interest are passed. These summaries are intended for information only and should not be relied upon for implementation purposes. The full text of all acts summarized in this publication can be viewed on the Secretary of State's website.**

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**PART I - PUBLIC ACTS OF GENERAL APPLICATION**

**COUNTY CLERKS**

**Public Chapter 519**  
SB 1613 - HB 1620

**Driver Licenses**

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

Effective July 1, 2020.

**Public Chapter 571**  
SB 1749 – HB 1614

**Registration of Boat Trailers**

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

Effective July 1, 2020.

**Public Chapter 597**  
SB 2766 – HB 2537

**Emergency License Plates**

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

Effective July 1, 2020.

**Public Chapter 660**  
SB 1591 – HB 1605

**Special License Plates**

Amends Title 55, Chapter 4, to authorize new specialty license plates for: Alumni Program of the University of Tennessee, Knoxville; University of Miami (Florida); I RECYCLE; University of Texas; West Virginia University; ALS Awareness; Make-A-Wish Foundation; African American Breast Cancer Awareness; Loyal Order of Moose; Isaiah 117 House; Habitat for Humanity; Tennessee Chamber of Commerce and Industry; Mothers Against Drunk Driving; Greene County School System; Service Dogs Changing Lives; Childhood Cancer Awareness; Enjoy the Ride; 101st Airborne Screaming

Eagle; Big Brothers Big Sisters; and Women's Suffrage Centennial. Authorizes new military plates for Disabled Veteran (service-connected). Authorizes new cultural plates for Delta Kappa Gamma Society International. Extends eligibility for the Masons license plate to spouses of members of the Free and Accepted Masons. Redefines "collegiate plate" to include an unaccredited four-year law school in Tennessee. Extends the time to July 1, 2021 for meeting the minimum issuance requirement for the Friends of Shelby Park and Bottoms and the Niswonger Children's Hospital plates.

Effective July 1, 2020.

## **COUNTY GOVERNMENT**

**Public Chapter 522**  
SB 1629 - HB 1636

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

Effective March 6, 2020.

**Public Chapter 529**  
SB 9 - HB 9

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

Effective July 1, 2019.

**Public Chapter 536**  
SB 1632 - HB 1597

**County Legislative Body Compensation**  
Amends 5-5-107 to authorize counties to pay legislative body members a base salary and an amount greater than or equal to the minimum daily compensation for attendance at meetings of the body or at committee meetings for which the member is an appointed member. Further amends 5-5-107 to provide that any increase in compensation for members of the body will not take effect until the beginning of the term following the next election of members after the resolution is adopted.

Effective March 19, 2020.

**Public Chapter 576**  
SB 1962 – HB 2001

**County Education Budgets**

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

Effective March 19, 2020.

**Public Chapter 651**  
SB 2466 – HB 2821

**Appropriations**

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

Effective July 1, 2020.

## **COURTS & COURT CLERKS**

### **Public Chapter 530**

SB 561 - HB 1156

#### **Increase in Judicial Districts**

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

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

Provides that the act shall not be construed to limit, terminate, or otherwise affect the term or future terms of office of any circuit court clerk, criminal court clerk, or clerk and master. All such incumbents shall continue in office until the expiration of their respective terms of office and shall be eligible for reelection or reappointment. Nothing in the act shall be construed to require, permit, or authorize the consolidation of the offices of clerk and master, circuit court clerk, or criminal court clerk or to place any clerk in a position of dominance over any other clerk.

Provides for the orderly transfer of cases and records.

Effective March 10, 2020.

### **Public Chapter 535**

SB 1627 - HB 1634

#### **Child and Spousal Support Case Reimbursements**

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

Effective March 19, 2020.

### **Public Chapter 607**

SB 2746 - HB 2069

#### **Promoting or Patronizing Prostitution of a Minor**

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

Effective March 20, 2020.

**Public Chapter 647**  
SB 2630 - HB 2772

**Electronic Filings**

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

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

Effective April 1, 2020.

**Public Chapter 668**  
SB 2467 - HB 2822

**TBI Fund**

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

Effective April 2, 2020.

**ECONOMIC DEVELOPMENT**

**Public Chapter 606**  
SB 2158 - HB 2227

**Brownfield Tax Credits**

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

Effective July 1, 2020.

**Public Chapter 609**  
SB 1607 - HB 1654

**Redevelopment Projects**

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



for persons of low income as provided in part 1 of Title 13, chapter 20.

Effective March 25, 2020.

## **EDUCATION**

### **Public Chapter 618**

SB 1886 - HB 1935

#### **Administrative Offices**

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

Effective March 16, 2020.

### **Public Chapter 652**

SB 2672 – HB 2818

#### **Provisions Related to Pandemics and Disasters**

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

Effective April 2, 2020.

## **ELECTIONS**

### **Public Chapter 648**

SB 2758 - HB 2565

#### **Nominee for President**

Amends 2-13-203 to provide that the chair of the nominating body of a statewide political party or recognized minor party shall certify the party's nominees for president and vice president for the November general election to the coordinator of elections by the first business day in September.

Effective April 1, 2020.

### **Public Chapter 654**

SB 2298 - HB 2363

#### **Voter Registration**

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

Effective April 2, 2020.

### **Public Chapter 655**

SB 2297 - HB 2362

#### **Election Officials**

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

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

navy, or a member of the national guard who is on active duty.

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

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

Effective April 2, 2020.

## **EMERGENCY SERVICES**

### **Public Chapter 575** SB 1958 - HB 1933

#### **T-CPR Training for E911 and Dispatchers**

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

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

Effective January 1, 2021.

### **Public Chapter 643** SB 2078 - HB 2184

#### **Ground Ambulance Service Providers**

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

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

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

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

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

Effective April 1, 2020.

## **ENVIRONMENT**

**Public Chapter 593**  
SB 2155 - HB 2224

### **TDEC Reporting Requirements**

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

Effective March 20, 2020.

## **HIGHWAYS**

**Public Chapter 585**  
SB 1734 - HB 1682

### **Opening, Closing and Changing Roads**

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

Effective March 20, 2020.

## **LAW ENFORCEMENT**

### **Public Chapter 584**

SB 1635 - HB 1618

#### **Evading Arrest**

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

Effective July 1, 2020.

### **Public Chapter 595**

SB 2464 - HB 2308

#### **Alerts**

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

Effective March 20, 2020.

### **Public Chapter 598**

SB 1497 - HB 618

#### **Slow Poke Law**

Amends 55-8-204(a). Extends the "Slow Poke Law," which prohibits the operation of vehicles in the left lane, except when overtaking or passing a vehicle that is in a nonpassing lane, to interstates and multilane divided highways with two or more lanes.

Effective July 1, 2020.

### **Public Chapter 636**

SB 1568 - HB 1583

#### **Sexual Offenders**

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

Effective April 1, 2020.

## **RECORDS**

### **Public Chapter 577** SB 1980 - HB 1663

#### **Victim Address Confidentiality Program**

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

Effective March 19, 2020.

### **Public Chapter 624** SB 2247 - HB 2463

#### **Utility Records**

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

Effective March 25, 2020.

## **TAXATION**

### **Public Chapter 646**

SB 2182 – HB 2249

### **Marketplace Facilitators**

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

Effective October 1, 2020.

## **TAXATION – PROPERTY**

### **Public Chapter 521**

SB 1625 - HB 1813

### **Property Tax Appeals**

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

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

Amends 67-5-1512(b) and (c). Rewrites these sections to add that sixty (60) days after issuance of the final assessment certificate of the state board of equalization, the interest rate on a deferred refund shall increase two (2) points until the refund is finally paid. Provides that "deferred refund" means the amount owed to the taxpayer, excluding any penalties and interest.

Effective March 6, 2020.

## **UTILITIES**

### **Public Chapter 572**

SB 1792 – HB 1709

#### **Annual Reports to Boards**

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

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

Effective March 19, 2020.

### **Public Chapter 591**

SB 1934 – HB 1838

#### **Regulation of Energy Sources**

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

Effective March 20, 2020.

### **Public Chapter 627**

SB 1798 – HB 1630

#### **Expanded Review Board Jurisdiction**

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

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



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

Effective March 20, 2020.

**Public Chapter 631**  
SB 2723 – HB 2739

**Rural Electric Contractors**

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

Effective March 20, 2020.

**PART II - PUBLIC ACTS OF LOCAL APPLICATION**

**BLOUNT**

**Public Chapter 590**

SB 1929 – HB 1724

**Compensation of Utility District Members**

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

Effective July 1, 2020.

**SUMNER**

**Public Chapter 534**

SB 1561 – HB 1574

**Special Speed Limits**

Amends 55-8-152 to authorize the county and municipalities within the county to establish special speed limits on highways and public roads adjacent to or within one-fourth (  $\frac{1}{4}$  ) mile of school grounds that are devoted to normal school day activities.

Effective March 19, 2020.