

**INDEX OF ACTS
RELATED TO COUNTY GOVERNMENT**

2022 EDITION



County Technical Assistance Service

INSTITUTE *for* PUBLIC SERVICE

...a service of The University of Tennessee

**Prepared by
CTAS Legal Staff**

June 2022

These summaries are intended for information only and should not be relied upon for implementation purposes. The full text of all acts summarized in this publication can be viewed on the Secretary of State's website.

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PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 1050

SB 1685 – HB 1689

Alcoholic Beverages

Amends Title 57, Chapters 1, 4, and 5 relative to alcoholic beverages. Provides that the following locations are classified as premier type tourist resorts for purposes of the sale of alcoholic beverages for on-premises consumption: (1) The Grove at Williamson Family Farm in Rutherford County; (2) The Estate at Cherokee Dock in Wilson County; (3) Bolt Farm Treehouse in Marion County; (4) Manchester-Coffee County Conference Center; (5) Blue Mountanya The Resort in Carter and Johnson counties; (6) Tennessee Central Railway Museum in Nashville/Davidson County; (7) Starry Nightcap Tavern in Morgan County; (8) Center Hill Marina in DeKalb County; (9) Coffee Ridge in Unicoi County; (9) The Ruby Cora in Montgomery County; (10) Timberhawk Hall in Nashville/Davidson County; (11) West Harpeth Resort in Williamson County; (12) The Lost Sea Adventure in Monroe County; (13) Oaklawn Farms in Cumberland County; (14) Flatrock USA in Cumberland County; (15) Casa Grande Restaurant in Cumberland County; (16) Fat Boys at Hidden Harbor Marina in DeKalb County; (17) The Beeches/The Vineyard at the Beeches in Robertson County; (18) Twisted Oaks in DeKalb County; (19) MoCo Brewing Project in Morgan County; (20) Clarksville Country Club in Montgomery County; (21) Bumpus Marina in Stewart County; (22) Norton Creek Resort in Sevier County; (23) Cedar Creek Yacht Club in Wilson County; (24) Grandview Experience Lodge, in Van Buren County; and (25) Museum Center at Five Points in Cleveland.

Provides that the Bonnie Kate Theater in Carter County is classified as a community theater for purposes of the sale of alcoholic beverages for on-premises consumption.

Effective May 25, 2022.

ASSESSORS

Public Chapter 996

SB 2695 - HB 2597

Unlisted Names

Enacts a new section in Title 67, Chapter 5, Part 5 to authorize the assessor to display “UNLISTED” instead of the first and last name in the ownership field of an online searchable database of property if: (i) requested in writing by the residential property owner; and (ii) the request includes information which clearly demonstrates the property is the primary residence of the individual. Provides that this law does not prohibit the assessor from responding to an open records request regarding the subject property.

Effective January 1, 2023.

COUNTY CLERKS

Public Chapter 734

SB 1996 – HB 2044

Temporary Plates

Amends 55-4-226(c)(4) to provide that temporary plates may be issued for a period of 60 days for a fee of \$6.50.

Effective July 1, 2022.

Public Chapter 761

SB 2301 – HB 2318

License Plates

Amends 55-21-103(a)(1) to require that beginning January 1, 2023, the design and registration of disabled licensed plates must incorporate the color scheme, base design, and details used on standard license plates. The redesign must only be effectuated upon existing inventory of the registration and license plates being utilized by the department.

Effective March 17, 2022, and applies to plates issued or renewed on or after January 1, 2023.

Public Chapter 1003

SB 2884 – HB 2524

County Clerk Fees

Amends 55-6-104(a)(3) by increasing the county clerk fees from \$5.50 to \$8.50 for receiving and forwarding applications for certificates of title to the department of revenue. Requires that \$3.00 of the fee must be earmarked for the provision of services directly related to titling and registration and must not revert to the county general fund at the end of the year if not spent.

Effective July 1, 2022.

**Public Chapter 1143
SB 2491 – HB 2640**

Motor Vehicle Registration

Amends Title 55, Chapter 4, Part 1 to waive the registration fee for Class A and Class B motor vehicles upon the renewal of the motor vehicle's registration if the renewal occurs between July 1, 2022, and June 30, 2023. Class A vehicles are motorcycles and autocycles and the current registration fee is \$16.75. Class B vehicles are passenger motor vehicles and motor homes, and the current registration fee is \$23.75.

Effective July 1, 2022.

COUNTY GOVERNMENT

**Public Chapter 650
SB 2082 - HB 2682**

Census References

Amends 1-3-116 to include a reference to the 2020 census, removes an obsolete code reference relative to the compensation of judges and directs the code commission to include the web address for the Redistricting Summary File for the State of Tennessee.

Effective March 15, 2022.

**Public Chapter 656
SB 2049 - HB 1684**

Conflict of Interest – County Commissioners

Amends 5-5-112 to require a member of a county governing body who is voting on a proposed budget, appropriation resolution, or tax rate resolution, or amendments thereto, that has a conflict of interest under 5-5-112 (a), to declare the conflict of interest at the meeting prior to casting the member's vote.

Effective March 15, 2022.

**Public Chapter 663
SB 1755 – HB 1728**

Public Finance

Amends 9-21-1001 to add a new subsection (e) to provide modifications of outstanding obligations are considered a refunding and must comply with Title 9, Chapter 21 if the modification is of such significance to be deemed reissued under federal tax law. Also amends 68-221-611(k) and 68-221-1311(k) to revise publication requirements relating to reports received by water and wastewater treatment authorities.

Effective March 16, 2022.

Public Chapter 666
SB 825 – HB 1392

Regulation of Transportation Services

Amends 7-51-1007(a) to authorize all government entities (including counties) to regulate entry into the business of providing passenger transportation services, which includes limousines, sedans, shuttles, entertainment transportation and taxicabs. Amends 7-51-1007(b) to include a definition of “entertainment transportation.” Also amends 7-51-1007(c) to provide that transportation services regulated by a governmental entity must comply with safety rules and regulations and liability insurance requirements in Title 65, Chapter 15.

Effective March 18, 2022.

Public Chapter 700
SB 1758 - HB 1704

57 Law - Conflict of Interest

Amends 5-14-114 to revise the provisions governing conflicts of interest. Applies to the county purchasing agent, members of the county purchasing commission, members of the county legislative body, and other officials of the county. Revises the meaning of direct and indirect interest. Makes the 57 Law more like the general conflict of interest statute.

Effective March 18, 2022.

Public Chapter 720
SB 29 - HB 105

First Responders – Residence Requirements

Amends 8-50-107 to prohibit a local government from dismissing, disciplining, fining, or penalizing a first responder employed by a local government or denying employment to a person applying to be a first responder, based on where the first responder or person applying to be a first responder resides. "First responder" means paid, full-time law enforcement officers, firefighters, emergency medical personnel, and dispatchers of law enforcement, fire, and emergency medical service departments. "First responder" does not mean the chief or head of the department.

Does not apply to Hamilton County.

Effective March 24, 2022.

Public Chapter 765
SB 2515 – HB 2653

Tennessee Community Gardening Act

Amends 43-24-102(5) to revise the definition of “vacant public land” to include property controlled by a parks and recreation department or similar entity and that is not currently being used as park land.

Effective March 31, 2022.

Public Chapter 771
SB 1801 – HB 1876

Building Codes

Amends 68-120-101 to add a new subsection providing that neither state nor local regulations may prohibit the use of refrigerants authorized for use under federal law.

Effective April 8, 2022.

Public Chapter 786
SB 2409 – HB 2156

Local Health Departments

Amends 68-2-603(c) to remove the requirement that county health officers receive approval from the commissioner or county mayor prior to providing medical direction, including medical enforcement actions. Amends 68-2-609 to add a new subdivision authorizing county health officers to order rules as are necessary or appropriate to protect the general health and safety of the county, except as provided in Title 14 and 68-2-611. Also amends 68-2-611(a)(1) to provide the governor has exclusive jurisdiction to issue executive orders and directives related to the pandemic with respect to each county health department in the state.

Effective April 8, 2022.

Public Chapter 790
SB 2468 – HB 2596

Limitations of Actions

Enacts a new section at Title 28, Chapter 3, Part 1, to provide that an owner, tenant, or lessee is not liable for injuries occurring when a person uses their land to access a public greenway and such person has not paid to use the land to access the greenway, unless the injuries stem from gross negligence or willful and wanton misconduct of the owner, tenant, or lessee. Provides that the limitation of liability exists even if the person has permission to use the land to access the greenway.

Effective April 8, 2022.

Public Chapter 796
SB 2704 – HB 2725

Historic Zoning Commission Members

Amends 13-7-403 to provide for filling vacancies on the commission by the chief executive officer of the county or municipality, subject to confirmation by the local legislative body. Also provides for removal of members by the chief executive of the county or municipality, subject to confirmation by the local legislative body.

Effective April 8, 2022.

Public Chapter 802
SB 1197 – HB 1137

Closure of Churches or Religious Organizations

Amends 68-2-609 to provide the conditions under which county health officers may quarantine places or persons or close public establishments, facilities, or buildings. Prohibits the closure of churches or religious organizations. Also amends 58-2-107 to prohibit the state, local governments, or public officials from ordering the closure of churches or religious organizations for purposes of worship services.

Effective April 8, 2022.

Public Chapter 808
SB 1798 – HB 1884

Extension of Easements on Private Property

Amends 54-14-102(a) to authorize persons already possessing an easement less than twenty-five feet granted under Title 54, Chapter 14, to file a subsequent petition to increase the easement for purposes of installing utility lines. Provides that the total easement cannot exceed fifteen feet in counties with a metropolitan form of government or twenty-five feet in all other counties.

Effective April 8, 2022.

Public Chapter 822
SB 1875 – HB 1864

Public Finance

Amends 9-21-606, 9-21-609, 9-21-901, and 12-10-116 to make revisions relating to refunding of capital outlay notes.

Effective April 14, 2022.

Public Chapter 824
SB 2122 – HB 2130

Local Government Investment Pool

Amends 9-4-701 through 9-4-707 to establish the powers the state funding board may exercise relative to the local government investment pool and to make

revisions as to the manner in which the local government investment pool is administered.

Effective April 14, 2022.

Public Chapter 830
SB 1774 – HB 1677

Special Called Meetings Notice

Amends 5-5-105 to add a new subsection authorizing counties to provide alternative notice of special called meetings in cases where newspaper notice cannot occur in a manner timely enough to conduct the necessary business of the body. Provides that such notice may be provided by posting the notice in a location where the public may become aware of the notice and on the county's website if such website exists. Requires the notice contain a reasonable description of the purpose of the meeting or action to be taken. Also requires the notice be posted at least five days before the meeting.

Effective April 19, 2022.

Public Chapter 837
SB 2308 - HB 2508

GNRC

Amends 64-7-102 et seq. to make various revisions relating to the administration and governance of the body.

Effective April 19, 2022.

Public Chapter 844
SB 2835 – HB 2242

Building Codes

Amends 68-120-101 to require the statewide minimum construction safety standards to include provisions for multi-level commercial and residential structures relative to mitigating structural collapse resulting from explosive devices. Directs the state fire marshal, in conjunction with the department of safety, to promulgate rules in accordance with the act.

Effective April 20, 2022, for rulemaking purposes and January 1, 2023, for all other purposes.

Public Chapter 861
SB 535 – HB 653

Local Government Use of Cryptocurrency

Enacts a new part at Title 9, Chapter 3 to prohibit local governmental entities from paying, compensating, awarding, or remitting funds in the form of, or facilitating the conversion of compensation or funds to, blockchain, cryptocurrency, non-fungible tokens, or virtual currency to an individual person, corporation, or

other entity (or procuring the services for the performance of any such actions) without the prior written approval of the state treasurer.

Effective April 14, 2022.

Public Chapter 862
SB 693 – HB 813

Tennessee Food Freedom Act

Amends 53-1-102 and 53-1-204, and adds a new section at Title 53, Chapter 1, Part 1 to specify circumstances under which persons may sell certain homemade food products without meeting certain permitting and licensure requirements.

Effective July 1, 2022.

Public Chapter 866
SB 1925 - HB 2056

Solar Power Facility Agreements

Enacts 66-9-207 relative to solar power facility agreements which includes a lease or easement agreement for real property between a grantee and a landowner for the construction, installation and operation of all or a part of a solar power facility on such real property that generates electricity primarily for use and consumption off the premises. Provides that such agreements must contain certain provisions. Provides that this law does not prohibit a local government from regulating solar power facilities pursuant to its zoning authority, except that a local government shall not impose removal or restoration obligations or require financial assurance securing such obligations that are more stringent than or additional to those provided for in this law.

Effective June 1, 2022.

Public Chapter 871
SB 2055 – HB 1698

Tennessee Blasting Standards Act

Amends 68-105-101 et seq. to make various changes to blasting requirements, including adding safety processes and protocols.

Effective April 14, 2022, for rulemaking purposes and July 1, 2022, for all other purposes.

Public Chapter 873
SB 2108 – HB 2264

Insurance for Members of Public Develop. Entities

Amends 13-14-114(a) to authorize development districts to obtain insurance policies in lieu of bonds. Requires such policies to provide coverage at a

minimum of \$400,000 and to be filed with the register of deeds. Also amends 64-7-109 to authorize the Greater Nashville Regional Council to obtain a policy of insurance in lieu of a bond in accordance with 13-14-114.

Effective April 14, 2022.

Public Chapter 896
SB 1884 – HB 1960

COVID-19

Amends Title 14 and Title 68, relative to COVID-19.

Section 1 of the act amends Section 14-6-104, which provides a termination date for Title 14 of July 1, 2023, to exclude Sections 14-1-101, 14-2-101, and chapter 5 of the Title from the termination date. These sections and chapter 5 of the Title relate to the prohibition of governmental entities to mandate the COVID-19 vaccine.

Section 2 of the act deletes several definitions in Section 14-1-101 related to COVID-19, except definitions related to the prohibition of governmental entities to mandate the COVID-19 vaccine.

Section 1 of the act was effective as of April 19, 2022. Section 2 of the act will be effective as of 12:01 a.m. on July 1, 2023.

Public Chapter 930
SB 1982 – HB 1871

COVID-19

Amends Title 4, Title 7, Title 8, Title 14, Title 50, Title 63, and Title 68 relative to COVID-19.

Amends section 14-1-101 to include a definition for “acquired immunity” which is an acquired immune system response to the COVID-19 virus that is acquired naturally from a person’s previous infection of COVID-19; and is verified by a licensed physician or is documented by a laboratory test showing antibody, memory cell, or T-cell immunity.

Amends Title 14, Chapter 2, Part 1 to provide that a governmental entity or private business shall not adopt or enforce a rule that fails to recognize acquired immunity as at least as protective as the COVID-19 vaccine or treats persons with acquired immunity

different than persons who have received a COVID-19 vaccine.

Effective April 29, 2022

Public Chapter 940
SB 2203 - HB 2232

County Boundary Changes

Amends 5-2-104(a)(2) to require the county commissioners of counties seeking to change boundary lines to consider the potential impact to all relevant departments before adopting a resolution to request the general assembly change the county boundary lines.

Effective April 29, 2022.

Public Chapter 997
SB 2162 - HB 2649

Megasite Authority of West Tennessee Act of 2021

Amends Title 38, Chapter 8, Part 1 to authorize a local governmental entity to enter into a contract with an entity working on the megasite, as defined in 64-9-103, for the provision of security services at the megasite.

Effective May 4, 2022.

Public Chapter 1037
SB 2547 - HB 2780

Fingerprinting Services

Amends 38-6-109 to authorize clerks of court, county clerks, registers of deeds, and county trustees to enter into agreements with a fingerprint vendor that is under contract with the Tennessee Bureau of Investigation for purposes of providing fingerprint capture services for fingerprint-based background checks permitted by law and processed by the TBI.

Effective May 11, 2022.

Public Chapter 1066
SB 2252 - HB 2426

Public Funds

Amends 9-4-103 to revise the definition of “eligible collateral” to include notes, treasury bills and other obligations guaranteed by the US and obligations guaranteed by Freddie Mac, Fannie Mae, Sallie Mae, and other US government-sponsored corporations. Also amends the definition of “eligible collateral” to delete loans guaranteed by TSAC, to revise the provision regarding bonds from other states and municipalities, to add SBA bonds, and to authorize the state treasurer to exercise discretion in accepting or declining certain forms of eligible collateral. Also amends 9-4-508 to revise the powers of the collateral pool board.

Effective May 25, 2022.

Public Chapter 1079
SB 282 - HB 1386

Salary Suits

Amends 8-20-101, 102 and 107 to revise the procedure followed by courts in salary suits in order to expedite the process and manage attorney's fees.

Effective July 1, 2022.

Public Chapter 1084
SB 887 - HB 325

Electronic Monitoring Indigency Fund

Enacts a new section in Title 55, Chapter 10, Part 4 to create an electronic monitoring indigency fund task force to study and make recommendations on the future of the electronic monitoring indigency fund.

Effective May 27, 2022.

Public Chapter 1097
SB 2000 - HB 2040

Supervision of Offenders with Electronic Devices

Enacts a new section in Title 55, Chapter 10, Part 4 to provide numerous requirements for a "contract service provider." Provides that a "contract service provider" includes a private entity that enters into a written contract with a government entity of this state to provide supervision of offenders using an electronic monitoring device but does not include an ignition interlock provider or an electronic monitoring device manufacturer or producer.

Effective May 27, 2022.

Public Chapter 1130
SB 2897 - HB 2882

Appropriations

Makes appropriations for fiscal year beginning July 1, 2022. Budget items included \$20 million for last-dollar grants for facilities affected by the recent Waverly floods, an addition of \$250 million to the state's rainy-day fund, and additional investments to pay down unpaid OPEB liability and to the state's retirement system. Tax cuts included elimination of the state registration fee on personal vehicles and motorcycles for next year, elimination of the professional privilege tax on physicians permanently, expansion of a tax cut for machinery and equipment used in agriculture, and elimination of the sales tax on broadband equipment and installation for the next three years. As with the grocery tax holiday, the state is eliminating the entire

state and local sales tax on broadband equipment, but it is holding locals harmless for any potential loss of revenue. In addition to additional K-12 funding going into the BEP and \$500 million in one-time grants for CTE facilities in high schools and middle schools, the budget includes funding to increase the local jail per diem for housing state prisoners from \$39 per day to \$41. A pool of \$1 million was set aside for grants to city and county fairs. Another pool of \$5 million for volunteer firefighters and \$2 million for rescue squads will be made available to pay for equipment and supplies for those agencies. Finally, the budget included \$500 million in bonds to help pay the cost of a future domed stadium to replace Nissan Stadium.

Effective July 1, 2022.

Public Chapter 1142
SB 2377 - HB 2367

Coercion of Employee - Unlawful Discharge

Enacts 39-16-506 to create a Class E felony offense to influence or attempts to influence an employee who is a public servant to vote or not to vote in a particular manner; or influence or attempts to influence an employee who is a public servant to resign as a public servant or unnecessarily recuse themselves from a public body with the intent to influence the action or inaction of a public body, by an employer, or an agent of an employer acting on behalf of the employer, by means of coercion. "Coercion" means a threat, however communicated, to commit any offense; wrongfully accuse any person of any offense; expose any person to hatred, contempt, or ridicule; harm the credit or business repute of any person; or take or withhold action related to the employment of a public servant or a family member of a public servant.

Amends Title 50, Chapter 1, Part 3 to create a cause of action for the unlawful discharge of an employee who is a public servant. A public servant who was terminated by the public servant's employer or agent of the employer in violation of 39-16-506 may bring a cause of action against the employer for unlawful discharge and any other damages to which the employee may be entitled, subject to the limitations set out in 4-21-313, and treble the amount of damages resulting from or incident to the unlawful discharge; and reasonable attorney fees and costs.

Effective July 1, 2022.

COURTS & COURT CLERKS

Public Chapter 643
SB 1793 - HB 1766

Sexual Abuse of a Child

Amends 40-11-113 to require the court to revoke bail immediately for a defendant convicted of continuous sexual abuse of a child.

Effective March 11, 2022.

Public Chapter 665
SB 888 - HB 1362

Small Estates

Amends 30-4-101, 30-4-103, 30-4-104 and 8-21-401 to adopt "The Small Estate Affidavit Limited Letter of Authority Act."

Amends what must be included with the affidavit filed under 30-4-103. Provides that a death certificate must be filed with the affidavit. Provides that the affidavit must state that the decedent left no will requiring administration by the court having probate jurisdiction and had no interest in real property. Provides that the clerk shall charge and receive such fees from processing a small estate and additional certified copies as authorized by 8-21-401 and 32-1-112. Provides that formal letters testamentary or letters of administration shall not be issued, nor any creditor be allowed to file a claim in a small estate proceeding. Provides that if during the administration of the small estate affidavit limited letter of authority, the affiant or a creditor of the decedent discovers additional assets that exceed the statutory small estate limitation, then the court may allow the small estate affidavit to be converted into probate administration by application of a verified petition pursuant to 30-1-117 by the affiant or a creditor of the decedent to the court. Provides that the affiant is liable for the assets which may have been disposed of under the small estate affidavit limited letter of authority prior to the conversion.

Further revises provisions relative to the affidavit, affiant, and small estate process.

Effective July 1, 2022.

Public Chapter 677
SB 1781 - HB 1679

Expunction of Prior Conviction

Amends 40-32-101(g) to provide that an eligible petitioner may file a petition for expunction of that person's public records involving a criminal offense if: (i) the person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction; provided, that a moving or nonmoving traffic offense shall not be considered an offense; and (ii) the person has not previously been granted expunction under subsection (g) for another criminal offense. Provides that at the time of the filing of the petition for expunction at least: (i) 5 years must have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a misdemeanor or Class E felony; or (ii) 10 years must have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a Class C or D felony.

Effective July 1, 2022.

Public Chapter 864
SB 1819 - HB 1918

Appointment of Masters

Amends 17-2-123 to allow a county, upon the adoption of a resolution by a two-thirds (2/3) majority vote of the county legislative body, to authorize the circuit and chancery court judges of the county to appoint masters to hear certain cases under certain conditions. Provides that the compensation of the masters shall be set by the judge and paid by the county.

Effective April 14, 2022.

Public Chapter 976
SB 2284 - HB 2401

Judicial Conduct

Amends 17-5-201, 17-5-302 and 17-5-303 relative to the board of judicial conduct. Revises provisions relative to a temporary or permanent disability of a judge whether physical or mental including substance abuse.

Effective July 1, 2022

Public Chapter 980
SB 2415 - HB 2165

Reimbursement of Witness Expenses

Amends 40-25-129 to authorize the judicial cost accountant to advance or reimburse witness expenses necessary to the prosecution of a criminal case as requested by the district attorney general and approved by the court. Requires the county to seek to recover the costs of the advance or reimbursement of witness expenses from a convicted defendant as provided in law.

Effective May 3, 2022.

Public Chapter 981
SB 2632 - HB 2212

Revocation of Suspension of Sentence or Probation

Amends 40-35-311 to authorize a judge to issue a criminal summons, instead of an arrest warrant, for a technical violation of probation or a suspended sentence when the technical violation is brought by a probation officer. "Technical violation" means an act that violates the terms or conditions of probation but does not constitute a new felony, new Class A misdemeanor, zero tolerance violation as defined by the department of correction community supervision matrix, or absconding.

Effective July 1, 2022.

Public Chapter 982
SB 2682 - HB 2271

Judicial Forfeiture

Amends 39-11-703(c) to add aggravated kidnapping, especially aggravated kidnapping, aggravated rape of a child, rape of a child, aggravated rape, rape, and commission of an act of terrorism to the list of offenses for which various items are subject to judicial forfeiture, when any such offense is committed on or after July 1, 2022.

Amends 39-11-713(a) to provide that all property ordered forfeited shall be sold at public auction. The proceeds from all property forfeited and sold at public auction shall be disposed of by the court as directed by this part. If the property seized and ordered forfeited was taken from the lawful owner through theft or fraud, then the property shall be returned to the lawful owner, or restitution provided, as the court determines. If the defendant owes restitution, the proceeds shall first be directly applied to satisfy any judgments against the

defendant for restitution in favor of the victim. The attorney general shall then be compensated for all expenses incident to the litigation, as approved by the court. Any such costs for appeals shall be provided for by the trial court upon conclusion of the litigation. The attorney general shall then direct that any public agency be reimbursed for out-of-pocket expenses resulting from the investigation, seizure, and storage of the forfeited property.

Effective July 1, 2022.

Public Chapter 986
SB 1610 - HB 978

Camping on Public Property

Amends Title 55, Chapter 8, Part 2 to makes it a Class C misdemeanor offense for a person to engage in camping: (1) On the shoulder, berm, or right-of-way of a state or interstate highway; or (2) Under a bridge or overpass, or within an underpass, of a state or interstate highway. A violation is punishable only by a fine of \$50.00 and community service work not less than 20 hours nor more than 40 hours; except, that a person who violates this section must receive a warning citation for a first offense. In lieu of a fine and community service, the court may require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks, or other appropriate public locations for not less than 20 hours nor more than 40 hours.

Amends 39-14-414 to make the Equal Access to Public Property Act of 2012 applicable to all public property rather than only state-owned property. Extends to local governments and their employees the provisions of the Act concerning impoundment and disposal of camping equipment that is used in violation of the Act.

Effective July 1, 2022

Public Chapter 1022
SB 1673 - HB 1661

Aggravated Reckless Driving - County Fund

Amends Title 55, Chapter 10, Part 2 to create the new Class A misdemeanor offense aggravated reckless driving. In addition to the authorized penalty, the court may assess a fine of \$2,500 to be collected by the court clerk and deposited in a dedicated county fund as provided in 55-10-412(b) and distributed as provided in 55-10-412(c).

Effective July 1, 2022.

Public Chapter 1027
SB 2001 - HB 2102

Petitioners Eligible for Expunction

Amends 40-32-101(g)(1)(C) to expand the list of petitioners convicted of certain crimes, prior to November 1, 1989, who are eligible for expunction of related records.

Effective July 1, 2022.

Public Chapter 1028
SB 2114 - HB 2375

Expedited Custody Hearings

Enacts a new section in Title 36, Chapter 2, Part 3 to expedite hearings and appeals in contested custody cases involving unmarried parties where a paternity test by an accredited laboratory is known to exist or has been requested of or by the court.

Effective May 11, 2022.

Public Chapter 1033
SB 2303 - HB 2234

Human Trafficking Victim Expungements

Amends 40-32-105 to expand the list of petitioners who are eligible for expunction of records involving offenses related to the person's status as a victim of human trafficking.

Effective July 1, 2022.

Public Chapter 1056
SB 2103 - HB 1834

Ethan's, Hailey's and Bentley's Law

Enacts a new section in Title 39, Chapter 13, Part 2 to provide that a sentencing court shall order a defendant who has been convicted of vehicular homicide or aggravated vehicular homicide due to intoxication and in which the victim of the offense was the parent of a minor child to pay restitution in the form of child maintenance to each of the victim's children.

Provides that the court shall order that child maintenance payments be made to the clerk of court as trustee for remittance to the child's surviving parent or guardian. The clerk shall remit the payments to the surviving parent or guardian within ten (10) working days of receipt by the clerk. The clerk shall deposit all payments no later than the next working day after receipt.

Effective May 25, 2022.

Public Chapter 1060
SB 2288 - HB 2118

Probation Revocations

Amends 40-35-311 relative to probation revocations and suspension of sentences. Provides that if the trial judge finds by a preponderance of the evidence that the defendant violated the conditions of probation and suspension of sentence, then the court will be authorized to revoke the defendant's probation and suspension of sentence in full or in part. Revises provisions relative to technical violations. Adds that probation may be revoked for contacting the defendant's victim in violation of a condition of probation.

Effective July 1, 2022.

Public Chapter 1098
SB 2011 - HB 1832

Judicial Districts

Enacts a new section in Title 16, Chapter 2, Part 5 to establish an advisory task force to review the composition of current judicial districts.

Effective May 27, 2022.

Public Chapter 1120
SB 2478 - HB 2538

Judicial Qualifications

Amends 17-1-106 relative to the qualifications of certain judges. Provide that the judge must be in good standing with the board of professional responsibility. Provides that the judge may not have been publicly censured by the board of professional responsibility or suspended or disbarred from the practice of law within the ten (10) years preceding the judge's term of office for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; provided, that this provision does not apply to those serving in a judicial position as of the effective date of the act.

Effective October 1, 2022.

Public Chapter 1134
SB 882 - HB 1188

Interlock as a Condition of Bail

Amends 40-11-118 to generally require a defendant charged with an alcohol related driving offense to only operate a motor vehicle with an ignition interlock device as a condition of bail.

Effective July 1, 2022.

EDUCATION

Public Chapter 670 SB 2003 – HB 1848

Compensation of School Board Members

Amends 49-2-202(d) to provide that the compensation of school board members cannot exceed the compensation of county legislative body members and must be included in the education budget submitted to the county legislative body. Also provides that the compensation for school board members shall not be reduced from the prior year.

Effective July 1, 2022.

Public Chapter 943 SB 2328 – HB 2300

Basic Education Funding (BEP)

Amends Title 49, Chapter 3, relative to the BEP.

Section 1 of the act adds section 49-3-371 to Title 49, Chapter 3, Part 3, to provide that a high school student that completes an early high school graduation program under 49-6-6103 must be counted as enrolled in the LEA where the student graduated early for the remainder of the year for the purpose of calculating the LEA's ADM or FTE for the year.

Section 2 of the act terminates section 49-3-371 on July 1, 2023.

Effective July 1, 2022

Public Chapter 966 SB 2396 – HB 2143

Public School Funding Formula

Amends Title 49, relative to education funding. Replaces the Basic Education (BEP) formula with the Tennessee Investment in Student Achievement (TISA) formula. Creates a student-based funding formula for K-12 public schools. TISA will be implemented beginning with the 2023-24 school year. The department will create and publish a guide for administering TISA by July 1, 2023, and each year thereafter.

Goals of TISA are to empower students to read proficiently by the third grade; prepare high school graduates for post-secondary education or career; and provide students with resources regardless of the student's individual circumstances.

Funding allocations Include (i) base funding for each student; (ii) weighted allocations including 25% for a student who is economically disadvantaged, 5% for a student that experiences concentrated poverty, 5% for a student that resides in a small district, 5% for a student that resides in a sparse district, and 15% to up 150% based on unique learning needs; (iii) direct funding for all K-3 students, 4th grade tutoring for students in English Language Arts on the TCAP, career and technical education at varying levels, ACT testing and retesting; and students that attend public charter schools; (iv) outcome based funding based on goals as determined by the department; (v) outcome based funding for an LEA that achieve goals as determined by the department; and (vi) fast growth stipends for infrastructure, subject to appropriation, for LEAs that grow at least 2% for three consecutive years.

Provides that if an LEA receives less under TISA than it did in the prior year under the BEP, the LEA will receive the prior year's funding. This decreases over time, but LEA TISA funding shall not decrease more than 5% from the prior year.

The state shall provide 70% of the funding. Local governments shall provide the other 30% of funding.

The department will create a professional development course that will include an in-depth explanation of TISA, instruction on budgeting to increase student achievement. Instruction on how to connect student achievement with investments, and instruction on how to hold decision makers accountable for funding decisions. The professional development series will be made available at no cost to participants no later than July 1, 2023.

Each LEA may provide feedback and recommendations about TISA to the department beginning November 1, 2024, and each year thereafter. Additionally, the department will submit a report to the general assembly that contains an academic analysis of each LEA; accountability report cards for each LEA; an executive summary of feedback and recommendations provided by LEAs; and reviews of TISA by experts, including cost review and recommendations. The report

will be made publicly available on the department's website. The comptroller shall review the report to determine the effectiveness of the expenditures and will report the information to the speakers of the senate and house of representatives, as well as the education committees.

Each LEA shall produce an accountability report that establishes goals for student achievement and describes the LEAs budget and how the budget has enabled the LEA to make progress towards student achievement goals. The report must be submitted to the public before being submitted to the department and will be due by November 1, 2023, and each year thereafter.

Beginning with the 2024-2025 school year, a public LEA or charter school that receives a D or F letter grade pursuant to 49-1-228 may be required to appear before the state board for a hearing to report on the school's performance and how funding may have affected the school's ability to meet performance goals. The department may require the LEA to develop and implement a corrective action plan and submit it to the state board; require the department to audit or investigate the public LEA or charter school's academic programming and spending.

Beginning on July 1, 2023, a progress review board will be created consisting of the commissioner of education, the chair of the state board of education, two members appointed by the senate, and two members appointed by the house. The progress review board will set minimum goals for LEAs, review accountability reports submitted by LEAs, and determine if further action is necessary for an LEA that does not meet goals.

LEAs may use TISA funds for programs that address school safety and must submit an annual safety plan to the Tennessee school safety center.

For purposes of promulgating rules, establishing and evaluating the fiscal capacity calculation, determining fiscal capacities, determining equalization values, determining local contributions, creating and publishing the TISA guide, creating or procuring a professional development series on the TISA, and producing

accountability reports for the 2023-2024 school year, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023.

ELECTIONS

Public Chapter 621 SB 1820 - HB 1868

Instant Runoff Voting

Enacts a new section in Title 2, Chapter 8 to prohibit county election commissions from utilizing instant runoff voting or rank choice voting in conducting an election in this state for statewide or local government offices. Defines instant runoff voting and ranked choice voting as a method of casting and tabulating votes in which: (i) voters rank candidates in order of preference; (b) tabulation proceeds in rounds such that in each round either a candidate or candidates are elected or the last-place candidate is defeated; (iii) votes are transferred from elected or defeated candidates to the voters' next-ranked candidate or candidates in order of preference; and (iv) tabulation ends when a candidate receives the majority of votes cast or the number of candidates elected equals the number of offices to be filled, as applicable.

Effective February 28, 2022.

Public Chapter 626 SB 515 - HB 411

Political Signs on Private Property

Amends 2-7-143 relative to the provisions under the Tennessee Freedom of Speech Act that prohibit local governments and homeowners' associations from placing certain restrictions on political signs placed on private property. Extends the current prohibitions from 60 days before the election to 60 days before early voting.

Effective July 1, 2022.

Public Chapter 668 SB 2010 - HB 1708

Judicial Candidates

Enacts a new section in Title 2, Chapter 10, Part 3 to provide that judicial candidates may personally solicit and accept campaign contributions.

Effective March 18, 2022.

Public Chapter 809
SB 1952 - HB 1970

Residency Requirement for County Offices

Amends numerous sections to require a candidate for county legislative body, constable, trustee, register, school board, chief administrative officer of the highway department, assessor of property or clerk of a general sessions, circuit, criminal, or other special court to be a qualified voter of the county and a resident of the county for one year prior to the date of the qualifying deadline for running as a candidate for such office.

Effective September 1, 2022 (applies to persons qualifying to run as a candidate for the affected office after such date).

Public Chapter 880
SB 2230 - HB 2337

School Employees

Amends 2-1-112 to provide that an employee of a county or city school system, who does not work directly under the supervision of an elected official, may serve as a member of the county election commission.

Effective April 14, 2022.

Public Chapter 901
SB 2302 - HB 2061

Sworn Complaints on Statements of Candidates

Amends 2-10-108 to provide that sworn complaints alleging illegality with a statement of a candidate for state public office or a statewide political campaign committee must be filed in the office of the registry of election finance. Provides such complaints on a statement of a candidate for local public office or a local political campaign committee must be filed in the office of the district attorney general who represents the judicial district in which the voter resides.

Effective April 19, 2022.

Public Chapter 925
SB 1375 - HB 1125

Qualification of Additional Candidates

Amends 2-5-101(g) to change the qualifying deadline under certain conditions when a candidate dies, withdraws, is declared ineligible or disqualified leaving no candidates for nomination or office.

Provides that the new qualifying deadline applies to any event that occurs and subsequently affects the August 4, 2022 primary and general elections. If any event under 2-5-101(g)(1) occurs after the qualifying deadline, but before the effective date of this act, the qualifying

deadline shall be no later than twelve o'clock (12:00) noon, prevailing time, seven (7) calendar days after the effective date of this act.

Effective April 28, 2022.

Public Chapter 939
SB 2245 - HB 2128

Prohibiting Noncitizens from Voting

Amends 2-2-102 to prohibit an individual who is not a citizen of the United States from voting in a federal, state, or local election and prohibit a county, municipality, or other political subdivision of this state from granting voting rights to a person who is not a United States citizen for an election.

Enacts a new section in Title 2, Chapter 2, Part 1 relative to providing lists of registered voters to federal courts for selecting jurors. Requires the jury coordinator to provide certain information to the coordinator of elections relative to disqualified jurors.

Amends 2-2-106 relative to purging of voter registration. Amends 2-2-141 regarding verifying citizenship.

Effective April 29, 2022.

Public Chapter 947
SB 2487 - HB 2483

Consent Decrees

Enacts a new section in Title 2, Chapter 1 to provide that election officials must consult with the speaker of the senate and the speaker of the house of representatives prior to entering into consent decrees to change state election laws or rules.

Effective July 1, 2022.

Public Chapter 965
SB 2675 - HB 2585

Election Audits

Amends numerous sections, primarily in Title 2, Chapter 20, relative to election audits. Provides that starting in 2024, the secretary of state shall randomly selection county election commissions that must conduct an audit after each general election. Provides for audits of any county election commission utilizing a precinct-based optical scanner. Provides that audits in 2022 and 2024 shall be paid for by the state. Amends 2-5-207 relative to absentee ballots. Provides for posting of certain notice in any polling place using precinct-

based optical scanners. Provides for mandatory audit of certain elections in Williamson County.

Effective May 2, 2022.

Public Chapter 1087
SB 1005 - HB 1201

Ethics and Campaign Finance Laws

Amends numerous provisions regarding ethics and campaign finance laws. Revises several provisions regarding reporting of contributions and expenditures. Revises several provisions relative to penalties for violations. Provides that a disclosure statement or amendment to a disclosure statement must be signed under penalty of perjury and contain a statement verifying the same.

Provides for varying effective dates based on applicable sections of the act.

Public Chapter 1144
SB 2558 - HB 2331

Voting Machines

Amends 2-9-101 to provide that by January 1, 2024, each voting machine used by a county election commission must produce a voter-verifiable paper audit trail. Provides that a county election commission may apply to the coordinator of elections for an extension of up to two (2) years if necessary to comply.

Effective June 3, 2022.

EMERGENCY SERVICES

Public Chapter 647
SB 2289 - HB 2348

Mental Health Transports

Amends 68-140-306 to revise the Emergency Medical Services Act of 1983 to create an exception to the requirement for a separate license in each county so that an ambulance service that holds a valid and unencumbered license to operate in one or more counties in this state will not be required to hold a license specific to, or establish a base of operations in, a county for which that ambulance service is not licensed in order to provide a secondary mental health transport to, from, or through that county. "Secondary mental health transport" means the transportation of an individual from one healthcare facility to another healthcare facility for the purposes of mental health evaluation or treatment.

Effective March 14, 2022.

Public Chapter 684
SB 1908 - HB 1956

EMT/AEMT Training Centers

Amends 68-140-331 to revise the Emergency Medical Services Act of 1983 to increase the number of EMT/AEMT training centers that may be operated by licensed ambulance services from 15 to 30.

Effective March 28, 2022.

Public Chapter 827
SB 2876 - HB 2275

Emergency Medical Services Employees

Amends Title 8, Chapter 36, Part 8 to authorize emergency medical service employees who have been retired for at least 60 days from the Tennessee consolidated retirement system (TCRS), from any superseded system administered by the state, or from any local retirement fund to accept employment as an emergency medical service employee without loss or suspension of retirement benefits to meet certain conditions.

Effective July 1, 2022.

Public Chapter 977
SB 2340 - HB 2211

Background Checks on Fire Protection Personnel

Amends 68-102-308 to require fire protection personnel, when seeking employment with a public fire agency, to agree to the release of information required for a criminal background investigation by a professional background screening organization or criminal background check services or registry; and supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation, the federal bureau of investigation, another law enforcement agency, or another legally authorized entity.

Effective May 3, 2022.

Public Chapter 1091
SB 1569 - HB 335

Firefighters - Compensation for Injury or Death

Amends 7-51-201 to add leukemia and testicular cancer to the list of cancers for which a presumption is created that certain conditions or impairments of full-time firefighters caused by leukemia, testicular cancer, or other listed cancers arose out of employment unless the contrary is shown by competent medical evidence.

Effective July 1, 2022

ENVIRONMENT

Public Chapter 746 SB 2450 - HB 2607

Tire Disposal Funds

Amends 67-4-1610 to provide that the one dollar (\$1.00) that is sent to a county from the one dollar and thirty-five cents (\$1.35) pre-disposal fee imposed on the purchase of a new tire may be used by the county for the beneficial end use of tires (e.g., recycling) or for the shredding and disposal of tires in a landfill so long as the net cost of shredding, transporting and disposing of the tires does not exceed the cost of an available beneficial end use.

Effective July 1, 2022.

Public Chapter 875 SB 2121 - HB 1842

Solid Waste Disposal Facilities

Amends 68-211-814 to provide that TDEC is authorized to continue processing a permit application for the construction or expansion of a solid waste disposal facility or incinerator if the municipal solid waste region does not render a decision on such an application within 90 days after receipt of a complete application. Provides that TDEC shall not approve a permit that is subject to an appeal in chancery court. Provides that if an aggrieved party does not appeal a final action of the region, then TDEC may issue the permit unless TDEC finds that the decision of the region to reject the application is arbitrary and capricious and unsupported in the record developed before the region.

Effective April 14, 2022.

Public Chapter 886 SB 2417 - HB 2167

Water and Wastewater Funding

Amends numerous sections in Title 68, Chapter 221 relative to water. Authorizes TDEC to promulgate emergency rules to make full use of available federal funding. Expands definition of wastewater facility to include stormwater facilities. Authorizes loan forgiveness to certain water systems serving disadvantaged communities. Authorizes TDEC to establish a grant program utilizing federal funds for eligible water related projects under Parts 10 and 12 of Title 68, Chapter 221.

Effective April 14, 2022.

FIREARMS

Public Chapter 1000
SB 890 - HB 1018

Concealed Handgun Carry Permits

Amends 39-17-1366 to require the Department of Safety to conduct a name-based criminal history record check every four years after a person is issued a concealed handgun carry permit, permits the Department to revoke the permit if the person is ineligible to possess a firearm, and implements a \$50 fee for renewal of the permit.

Effective July 1, 2022.

Public Chapter 1038
SB 2628 - HB 2509

Prohibited Weapons

Amends 39-17-1302 to remove short-barrel rifles and shotguns from the list of prohibited weapons.

Effective July 1, 2022.

HIGHWAYS

Public Chapter 992
SB 2399 - HB 2146

Commercial Drivers Licenses

Enacts new sections at Title 55, Chapter 50, Part 4, to authorize a third-party skill testing program for CDLs to be administered by the Department of Safety. Enacts 55-50-417 to require the department to request driver records from the federal drug and alcohol clearinghouse prior to issuing or renewing a CDL. Enacts 41-21-517 to authorize the Department of Corrections to create a CDL training program for certain incarcerated individuals. Amends various other sections related to school bus endorsements.

Effective May 4, 2022, for rulemaking purposes and July 1, 2022, for all other purposes.

JAILS

Public Chapter 646
SB 278 - HB 549

Compensation for Death in Line of Duty

Amends 7-51-210(a)(5) to allow the estate of a deputy jailer who is killed in the line of duty to receive an annuity in the amount of \$250,000, paid over five years in \$50,000 installments.

Effective March 11, 2022.

Public Chapter 895
SB 735 - HB 71

County Correctional Incentive Act

Amends 41-8-103 and 41-8-106 to reimburse counties for housing state parolees awaiting a parole revocation hearing.

Effective July 1, 2022.

Public Chapter 1017
SB 827- HB 916

Safekeeping of Prisoners

Amends 41-4-121 to prohibit the removal of a pregnant prisoner, beginning on the date on which the pregnancy is confirmed by a healthcare professional and ending at the conclusion of postpartum recovery, to a state penitentiary or a branch prison for safekeeping, unless medically necessary for the health of the prisoner or the unborn child.

Effective May 11, 2022.

Public Chapter 1041
SB 2769 - HB 2875

Use of Restraints on Pregnant Inmates

Enacts 41-51-201 and 202 to prohibit the use of restraints on an inmate in the custody of a correctional institution beginning on the date on which a pregnancy is known to a law enforcement agency and confirmed by a healthcare professional. Multiple exceptions apply.

Effective July 1, 2022.

LAW ENFORCEMENT

Public Chapter 649
SB 1984 - HB 2046

Child Protective Teams

Amends 37-1-607(a)(2) to provide that each team may also include a representative from one of the mental health disciplines and one appropriately credentialed medical provider, as needed.

Effective March 15, 2022.

Public Chapter 667
SB 2794 - HB 1693

Constables

Amends 8-10-201, 203 and 205 to add the East Tennessee Constables Association to the list of entities that are eligible to provide in-service education courses and firearms training for constables. Requires the East Tennessee Constables Association to be notified in the

event of the county election or appointment of a constable.

Effective March 18, 2022.

Public Chapter 679
SB 2054 - HB 1697

Directing or Regulating Traffic

Amends 55-8-109(c) to add retired law enforcement officers, who are authorized to carry a firearm pursuant to 38-8-116(b), to the list of persons who can direct or regulate traffic.

Effective July 1, 2022.

Public Chapter 694
SB 399 - HB 328

Investigating Cases of Suspected DUI

Amends Title 38, Chapter 8, Part 1, by adding a new section. Mandates that each law enforcement officer specifically assigned to the traffic division of a local law enforcement agency or its equivalent, or for whom a county sheriff or chief of police deems it necessary, shall undergo training on the proper testing procedures for use in investigating cases of suspected driving under the influence, as prohibited by 55-10-401. Provides that certifications completed on or after January 1, 2023, the required training must be completed as part of the required annual in-service training in order to maintain law enforcement certification by the POST commission.

Effective March 18, 2022.

Public Chapter 732
SB 1751 - HB 1734

Three Stars of Tennessee Award

Amends 4-1-501(d) to authorize a representative of the agency of government in which a peace officer served at the time of the officer's death to receive the Three Stars of Tennessee Award on the officer's behalf, provided there are no other surviving next of kin to receive the award.

Effective March 24, 2022.

Public Chapter 810
SB 2035 - HB 2058

Prevention of Youth Access to Tobacco

Amends 39-17-1502 and following sections. Defines "smokeless nicotine product" and adds smokeless nicotine products to type of products that are age-restricted to persons aged 21 years and older. Specifies that the general assembly preempts and occupies the entire field of legislation concerning the regulation of

tobacco products, smokeless nicotine products, and vapor products.

Effective April 8, 2022.

Public Chapter 820
SB 2787 - HB 2771

Operation of Law Enforcement Vehicles.

Amends Title 55, Chapter 8, Part 1 to provide that the department of safety, in consultation with local law enforcement agencies, shall produce informational material on how to interact with law enforcement when a person is being pulled over. This information may include, but is not limited to, the following: (1) What a law enforcement vehicle will look like; (2) How a law enforcement vehicle will act when stopping a person; (3) How a person being stopped can verify the vehicle is operated by a law enforcement officer; and (4) How a person may proceed if the person wants to travel to a safer location for the traffic stop.

Effective October 1, 2022.

Public Chapter 847
SB 2825 - HB 2442

Minimum Standards

Amends 38-8-105(d) to remove the requirement for employment as a police officer that a lawful permanent resident be honorably discharged from the United States armed forces. Allows any permanent legal resident of the United States who applies for or obtains United States citizenship within six years of the employment start date to be employed as a police officer.

Effective April 20, 2022.

Public Chapter 893
SB 2746 - HB 2533

Orders of Protection - Service

Amends Title 8, Chapter 8, Part 2. A sheriff, deputy sheriff, or constable serving an order of protection or ex parte order of protection shall, prior to or at the time of service, make reasonable efforts to determine whether the person being served has an outstanding criminal warrant. If the person being served has an outstanding criminal warrant, then the sheriff, deputy sheriff, or constable shall either serve the outstanding criminal warrant or notify the agency holding the criminal warrant of the person's location.

Effective April 14, 2022.

Public Chapter 899
SB 2070 - HB 2424

Mitigated Criminal Littering

Amends 39-14-503 to increase the penalty for mitigated criminal littering from a Class C misdemeanor punishable by a \$50 fine to a Class B misdemeanor punishable by a \$500 fine.

Effective July 1, 2022.

Public Chapter 931
SB 2719 - HB 1878

Sex Offender Registration Fees

Amends 40-39-201 (b)(7) to expand the uses of sex offender registration fees available to the registering agency to include the investigation of sexual offenses and the purchase of specialized equipment for use in the investigation of sexual offenses in addition to paying the administrative costs of the sexual offender registry.

Did not amend 40-39-204.

Effective April 29, 2022.

Public Chapter 969
SB 1782 - HB 1732

Constables

Amends Title 8, Chapter 10, Part 1 to authorize a court with jurisdiction over a criminal case in which an elected constable is indicted or formally charged with a misdemeanor involving gambling or moral turpitude or a felony to place the constable on administrative leave until the conclusion of the criminal prosecution. If a constable is placed on administrative leave, the clerk of court is required to mail a copy of the court's order to the legislative body of the county in which the constable serves for purposes of temporarily filling the vacant seat of the constable, as necessary. If a constable is convicted of a misdemeanor involving gambling or moral turpitude or a felony, the clerk will be required to mail a certified copy of the conviction to the attorney general and reporter and the appropriate district attorney general, county attorney, and city attorney to determine whether ouster proceedings should be brought.

Effective May 3, 2022.

Public Chapter 971
SB 1910 - HB 2023

Child Abuse

Amends Title 37, Chapter 1, Part 4 to require a landlord or person in control of a residential rental property to provide a case manager from the department of children's services or a child protective investigation team with information, if known, on the address or location of a child who has been alleged to be abused or neglected and resides or is located on the residential rental property.

Effective July 1, 2022.

Public Chapter 995
SB 2742 - HB 2589

Law Enforcement Officer Training

Amends 37-1-603(b)(4) to add "child abuse" training to the training requirements for completion of the basic school, annual in-service training requirements, and training for specialists in the investigation of child abuse and child sexual abuse cases.

Effective May 4, 2022.

Public Chapter 997
SB 2162 - HB 2649

Regulation of Health and Related Facilities

Amends Title 68, Chapter 11, Part 2 to authorize licensed health care facilities to establish policies pursuant to which a suitable number of persons may be employed or commissioned, or both, as police officers, public safety officers, and security officers by the facility; provided, that the chief law enforcement officer of the law enforcement agency with jurisdiction over the facility has appointed each police officer who is employed or commissioned pursuant to this section a special deputy in accordance with 8-8-212, or has appointed the police officer a special police officer.

Effective May 4, 2022.

Public Chapter 1015
SB 2592 - HB 2573

Human Trafficking

Amends 55-50-353 and 39-13-314 to require a person who is convicted of a human trafficking offense to obtain, if eligible, a valid driver license or photo identification license that bears a designation sufficient to enable a law enforcement officer to identify the bearer of the license as a person who has been convicted of a human trafficking offense.

Effective July 1, 2022.

Public Chapter 1042
SB 2796 - HB 2329

Tennessee Personal and Commercial Computer Act
Amends 39-14-602 to classify all misdemeanor offenses under the Tennessee Personal and Commercial Computer Act of 2003 as Class A misdemeanor offenses. Adds possession of a computer contaminant as a prohibited act.

Effective July 1, 2022.

Public Chapter 1054
SB 1877 - HB 1747

Medical Cannabis
Amends 39-17-402(16)(F)(ii)(b)(2) to add quadriplegia as a qualifying medical condition for the lawful possession of cannabis oil.

Effective May 25, 2022.

Public Chapter 1058
SB 1786 - HB 1922

Sexual Offenders
Amends 40-39-215 to add that it is an offense for a sexual offender, violent sexual offender, or a violent juvenile sexual offender, if the offender's victim was a minor, to knowingly rent or offer for rent a swimming pool, hot tub, or other body of water to be used for swimming that is located on property owned or leased by the offender or is otherwise under the control of the offender.

Effective July 1, 2022.

Public Chapter 1062
SB 2841 - HB 2244

Criminal Offenses
Amends Title 39, Chapter 13, Part 5 to create the criminal offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture.

Effective July 1, 2022.

Public Chapter 1089
SB 1378 - HB 1416

Aggravated Human Trafficking
Enacts 39-13-316 to create the Class A felony of aggravated human trafficking. Aggravated human trafficking is the commission of an act that constitutes any of the following criminal offenses, if the victim of the criminal offense is under 13 years of age: involuntary labor servitude; trafficking persons for forced labor or services; trafficking for commercial sex act; patronizing prostitution; or promoting prostitution.

A person convicted of a violation of this section must service the entire sentence imposed by the court.

Amends 39-13-307, 39-13-308, 39-13-314 and 39-13-515 to revise the offenses of involuntary servitude, trafficking, and prostitution.

Effective July 1, 2022.

Public Chapter 1094
SB 1891 - HB 1905

Reports to Law Enforcement Officials

Amends 38-1-101(a)(1) to require hospitals, clinics, and persons, including doctors and nurses, who are called upon to render aid to a person suffering from the effects of a fatal drug overdose to report the drug overdose to the appropriate chief of police or sheriff and district attorney general, to the extent allowed by state and federal law.

Effective July 1, 2022.

Public Chapter 1095
SB 1912 - HB 2022

Reports to Law Enforcement Officials

Amends Title 37, Chapter 5, Part 1, to require department of children's services case managers to report a suspected violation of a court order to law enforcement if: (1) The department currently has an open case on the family that is subject to the court order; (2) The court order is an order issued pursuant to Title 36, Chapter 3, Part 6, and concerns at least one individual who is a subject of the department's open case; (3) The department case manager has knowledge of the court order; and (4) The department case manager observes the person against whom the court order has been entered acting in violation of the court order.

Effective May 27, 2022.

Public Chapter 1105
SB 2012 - HB 1833

Aggravated Criminal Littering

Amends 39-14-505 to expand the offense of aggravated criminal littering to include, any amount for any commercial purpose, knowingly placing, dropping, or throwing one or more tires on any public or private property without permission and without immediately removing them. Also amends penalties.

Effective July 1, 2022.

Public Chapter 1106
SB 2013 - HB 1646

Joker's Law

Amends Title 39, Chapter 14, Part 2 to enact Joker's Law. Creates the Class D felony offense to knowingly and unlawfully cause serious bodily injury to or kill a police dog, fire dog, search and rescue dog, service animal, or police horse without the owner's effective consent.

Effective July 1, 2022.

Public Chapter 1140
SB 2377 - HB 2367

Criminal Proceedings Notification System

Amends Title 40, Chapter 38, Part 5 to require the Tennessee Sheriffs' Association to establish a criminal proceedings notification system as a pilot program for the purpose of increasing the transparency and efficiency of the criminal justice process by providing timely information about each stage of the criminal process to interested parties. Funding for the criminal proceedings notification system must be appropriated by the general assembly, and moneys from the statewide automated victim information and notification system fund created in 67-4-602(h)(2) must not be used for the criminal proceedings notification system. The pilot program begins July 1, 2022, and ends June 30, 2025.

Effective June 3, 2022.

PERSONNEL

Public Chapter 644
SB 1823 - HB 1867

COVID -19 Vaccination Exemptions

Amends Title 14 to require employers to grant certain exemptions to COVID-19 vaccination requirements for healthcare staff members or students. A staff member may request an exemption for a medical condition or sincerely held religious belief. The employer must grant or deny the exemption in writing within ten business days of the request and may not retaliate against or take an adverse action against a staff member for making a request for an exemption. Imposes a civil penalty of \$10,000 against employers who violate this section.

Does not impose liability on an employer for actions taken prior to the effective date of this section, nor requires an employer to take or refrain from actions

contrary to enforceable requirements of the centers of Medicare or Medicaid services.

The attorney general shall establish a process whereby violations of this section may be reported and may bring an action against an employer that violates this section. Funds collected must be paid into the general fund of the state. Attorney's fees and costs may be awarded to the prevailing party, except no court costs shall be assessed against the attorney general and/or state. Jurisdiction is in chancery or circuit court of Williamson County or in chancery court where the employer is located.

Effective March 11, 2022.

Public Chapter 832
SB 1780 – HB 1853

E-Verify for Work Authorization

Amends Title 4, Title 12, Title 39, Title 50, and Title 57 relative to immigration. Prohibits a person from knowingly recruiting or employing an illegal alien; requires private employers with 35 or more employees to use E-Verify to verify work authorization and applies on or after January 1, 2023; creates an office of employment verification assistance within the department; requires the office of employment authorization to assist employers, with no internet access and less than 35 employees, with enrolling in E-Verify or by conducting work authorization checks by using E-Verify; provides that an employer will not be in violation of this act during a time period when the E-Verify program is suspended or nonoperational, or if an employer acts upon false results generated by E-Verify about an employee's work authorization status; provides that an employee shall have no civil action for retaliatory discharge if the employee is not authorized to work in the United States; provides that if an employer discovers an employee is not authorized to work in the United States by E-Verify and discharges the employee, then the employee does not have a cause of action for discrimination based on national origin; and requires an employer to maintain an E-Verify case result for each employee that shows that the employee is authorized to work

Effective April 19, 2022

Public Chapter 854
SB 2879 – HB 2733

Veteran’s Day

Amends Title 8, Title 15, Title 50, and Title 58 relative to Veteran’s Day. Requires employers to allow veteran employees to take Veteran’s Day off, as a non-paid holiday if the employee provides proof of veteran status, and the veteran employee’s absence on Veteran’s Day will not impact public health or safety or cause the employer to have significant economic or operational disruption. Does not prohibit an employer from allowing veteran employees to take Veteran’s Day as a paid holiday.

Effective April 20, 2022

Public Chapter 870
SB 2042 - HB 2078

Wages

Amends Title 8 and Title 50, relative to wages. Requires an employer to pay an employee no less than federal minimum wage under 29 U.S.C. § 206, regardless of the subminimum wage authorized by 29 U.S.C. § 214(c) for an employee whose earning capacity is impaired by age, physical, or mental deficiency or injury.

Effective July 1, 2022.

Public Chapter 1031
SB 2294 – HB 2303

Insurance for County Employees

Amends 8-27-503 to provide that if a county employee rejects or opts out of an insurance policy offered to the employee, the county may pay the employee up to 15% of the premium that would have been paid by the county as long as the county continues to offer such insurance coverage to its employees.

Effective July 1, 2022.

Public Chapter 1078
SB 136 – HB 204

CROWN Act

Amends Title 50, Chapter 1, Part 3 to prohibit employers from adopting a policy which does not allow an employee to wear the employee’s hair in braids, locs, twists, or another manner that is part of the cultural identification of the employee’s ethnic group. A policy adopted in violation of this law is discriminatory and void.

The law does not create a private cause of action. An employee may file a complaint with the department of labor and workforce development. The department will

provide a warning to an employer in violation of this section.

The law does not apply to a public safety employee if it would prevent the employee from performing the essential functions of the employee's job and does not apply to a policy that an employer must adopt to adhere to safety standards, or to comply with federal or state laws, rules, and regulations relative to health or safety.

Effective July 1, 2022.

Public Chapter 1122
SB 2522 – HB 2762

Pay Schedules

Amends Title 8, Chapters 14 and 7 relative to compensation for assistant attorneys general and assistant public defenders.

Provides that all assistant district attorneys general hired after July 1, 1994, or re-classified under 8-7-201(e)(3) must be compensated in accordance with the new pay schedule in 8-7-226. Amends 8-27-227 to provide that assistant attorneys general shall be entitled to prior service credits subject to the approval of the executive director of the Tennessee district attorneys general conference.

Provides that full-time district public defenders must be compensated in accordance with the new pay schedule according to 8-14-107(b)(1). Further amends 8-14-107 to provide that assistant public defenders shall be entitled to prior service credits subject to the approval of the executive director of the Tennessee public defenders conference.

Effective June 1, 2022.

PLANNING AND ZONING

Public Chapter 993
SB 2690 – HB 2503

Regional Plans

Amends 13-3-304 to require amendments to the general plan proposed by the regional planning commission to be adopted by a majority vote of the legislative body to be operative. Authorizes legislative bodies to also amend the general plan on their own initiative. Authorizes the general plan to be adopted as part of a growth plan and specifies that if the general

plan is not adopted as part of the growth plan that it cannot be inconsistent with the growth plan. Also amends 13-4-202 relative to general plans and municipal planning commissions.

Effective July 1, 2022.

Public Chapter 994
SB 2692 – HB 2534

Planning Commissions

Amends 13-3-402(a)(1) to provide plats dividing a tract into no more than twenty-five lots, if the development received preliminary plan approval through the planning commission, or five lots if the development did not require preliminary plan approval through the planning commission do not require planning commission approval. Such plats may be endorsed by the secretary or other designee of the planning commission. Amends 13-3-402(b) to prohibit registers of deeds from recording plats without planning commission or planning staff approval. Amends 13-3-402(c) to provide the conditions under which a planning commission may delegate plat approval authority to its staff. Also amends 13-4-302 to make similar revisions relative to municipal planning commissions.

Effective May 4, 2022.

Public Chapter 1100
SB 2077 – HB 2246

Regulation of Energy Infrastructure

Enacts a new part at Title 7, Chapter 51 to prohibit and/or preempt certain types of regulation of energy infrastructure by political subdivisions. This new part does not apply to regulation of solar energy, nor does it affect local authority to require a franchise to provide electric or natural gas service.

Effective July 1, 2022.

Public Chapter 1128
SB 2849 – HB 2274

Subdivision Regulations

Amends 13-3-403 and 13-4-303 to require planning commissions to exercise their authority in accordance with the legal standards set forth in United States Supreme Court cases, *Nollan v. California Coastal Comm'n* and *Dolan v. City of Tigard*. Those standards provide that planning commission cannot require an owner of private property to dedicate real property to the public, or pay money to a public entity in an amount

that is determined on an individual and discretionary basis, unless there is an essential nexus between the dedication or payment and a legitimate local governmental interest and the dedication or payment is roughly proportional both in nature and extent to the impact of the proposed use or development of the property. Also amends those sections to provide that an owner of private property required to make a dedication or pay money in violation of this subdivision may seek relief through a common law writ of certiorari in chancery court. Requires planning commissions to include the standards in their regulations. Provides that this provision does not apply to an assessment, fee, or charge that is imposed on a broad class of property owners by a local governmental entity.

Effective July 1, 2022.

PURCHASING

Public Chapter 713 SB 2420 – HB 2170

State Surplus Property

Amends 12-2-420 to require that a transfer of surplus property from the state must satisfy the requirements of 12-2-407.

Section 12-2-407 requires the procurement commission to promulgate regulations governing the transfer of surplus property to governmental entities and authorized nonprofit donees under the federal surplus property program. The regulations must include prices to be set on surplus property, restrictions on resale and the reversion to the state for any such resale. The commissioner must set prices at the fair market value for each item. Governmental entities and approved nonprofit donees must retain possession of such surplus property for at least one year unless disposal is approved by the procurement commission. Motor vehicles transferred to governmental entities and authorized donees shall revert to the state if the governmental entity or authorized donee does not transfer the registration of the motor vehicle within seven days after the sale.

Notwithstanding any law to the contrary, designated contractors of the department of human services have first priority to purchase surplus passenger motor

vehicles for use by programs which have been or may be established by the department who are recipients of assistance in the families first program or successor programs.

The designated nonprofit contractors have first priority to purchase up to 50% of the passenger motor vehicles in fiscal year 2001, and up to 25% in each fiscal year thereafter.

Effective March 7, 2022.

Public Chapter 719
SB 2881 – HB 2385

Professional Service Contracts

Amends 12-3-1209(a) to include services from an insurance producer as defined in 56-6-102. Under 56-6-102, an insurance producer is a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance.

Effective March 18, 2022.

Public Chapter 775
SB 1993 – HB 2050

Public Contracts

Amends Title 4, Title 8, and Title 12 to prohibit a public entity from entering into contracts with a company unless the contract includes a written certification that the company is not engaging in and will not engage in a boycott of Israel throughout the duration of the contract. This section does not apply to contracts with a total value less than \$250,000, or to contractors with less than 10 employees. Contracts entered after July 1, 2022, that fail to comply with this section are void.

Effective July 1, 2022.

Public Chapter 1016
SB 2489 – HB 2600

Thresholds for Competitive Sealed Bids

Amends 12-3-1212 to allow counties having centralized purchasing and a full-time purchasing agent, by resolution of the governing body, to increase the threshold amount over which public advertisement and sealed competitive bids or proposals are required to \$50,000 for nonemergency, nonproprietary purchases.

Counties with non-centralized purchasing or counties without a full-time purchasing agent, by resolution of the governing body, may increase the threshold over which public advertisement and sealed competitive bids

or proposals are required to \$25,000 for nonemergency, nonproprietary purchases.

Requires local governments to get at least three written quotes, when possible, for purchases costing less than the bid threshold but more than 40% of such bid threshold or a lower amount as may be established by the governing body in a resolution.

The law provides that a full-time purchasing agent is someone that devotes 100% of the person's working time to purchasing.

Effective May 11, 2022.

Public Chapter 1030
SB 2204 – HB 2659

Megasite Contracts

Amends Title 64, Chapter 9 to require that an entity (including the entities contractor(s)) that contract with the authority for a real estate interest in the megasite shall report to the state building commission and speaker of the senate and house, within 14 days of January 31, April 30, and October 31, 1) the name of each entity engaged in construction activity, 2) whether the entity is with a union or labor association, and 3) the number of persons employed by the entity, with respect to construction activity, who are residents of Tennessee. Only applies to persons working on the site at the project and construction contracts in excess of \$100,000. This section is repealed July 1, 2025.

A local government entity may enter into a contract with an entity working on the megasite to provide security services at the megasite.

Effective May 11, 2022.

Public Chapter 1036
SB 2352 – HB 2519

Purchasing under the County Uniform Highway Law

Amends 54-7-113 to allow the county road department or chief administrative officer to make any purchase costing less \$25,000 in the open market without newspaper notice. However, the road department or chief administrative officer must obtain at least three competitive bids when possible.

Effective May 11, 2022.

RECORDS

Public Chapter 685

SB 2048 - HB 2054

Death Certificates

Amends 68-3-502. Removes the authority of a person acting as a funeral director, who first assumes custody of a dead body, to file a death certificate. Provides that the funeral director who first assumes custody of the dead body, medical examiner, or attending or pronouncing physician in a hospital may file the death certificate.

Effective March 28, 2022.

Public Chapter 721

SB 1682 - HB 1854

Records Requests Procedures

Amends 10-7-503(a)(2)(B) to provide that a records custodian must make the “public record requested available” to the requestor instead of the “information available” to the requestor. Amends 10-7-503(a)(4) relative to the provision that states that the section does not require a governmental entity to sort through files to compile information to add “into a new record” after “compile information.” Provides that a request for inspection or copying of a public record must be sufficiently detailed to enable the governmental entity to identify “responsive records” for inspection and copying instead of the “specific records for inspection and copying.” Amends 10-7-503(a)(7)(A) relative to identification, if the requestor does not possess photo identification, to provide that the custodian may require “other forms of identification evidencing the person’s residency in this state” instead of “other forms of identification acceptable to the governmental entity.”

Effective July 1, 2022.

Public Chapter 740

SB 2268 - HB 2089

Handle with Care Program Notifications

Amends 10-7-504 to provide the records generated as a result of a Handle with Care Program notification, which is an alert provided to a school system regarding a child’s potential exposure to an adverse childhood experience, are confidential.

Effective March 24, 2022.

Public Chapter 850
SB 2802 - HB 2613

Law Enforcement-Related Deaths

Amends 38-10-102 to provide that government entities required to report law enforcement-related deaths shall maintain a record of the deaths of individuals in custody that is open for public inspection and that contains: (i) the identity and age of the deceased individual; (ii) the time and date of the death; and (iii) the cause of death as determined by the county or state medical examiner pursuant to 38-7-109.

Effective April 20, 2022.

Public Chapter 916
SB 2061 - HB 1957

Body Camera Video

Amends 10-7-504 to extend the provisions relative to the confidentiality of certain video footage taken by a law enforcement body camera from 2022 to 2027. Makes confidential footage of minors, when taken within a: (i) school that serves any grades from kindergarten through grade twelve (K-12); (ii) childcare agency, as defined in 71-3-501; (iii) childcare program, as defined in 49-1-1102; (iv) preschool; or (v) Nursery school.

Effective April 27, 2022.

Public Chapter 989
SB 2819 - HB 1170

Personnel Records

Amends 10-7-504(f) to clarify that certain personal information of public employees - contained in employment records - is confidential. Provides that the information is confidential regardless of which department maintains the employment records.

Effective May 4, 2022.

Public Chapter 1064
SB 2725 - HB 2308

Photographic Evidence of Deceased Individuals

Amends 10-7-504(aa) to provide that photographic evidence of a fatal motor vehicle accident that depicts a deceased victim at the scene of the accident shall be treated as confidential and shall not be open for inspection by members of the public. Provides that photographic evidence that depicts the remains of a deceased minor shall be treated as confidential and shall not be open for inspection by members of the public.

Effective July 1, 2022.

Public Chapter 1077
SB 2801 - HB 2763

Motor Vehicle Records

Amends 55-25-107 to delete two exceptions (both related to the state obtaining express consent) to the general prohibition on the department of motor vehicles disclosing personal information about any person obtained by the department in connection with a motor vehicle record.

Effective May 25, 2022.

REGISTERS OF DEEDS

Public Chapter 691
SB 2136 - HB 2370

Official Seal

Amends 8-13-112 to remove the requirement that the official seal be embossed.

Effective March 28, 2022.

Public Chapter 834
SB 2086 - HB 2196

Real Estate Transfer Tax

Amends 67-4-409(a)(1)(D) to provide deeds will be taxed as quitclaim deeds (tax on actual consideration) if the language used only conveys the interest, whatever that may be, of the grantor. Specifies that deeds conveying in fee with warranties will be taxed as a warranty deed. Provides that nothing in subsection (a) affects the validity of the underlying transfer.

Effective April 19, 2022.

RETIREMENT

Public Chapter 676
SB 1473 - HB 456

Automatic Deferred or Tax-Sheltered Plans

Amends 8-25-104 to provide that a political subdivision, or an instrumentality of a political subdivision that has at least 1,000 employees, may implement, adopt, or administer an automatic deferred or tax-sheltered compensation plan for employees of that political subdivision or instrumentality that constitutes an eligible automatic contribution arrangement under § 414(w) of the Internal Revenue Code of 1986, codified in 26 U.S.C. § 414(w).

Effective March 28, 2022.

Public Chapter 797
SB 2812 - HB 2450

Purchases of Retirement Credit

Amends 8-34-607 to provide that a TCRS member may purchase retirement credit for all of the member's previous service rendered while a full-time employee and participating member of a political subdivision's defined benefit retirement plan. Provides that upon the purchase of this retirement credit, the member forfeits all of the member's service in the political subdivision's plan and must not receive a benefit from the political subdivision's retirement plan.

Effective April 8, 2022.

Public Chapter 819
SB 2871 - HB 2683

Emergency Communications Personnel

Amends 8-36-308 to provide that emergency communications personnel are eligible for early service retirement when the employing entity has elected to offer this benefit. Provides that the employing entity is responsible for one hundred percent (100%) of any increased cost necessary to provide this benefit to the emergency communications personnel. Provides that "emergency communications personnel" means a person employed as an emergency communications worker, public safety dispatcher, emergency communications telecommunicator, or emergency call taker.

Effective January 1, 2023.

Public Chapter 821
SB 2702- HB 2783

Teachers

Adds a new section to Title 8, Chapter 36, Part 8 to allow a retiree to be reemployed as a kindergarten through twelfth (K-12) grade teacher, as a kindergarten through twelfth (K-12) grade substitute teacher, or as a kindergarten through twelfth (K-12) grade school bus driver under certain conditions and with certain limitations.

Effective July 1, 2022.

Public Chapter 831
SB 2005- HB 1722

Changing Beneficiaries

Amends 8-36-606 to allow a one-time change in a designated beneficiary under an optional retirement plan for any reason. Provides that a change must not be in conflict with a final divorce decree or marital dissolution agreement. Provides that upon the death of

the retired member, the newly designated beneficiary is only entitled to the remaining accumulated contributions in the member's account or the member's retirement allowance in the month of death.

Effective April 19, 2022.

Public Chapter 1057
SB 2057 - HB 1852

Credit for Military Service During Armed Conflicts

Amends 8-34-605 to expand the ability to establish retirement credit for certain military service during a period of armed conflict under certain conditions. Retains current provisions relative to these laws being optional for political subdivision plans.

Provides that the establishment of creditable service is a benefit improvement. The payment of the liability to establish this creditable service must be paid in accordance with present law governing local government participation in TCRS. A participating employer who desires to establish a benefit improvement must 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 following the adoption of the resolution by the employer. No former or current employee of the employer is entitled to the benefit improvement until the estimated increased pension liability has been totally funded.

Effective May 25, 2022.

Public Chapter 1146
SB 2872 - HB 2572

Law Enforcement Retirement Task Force

Establishes a task force to study retirement benefits for law enforcement officers. The task force is administratively attached to the department of treasury. By no later than January 1, 2023, the task force shall complete its findings and make recommendations in a report to the council on pensions, which must include, but is not limited to, the enactment of legislation, the financial impact of any legislative changes, the policy considerations of any legislative changes, and any solutions that do not require a legislative change.

Effective June 3, 2022.

TAXATION

Public Chapter 783

SB 2325 – HB 2267

Auctioneers

Amends 67-6-102 to exclude auctioneers licensed in this state from the definition of “marketplace facilitator” for purposes of sales and use taxes.

Effective April 8, 2022.

Public Chapter 876

SB 2139 – HB 2132

Hotel/Motel Tax

Amends Section 7-4-102(a) to authorize an additional privilege tax for the occupancy in a hotel for any transient not to exceed 3% of the consideration charged by the operator in metropolitan counties having a population of less than 25,000 according to the 2020 federal census or a subsequent federal census.

Effective April 14, 2022

Public Chapter 1006

SB 2484 - HB 2614

Distressed Rural Counties

Amends 67-6-104 to extend the deadline by which a distressed rural county must apply to be eligible to retain the state and local sales and use tax generated from a commercial development district and extends the deadline for the Department of Finance and Administration to approve a commercial development district.

Effective May 7, 2022.

Public Chapter 1046

SB 421 – HB 681

Hotel/Motel Taxes

Amends Title 67, Chapter 4, Part 14 to provide that a county with a metropolitan government that imposes a hotel/motel tax may by ordinance impose an additional hotel/motel tax of up to 1% of the consideration charged by the operator. The proceeds from the additional tax must be retained by the metropolitan government for the exclusive use of the sports authority for payment of debt services for the construction of an enclosed stadium with at least 50,000 seats and other future capital improvements.

Requires the operator of the hotel/motel to provide the transient with an invoice and remit the tax to the tax collection official.

Requires that the tax must be remitted to the collection official no later than the 20th of each month following the collection from the transient.

Provides that the operator is allowed 2% of the tax collected and remitted to the collection official as long as the amount due was not delinquent.

The operator is not allowed to advertise or state that the hotel/motel tax collected will be assumed or absorbed by the operator, or that it will be added to the rent, or that if added, any part will be refunded.

Provides taxes will be delinquent if not remitted to the tax collection official by the due date; an operator is liable for interest of 8% per annum, and for 1% for each month or fraction of a month that such taxes are delinquent; and willful refusal of an operator to collect or remit the tax or willful refusal of the transient to pay the tax is a Class C misdemeanor.

Effective May 25, 2022.

Public Chapter 1053
SB 2799 - HB 1738

Gun Safes and Gun Safety Devices

Amends 67-6-393 to extend the sales tax holiday for gun safes and gun safety devices until June 30, 2023.

Effective May 25, 2022.

Public Chapter 1092
SB 1857 - HB 1874

Sales of Coins, Currency and Bullion

Enacts a new section in Title 67, Chapter 6, Part 3 to exempt from sales tax the sale of certain coins, currency and bullion.

Effective May 27, 2022.

Public Chapter 1102
SB 2480 - HB 2608

Broadband Investment Maximization Act

Enacts 67-6-350 to provide that beginning July 1, 2022, through June 30, 2025, there is exempt from the sales and use tax purchases and leases of all equipment, machinery, software, ancillary components, appurtenances, accessories, or other infrastructure that is used in whole or in part to: (i) produce broadband communications services, including broadcasting, distributing, sending, receiving, storing, transmitting, retransmitting, amplifying, switching, providing

connectivity for, or routing communications services; or (ii) provide internet access. Provides the exception does not apply to the retail sale of personal consumer electronics, including, but not limited to, smartphones, computers, and tablets, and consumer-grade modems and Wi-Fi routers.

Provides that beginning July 1, 2022, the Commissioner of Revenue shall reimburse counties and municipalities for loss of revenue resulting from the tax exemption provided for in this act. Subject to appropriations, a sum must be earmarked and allocated from the general fund for this purpose.

Effective May 31, 2022.

Public Chapter 1104
SB 905 - HB 1405

Agricultural Operations
Amends 67-6-207 relative to sales tax exemptions for qualified farmers or nurserymen.

Effective January 1, 2023.

Public Chapter 1131
SB 2898 - HB 2883

Food and Food Ingredients
Amends 67-6-393 to exempt from sales tax the retail sale of food and food ingredients sold between 12:01 a.m. on Monday, August 1, 2022, and 11:59 p.m. on Wednesday, August 31, 2022.

Effective July 1, 2022

Public Chapter 1139
SB 2350 - HB 2265

Green Energy Production Facility
Amends 67-4-2004, 67-4-2108 and 67-6-346 relative to the definition of certified green energy production facilities to include the storage of electricity for the purposes of eligibility for pollution control sales tax credit and calculating the minimum tax base for the franchise tax.

Effective July 1, 2022

TAXATION – PROPERTY

Public Chapter 658
SB 1688 - HB 1858

Agricultural, Forest and Open Spaces
Amends 67-5-1004 to revise the definition of forest land to clarify that the minimum size requirement of 15 acres for land to be eligible to be classified as forest land

for purposes of assessment may be achieved with a single tract or with two noncontiguous tracts within the same county separated only by a road, body of water, or public or private easement.

Effective March 15, 2022.

Public Chapter 672
SB 1907 - HB 1955

Property Taxes - Waiver

Amends 67-5-2803 by adding 67-5-2508, which allows a municipality that bids in property at a delinquent tax sale to, upon a majority vote of the governing body determining it impracticable to sell the property for the full amount of the taxes, cost and interest, sell the property for less than this amount.

Effective March 18, 2022.

Public Chapter 698
SB 1677 - HB 1729

State Board of Equalization

Amends 4-3-5105 to authorize the executive secretary of the state board of equalization to manage appeals before the board. Such management includes, but is not limited to, the power and duty to serve as the hearing officer for hearings before the board or the assessment appeals commission, if a hearing officer is appointed; schedule hearings, prehearing conferences, or other such hearings or meetings as may be necessary or advisable to ensure the efficient hearing of appeals; and issue scheduling or discovery orders, or orders addressing discovery disputes, motions in limine, or other motions that are purely questions of law.

Amends 67-5-212 to provide that the board, the executive secretary, or the executive secretary's designee may determine that property no longer qualifies for property tax exemption or may modify the tax-exempt status of a property. The board shall revoke a property's tax-exempt status through its staff designee. Written notice of the revocation must be sent to the property owner, the county assessor of property, and the county trustee, specifying the date the property's tax-exempt status ends. Written notice includes notification by electronic means, and the record of notice may be preserved in digital or electronic format. Either the county assessor of property or the property owner may appeal the initial determination to the board and is entitled to a hearing

prior to any final determination. A revocation is final ninety days after the date the written notice is sent, absent an appeal filed pursuant to 67-5-1501(c). An appeal of a revocation of a property's tax-exempt status must be treated as an appeal for purposes of 67-5-1512.

Effective March 18, 2022.

Public Chapter 848
SB 2772 - HB 2467

Prepayments of Property Taxes

Amends 67-5-1808 to allow county trustees to accept prepayments of property taxes.

Effective April 20, 2022.

UTILITIES

Public Chapter 657
SB 1757 - HB 1727

Utility Board Training and Water Loss Reporting

Amends 7-34-115, 7-82-307 and 7-82-308 relative to the training and reporting requirements for municipal utility board commissioners and utility district commissioners. Amends 7-82-314 and 68-221-1016 relative to reporting of contracts for purchases of water for resale. Amends numerous provisions relative to the regulation and reporting of water loss. Amends 68-221-1006 to authorize the Tennessee local development authority to direct a local government to the Tennessee public utility commission for compliance as set forth in 68-221-1009 and 68-221-1010.

Effective March 15, 2022.

Public Chapter 757
SB 1812 - HB 1713

Financially Distressed Utility Districts

Amends 7-82-702 and 7-82-704 regarding the merger or consolidation of financially distressed utility districts. Enacts a new section in Title 7, Chapter 82, Part 7 to establish the "utility district revitalization fund" to provide grants to mitigate the financial impact of the merger or consolidation of financially distressed utility districts.

Effective March 31, 2022.

Public Chapter 811
SB 2138 - HB 2126

Rural Electric & Community Services Cooperatives

Amends 65-25-111 to allow directors or cooperative members of rural electric and community services cooperatives to participate in cooperative meetings by

means of virtual or remote communication under certain conditions.

Effective April 8, 2022.

Public Chapter 889
SB 2529 - HB 2518

Water Utility Territory Agreements

Amends numerous sections to allow water utilities to enter into agreements with other such utilities to allow one to operate within the other's territory. Provides that the utility must establish a method by which its customers may petition their system to consider such agreements.

Effective April 14, 2022.

Public Chapter 1111
SB 2282 - HB 2346

Cyber Security Plans

Enacts a new part in Title 7, Chapter 51 and adds a new section to Title 65, Chapter 4, Part 1 to provide that certain utilities shall by July 1, 2023 prepare and implement a cyber security plan.

Effective June 1, 2022.

Public Chapter 1129
SB 2852 - HB 1987

Connection Costs

Enacts a new part in Title 65, Chapter 5 to provide that upon request for a connection of utility service, certain utilities shall promptly provide the customer the connection cost.

Effective July 1, 2022.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

CARROLL

Public Chapter 962
SB 2402 – HB 2149

1,000 Acre Lake
Enacts 64-1-810 to change the name of the Carroll County 1,000 Acre Lake to Lake Halford and transfer the administration of the lake to the Tennessee wildlife resources agency.

Effective April 29, 2022.

CUMBERLAND

Public Chapter 1072
SB 2885 – HB 2664

County Rail Authority
Amends 7-56-203(a) to provide for the composition and selection of the board of directors.

Effective May 25, 2022.

FAYETTE

Public Chapter 763
SB 2403 – HB 2150

Megasite Water and Wastewater Services
Amends 64-9-107 to allow (instead of require) the Megasite Authority of West Tennessee to provide water and wastewater services.

Effective March 31, 2022.

HAMILTON

Public Chapter 1069
SB 2890 – HB 2609

Chattanooga Lookouts
Amends 67-6-103 and 67-6-712 relative to sales tax revenue to finance a new stadium.

Effective May 25, 2022.

HAYWOOD

Public Chapter 763
SB 2403 – HB 2150

Megasite Water and Wastewater Services
Amends 64-9-107 to allow (instead of require) the Megasite Authority of West Tennessee to provide water and wastewater services.

Effective March 31, 2022.

PART III - PRIVATE ACTS

BRADLEY

Private Chapter 60
SB 2926 - HB 2909

Competitive Bidding

Amends Private Acts of 1951, Chapter 313 to change the competitive bidding threshold. Public advertisement and competitive bids shall not be required for general fund, board of education, and road department purchases with a monetary value being less than \$25,000.

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

CARROLL

Private Chapter 51
SB 2914 - HB 2897

McKenzie Special School District

Amends Private Acts of 1917, Chapter 533. Authorizes the district to issue bonds or notes in the amount of \$4 million or less and to issue bond anticipation notes in an amount of \$4 million or less.

Effective April 8, 2022.

COFFEE

Private Chapter 37
SB 1881 - HB 1902

Highway Commission

Amends Private Acts of 1971, Chapter 8. Requires that the boundaries of the districts of the Highway Commission conform to those of the rural county commission districts established by 2021 redistricting.

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

Private Chapter 53
SB 2911 - HB 2890

Entertainment Event Fee

Enacts Private Acts of 2022, Chapter 53. Authorizes the county legislative body to impose an entertainment event fee on the sale and distribution of tickets to events in the county with an expected attendance of 500 persons or more.

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

CUMBERLAND

Private Chapter 58
SB 2920 - HB 2907

Cumberland Plateau Water Authority
Enacts Private Acts of 2022, Chapter 50 to create the Cumberland Plateau Water Authority.

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

GIBSON

Private Chapter 38
SB 2902 - HB 2881

Gibson County Juvenile Judge
Amends Private Acts of 1982, Chapter 307. Changes the office of juvenile court judge from a part-time to a full-time position.

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

Private Chapter 40
SB 1766 - HB 1709

Bradford Special School District
Amends Private Acts of 1917, Chapter 153. Revises the property tax rate for the Bradford Special School District from \$1.82 to \$1.98.

Effective March 28, 2022.

HAMILTON

Private Chapter 50
SB 2910 - HB 2894

Hamilton County Board of Education
Enacts Private Acts of 2022, Chapter 50. Increases the membership of the Hamilton County board of education from nine members to 11 members. Repeals Private Acts of 1992, Chapter 235.

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

Private Chapter 68
SB 2932 - HB 2915

Chattanooga-Hamilton County Hospital Authority
Amends Private Acts of 1976, Chapter 297 to authorize the sale, lease, or other transfer of the Chattanooga-Hamilton County Hospital Authority's assets or liabilities.

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

HAWKINS

Private Chapter 66
SB 2930 - HB 2913

Board of Juvenile Detention Center Commissioners
Amends Private Acts of 1982, Chapter 304 to set the compensation of the juvenile court judge to be equal to the compensation of the general sessions judge; requires the juvenile court judge to serve full time; and prohibits the juvenile court judge from otherwise practicing law.

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

MONTGOMERY

Private Chapter 48
SB 2908 - HB 2892

General Sessions Court Judges
Amends Private Acts of 1953, Chapter 232. Increases the annual salary of all general sessions judges of Montgomery County to an amount equal to the amount received annually by the circuit court judges and chancellors of Montgomery County.

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

POLK

Private Chapter 64
SB 2929 - HB 2911

Polk County Board of Education
Enacts Private Acts of 2022, Chapter 64 to increase the number of persons serving on the board of education from nine to 10 members. Repeals Private Acts of 2002, Chapter 118.

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

RUTHERFORD

Private Chapter 65
SB 2928 - HB 2912

Board of Juvenile Detention Center Commissioners
Enacts Private Acts of 2022, Chapter 65 to create the Rutherford County Board of Juvenile Detention Center Commissioners.

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

SUMNER

Private Chapter 49

SB 2909 - HB 2893

Private Cemeteries

Enacts Private Acts of 2022, Chapter 49. Repeals the authority of the county commission to approve the creation and expansion of private cemeteries. Places the authority for establishing a process for the creation of private cemeteries in Sumner County with the Board of Zoning Appeals and the Planning Commission, and in accordance with state law. Repeals Private Acts of 1953, Chapter 141.

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

WASHINGTON

Private Chapter 67

SB 2931 - HB 2914

County Attorney

Enacts Private Acts of 2022, Chapter 67 to create the office of county attorney.

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

WILSON

Private Chapter 57

SB 2921 - HB 2905

Tenth Special School District

Amends Private Acts of 1901, Chapter 330. Beginning with the 2022 August election, establishes four-year terms for the Board of Directors or Commissioners of the Tenth Special School District.

Effective April 20, 2022.