

AIA Bill 2017 Final Report

Deferred to 2018
Passed
Failed

SB520/HB476	LOCAL GOVERNMENT: Zoning to include building design elements.
<i>Sponsors:</i>	Sen. Massey, Becky , Rep. Gravitt, Marc
<i>Summary:</i>	Defines "building design elements" for purposes of local governmental zoning. Prohibits application of zoning regulations relating to building design elements for certain dwellings.
<i>Fiscal Note:</i>	(Dated February 18, 2017) NOT SIGNIFICANT
<i>Senate Status:</i>	04/24/17 - Senate deferred to first calendar of 2018.
<i>House Status:</i>	04/20/17 - House Calendar & Rules Committee deferred to 01/01/18.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 7, Part 1 and Title 13, Chapter 7, Part 2, relative to zoning.
SB1040/HB1061	INSURANCE GENERAL: Historic Rehabilitation Investment Incentive Act.
<i>Sponsors:</i>	Sen. Watson, Bo , Rep. McCormick, Gerald
<i>Summary:</i>	Enacts the Historic Rehabilitation Investment Incentive Act to facilitate the restoration and preservation of the state's historic buildings and structures and redevelop the state's main street communities.
<i>Amendment Summary:</i>	House Insurance and Banking Committee Amendment 1 (004236) makes minute changes by deleting the language "Sections 2 through 8" in Section 1 and substituting the language "Sections 2 through 7." Also deletes the word "chapter" in the first sentence of subdivision (b)(2) in Section 5 and substituting the word "part." Further deletes the language "headings to sections, chapters, and parts" in Section 8 and substituting the language "headings to sections."
<i>Fiscal Note:</i>	(Dated February 23, 2017) Increase State Revenue \$53,900/FY17-18 and Subsequent Years/ Historical Commission Decrease State Revenue \$1,074,400/FY17-18/State Premium Taxes* \$3,223,100/FY18-19/State Premium Taxes* \$5,371,800/FY19-20/State Premium Taxes* \$6,446,200/FY20-21 and Subsequent Years/ State Premium Taxes* HB 1061 - SB 1040 Increase State Expenditures \$53,900/FY17-18 and Subsequent Years/ Historical Commission Other Fiscal Impact Secondary economic impacts may occur as a result of this bill. However, due to multiple unknown factors, fiscal impacts directly attributable to such secondary economic impacts cannot be quantified with reasonable certainty. *The following funds/departments will be affected by the awarding of tax credits: General Fund, Second Injury Fund, and the Department of Commerce and Insurance. The extent to which any fund or Department will be affected cannot be determined with reasonable certainty.
<i>Senate Status:</i>	05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.
<i>House Status:</i>	05/08/17 - Taken off notice in House Finance Subcommittee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 4, relative to incentives for the rehabilitation of historic structures.
SB1079/HB1381	HEALTH CARE: Yellow paint markings on edge of steps of public buildings.
<i>Sponsors:</i>	Sen. Lundberg, Jon , Rep. Jernigan, Darren
<i>Summary:</i>	Requires that the edges of steps into any public building constructed, purchased, or leased by the state or its political subdivisions on or after July 1, 2017 be marked with yellow paint to assist persons with vision impairment. Makes requirement applicable to all public buildings after July 1, 2021.
<i>Amendment Summary:</i>	House Amendment 2 (007229) deletes all language after the enacting clause. Requires all stair steps leading into a public entrance of a public building constructed, purchased, or approved for renovations by the State Building Commission by the state, or constructed by a political division of the state, on or after July 1, 2017, to be marked with a detectable nosing of a contrasting color at a thickness of not less than one inch and not more than two inches. Authorizes public entities exercising control over a public building of historical significance to apply for a waiver from the State Building Commission in order to apply such nosing.
<i>Fiscal Note:</i>	(Dated March 14, 2017) Increase State Expenditures Exceeds \$15,000/FY17-18 Exceeds \$7,500/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds \$42,800/FY17-18* Exceeds \$14,300/FY18-19 and Subsequent Years*
<i>Senate Status:</i>	05/09/17 - Senate passed.
<i>House Status:</i>	05/09/17 - House passed with amendment 2 (007229).
<i>Executive Status:</i>	05/09/17 - Sent to the speakers for signatures.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 68, relative to public buildings.

SB1250/HB438 ENERGY & MINING: Tennessee energy policy council.

Sponsors: Sen. Norris, Mark , Rep. Ragan, John

Summary: Creates the Tennessee energy policy council to make recommendations to the governor and general assembly on how to manage energy resources in the state.

Amendment Summary: Senate Amendment 1 (008074) deletes and rewrites the bill such that the substantive changes are: attaching the state energy policy council to the Office of the Comptroller of the Treasury (COT) for administrative matters relating to budget, audit, and other related items only, instead of TDEC; creating an energy policy development resources fund account in the State Treasury requiring COT to administer such account; requiring all applications and requests by the council for grants and other revenues to be made through and administered by the COT; and authorizing the council to request the COT to allocate and dispense funds for energy research and related work. Establishes that the Energy Efficient Schools Initiative of 2008 or provisions thereof shall not be amended or repealed due this chapter. Establishes that the council will be comprised of 14 non-legislative members instead of 13 non-legislative members. House Amendment 2 (007902) rewrites the bill to attach the state energy policy council to the Office of the Comptroller of the Treasury (COT) for administrative matters relating to the budget, audit, and other related items only, instead of TDEC. Creates an energy policy development resources fund account in the State Treasury requiring COT to administer such account. Requires all applications and requests by the council for grants and other revenues to be made through and administered by the COT. Authorizes the council to request the COT to allocate and dispense funds for energy research and related work. Establishes that the Energy Efficient Schools Initiative of 2008 or provisions thereof shall not be amended or repealed due to this chapter. Senate Amendment 2 (008659) deletes and replaces language in the bill as amended such that the only substantive changes are requiring the Speaker of the Senate to appoint one residential energy user to the membership instead of two, and adding one representative of industries providing natural gas to Tennessee consumers to such membership.

Fiscal Note: (Dated March 19, 2017) Increase State Expenditures Exceeds \$233,300

Senate Status: 05/09/17 - Senate passed with amendments 1 (008074) and 2 (008659).

House Status: 05/10/17 - House concurred in Senate amendment 1 and amendment 2.

Executive Status: 05/10/17 - Sent to the speakers for signatures.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 59; Title 60; Title 65 and Title 68, relative to the creation of the Tennessee energy policy council.

SJR83 EDUCATION: Expresses support for the Tennessee Energy Efficient Schools Council.

Sponsors: Sen. Ketron, Bill ,

Summary: Expresses support for the Tennessee Energy Efficient Schools Council.

Fiscal Note: (Dated February 8, 2017) NOT SIGNIFICANT

Senate Status: 03/06/17 - Senate adopted.

House Status: 04/17/17 - House concurred.

Executive Status: 04/24/17 - Signed by governor.

SB426/HB399 GOVERNMENT ORGANIZATION: Employees of the state building commission transferred.

Sponsors: Sen. Stevens, John , Rep. Brooks, Kevin

Summary: Transfers employees of the state building commission from the department of finance and administration to the department of treasury.

Fiscal Note: (Dated February 8, 2017) NOT SIGNIFICANT

Senate Status: 03/06/17 - Senate passed.

House Status: 03/23/17 - House passed.

Executive Status: 04/06/17 - Enacted as Public Chapter 0087 effective April 4, 2017.

Public Chapter: PC87.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 15 and Title 4, Chapter 3, relative to employees of the state building commission.

Effective Date: 04/04/17

SB783/HB1384 ECONOMIC DEVELOPMENT: Authorization and procedures for housing authorities to redevelop certain areas for transit projects.

<i>Sponsors:</i>	Sen. Dickerson, Steven , Rep. Jernigan, Darren
<i>Summary:</i>	Establishes authorization and procedures for housing authorities to redevelop areas for transit projects. Specifies that areas subject to acquisition for development of transit projects must be transit-deficient.
<i>Fiscal Note:</i>	(Dated February 28, 2017) Other Fiscal Impact The fiscal impact on state or local government is dependent on multiple unknown factors and cannot be specifically determined. Any impacts to local government are considered permissive.
<i>Senate Status:</i>	04/20/17 - Senate passed.
<i>House Status:</i>	04/03/17 - House passed.
<i>Executive Status:</i>	05/09/17 - Enacted as Public Chapter 0254 effective May 2, 2017.
<i>Public Chapter:</i>	PC254.pdf
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 23; Title 13, Chapter 20 and Title 29, Chapter 17, relative to public planning.
<i>Effective Date:</i>	05/02/17
<i>Comment:</i>	This bill authorizes the use of TIF's for transit-oriented redevelopment plans.
SB40/HB340	GOVERNMENT CONTRACTS: Compensation for additional services by a construction design professional.
<i>Sponsors:</i>	Sen. Southerland, Steve , Rep. Hulse, Bud
<i>Summary:</i>	Entitles a construction design professional to compensation for additional services provided to state agencies that are not included in a basic services agreement. Refers to the University of Tennessee, the board of regents, the state of Tennessee real estate and asset management division of the department of general services as state agencies. If a state agency and designer have entered into a basic services agreement, and the state agency requires additional services of the designer that are not included in, or reasonably inferred from, the terms of the basic services agreement, the state agency may provide for the additional services at its own cost. If a contractual dispute arises between a designer and a state agency, either party may petition the secretary of state for a hearing before an administrative law judge.
<i>Fiscal Note:</i>	(Dated February 20, 2017) Increase State Expenditures \$4,026,100/FY17-18 \$4,539,300/FY18-19 \$4,854,000/FY19-20 \$4,312,600/FY20-21 \$4,728,900/FY21-22 and Subsequent Years Other Fiscal Impact In each instance in which a designer is the prevailing party in a contractual dispute between the state and a designer, the designer will be awarded attorneys fees, paid by the state, resulting in an increase in state expenditures estimated to exceed \$100,000 per such instance.
<i>Senate Status:</i>	02/01/17 - Referred to Senate State & Local Government Committee.
<i>House Status:</i>	03/01/17 - Taken off notice in House State Government Subcommittee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 12, Chapter 4 and Title 62, relative to public works.
SB1410/HB1400	PROPERTY & HOUSING: ATM's not subject to zoning regulation by a historic zoning commission.
<i>Sponsors:</i>	Sen. Tate, Reginald , Rep. Windle, John
<i>Summary:</i>	Exempts automated teller machines (ATMs) from being included to zoning regulation by a historic zoning commission or a regional historic zoning commission.
<i>Amendment Summary:</i>	House Local Government Subcommittee Amendment 1 (007213) deletes and rewrites the bill. Replaces "structures or other improvements" with "currently existing structures."
<i>Fiscal Note:</i>	(Dated March 8, 2017) NOT SIGNIFICANT
<i>Senate Status:</i>	02/13/17 - Referred to Senate State & Local Government Committee.
<i>House Status:</i>	04/18/17 - Taken off notice in House Local Government Committee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 7, Part 4, relative to historic zoning.
SB132/HB41	TAXES BUSINESS: Phases out professional privilege tax.
<i>Sponsors:</i>	Sen. Bowling, Janice , Rep. VanHuss, James
<i>Summary:</i>	Phases out the professional privilege tax over a five-year period for tax years that begin on and after June 1, 2017.
<i>Fiscal Note:</i>	(Dated February 1, 2017) Decrease State Revenue Net Impact \$88,918,900/FY16-17 \$17,783,800/FY17-18 \$35,567,500/FY18-19 \$53,351,300/FY19-20 \$71,135,100/FY20-21 \$88,918,900/FY21-22 and Subsequent Years Decrease State Expenditures \$974,400/FY16-17 \$194,900/FY17-18 \$389,800/FY18-19 \$584,600/FY19-20 \$779,500/FY20-21 \$974,400/FY21-22 and Subsequent Years Increase Local Revenue

\$441,200/FY16-17 \$88,200/FY17-18 \$176,500/FY18-19 \$264,700/FY19-20 \$353,000/FY20-21
\$441,200/FY21-22 and Subsequent Years

Senate Status: 05/08/17 - Set for Senate Finance, Ways & Means Committee 05/09/17.

House Status: 05/08/17 - House Finance Subcommittee deferred to 01/01/18.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 17, relative to the privilege tax imposed on persons engaged in certain occupations.

SB559/HB1374 TRANSPORTATION GENERAL: Creates state office dedicated to providing local government assistance with public-private initiatives to develop transportation facilities.

Sponsors: Sen. Ketron, Bill , Rep. Sargent, Charles

Summary: Creates the office of transportation public-private partnership, which provides a mechanism to facilitate collaboration between public and private entities in transportation facility development, redevelopment, and operation, and to otherwise assist public entities in the implementation of this chapter.

Amendment Summary: House Transportation Subcommittee amendment 1 (004851) changes TCA in section 1 from TCA 4-29-240(a) to TCA 4-29-245(a) to include the office of public-private partnership (OTP3) on the list of offices to be terminated on June 30, 2024. Adds to subsection b that no later than September 1 of the fiscal year in which the funds are available to the commissioner of transportation for the purposes of this chapter are required by the subsection (j) and every five (5) years thereafter. Add subsection b(2) that the term of executive director starts November 1 following the appointment and any vacancies will be filled by appointment by the governor for remainder of expired term. Subsection 2(c) amended, authorizes executive director to retain professional assistance and staff to allow OTP3 to perform its duties. Rewrites subsection 2(d) to make the executive director and all other employees eligible for reimbursement of travel expenses. Rewrite 2(e) that requires all expenses of the office be paid out of monies appropriated to the commissioner of transportation in the general appropriations act. Section 2(f) lists the duties of the office of public-private partnership (OTP3). Rewrite the section 2(g-2) to list the requirements for disbursement of funds that are available to the commissioner of transportation for the purposes of this chapter as required by subsection (j). Rewrites 2(h) that allows a responsible public entity to follow the final recommendations and elects to adopt any process for review or guidelines for public-private initiatives other than those recommended. Rewrites section (i) that requires OTP3 to assist responsible public entities on state environmental reviews and permitting for all qualifying transportation facilities. Before agreement entity must identify necessary permits and create a timeline for review and issuance with OTP3. Requires OTP3 to maintain its website listing of projects for which permits are delayed more than 90 days past deadline. Section (j) stipulates that subsections (b)-(i) not be implemented unless the funding necessary to implement those provisions are made available to the commissioner of transportation. (Sunset bill). Senate Transportation & Safety Committee, Senate Government Operations Committee Amendment 1 (005147)- Deletes and replaces language in the bill such that the only substantive change is to establish that this act shall become operative only if the funding necessary to implement the provisions of the bill is made available to TDOT from non-state funds. Senate Government Operations Committee Amendment 2 (007138)- Creates a sunset on the bill for two years.

Fiscal Note: (Dated March 2, 2017) Increase State Expenditures - \$45,300/One-Time/Highway Fund
\$665,800/Recurring/Highway Fund

Senate Status: 04/18/17 - Failed in Senate Finance, Ways & Means Committee.

House Status: 04/19/17 - Taken off notice in House Finance Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 54, Chapter 6, relative to the Public-Private Transportation Act of 2016.

SB674/HB49 GOVERNMENT CONTRACTS: State agencies to send report regarding contracts for services over 5 million dollars.

Sponsors: Sen. Harris, Lee , Rep. Clemmons, John

Summary: Requires state governmental entities to present an electronic report to the fiscal review committee each month for any contracts for services procured through competitive means in excess of \$5,000,000 and for any cost adjustment or other amendment to the contract in excess of the same amount.

Fiscal Note: (Dated January 31, 2017) NOT SIGNIFICANT

Senate Status: 04/04/17 - Taken off notice in Senate State & Local Government Committee.

House Status: 04/05/17 - Taken off notice in House State Government Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9 and Title 12, relative to state contract evaluation.

Comment: Legislation intended to challenge outsourcing/privatization with no legislative knowledge.

SB1110/HB1208	ENVIRONMENT & NATURE: Prohibits outsourcing with respect to the maintenance, operation, and preservation of state parks.
<i>Sponsors:</i>	Sen. Kyle, Sara , Rep. Fitzhugh, Craig
<i>Summary:</i>	Prohibits outsourcing with respect to the maintenance, operation, and preservation of state parks, including buildings, facilities, structures, or improvements upon state park property.
<i>Fiscal Note:</i>	(Dated March 15, 2017) Decrease State Revenue - \$45,300/FY17-18 \$50,500/FY18-19 \$73,300/Each FY19-20 and FY20-21 \$100,700/Each FY21-22 and FY22-23 Exceeds \$135,700/FY23-24 and Subsequent Years
<i>Senate Status:</i>	03/27/17 - Senate Energy, Agriculture & Natural Resources Committee recommended. Sent to Senate Finance.
<i>House Status:</i>	04/11/17 - House Agriculture & Natural Resources Committee deferred to 2018.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 9 and Title 11, relative to outsourcing.
SB1185/HB1156	GOVERNMENT CONTRACTS: List of all state contracts to the comptroller.
<i>Sponsors:</i>	Sen. Niceley, Frank , Rep. Pody, Mark
<i>Summary:</i>	Requires the chief procurement officer to provide the comptroller of the treasury a list of all state contracts, grants, and the cost of each. Requires the comptroller to put the list on the comptroller's website, and to be updated each time a state governmental entity enters into, cancels, amends, or extends a contract or grant. Allows the chief procurement officer to charge an administrative fee for creating and maintaining the list.
<i>Amendment Summary:</i>	House State Government Committee Amendment 1 (007709) deletes all language after the enacting clause. Requires each state governmental entity to provide the Comptroller a list, on at least a quarterly basis, containing certain information pertaining to all contracts and grants, excluding grants for higher education or research, exceeding \$5,000, to the extent that the state governmental entity does not assume additional costs for providing such a list. Requires the CPO to provide the Comptroller such a list on behalf of executive branch state governmental entities excluding institutions of higher education, The University of Tennessee system, the state board of regents, and any state university board. Requires the CPO and each state governmental entity to use existing data and resources without reallocation of resources. Prohibits information that is confidential under existing law from being provided and authorizes the information to be submitted in any form or format in which it is maintained in complying with the legislation to submit such lists. Requires the Comptroller to make the list available on the Comptroller's website.
<i>Fiscal Note:</i>	(Dated March 7, 2017) Increase State Revenue \$158,800/FY17-18 \$133,800/FY18-19 and Subsequent Years Increase State Expenditures - \$158,800/FY17-18 \$133,800/FY18-19 and Subsequent Years
<i>Senate Status:</i>	05/08/17 - Set for Senate Finance, Ways & Means Committee 05/09/17.
<i>House Status:</i>	05/09/17 - Failed in House Finance Committee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9 and Title 12, relative to state contracts.
SB1222/HB1165	CONSTRUCTION: Construction projects on state-owned property.
<i>Sponsors:</i>	Sen. Tracy, Jim , Rep. Alexander, David
<i>Summary:</i>	Requires the governor to include with the governor's inventory of state-owned property a description of each active construction project on state-owned property. Broadly captioned.
<i>Fiscal Note:</i>	(Dated February 15, 2017) NOT SIGNIFICANT
<i>Senate Status:</i>	03/28/17 - Taken off notice in Senate State & Local Government Committee.
<i>House Status:</i>	02/15/17 - Referred to House State Government Subcommittee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 9 and Title 12, relative to construction projects.
SB1327/HB1331	PUBLIC FINANCE: Require of notice of recommendation for outsourcing of a state agency program.
<i>Sponsors:</i>	Sen. Yarbro, Jeff , Rep. Thompson , Dwayne
<i>Summary:</i>	Requires the commissioner of finance and administration to provide notice of the recommendation to outsource all or a portion of a state agency program, to the governor and the finance, ways and means committees of the senate and the house of representatives.
<i>Fiscal Note:</i>	(Dated February 28, 2017) NOT SIGNIFICANT
<i>Senate Status:</i>	02/13/17 - Referred to Senate State & Local Government Committee.
<i>House Status:</i>	03/28/17 - House State Government Committee deferred to summer study.

Caption: AN ACT to amend Tennessee Code Annotated, Title 9, relative to outsourcing.

SB1047/HB944 GOVERNMENT CONTRACTS: List of all state contracts and grants.

Sponsors: Sen. Bowling, Janice , Rep. Goins, Tilman

Summary: Requires the chief procurement officer to provide the comptroller of the treasury a list of all state contracts, grants, and the cost of each that are in effect when the list is provided. Requires the comptroller to make the list available on the comptroller's website. Allows chief procurement officer to charge administrative fee for creating and maintaining the list.

Amendment Summary: House State Government Subcommittee Amendment 1 (007127) requires state government entities to present an electronic report each month to the fiscal review committee for any contract for services by or for a state governmental entity procured through competitive means in excess of five million dollars (\$5,000,000), and any price or cost adjustment or other amendment to the contract in excess of that amount. Adds language stating that before entering into or approving a service contract valued in excess of two hundred fifty thousand dollars (\$250,000), the department of human resources, the contracting agency, and the chief procurement officer must determine that no current state employee is able and available to perform the services called for by the contract, the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities and there is statutory authority to enter into the contract, the contract will not establish an employment relationship between the state or the agency and any persons performing under the contract; and the contracting agency has specified a satisfactory method of evaluating and using the results of the work to be performed.

Fiscal Note: (Dated March 7, 2017) Increase State Revenue \$158,800/FY17-18 \$133,800/FY18-19 and Subsequent Years
Increase State Expenditures - \$158,800/FY17-18 \$133,800/FY18-19 and Subsequent Years

Senate Status: 04/11/17 - Senate State & Local Government Committee deferred to summer study.

House Status: 04/12/17 - House State Government Subcommittee deferred to summer study after adopting amendment 1 (007127).

Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9 and Title 12, relative to state contracts.