AIA PRIORITY

**SB1053/HB1063**  TAXES GENERAL: Main Street Historic Tourism and Revitalization Act.

**Sponsors:** Sen. Watson, Bo, Rep. Vaughan, Kevin

**Summary:** Declares that any person incurring costs or expenses for the rehabilitation of a certified historic structure shall receive a credit against state tax liability in an amount equal to the applicable percentage of rehabilitation expenditures, not exceeding $4M per certified historic structure per annual allocation with provisions of requirements established. Establishes that the entire tax credit will be earned in the year the qualified rehabilitation expenditure is placed in service and if the amount of the tax credit exceeds the total tax liability, then the amount can be carried forward for credit against the state tax liability for the succeeding five years or when the full credit is used. Defines allocation of the tax credit and how the person eligible for the tax credit can use the credit. Defines the process used for an applicant to receive approval for a tax credit regarding the rehabilitation of a historic structure. Specified that rehabilitation of a certified historic structure must begin within 18 months of approval of tax credit. Establishes that upon completion, the owner must notify the commission that the rehabilitation has been completed, along with the process of rehabilitation, schedule, and costs associated. Establishes liability to the owner in the event of an excessive tax credit. Defines the appeal process an applicant can make in the event of denial of application. (pp 13).

**Amendment Summary:** Senate Commerce & Labor Committee amendment 1 (006411) adds, deletes, and replaces language in the original bill such that substantive changes include: Removes property taxes from the types of tax liability to which the tax credit may apply; Stipulates that this legislation only applies to qualified rehabilitation expenses incurred after July 1, 2019; Stipulates that such tax credits may only be used against any tax liability due on or after July 1, 2021, or in FY21-22 and subsequent years; Removes the $40,000,000 aggregate maximum credits that may be awarded to taxpayers. Establishes the following new maximum aggregate amounts of $21,000,000 for FY21-22, $30,000,000 in FY22-23, and $36,000,000 in FY23-24 and subsequent years; Establishes that the Commission must promulgate rules by July 1, 2020, rather than within 180 days of the effective date of this Act.

**Fiscal Note:** (Dated April 8, 2019) Increase State Revenue $64,900/FY19-20 and Subsequent Years/ Historical Commission Decrease State Revenue $13,596,700/FY19-20/General Fund $27,193,400/FY20-21 and Subsequent Years/ General Fund Increase State Expenditures $64,900/FY19-20 and Subsequent Years/ Historical Commission Decrease Local Revenue - $927,200/FY19-20 $1,854,400/FY20-21 and Subsequent Years 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.

**Senate Status:** 04/16/19 - Taken off notice in Senate Commerce & Labor Committee after adopting amendment 1 (006411).

**House Status:** 04/30/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 11, Part 1; Title 56, Chapter 4 and Title 67, relative to tax credits for the rehabilitation of historic structures.

**Comment:** AIA - AIA BILL
SB1000/HB1124  GOVERNMENT REGULATION: UAPA - board for licensing contractors.

Summary: Clarifies that the board for licensing contractors must promulgate rules in accordance with the Uniform Administrative Procedures Act. Broadly captioned.

Amendment Summary: House Government Operations Committee (008435) rewrites the bill. Defines public health as the science of preventing disease, infection, injury, and disability, promoting sanitation and physical health, and prolonging life, and clarifies that the term does not encompass the general welfare of society or of the community. Permits the stay of rules relative to the Uniform Administrative Procedures Act for up to 90 days. Requires notice be served at least 30 days prior to the hearing for contested cases relative to the Uniform Administrative Procedures Act. Requires an agency, if following the required three years of maintenance elects not to maintain official case records, to transfer the official record of case to the secretary of state for maintenance in the state library and archives. Requires briefs for appeals of contested case hearings be filed in all cases heard by a chancery court upon the record form the state agency. Establishes that petitioner-appellants failing to file briefs within the prescribed time may have their action dismissed and the final decision affirmed, and that defendant-appellees failing to file briefs within the prescribed time may have their cases decided solely upon the record and the petitioner-appellant's brief. Requires hearings on an oral argument be scheduled within 90 days after the record of the contested case hearing is filed, which may be waived by agreement of counsel. Requires the court establish an expedited briefing schedule, upon either party requesting an expedited hearing date, to review the merits of the appeal.

Fiscal Note: (Dated February 10, 2019) NOT SIGNIFICANT
Senate Status: 04/17/19 - Senate Government Operations Committee deferred to the first calendar of 2020.
House Status: 04/18/19 - House Government Operations Committee deferred to the first calendar of 2020.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 62 and Title 63, relative to administrative agencies.

SB196/HB261  PROFESSIONS & LICENSURE: Expands the Right to Earn a Living Act.

Summary: Requires entry regulations, public service restrictions, and statutes to be clearly apparent and shaped to fulfill a legitimate public health or safety objective. Allows individuals to bring civil action on relevant licensing authorities that failed to meet standards.

Amendment Summary: House Government Operations amendment 1 (006605), which deletes and rewrites all language after the enacting clause. Makes various changes to the Right to Earn a Living Act. Authorizes an affected person to petition a licensing authority to repeal or modify an entry regulation within its jurisdiction, including entry regulations promulgated relative to statute. Exempts any state agency, regulatory board, commission, council, or committee that regulates a person under certain circumstances. House Finance Committee amendment 1 (007904) adds language to Amendment 006605 that states a prevailing plaintiff is not entitled to and shall not be awarded damages, costs, or attorney fees, for a cause of action; and deletes the provision that states a cause of action does not exist under Title 1, Chapter 3 to seek damages, costs, or attorney fees.

Fiscal Note: (Dated February 15, 2019) Other Fiscal Impact Due to multiple unknown factors, the exact impact of the proposed legislation cannot be determined with reasonable certainty.
Senate Status: 04/16/19 - Taken off notice in Senate State & Local Government Committee.
House Status: 04/17/19 - Taken off notice in House Finance, Ways & Means Committee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 1; Title 4; Title 7; Title 38; Title 62; Title 63 and Title 67, relative to the ability to conduct business in this state.

SB191/HB144  GOVERNMENT CONTRACTS: Publishing data on minority- and woman-owned businesses with state contracts.
SB212/HB396  COMMERCIAL LAW: Fees on sales of services and tangible personal property.

Summary: Changes the language from "professional services" to "accounting, legal, or other professional services" regarding entities exempt from a fee on sales of services and tangible personal property within central business improvement district which is in a tourism development zone.
Amendment Summary: House amendment 1 (006298) rewrites this bill and clarifies, in regard to the provision of the Convention Center and Tourism Development Financing Act of 1998 whereby the apportionment and distribution of the incremental increase in local sales and use tax revenue associated with the qualified hotel facility and related uses does not affect the apportionment and distribution of state and local sales and use taxes with regard to a qualified public use facility in a tourism development zone, that the referenced hotel facility is one that was approved by the state building commission prior to December 31, 2018, "or as such approval was thereafter amended by the state building commission."
Fiscal Note: (Dated March 6, 2019) NOT SIGNIFICANT
Senate Status: 04/15/19 - Senate passed.
House Status: 04/15/19 - House passed with amendment 1 (006298).
Executive Status: 05/07/19 - Enacted as Public Chapter 0226 effective April 30, 2019.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 88, Part 1, relative to special districts.
Effective Date: 04/30/19

SB324/HB271  CONSTRUCTION: Payment rights of contractors and subcontractors.

Summary: Prohibits a written contract to have a condition precedent for payment clause where the prime contractor is not required to pay the remote contractor due to contract or until they are paid by the construction owner. Declares that if payment is not received, work by contractor can be suspended until received. Makes other revisions relative to the payment rights of contractors and subcontractors.
Amendment Summary: House Business Subcommittee amendment 1 (004904) defines "subcontractor." Establishes requirements of notices to owners from all lienors, expect laborers, and subcontractors of a remote contractor or materialman. Declares that a written contract between a prime contractor and a remote contractor cannot include a condition precedent for payment clause stating the prime contractor is not obligated to pay the remote contractor for performing in accordance with the contract unless the prime contractor is paid by the owner, with exceptions established. Declares upon an owner's default or refusal to pay, the right to recovery is limited to the contractor's expenses incurred under contract, that if an owner doesn't pay a prime contractor within seven days, the prime contractor can stop work upon seven days of written notice, and if an owner doesn't pay a remote contractor within 15
days, the remote contractor can stop work upon 15 days of written notice.

Fiscal Note:  
(Dated February 22, 2019) NOT SIGNIFICANT

Senate Status: 04/16/19 - Senate Commerce & Labor Committee deferred to first calendar of 2020.

House Status: 03/26/19 - Returned to House clerk's desk.

Caption: AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6; Title 66, Chapter 11 and Title 66, Chapter 34, relative to payment rights of contractors and subcontractors.

SB384/HB304  PROFESSIONS & LICENSURE: Exempts armed forces members and their spouses from licensure requirements.


Summary: Exempts armed forces members stationed within this state and their spouses from licensure requirements to practice professions and occupations regulated by the department of commerce and insurance and the department of health, subject to meeting certain requirements to practice.

Amendment Summary: Senate amendment 1 (005769) deletes and rewrites all language after the enacting clause such that the substantive changes are as follows: (1) a qualifying person must register with the state agency administering the profession and subject themselves in writing to the jurisdiction of such agency in respect to harms or violations of statutes and rules; (2) a qualifying individual must apply for licensure if such license expires in the state of issuance, or within one year of practicing in Tennessee, whichever comes first; (3) regulatory boards under the Department of Health (DOH) are not required to provide license exemption under this legislation; and (4) deletes prerequisite that a person must have left employment to accompany a spouse to this state in order to qualify for an expedited full license under a DOH regulatory board. House amendment 2 (006630) specifies the person or spouse holds a valid license to practice the regulated occupation or profession issued by another state or jurisdiction having reasonably similar standards for licensure.

Fiscal Note:  
(Dated February 28, 2019) Decrease State Revenue Exceeds $1,000/Health Regulatory Boards Exceeds $1,000/Commerce Regulatory Boards

Senate Status: 04/15/19 - Senate concurred in House amendment 2 (006630).

House Status: 04/08/19 - House passed with amendment 2 (006630).

Executive Status: 04/30/19 - Enacted as Public Chapter 0195 effective July 1, 2019.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 13; Title 62; Title 63 and Title 68, Chapter 1, Part 1, relative to professions.

Effective Date: 07/01/19

Comment: AIA - Calls for the Department of Commerce and Insurance to promulgate rules and specifies that to qualify, the person must hold a valid license to practice the regulated occupation or profession issued by another state or jurisdiction recognized by the department as having equivalent requirements for licensure

SB391/HB381  GOVERNMENT CONTRACTS: Utility districts contracting for construction management services.


Summary: Permits utility districts and utility authorities to contract for construction management services during local construction projects.

Fiscal Note:  
(Dated February 23, 2019) NOT SIGNIFICANT

Senate Status: 04/15/19 - Senate passed.

House Status: 04/01/19 - House passed.

Executive Status: 05/07/19 - Enacted as Public Chapter 0225 effective April 30, 2019.

Caption: AN ACT to amend Tennessee Code Annotated, Section 12-4-107, relative to public contracts.

Effective Date: 04/30/19
**SB483/HB649**  
**GOVERNMENT ORGANIZATION:** Vacates and reconstitutes historical commission.

**Sponsors:** Sen. Haile, Ferrell, Rep. Jernigan, Darren

**Summary:** Vacates and reconstitutes historical commission, reduces commission to 13 voting members and four ex officio nonvoting members, and revises qualifications for membership.

**Amendment Summary:** House Department & Agencies Subcommittee amendment 1 (005070) vacates and reconstitutes existing membership of the Tennessee historical commission from July 1, 2019 to January 1, 2024. Changes initial proposed membership from 12 voting members with 4 members each being appointed by the governor, the speaker of the senate, and the speaker of the house of representatives to 21 voting members with 7 members being appointed. Rewrites required membership from each commission and the staggering terms of the newly appointed commission members. Requires persons who were members of the Tennessee historical commission on or before December 31, 2023 to be considered for initial appointments.

**Fiscal Note:** (Dated February 8, 2019) Decrease State Expenditures - $9,000/Tennessee Historical Commission

**Senate Status:** 02/07/19 - Referred to Senate Government Operations Committee.

**House Status:** 03/19/19 - Taken off notice in House State Committee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, relative to the Tennessee historical commission.

**Comment:** AIA - Aims to add historians to the commission.

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**SB585/HB621**  
**GOVERNMENT CONTRACTS:** Requirements for the procurement of professional surveying services by a governmental entity.

**Sponsors:** Sen. Lundberg, Jon, Rep. Hulsey, Bud

**Summary:** Prescribes the same requirements necessary for the procurement of engineering and architectural services to the procurement of professional surveying services by a governmental entity.

**Amendment Summary:** House amendment 1 (006938) deletes and rewrites all language after the enacting clause such that the substantive changes limit applicability to city and county contracts, and authorize, instead of require, cities and counties to enter into contracts for surveying services through a procurement process.

**Fiscal Note:** (Dated March 9, 2019) Other Fiscal Impact A precise impact to state and local government expenditures cannot reasonably be determined due to multiple unknown factors.

**Senate Status:** 04/24/19 - Senate passed.

**House Status:** 04/15/19 - House passed with amendment 1 (006938).

**Executive Status:** 05/02/19 - Sent to governor.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 7 and Title 12, Chapter 4, relative to public contracts.

**Position:** AIA - Support

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**SB718/HB855**  
**ENVIRONMENT & NATURE:** Resolution of county and city fire code conflicts.

**Sponsors:** Sen. Gardenhire, Todd, Rep. Carter, Mike

**Summary:** Extends the time allotted for the state fire marshal to resolve conflicts between a city's and a county's building or fire code when a county building is located within a city to 15 calendar days. Broadly captioned.

**Fiscal Note:** (Dated February 9, 2019) NOT SIGNIFICANT

**Senate Status:** 04/09/19 - Taken off notice in Senate Commerce & Labor Committee.
**House Status:** 02/07/19 - Caption bill held on House clerk's desk.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 19; Title 62 and Title 68, relative to codes.

**SB779/HB923**  TRANSPORTATION GENERAL: Authorizes (CM/GC) pilot program as project delivery method.

**Sponsors:** Sen. Johnson, Jack , Rep. Lamberth, William

**Summary:** Removes the department's construction manager/general contractor services (CM/GC) pilot program and establishes as a fully authorized project. Declares the department will not initiate more than five contracts in any one fiscal year, and if a contract is larger than $70 million, the department will identify the project in the transportation improvement program submitted to the general assembly. Defines the appointment of members and the requirements of each.

**Amendment Summary:** Senate amendment 1 (006127) adds language clarifying recommended CM/GC projects and projects not suited for the CM/GC process. Requires that before using the CM/GC method of project delivery the commissioner send written notice to the chairs of the transportation committees of both legislative houses. Removes stipulation preventing the department from initiating more than five CM/GC projects in one fiscal year. Adds requirement that the cumulative cost of the CM/GC projects awarded in a single fiscal year not exceed twenty-five percent of the total amount of construction contract awards made in the previous fiscal year unless otherwise approved by the general assembly in the annual appropriations act. Makes technical changes.

**Fiscal Note:** (Dated March 7, 2019) NOT SIGNIFICANT

**Senate Status:** 04/01/19 - Senate passed with amendment 1 (006127).

**House Status:** 04/01/19 - House passed.

**Executive Status:** 04/15/19 - Enacted as Public Chapter 0106 effective April 11, 2019.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 1, relative to the construction manager/general contractor services method for the delivery of transportation projects.

**Effective Date:** 04/11/19

**Comment:** AIA - Administration bill relative to transportation projects.

**SB937/HB1219**  PROFESSIONS & LICENSURE: Issuance of temporary occupational licenses to spouses of members of the armed forces.

**Sponsors:** Sen. Yarbro, Jeff , Rep. Potts, Jason

**Summary:** Directs the department of health and the department of commerce and insurance to promulgate rules for the issuance of temporary occupational licenses to spouses of members of the armed forces of the United States who have been transferred by the military to Tennessee.

**Fiscal Note:** (Dated February 22, 2019) NOT SIGNIFICANT

**Senate Status:** 03/19/19 - Failed in Senate Commerce & Labor Committee.

**House Status:** 02/26/19 - Taken off notice in House Business Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 62; Title 63 and Title 68, relative to professions and occupations.

**Comment:** AIA - Democrat's version of the Clarksville bill. "Allows for more oversight from departments/boards.* Directs Commerce and Insurance to promulgate rules on temporary licenses for spouses "certified or licensed in another state to perform professional services in a state other than Tennessee."

**SB981/HB1103**  GOVERNMENT CONTRACTS: Procurement of public contracts for legal services.

**Sponsors:** Sen. Kelsey, Brian , Rep. Daniel, Martin

**Summary:** Establishes the Public Contracts for Legal Services Act. Requires political subdivisions to award contracts on the basis of demonstrated competence, qualifications, and experience to perform the
services sought for a fair price rather than on the basis of competitive bid. Allows a political subdivision to enter into a contingent fee contract for legal services if the governing body abides by certain criteria. Final execution of a contract requires submission to the attorney general and reporter with a description of the matter, interest of other governmental entities, and a copy of the notice. The attorney general may refuse the political subdivision's request under specific findings and can take up 90 days to approve or disapprove the contract.

**Fiscal Note:**
(Dated March 21, 2019) NOT SIGNIFICANT

**Senate Status:**
02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:**
04/03/19 - House Public Service & Employee Subcommittee deferred to summer study.

**Caption:**
AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 4, relative to procurement of public contracts for professional services.

**SB1008/HB54**

**GOVERNMENT REGULATION:** Requires baby changing station in new buildings.

**Sponsors:** Sen. Gilmore, Brenda, Rep. Potts, Jason

**Summary:** Adds at least one baby diaper changing station that is accessible to both men and women for new public bathrooms in any public building that is owned or operated by a public entity. Requires baby diaper changing station have signage and be maintained. The station is not required if the inspector finds installation not feasible or interrupting building standards for persons with disability. Broadly captioned.

**Fiscal Note:**
(Dated February 26, 2019) Increase State Expenditures Exceeds $9,600/Each FY19-20 through FY28-29/Locally-Governed Institutions Exceeds $2,000/Each FY19-20 through FY28-29/Community College System Exceeds $20,900/Each FY19-20 through FY28-29/University of Tennessee Exceeds $19,300/Each FY19-20 through FY28-29/Facilities Revolving Fund Exceeds $6,000/Each FY19-20 through FY28-29/General Fund Increase Local Expenditures Exceeds $12,300/Each FY19-20 through FY28-29/General

**Senate Status:**
02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:**
02/27/19 - Taken off notice in House Public Service & Employee Subcommittee.

**Caption:**
AN ACT to amend Tennessee Code Annotated, Title 4, Title 5, Title 6, Title 7, Title 12, Chapter 2; Title 13 and Title 68, relative to diaper changing stations in buildings accessible to the public.

**Comment:**
AIA - Statute vs. building code issue

**SB1182/HB1304**

**GOVERNMENT CONTRACTS:** Comptroller and treasurer to review and approve procurement contracts for goods and services.

**Sponsors:** Sen. Bowling, Janice, Rep. Baum, Charlie

**Summary:** Authorizes comptroller and the treasurer to review and approve procurement contracts for goods or services for any state government entity.

**Fiscal Note:**
(Dated March 13, 2019) NOT SIGNIFICANT

**Senate Status:**
02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:**
02/11/19 - Caption bill held on House clerk's desk.

**Caption:**
AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 56; Title 12, Chapter 4 and Title 12, Chapter 3, relative to state procurement.

**SB1203/HB898**

**GOVERNMENT CONTRACTS:** Extends time for comment on a proposed procurement contract.

**Sponsors:** Sen. Crowe, Rusty, Rep. Zachary, Jason

**Summary:** Extends the time by which the fiscal review committee may comment on a proposed procurement contract from 40 business days to 45 business days. Broadly captioned.
**Fiscal Note:** (Dated February 6, 2019) NOT SIGNIFICANT

**Senate Status:**
02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:**
02/07/19 - Caption bill held on House clerk's desk.

**Caption:**
AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 56; Title 12; Title 41, Chapter 22; and Title 49, Chapter 3, relative to procurement.

**SB1266/HB80**

**LOCAL GOVERNMENT:** Increases time frame for fire marshal’s resolution decision.

**Sponsors:**

**Summary:**
Increases the amount of days a fire marshal has to provide a decision for a conflict between county and city governments regarding a building or fire code issue for a county building located in a city. Adjusts the time from within 10 working days to within 15 working days of receipt of the written appeal. Broadly captioned.

**Fiscal Note:**
(Dated January 29, 2019) NOT SIGNIFICANT

**Senate Status:**
02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:**
01/28/19 - Caption bill held on House clerk's desk.

**Caption:**
AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 7; Title 5; Title 6; Title 13, Chapter 7; Title 13, Chapter 19, Part 1 and Title 68, Chapter 120, relative to building codes.

**Comment:**
AIA - Caption bill we will talk to sponsors about.

**SB1420/HB1329**

**GOVERNMENT CONTRACTS:** State government processes to verify hours worked on computers.

**Sponsors:**

**Summary:**
Requires that all contracts entered into by any department, agency, or political subdivision for the purpose of professional or technical service, valued over $100,000, must use a software to verify that hours billed for work remotely on a computer are legitimate. Declares that the data collected are accounting records belonging to the contractor and they must store the data for a period of seven years. Declares the procedure must be procured by the contractor from an independent entity.

**Fiscal Note:**
(Dated April 5, 2019) Other Fiscal Impact A recurring increase in state expenditures; the extent and timing of which cannot be determined for they are dependent upon several unknown factors.

**Senate Status:**
02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:**
02/13/19 - Referred to House Public Service & Employee Subcommittee.

**Caption:**
AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 4, relative to state government processes to verify hours worked on computers for certain government contracts.

**Comment:**
AIA - Will work to get A/E out.

**MONITORING**

**SB48/HB1358**

**GOVERNMENT CONTRACTS:** Increases threshold for local government purchases requiring public advertisement and sealed bids.

**Sponsors:**

**Summary:**
Authorizes a county, municipality, utility district or LEA with a centralized purchasing authority to increase the threshold, from $25,000 to $50,000, over which public advertisement and sealed competitive bids are required. Decreases the number of purchase orders, from three to two, that must be retained by a county after a purchase order or contract is issued or executed.

**Fiscal Note:**
(Dated February 8, 2019) Decrease Local Expenditures Exceeds $2,900

**Senate Status:**
02/21/19 - Senate passed.

**House Status:**
03/05/19 - Taken off notice in House Cities & Counties Subcommittee.
AN ACT to amend Tennessee Code Annotated, Section 5-14-111 and Section 12-3-1212, relative to purchasing.

SB92/HB1228 PUBLIC FINANCE: Requires finance commissioner to establish policy for state building lease payments.

Summary: Requires the commissioner of finance and administration to establish policy for lease payments on spaces occupied by state agencies and be approved by the state building commission.
Fiscal Note: (Dated February 11, 2019) NOT SIGNIFICANT
Senate Status: 01/30/19 - Referred to Senate State & Local Government Committee.
House Status: 02/11/19 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 9, Chapter 4 and Title 12, relative to state buildings and facilities.

SB144/HB476 GOVERNMENT ORGANIZATION: Sunset - energy efficient schools council.

Summary: Extends the energy efficient schools council to June 30, 2023. Requires the council and the department of education to appear before sunset review committee in 2019 to discuss progress made in addressing findings in its 2018 audit.
Fiscal Note: (Dated January 26, 2019) NOT SIGNIFICANT
Senate Status: 03/18/19 - Senate passed.
House Status: 04/22/19 - House passed.
Executive Status: 04/30/19 - Sent to governor.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 49, Chapter 17, relative to the energy efficient schools council.

SB176/HB201 TAXES PROPERTY: Affordable Rental Property Act.

Summary: Requires THDA to create an annual report researching the availability of affordable housing in each county. Requires THDA to work with the state board of equalization to create an application for those searching in counties with scarce affordable housing, establishing what is affordable property, along with creating a means of addressing the economic impact upon the owner.
Fiscal Note: (Dated March 14, 2019) Other Fiscal Impact A precise decrease in local government property tax revenue cannot reasonably be determined.
Senate Status: 03/26/19 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/01/19 - Referred to House Property & Planning Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 23; Title 67, Chapter 4 and Title 67, Chapter 5, relative to affordable housing.

SB197/HB239 EDUCATION: Tennessee Local Education Capital Investment Act.

Summary: Allows county and municipalities with an LEA that has an ADM growth of 250 a year for each of the five previous school years to elect to be a Tennessee rapid growth school district. Requires a Tennessee rapid growth school district to receive two percent of taxes by district dealers. Caps annual district distribution to $7 million. Requires that distributions to said districts are paid from the general fund. Establishes process and requirements for distributions.
**SB434/HB223**  
**GOVERNMENT REGULATION: Notification of a state agency releasing public records.**

**Sponsors:** Sen. Bell, Mike, Rep. Faison, Jeremy

**Summary:** Increases the time of notification to a recipient of records from a county assessor when a state agency releases public records from 10 to 15 days. Broadly captioned.

**Fiscal Note:** (Dated February 4, 2019) NOT SIGNIFICANT

**Senate Status:** 04/09/19 - Taken off notice in Senate State & Local Government Committee.

**House Status:** 04/03/19 - Taken off notice in House Public Service & Employee Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8 and Title 10, Chapter 7, relative to public records.

**SB515/HB333**  
**TRANSPORTATION GENERAL: Extends the Construction Manager/General Contractor Services Pilot Program.**

**Sponsors:** Sen. Massey, Becky, Rep. Whitson, Sam

**Summary:** Extends the Construction Manager/General Contractor Services Pilot Program by four years until July 1, 2023. Removes requirements that legislative proposals to re-enact or extend the program be referred to the transportation and safety committee of the senate and the transportation committee of the house.

**Fiscal Note:** (Dated March 20, 2019) NOT SIGNIFICANT

**Senate Status:** 02/07/19 - Referred to Senate Transportation & Safety Committee.

**House Status:** 02/05/19 - Referred to House Infrastructure Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 1, relative to alternative contracting.

**Comment:** AIA - Relative to transportation projects.

**SB581/HB1157**  
**LOCAL GOVERNMENT: Publication of notice - contracts with LEAs.**

**Sponsors:** Sen. Haile, Ferrell, Rep. Ogles, Brandon

**Summary:** Requires the governing body of a municipality to publish a notice of meeting for any meeting at which a contract, lease, or lease-purchase agreement entered into between a municipality and a local education agency for the use of real property for educational purposes with a term of at least five years will be considered, at least ten business days before the date set for the meeting. Broadly captioned.

**Fiscal Note:** (Dated February 27, 2019) NOT SIGNIFICANT

**Senate Status:** 04/16/19 - Taken off notice in Senate State & Local Government Committee.

**House Status:** 02/11/19 - Caption bill held on House clerk's desk.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 8; Title 12 and Title 49, relative to contracts with local education agencies.

**SB600/HB635**  
**GOVERNMENT CONTRACTS: Electronic bidding by local governments.**

**Sponsors:** Sen. Jackson, Ed, Rep. Travis, Ron
**Summary:** Requires local governments to provide a secure electronic interactive system as an additional option to satisfy any requirement for mailing for invitations to bid, requests for proposals, and other offers electronically. Also requires local governments to provide the option for vendors to submit bids, proposals, and other offers electronically. Exempts local governments that are currently without access to high-speed internet or a computer from these requirements until such time that access to high-speed internet or a computer becomes available.

**Amendment Summary:** House Local Committee amendment 1 (004970) adds that vendors still have the option to submit bids, proposals, and other offers to local governments in paper form. Changes wording that local government are "not exempt", but rather, "not required" to make any expenditure for high-speed internet access, a computer, software, personnel costs, training, or other office equipment directly related to the receipt of bids electronically.

**Fiscal Note:** (Dated March 2, 2019) Other Fiscal Impact A precise mandatory increase in local government expenditures cannot reasonably be determined due to multiple unknown factors. *

**Senate Status:** 02/07/19 - Referred to Senate State & Local Government Committee.

**House Status:** 03/20/19 - House Local Committee deferred to TACIR after adopting amendment 1 (004970).

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 4, Part 1, relative to electronic bidding.

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**SB685/HB668** GOVERNMENT REGULATION: Decreases amount of days for request on the Uniform Administrative Procedures Act.

**Sponsors:** Sen. Roberts, Kerry, Rep. Daniel, Martin

**Summary:** Decreases amount of days after an adoption of a rule affecting or pertaining to the Uniform Administrative Procedures Act that an interested person can request a concise statement of the principal reasons for the action.

**Fiscal Note:** (Dated February 11, 2019) NOT SIGNIFICANT

**Senate Status:** 02/07/19 - Referred to Senate Government Operations Committee.

**House Status:** 02/07/19 - Referred to House Government Operations Committee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5, relative to the Uniform Administrative Procedures Act.

**Comment:** AIA - Depending on the amendment, this could impact AIA members.

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**SB736/HB89** GOVERNMENT REGULATION: UAPA - rules or regulations affecting small businesses.

**Sponsors:** Sen. Watson, Bo, Rep. Daniel, Martin

**Summary:** Requires state agencies to submit an estimate of total compliance and implementation costs over a three year period on the effects administrative rules and regulations have on small businesses within this state to the members of the joint government operations committees prior to filing the rule. Prohibits and agency from promulgating a rule or regulation if the estimated total compliance and implementation costs over a three-year period that begins on the effective date of the rule or regulation are equal to or greater than $3,000,000, unless there is legislation or modification to the proposed rule or regulation to reduce costs below the threshold.

**Fiscal Note:** (Dated April 5, 2019) Other Fiscal Impact Due to the uncertain complexity of the additional responsibilities and the extent to which certain agencies will be impacted, there may be additional state expenditures incurred in order to comply. Future interpretation or expansion of what is requested of agencies may result in the need to contract for services.

**Senate Status:** 02/07/19 - Referred to Senate Government Operations Committee.

**House Status:** 02/06/19 - Withdrawn in House.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5, relative to the Uniform Administrative Procedures Act.
**SB891/HB1174** GOVERNMENT CONTRACTS: State agencies to produce an economic impact statement prior to entering a contract with a private party.

**Sponsors:** Sen. Niceley, Frank , Rep. Weaver, Terri

**Summary:** Requires state agencies to produce an economic impact statement prior to entering a contract with a private party if either the contract is in excess of $2.5 million or the contract will result in the furlough or layoff of any state employees, instead of both; authorizes the chair of the appropriate standing committee to schedule a hearing to review the economic impact statement. Broadly captioned.

**Fiscal Note:** (Dated March 15, 2019) On March 14, 2019, a fiscal note was issued for this legislation estimating a fiscal impact as follows: NOT SIGNIFICANT

Updated information on the volume and complexity of economic impact statements permits a corrected estimated fiscal impact as follows: (CORRECTED) Other Fiscal Impact To the extent contracts meet the requirements established within the proposed legislation, there could be increased expenditures to various state government agencies. There may also be state cost avoidances resulting from not entering into contracts for certain services. The net impact of this legislation and the timing of any future impact cannot be reasonably determined for such impacts are dependent upon multiple unknown factors. Corrected

**Senate Status:** 02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:** 03/27/19 - Returned to House clerk's desk.

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

**SB1068/HB171** LOCAL GOVERNMENT: Redefines debt obligation to include financed purchases.

**Sponsors:** Sen. Dickerson, Steven , Rep. Keisling, Kelly

**Summary:** Changes the term "capital leases" to "financed purchases" to redefine the definition of debt obligation in regard to public entities. Broadly captioned.

**Fiscal Note:** (Dated March 17, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:** 01/31/19 - Caption bill held on House clerk's desk.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 11; Title 12; Title 13; Title 41; Title 42; Title 49; Title 54; Title 64; Title 68 and Title 69, relative to public finance.

**SB1071/HB275** PROPERTY & HOUSING: Requires housing development agency submit reports on blight elimination programs.

**Sponsors:** Sen. Dickerson, Steven , Rep. Freeman, Bob

**Summary:** Requires the housing development agency submit a report on implementation of any amended policies to improve the agency's blight elimination program to the state and local government committee of both legislative houses by March 1 each year.

**Fiscal Note:** (Dated February 11, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate State & Local Government Committee.

**House Status:** 02/01/19 - Referred to House Property & Planning Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 13 and Title 68, relative to housing.

**SB1172/HB757** PROPERTY & HOUSING: Limits recovery of a real property owner who prevails in action challenging validity of lien.
Summary: Limits recovery of a real property owner who prevails in an action challenging the validity of a lien to only liens filed against certain residential units.
Amendment Summary: House amendment 1 (004202) rewrites this bill to eliminate the present law provisions described above in the bill summary whereby a real property owner who prevails in an action challenging the validity of a lien, including in a slander of title proceeding, may recover attorney's fees, costs, and damages.
Fiscal Note: (Dated February 14, 2019) NOT SIGNIFICANT
Senate Status: 03/25/19 - Senate passed.
House Status: 03/07/19 - House passed with amendment 1 (004202).
Executive Status: 04/15/19 - Enacted as Public Chapter 0142 effective April 5, 2019.
Caption: AN ACT to amend Tennessee Code Annotated, Section 66-21-108, relative to liens.
Effective Date: 04/05/19
Comment: AIA - This bill removes a provision that was inserted last year and it turns out that it didn't help and only confused the issue. Bar association, general contractors, homebuilders, road builders and engineers have all signed off.

SB1190/HB295 PROFESSIONS & LICENSURE: Certification for electrical inspects contracted by local or state government.

Summary: Requires electrical inspectors employed by a local or state government to be certified by the state fire marshal and for this certification to be completed every three years. Declares that certain electrical inspectors contracted under the commissioner of commerce and insurance to be certified on and after January 1, 2020.
Fiscal Note: (Dated February 17, 2019) Increase State Revenue $2,800/FY22-23 and Every Three Years Thereafter/State Fire Marshal $100/FY23-24 and Every Three Years Thereafter/State Fire Marshal $100/FY24-25 and Every Three Years Thereafter/State Fire Marshal
Senate Status: 04/15/19 - Senate passed.
House Status: 03/18/19 - House passed.
Executive Status: 05/07/19 - Enacted as Public Chapter 0224 effective April 30, 2019.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, relative to electrical inspectors.
Effective Date: 04/30/19, 01/01/20
Comment: AIA - This is a state fire marshal's office bill to bring recertification for electrical inspectors in-house.

SB1336/HB1064 PROFESSIONS & LICENSURE: Contractor continuing education.

Summary: Requires contractors licensed on or after January 1, 2009, to complete a minimum of eight hours of continuing education biennially by a board-approved provider and proof of compliance must be filed. Specifies that current membership in a professional trade association approved by the board qualifies as four hours.
Amendment Summary: Senate amendment 1 (006331) adds that the board must include, at a minimum, provisions allowing online and in-person training. Decreases the time period active membership in a professional trade association, approved by the board, qualifies as four hours of continuing education from biennially to annually.
Fiscal Note: (Dated February 23, 2019) NOT SIGNIFICANT
Senate Status: 03/25/19 - Senate passed with amendment 1 (006331).
House Status: 04/10/19 - House passed.
**Executive Status:** 04/30/19 - Enacted as Public Chapter 0186 effective April 23, 2019.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5 and Title 62, Chapter 6, relative to residential construction.

**Effective Date:** 04/23/19, 01/01/20

**Position:** A/A - Support

**SB1339/HB1402** EDUCATION: Study on funds spent to build, equip, and maintain elementary and secondary schools.

**Sponsors:** Sen. Johnson, Jack, Rep. Hicks, Gary

**Summary:** Requires a joint study be done by the department of education and the comptroller of the treasury on the total amount of funds spent to build, equip, and maintain elementary, middle, and secondary schools in Tennessee from January 1, 2013 through December 31, 2018. Orders the study to include whether the BEP capital outlay component accurately reflects the actual cost of building and maintaining schools. The study must be completed by January 1, 2020 and findings reported to the speaker of the senate, the speaker of the house of representatives, the education committees of the senate and the house of representatives, and the finance, ways and means committees of the senate and the house of representatives by February 1, 2020. Obligates the department of education to annually calculate the actual average instructional salary for teachers across the southeastern United States. Demands another study be jointly conducted by the department of revenue and the department of education on the total amount of state and local option sales tax as well as the percentage of total state and local sales tax collections appropriated to K-12 education. Completion dates and submission mirror the first report.

**Fiscal Note:** (Dated April 2, 2019) NOT SIGNIFICANT

**Senate Status:** 02/11/19 - Referred to Senate Education Committee.

**House Status:** 02/13/19 - Referred to House Education Administration Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 49 and Title 67, Chapter 6, relative to education funding.

**SB355/HB327** PROPERTY & HOUSING: Revises requirements on brownfield redevelopment projects.

**Sponsors:** Sen. Gardenhire, Todd, Rep. Howell, Dan

**Summary:** Makes the urban brownfield redevelopment project statute applicable to "mid-size and small counties" rather than "large and mid-size counties." Under present law, an urban brownfield redevelopment project must occur on a parcel or parcels of land located in a redevelopment zone and must either contain at least one brownfield site or contain a site of at least 10 acres that has remained vacant or substantially unoccupied for at least five years and, at any time within 20 years prior to June 1, 2011, included a manufacturing, industrial, distribution, or retail facility containing at least 1 million square feet. Allows the total amount of manufacturing, industrial, distribution, or retail facility space to be used to meet the 1 million square feet threshold. A redevelopment zone must be located in a county with a population of 80,000, or more. Adds that a redevelopment zone must also be located in a county having a population of 336,400, or less. Adds that an industrial development corporation must cease to receive allocations of sales and property tax revenue upon the maturity of the original bond or obligation used to finance the project, whose maximum amount of debt maturity must be no longer than 30 years.

**Amendment Summary:** Senate amendment 1 (005935) rewrites this bill and revises present law provisions governing redevelopment of brownfield sites in economically disadvantaged areas, as follows: (1) This amendment removes the reference to "large and mid-size counties" in the present law provision encouraging the redevelopment of large brownfield sites in economically disadvantaged areas within large and mid-size counties. Present law defines "brownfield site" as a parcel or adjacent or related parcels of real property containing at least five acres that is currently, or at any time since January 1, 2000, has been the subject of an investigation or remediation as a brownfield project under a
voluntary agreement or consent order pursuant to applicable provisions of the Hazardous Waste Management Act; this amendment removes the reference to "containing at least five acres". (2) Under present law, all sales and property taxes allocated for an economic impact plan approved may only be applied by the industrial development corporation to pay expenses of the corporation in furtherance of economic development in the municipality, to pay or reimburse qualified costs, or to pay debt service on bonds or other obligations issued by the corporation to finance any of the foregoing. This amendment adds that the corporation will cease to receive allocations such allocations upon the maturity of the original bond or obligation used to finance the project, whose maximum amount of debt maturity must be no longer than 30 years. Also, this amendment redefines "qualified costs" to specifically include costs that are directly related to the investigation, remediation, or mitigation of a brownfield project located in an urban redevelopment project as required by a voluntary agreement or consent order under the applicable provisions of the Hazardous Waste Management Act. (3) Under present law, the parcels involved in an urban brownfield redevelopment project must be located in a redevelopment zone. Present law defines "redevelopment zone" as either an area designated as of January 1, 2009, as a renewal community by the federal department of housing and urban development or an area designated as of January 1, 2009, as a low income community for purposes of the federal new markets tax credits program; and the zone must also be located in a county having a population of 80,000 or more. This amendment redefines "redevelopment zone" to remove the population requirement and to include a qualified opportunity zone as a "redevelopment zone". This amendment defines "qualified opportunity zone" as census tracts identified as qualified opportunity zones as certified under the federal Tax Cuts and Jobs Act of 2017. Also, under present law, an urban brownfield redevelopment project parcel or parcels of contiguous, adjacent, or related properties must total at least 100 acres; this amendment removes the 100-acre requirement.

Fiscal Note: (Dated February 17, 2019) Other Fiscal Impact Due to multiple unknown variables, a precise impact to local government revenue cannot reasonably be determined.

Senate Status: 04/15/19 - Senate passed with amendment 1 (005935).
House Status: 04/17/19 - House passed.
Executive Status: 04/30/19 - Signed by governor.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 53, relative to brownfield sites.

SB399/HB236 PROPERTY & HOUSING: Increasing of homestead exemption.

Summary: Creates a homestead exemption for agricultural land, increases aggregate value of real property homestead exemptions while establishing that, in 3-year intervals, the fiscal review committee will recommend to the general assembly increases in the homestead exemption.
Amendment Summary: House Judiciary Committee amendment 1 (007911) deletes and rewrites all language after the enacting clause such that the substantive changes are to increase certain homestead exemptions to $35,000, increase the homestead exemption available to individuals jointly owning real property to $52,500, delete certain homestead exemptions provided under current law, delete the homestead exemption for agricultural property provided in the original bill, and delete the requirement that the Fiscal Review Committee calculate and report adjustments to the homestead exemption.
Fiscal Note: (Dated February 26, 2019) NOT SIGNIFICANT
Senate Status: 04/16/19 - Taken off notice in Senate Judiciary Committee.
House Status: 04/10/19 - House Judiciary Committee deferred to first calendar of 2020 after adopting amendment 1 (007911).
Caption: AN ACT to amend Tennessee Code Annotated, Title 26 and Title 30, relative to the homestead exemption.

SB682/HB875 PROPERTY & HOUSING: Limits enforcement of a lien.
Summary: Limits recovery of assets in successful lien challenges if the action was brought to challenge the securing unpaid dues, fees, assessments, or other charges pursuant to a properly recorded master deed.
Fiscal Note: (Dated February 27, 2019) NOT SIGNIFICANT
Senate Status: 02/07/19 - Referred to Senate Judiciary Committee.
House Status: 02/11/19 - Referred to House Civil Justice Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Section 66-21-108, relative to liens.

SB995/HB1296 TAXES BUSINESS: Tennessee Uniform Protected Series Act.

Summary: Enacts the "Tennessee Uniform Protected Series Act," which establishes provisions governing protected series LLCs. Specifies that a protected series of a series LLC is deemed to be an LLC that is formed separately from the series LLC and is distinct from the series LLC and any other protected series of the series LLC. Specifies that an asset of the protected series is deemed to be an asset of the LLC, whether or not the asset is an associated asset of the protected series. Also specifies that any creditor or other obligee of the protected series is deemed to be a creditor or obligee of the LLC. Authorizes an LLC by its original articles of organization or an amendment to its articles of organization to declare itself to be a series LLC and, if necessary, amend its name, with the affirmative vote or consent of all members of the series LLC, may establish a protected series. Creates application process for a series LLC to establish a protected series. Establishes process for a protected series to amend its name and specifies requirements for such name. Specifies that a protected series of a series LLC may be served with a service of process, notice, demand, or other record required or permitted by law. Requires the secretary of state, on request of any person, to issue a certificate of existence for a domestic protected series of a series LLC or a certificate of authorization for a foreign protected series authorized to transact business in this state if certain conditions are met. Specifies annual reporting requirements for a series LLC or a foreign series LLC. Also specifies requirements for management of a protected series. Establishes other provisions regarding protected series LLCs. (72 pp.)
Fiscal Note: (Dated March 11, 2019) Increase State Revenue $216,400/FY20-21/General Fund $6,700/FY20-21/Secretary of State $312,800/FY21-22 and Subsequent Years/General Fund $9,700/FY21-22 and Subsequent Years/Secretary of State Increase State Expenditures - $185,600/FY19-20/General Fund
Senate Status: 02/11/19 - Referred to Senate Commerce & Labor Committee.
House Status: 03/12/19 - Taken off notice in House Business Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 48 and Title 67, relative to limited liability companies.

SB999/HB1218 PROFESSIONS & LICENSURE: Reinstatement of professional and occupational licenses under certain circumstances.

Sponsors: Sen. Yarbro, Jeff , Rep. Potts, Jason
Summary: Allows the reinstatement of a professional or occupational license if there is submission of an application acceptable to the licensing entity, payment of the full renewal fee for an active license, and payment of any reinstatement penalty that may be required by the licensing entity.
Fiscal Note: (Dated February 22, 2019) NOT SIGNIFICANT
Senate Status: 03/19/19 - Failed in Senate Commerce & Labor Committee for lack of a second.
House Status: 02/26/19 - Failed in House Business Subcommittee due to lack of second.

SB1327/HB1088 PROFESSIONS & LICENSURE: Application of licensure expedited for military spouses.
**SB1329/HB1467** GOVERNMENT REGULATION: UAPA - effects administrative rules and regulations have on small businesses.

**Sponsors:** Sen. Watson, Bo, Rep. Daniel, Martin

**Summary:** Requires an agency to submit an estimate to the members of the government operations committees of the senate and the house of representatives prior to filing a rule or regulation with the secretary of state. Orders the estimate to include implementation costs incurred by all small businesses over three years, number of small businesses affected by the regulation, reasoning upon which the estimate is based and all information used in determining the estimate. Prohibits the agency from promulgating a regulation that will cost equal to or greater than $3,000,000, unless there is authorizing legislation or a germane modification to reduce costs below the $3,000,000 threshold. Does not apply to institutions of higher education, emergency rules, or regulations required by federal mandate.

**Amendment Summary:** House Government Operations amendment 1 (005092) establishes that an agency must submit an estimate to the fiscal review committee between 60 and 90 days of filing a rule or regulation with the secretary of state, with the review from the fiscal review staff for accuracy. Declares that the fiscal review staff must review the estimate for accuracy, where after confirmation or modification, the executive director of the fiscal review committee will submit the estimate to the members of the government operations committees of the house and senate.

**Fiscal Note:** (Dated February 16, 2019) Other Fiscal Impact Due to the uncertain complexity of the additional responsibilities and the extent to which certain agencies will be impacted, there may be additional state expenditures incurred in order to comply. Future interpretation or expansion of what is requested of agencies may result in the need to contract for services.

**Senate Status:** 02/11/19 - Referred to Senate Government Operations Committee.

**House Status:** 03/27/19 - House Finance, Ways & Means Subcommittee deferred to the first calendar of 2020.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5, relative to the Uniform Administrative Procedures Act.

**PROF. PRIV. TAX**

**SB253/HB246** TAXES BUSINESS: Phases out professional privilege tax.

**Sponsors:** Sen. Kyle, Sara, Rep. Clemmons, John

**Summary:** Phases out the professional privilege tax over a four-year period for tax years that begin on and after June 1, 2019.

SB491/HB39  TAXES BUSINESS: Phases out professional privilege tax.

Summary:  Reduces the professional privilege tax each year beginning with the tax year that begins on and after June 1, 2019. Eliminates the professional privilege tax completely for the tax year ending on or after May 31, 2024.


Senate Status:  05/01/19 - Senate Finance, Ways & Means Committee deferred to first calendar of 2020.
House Status:  01/22/19 - Referred to House Finance, Ways & Means Subcommittee.
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.

SB492/HB40  TAXES BUSINESS: Eliminates professional privilege tax.

Summary:  Eliminates the professional privilege tax for the tax year ending on May 31, 2020, and for any subsequent tax years.

Fiscal Note:  (Dated January 14, 2019) Decrease State Revenue Net Impact $93,502,500/FY18-19 and Subsequent Years Decrease State Expenditures $974,400/FY18-19 and Subsequent Years Increase Local Revenue $464,200/FY18-19 and Subsequent Years

Senate Status:  05/01/19 - Senate Finance, Ways & Means Committee deferred to first calendar of 2020.
House Status:  01/22/19 - Referred to House Finance, Ways & Means Subcommittee.
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.

SB1290/HB1053  TAXES BUSINESS: Exemptions from professional privilege tax.

Summary:  Exempts individuals from the professional privilege tax if they are exempt from the business tax on gross receipts from providing services for which they are licensed.

Amendment Summary:  Senate Finance Revenue Subcommittee amendment 1 (003959) rewrites the bill and provides exemption from the professional privilege tax, beginning with taxes due on June 1, 2020 for the professions of lobbyist, architect, broker, audiologist, chiropractor, dentist, optometrist, podiatrist, psychologist, speech pathologist, veterinarian, and attorney.

Fiscal Note:  (Dated March 5, 2019) Decrease State Revenue Net Impact $91,940,900/FY19-20 and Subsequent Years Decrease State Expenditures $974,400/FY19-20 and Subsequent Years Increase Local Revenue $456,300/FY19-20 and Subsequent Years

Senate Status:  04/30/19 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status:  03/06/19 - Taken off notice in House Finance, Ways & Means Subcommittee.
Caption:  AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 17, relative to taxation of
the privilege of engaging in certain occupations.

SCHOOL SAFETY

SB803/HB947  EDUCATION: Funding programs that address school safety.


Summary: This bill revises various provisions regarding the Tennessee school safety center, as discussed below. (1) Under present law, the Tennessee school safety center develops and evaluates training materials and guidelines on school safety issues, including behavior, discipline and violence prevention. The center is responsible for the collection and analysis of data related to school safety, including alleged violent or assaultive acts against school employees and students. Present law requires that analysis of data must include the number of arrests, the charges and whether civil damages were pursued by the injured party or school system; this bill removes this specification of what analysis of data must include. (2) Present law authorizes the center, within the limit of appropriations for the center, to establish grants to LEAs for the development of innovative violence prevention programs, conflict resolution, disruptive or assaultive behavior management, improved school security, peer mediation and training for employees on the identification of possible perpetrators of school related violence. This bill revises this provision to require, instead of authorize, school safety grants. This bill requires the center to develop a grant application and specifies that in the application an LEA must describe how the grant funds: (A) Will be used to improve and support school safety; (B) Align with the needs identified in a school safety assessment; and (C) Will be used to support the LEA's authorized charter schools, if applicable. (3) This bill requires the center to reserve monies to fund school safety grants based on applications received from LEAs with schools that did not have a full-time school resource officer during the 2018-2019 school year and that describe the LEA's intent to utilize the grant for school resource officers, and to that end, the center must prioritize school safety grants based on such applications. Any reserved funding awarded pursuant to provisions must be allocated as set out in present law and must be available for school safety grants awarded for the 2019-2020 and 2020-2021 school years. Any reserved funds that are not awarded pursuant to this provision must be reallocated in accordance with present law. The allocation provided in present law is as follows: (A) Funding is available to each LEA in the same percentage that the LEA's share of basic education program (BEP) funding bears to statewide BEP funding; (B) Funding is subject to a 25 percent match by the LEA, adjusted for the LEA's fiscal capacity under the BEP formula. The match requirement may be satisfied by local or contributed funds or by personnel or other in-kind expenses assumed by the LEA; and (C) State funding is also subject to submission by the LEA to the school safety center of a proposed plan of expenditures to accomplish one or more of the provisions described above in (2) and approval of that plan by the center. The center is prohibited from unreasonably withholding funding but should allow LEAs adequate flexibility to experiment so long as the basic requirements of present law are satisfied. This bill deletes this provision, but similar information will be required in the application process. Part of Administration Package.

Amendment Summary: Senate amendment 1 (006395) deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are to: (1) include school resource officers in the list of purposes that school safety grants may be used for; (2) require the Tennessee School Safety Center to review the school safety grant application in collaboration with the state-level school safety team established under Tenn. Code Ann. § 49-6-802; (3) authorize an LEA to use funds derived from local taxes levied for school operation and maintenance purposes to satisfy the match requirement; (4) require the Department of Safety and Homeland Security (DSHS) in collaboration with the Department of Education (DOE) to develop a school security assessment for use in Tennessee public schools; (5) require DSHS and DOE to provide training to local law enforcement agencies and school administrators on the use of the school security assessment; (6) require a 25 percent local match for reserve monies established to fund school safety grants for LEAs that did not have a full-time SRO during the 2018-19 school year; and (7) authorize DSHS to conduct audits of Tennessee public schools to verify the implementation and use of assessments to enhance school security.
Fiscal Note: (Dated March 6, 2019) Increase State Expenditures $20,000,000/FY19-20 $10,000,000/FY20-21 and Subsequent Years Increase Local Expenditures $6,666,700/FY19-20/Permissive $3,333,300/FY20-21 and Subsequent Years/Permissive The Governors proposed budget document for FY19-20 (page A-37) includes one-time funding of $20,000,000 and recurring funding of $10,000,000.

Senate Status: 04/04/19 - Senate passed with amendment 1 (006395).
House Status: 04/04/19 - House passed.
Executive Status: 04/22/19 - Enacted as Public Chapter 0154 effective April 18, 2019.

Caption: AN ACT to amend Tennessee Code Annotated, Section 49-1-1004 and Section 49-6-4302, relative to school safety grants.

Effective Date: 04/18/19

Comment: AIA - Administration bill

SB892/HB846 EDUCATION: Law enforcement notification regarding person authorized to have firearm on school property.

Summary: Changes to 10 business days, the period within which schools directors are required to notify the appropriate chief of law enforcement agency that the director has authorized a person to carry or possess a firearm on school property. Broadly captioned.

Fiscal Note: (Dated February 12, 2019) NOT SIGNIFICANT

Senate Status: 02/11/19 - Referred to Senate Judiciary Committee.
House Status: 02/07/19 - Caption bill held on House clerk's desk.

Caption: AN ACT to amend Tennessee Code Annotated, Title 38; Title 39; Title 40 and Title 49, relative to school safety.

SB898/HB678 EDUCATION: Changes due date of education commissioner’s report on the SAVE Act.

Summary: Changes the due date of the commissioner of education's report to the governor and general assembly regarding the Schools Against Violence in Education Act to July 1 each year.

Amendment Summary: House Education K-12 Subcommittee amendment 1 (006614) rewrites the bill. As used in this section: "Employee" refers to a person employed to work full time in a public K-12 school (including teachers, administration, or other staff). "Private certified firearms instructor" (instructor) refers to a person who: (1) is a certified firearms instructor, (2) has successfully completed an instructor development course, (3) is a certified active shooter instructor, and (4) has experience has a law enforcement officer or member of the United States military (in good standing). "School marshal" (marshal) refers to an employee who: (1) possesses a valid handgun carry permit, and (2) is authorized by a local board of education (board) to carry a concealed handgun on school grounds. The Peace Officer Standards and Training (POST) commission shall study the feasibility of and costs associated with: developing and implementing a marshal response team and training program that requires handgun instruction approved by the POST commission. The handgun instruction curriculum must include instruction designed to prevent school shootings, educate marshals about related legal issues, on school safety strategies, improve the marshals' handgun proficiency, and enable a marshal to respond to an emergency such as an active shooter. The study should establish guidelines and standards that include but are not limited to: physical and mental fitness evaluations, additional training for emergency responses and active shooter training, best practices for marshals, protocols for law enforcement to identify marshals when responding to an emergency situation, development of an emergency plan. The POST commission shall report the findings and recommendations from the study to the general assembly no later than January 1, 2020.

Fiscal Note: (Dated February 11, 2019) NOT SIGNIFICANT
AN ACT to amend Tennessee Code Annotated, Section 8-36-205; Title 49, Chapter 6, Part 8 and Title 49, Chapter 6, Part 42, relative to school safety.

SB1196/HB671  EDUCATION: School safety plan requirements.

Summary: Increases amount of days prior to adoption that the district-wide and building-level school safety plan must be available for public comment from 30 days to 45 days. Broadly captioned.
Fiscal Note: (Dated February 10, 2019) NOT SIGNIFICANT

Senate Status: 02/11/19 - Referred to Senate Education Committee.
House Status: 04/10/19 - Taken off notice in House Education Committee.

AN ACT to amend Tennessee Code Annotated, Title 49 and Title 68, relative to school safety.

SB1238/HB1158  EDUCATION: Authorizes LEAs to establish a threat assessment team.

Summary: Allows LEAs to adopt a policy to establish a threat assessment team within each LEA. Specifies that the purpose of the threat assessment team is to develop comprehensive intervention-based approaches to prevent violence, manage reports of potential threats, and create a system that fosters a safe, supportive, and effective school environment. Requires the threat assessment team to include LEA personnel and law enforcement personnel. Specifies that an LEA’s threat assessment team may include juvenile services personnel, a representative of the local district attorney’s office, a representative of the department of children’s services, and mental health service providers.
Fiscal Note: (Dated March 3, 2019) NOT SIGNIFICANT

Senate Status: 02/07/19 - Caption bill held on House clerk’s desk.
House Status: 05/01/19 - House passed.
Executive Status: 05/03/19 - Sent to governor.

AN ACT to amend Tennessee Code Annotated, Title 49, relative to threat assessment teams.

SB571/HB353  EDUCATION: School credits relative to occupational training.

Summary: Establishes a person who receives certified comprehensive career and technical training in high school and post high school are eligible to receive equivalent credit towards the occupational license related to training.

Amendment Summary: House amendment 1 (006603) specifies application to all professions and occupations regulated except for certified public accountants, architects and engineers. Requires any kind of training be consistent with the requirements for licensure by licensing authorities in order for persons to be eligible for equivalent credit. Allows any person aggrieved by the decision of a licensing authority concerning eligibility for equivalent credit to appeal to the commissioner and insurance or the commissioner’s designee for a determination of whether the training meets the requirements for licensure. Orders commissioner of commerce and insurance, state board of education and various departments charged with supervision of licensing authorities to promulgate rules. Senate amendment 1 (007922) adds the exceptions of certified public accountants, architects, engineers, and ginseng dealers as professions that cannot receive equivalent credit for occupational licenses from technical training in high school and post high school. Requires high school and post high
school training received to be consistent with the requirements for licensure by licensing authorities in order for persons to be eligible for equivalent credit. Permits training to have been received in schools or correctional institutions. Allows any person aggrieved by the decision of a licensing authority concerning eligibility for equivalent credit to appeal to the commissioner of commerce and insurance or the commissioner's designee for a determination of whether the training meets the requirements for licensure. Adds that the state board of education and the commissioner of corrections must promulgate rules in collaboration with the commissioner of commerce and insurance.

Fiscal Note: (Dated February 24, 2019) NOT SIGNIFICANT

Senate Status: 05/02/19 - Senate adopted conference committee report (009330).
House Status: 05/02/19 - House adopted conference committee report (009330).
Executive Status: 05/02/19 - Sent to the speakers for signatures.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 6, Part 1; Title 37; Title 38; Title 41; Title 49; Title 62 and Title 63, relative to occupational training.

SB1297/HB1151 CRIMINAL LAW: Expands the offense of indecent exposure.

Summary: Expands the offense of indecent exposure to include incidents occurring in a restroom, locker room, dressing room, or shower if the offender is a member of the opposite sex than the sex designated for.
Amendment Summary: House amendment 1 (006477) deletes all language after the enacting clause. Defines “public place,” as related to offenses of indecent exposure, as a place which the public or a group of persons has access and includes, but is not limited to, highways, transportation facilities, schools, places of amusement, parks, places of business, playgrounds, hallways, lobbies, restrooms, locker rooms, dressing rooms, or showers, designated for multiperson, single sex use.

Fiscal Note: (Dated March 2, 2019) NOT SIGNIFICANT

Senate Status: 03/30/19 - Senate passed.
House Status: 04/08/19 - House passed with amendment 1 (006477).
Executive Status: 05/07/19 - Enacted as Public Chapter 0251 effective July 1, 2019.
Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to indecent exposure.
Effective Date: 07/01/19

SB390/HB155 LOCAL GOVERNMENT: Requires a legislative body to request establishing zones or districts by mail.

Summary: Adds that a chief legislative body in order to establish zones or districts outside municipality must file the notice with the county mayor by certified mail, return receipt requested.
Fiscal Note: (Dated February 27, 2019) NOT SIGNIFICANT

Senate Status: 02/06/19 - Referred to Senate State & Local Government Committee.
House Status: 02/15/19 - House sponsor changed from White to Wright.
Caption: AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51; Title 6, Chapter 58; Title 13, Chapter 7; Title 13, Chapter 3 and Title 13, Chapter 4, relative to land use.

SB496/HB38 EDUCATION: Notice regarding acceptance of bids for contracts for the construction of a school building.
Changes time period for which public notice must be given in advance of an LEA's acceptance of bids for contracts for the construction of a school building, or an addition to an existing school building, the cost of which exceeds $10,000 from ten to ten business days. Broadly captioned.

House Education Administration Subcommittee amendment 1 (006858) establishes that by the 2019-2020 school year, LEA's must use at least one appropriate alternative growth model that has been approved by the state board of education. Establishes an evaluation system for teachers in Pre-K, through Grade Two, where they shall be reviewed by a peer group consisting of at least three licensed teachers employed in the teacher’s school, selected by the LEA’s director of schools. The evaluation will follow the guidelines developed by the LEA’s director of schools, focusing on individual growth data that is representative of student growth. Declares that the state cannot administer any test or assessment to students in Pre-K, through Grade Two, including assessments used by the state to evaluate the performance, growth, or achievement of a teacher or student.

(Dated January 24, 2019) NOT SIGNIFICANT

04/17/19 - Taken off notice in Senate Education Committee.

04/16/19 - Taken off notice in House Education Committee.

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB1283/HB1316 EDUCATION: Study on economic feasibility of creating and utilizing statewide comprehensive energy policy.

Removes from code language regarding a study on the economic feasibility of creating and utilizing a statewide comprehensive energy policy, the final report of which was due by December 15, 2014. Broadly captioned.

(Dated February 9, 2019) NOT SIGNIFICANT

02/11/19 - Referred to Senate Education Committee.

02/11/19 - Caption bill held on House clerk's desk.

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.