AIA Bill Profile

AIA PRIORITY LEGISLATION

Legislation that passed

SB631/HB749  CONSTRUCTION: Conflict between a city and county regarding a building code or fire code issue.


Summary: Increases, from ten working days to 12 working days, the time within which, after receipt of a written appeal, the state fire marshal's office must provide a decision in cases of conflict between a city and county regarding a building or fire code issue. Broadly captioned.

Amendment Summary:

Senate Commerce & Labor Committee amendment 1 (006726) deletes all language after the enacting clause. Effective September 1, 2021, prevents the State Fire Marshal's Office (SFMO) from discriminating against or favoring particular construction materials or techniques in building construction standards. Effective upon becoming a law, authorizes a local government to adopt a regulation, code, or ordinance pertaining to construction materials by ordinance or resolution for one and two-family dwellings. House amendment 1 (007127) rewrites this bill and revises present law provisions governing statewide building construction safety standards. Present law requires the state fire marshal to promulgate rules establishing minimum statewide building construction safety standards. The standards must be designed to afford a reasonable degree of safety to life and property from fire and hazards incident to the design, construction, alteration and repair of buildings or structures. Present law mandates that the standards must not discriminate against or in favor of particular construction materials or techniques. This amendment specifies that the prohibition regarding "techniques" applies to "construction techniques" and: (1) Authorizes a local government to adopt a regulation or code, pertaining to construction materials by ordinance or resolution, as appropriate, by majority vote. If passage of the ordinance or resolution requires two readings, then the requirement may only be adopted after reading it in open session of the legislative body at meetings on two different days. If passage of the ordinance or resolution requires three readings, then the last two readings must occur on two different days. A proposed requirement pertaining to construction materials must be a separate item on the agenda and include, in bold type and all caps, the following statement in the meeting notice: THE PROPOSED ORDINANCE REQUIRE CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS; (2) Requires that consideration of a requirement pertaining to construction materials by separate vote. If the requirement is to be part of a general ordinance or resolution, then the requirement pertaining to construction materials must be severable from the rest of the ordinance or resolution, and voted on separately; (3) Provides that if a local government seeks to modify a regulation, code, or ordinance adopted pursuant to this amendment, then the local government must make the modification in the same manner as required to adopt a requirement; (4) Mandates that a regulation, ordinance, or code adopted pursuant to this amendment must not prohibit a particular construction material that is approved by a national building code or the state fire marshal; (5) Requires that a regulation, ordinance, or code adopted pursuant to this amendment allow for the consideration of waivers of the adopted regulation, ordinance, or code pertaining to construction materials, in whole or in part, during the development approval process; (6) Specifies that denial of a waiver related to a regulation, ordinance, or code referenced in item (5) will not constitute a prohibition under item (4); and (7) Provides that, except to the extent local law conflicts with this amendment, this amendment neither grants nor removes local governmental authority to promulgate provisions under home rule charters, private acts, or general state law. The provisions of this amendment regarding a local government's adoption of a regulation or code, pertaining to construction materials do not limit the professional judgment of a licensed design professional with respect to electrical, mechanical, or plumbing standards. For purposes of local government adoption of a regulation, code, or ordinance relating to construction materials, this bill as amended will take effect upon becoming law. For all other purposes, this bill as amended will take effect September 1, 2021.

Fiscal Note: (Dated February 11, 2021) NOT SIGNIFICANT

Senate Status: 04/21/21 - Senate passed.

House Status: 04/21/21 - House passed with amendment 1 (007127).

Executive Status: 05/04/21 - Signed by governor.

Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120, relative to construction.

SB746/HB78  GOVERNMENT ORGANIZATION: Deletes the Paperwork Reduction and Simplification Act of 1976 and make other organizational changes.


Summary: Removes chapter in statute that enacted the Paperwork Reduction and Simplification Act of 1976. Redistributes the recordkeeping responsibilities for state agencies and the central procurement office. Converts energy performance or guaranteed savings contract pilot projects into a permanent program.

Amendment Summary:

Senate amendment 1 (005448) restores application of the present law requirements for addenda within less than 48 hours of the bid opening date to contracts of state agencies when a law or rule requires the use of competitive bidding. This amendment also restores the present law exemptions for department of transportation contracts and state agency contracts funded in whole or in part with state or federal highway funds. This amendment changes this bill's requirement that an energy service company executing an energy performance contract or a guaranteed energy savings contract post a performance bond, letter of credit, or similar surety with the procurement agency in the total amount of guaranteed savings over the contract term. Under this amendment, the energy service company must post a performance bond, letter of credit, or similar surety with the procurement agency for a term of up to three years and that may be renewed for subsequent terms of up to three years to insure the guaranteed savings over the contract term. This amendment exempts from the bill's requirements concerning energy service contracts any energy-related service contracts for institutions of higher education, or for counties, cities, metropolitan governments, towns, utility districts, and other municipal and public corporations of this state.

Fiscal Note: (Dated February 8, 2021) Decrease State Revenue $33,000/IFY21-22 and Subsequent Years/ Department of General Services Decrease State Expenditures $33,000/IFY21-22 and Subsequent Years/ Various State Agencies

Senate Status: 03/29/21 - Senate passed with amendment 1 (005448).

House Status: 04/19/21 - House passed.

Executive Status: 05/05/21 - Enacted as Public Chapter 0279 effective May 3, 2021.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 25; Title 4, Chapter 56, Part 1; Title 12, Chapter 3, Part 3 and Title 12, Chapter 4, Part 1, relative to state government operations.

AIA POSITION AMEND This was a bill brought by the Lee administration that had a few problematic areas. We worked with the Dept of General Services to delete the section that removed the deadlines for addenda and questions concerning bid documents.
Legislation that did not pass

**SB1210/HB1431**  
**EDUCATION:** Water bottle filling stations in schools.  
**Sponsors:** Sen. Massey, Becky, Rep. Hazlewood, Patsy  
**Summary:** Requires LEAs and public charter schools to incorporate water bottle filling stations as part of new school constructions and major renovations. Requires at least one water bottle filling station for every 200 students and mandates specific locations where they should be. States that LEAs and public charter schools that incorporate water bottle filling stations must allow students to bring a clear water bottle to school.  
**Senate Status:** 02/22/21 - Referred to Senate Education Committee.  
**House Status:** 03/01/21 - Referred to House K-12 Subcommittee.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 13; Title 49 and Title 68, relative to water access in public schools.

**AIA POSITION**  
**OPPOSE** As written, the legislation puts building code in statute, which is a precedent AIA opposes. AIA is working with the proponents of the bill (the American Heart Association) to work within the codes department of the State Fire Marshal’s office.

**SB602/HB905**  
**CONSTRUCTION:** Accommodations in public restrooms.  
**Sponsors:** Sen. Watson, Bo, Rep. Doggett, Clay  
**Summary:** Requires buildings constructed or renovated at an estimated construction cost of $10,000 or more on or after January 1, 2022, to include at least one powered, height-adjustable, adult-sized changing table in a single-occupancy restroom that is for all genders. Requires that the location of this restroom be clearly displayed at the entrance of the building.  
**Amendment Summary:** Senate Commerce & Labor Committee amendment 1 (003907) deletes and replaces language of the original bill to limit the requirements to only those public buildings containing 40,000 square feet or more.

**Fiscal Note:**  
(Dated March 22, 2021) Increase State Expenditures $125,000/FY21-22/Facilities Revolving Fund $250,000/Each Year FY22-23 through FY23-24/ Facilities Revolving Fund $1,975,000/FY24-25/Facilities Revolving Fund $3,700,000/Each Year FY25-26 through FY32-33/ Facilities Revolving Fund $150,000/FY21-22/ Locally-Governed Institutions $300,000/Each Year FY22-23 through FY23-24/ Locally-Governed Institutions $2,700,000/FY24-25/Locally-Governed Institutions $5,100,000/Each Year FY25-26 through FY32-33/ Locally-Governed Institutions $750,000/FY21-22/Tennessee Board of Regents $150,000/Each Year FY22-23 through FY23-24/ Tennessee Board of Regents $1,200,000/FY24-25/Tennessee Board of Regents $2,250,000/Each Year FY25-26 through FY32-33/ Tennessee Board of Regents $125,000/FY21-22/University of Tennessee $250,000/Each Year FY22-23 through FY23-24/ University of Tennessee $1,225,000/FY24-25/University of Tennessee $4,000,000/Each Year FY25-26 through FY32-33/ University of Tennessee SB 602 - HB 905 $1,750,000/FY21-22/General Fund $1,500,000/Each Year FY22-23 through FY23-24/General Fund $12,900,000/FY24-25/General Fund Base Local Expenditures - $50,000/FY21-22 * $100,000/Each Year FY22-23 through FY23-24* $775,000/FY24-25* $1,450,000/Each Year FY25-26 through FY32-33*  
**House Status:** 04/06/21 - House Property & Planning Subcommittee deferred to summer study.  
**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 11, Part 1; Title 4, Chapter 17; Title 56, Chapter 4; Title 66 and Title 67, relative to tax credits for the rehabilitation of historic structures.  
**Sponsors:** Sen. Lundberg, Jon, Rep. Vaughan, Kevin  
**Summary:** Enacts the “Tennessee Historic Revitalization Act,” which allows a person who incurs expenses for the rehabilitation of a certified historic structure to receive a tax credit in an amount equal to the applicable percentage of the qualified rehabilitation expenditures incurred by the person provided that the project meets certain requirements. Defines “applicable percentage” as 25 percent unless for a structure in a specially designated area, at which time the applicable percentage is 30 percent. Repeals the act on December 31, 2025.  
**Fiscal Note:**  
(Dated March 27, 2021) Increase State Revenue $65,900/FY21-22 through FY25-26/ Historical Commission Decrease State Revenue $4,750,000/FY22-23 through FY25-26/ General Fund Increase State Expenditures $65,900/FY21-22 through FY25-26/ Historical Commission Decrease Local Revenue $250,000/FY22-23 through FY25-26 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:** 03/30/21 - Taken off notice in Senate Commerce & Labor Committee.

**SB867/HB1354**  
**PROPERTY & HOUSING:** Tennessee Historic Revitalization Act.  
**AIA POSITION**  
**SUPPORT** AIA has been actively involved in the crafting of this bill and advocating for its funding. After years of work, the Governor's supplemental budget reflects a $5M initial investment for year one of a four year pilot program dedicated to the preservation of historic buildings. The legislation wasn't necessary using this method of funding, but we hope the pilot program will yield the ROI to support a statute change in the future.

**SB899/HB510**  
**COMMERCIAL LAW:** Innovation FastTrack Act.  
**Sponsors:** Sen. Stevens, John, Rep. Boyd, Clark  
**Summary:** Enacts the “Innovation FastTrack Act,” which create the regulatory innovation sandbox program under the department of commerce and insurance. Authorizes the commissioner, in administering the program, to issue a regulatory innovation FastTrack to license a person to pilot test an innovation. Defines “innovation” to mean the use or incorporation of a new or emerging technology, or the re-imaginations of uses for an existing technology, to provide a product, service, business model, or delivery mechanism to the public and has no substantially comparable, widely available analogue in this state outside the regulatory innovation sandbox. Specifies that a person may apply for a regulatory innovation FastTrack by submitting an application to the department on a form prescribed by the commissioner. Specifies requirements for application and authorizes the commissioner to charge a fee for the application (13 pp.).  
**Fiscal Note:**  
(Dated March 14, 2021) NOT SIGNIFICANT

**Senate Status:** 03/30/21 - Taken off notice in Senate Commerce & Labor Committee.

**House Status:** 04/05/21 - Referred to House Ways & Means Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 11, Part 1; Title 4, Chapter 17; Title 56, Chapter 4; Title 66 and Title 67, relative to tax credits for the rehabilitation of historic structures.

**AIA POSITION**  
**SUPPORT** AIA has been actively involved in the drafting of this bill. We are working with a coalition of like-minded professions to amend the bill to make it more clear. The bill is off notice for the year, but we expect it will be back in 2022.
**LEGISLATION AIA IS MONITORING**

### Legislation that passed

<table>
<thead>
<tr>
<th>Bill</th>
<th>Summary</th>
<th>Fiscal Note</th>
<th>Senate Status</th>
<th>House Status</th>
<th>Executive Status</th>
<th>Caption</th>
<th>Cosponsors</th>
<th>Amend Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB771/HB780</td>
<td><strong>PROFESSIONS &amp; LICENSURE:</strong> Makes changes affecting professional boards, including court reporters, motor vehicle dealers, and barbers.</td>
<td>(Dated March 14, 2021) Increase State Expenditures - $13,860,000 - First-Year Debt Service $205,380,000 Over the life of the bonds $126,000,000</td>
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<td>Sen. Johnson, Jack , Rep. Lambeth, William</td>
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<tr>
<td>SB8912/HB1153</td>
<td><strong>PUBLIC FINANCE:</strong> Appropriations for the fiscal years beginning July 1, 2020, and July 1, 2021.</td>
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<td>Sen. Johnson, Jack , Rep. Lambeth, William</td>
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<tr>
<td>Amendment</td>
<td>Summary</td>
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<td>Comments</td>
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| SB1552    | Sponsors: SB1552/HB1522  
Caption:  
Executive Status:  
Fiscal Note:  
Amendments:  
Subcommittee | House amendment 11 (007995) changes funding for statewide chancery court in Section 64, Item 11 from $1,084,000 (recurring) to $2,000,000 (recurring). | 04/29/21 - Senate concurred in House amendment 11 (007995). | | |
| SB993/HB1046 | Gov't Contracts: Fiscal review committee to review noncompetitive procurement agreements. | | |
| SB1224/HB1182 | Education: Tennessee Accommodations for All Children Act. | | |
| SB1367/HB1233 | Education: Tennessee Accommodations for All Children Act. | | |
| SB1552/HB1522 | Animals & Animal Husbandry: Annual report by nonprofit cooperative protective association engaged in the production of sheep. | | |
Senate amendment 1 (005742) defines "end date profit share percentage" as 99 percent of the distributions made by a TNInvestco that are not qualified as distributions or repayments of capital by the TNInvestco’s equity owners who are not participating investors and that occur after the program end date of December 31, 2025. Requires the end date profit share percentage to be paid out to the state in the same time and manner as the current profit share percentages. Requires any distributions occurring after the program end date to be distributed between the qualified TNInvestco and the state according to the end date profit share percentage. House amendment 1 (008099) deletes all language after the enacting clause. Defines "end date profit share percentage" as 99 percent of the distributions made by a TNInvestco that are not qualified as distributions or repayments of capital by the TNInvestco’s equity owners who are not participating investors and that occur after the program end date of December 31, 2025. Requires the end date profit share percentage to be paid out to the state in the same time and manner as the current profit share percentages. Requires any distributions occurring after the program end date to be distributed between the qualified TNInvestco and the state according to the end date profit share percentage.

Fiscal Note: (Dated February 22, 2021) NOT SIGNIFICANT

Senate Status: 05/06/21 - Senate adopted conference committee report.
House Status: 05/06/21 - House adopted conference committee report.
Executive Status: 05/06/21 - Sent to the speakers for signatures.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5, relative to commerce.


Amendment Summary: Requires the attorney general and reporter to disapprove an emergency rule if it does not meet the statutory criteria for the adoption of the rule. Requires any distributions occurring after the program end date to be distributed between the qualified TNInvestco and the state according to the end date profit share percentage.

Fiscal Note: (Dated February 27, 2021) Foregone State Revenue - $452,800/FY21-22 and Subsequent Years Increase Local Revenue - $452,800/FY21-22 and Subsequent Years

Senate Status: 05/23/21 - Senate passed.
House Status: 05/21/21 - House passed.
Executive Status: 05/21/21 - Sent to the speakers for signatures.

Caption: AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 6, relative to economically distressed counties.


Amendment Summary: Revises provision governing allocation of sales and use tax revenue to certain commercial development districts in economically distressed counties by clarifying that a county bordering three such distressed counties for purposes of the allocation must have bordered at least three such counties in three fiscal years since fiscal year 2016-2017.

Amendment Summary: House amendment 1 (004393) adds language to the original bill such that the only substantive change is to add the parameter that a county that borders at least three distressed rural counties for at least three fiscal years since FY16-17 must have also passed a resolution prior to January 1, 2021 that seeks to establish a CDD.

Fiscal Note: (Dated February 27, 2021) Foregone State Revenue - $452,800/FY21-22 and Subsequent Years Increase Local Revenue - $452,800/FY21-22 and Subsequent Years

Senate Status: 05/03/21 - Senate passed.
House Status: 03/25/21 - House passed with amendment 1 (004393).
Executive Status: 03/25/21 - Sent to the speakers for signatures.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, relative to economically distressed counties.

Cosponsors: Sen. Williams, Ryan; Sen. Williams, Ray;

SB933/HB968 PROPERTY & HOUSING: Incentives that promote the development of single-family housing.


Summary: Expands the definition of “economic development” for the purpose of laws governing projects by industrial development corporations to include the promotion of the development of single-family housing. Expands the definition of "project" for the purpose of laws governing projects by industrial development corporations to include the promotion of the development of single-family housing in tier three and tier four counties.

Fiscal Note: (Dated February 19, 2021) NOT SIGNIFICANT

Senate Status: 04/12/21 - Senate passed.
House Status: 03/29/21 - House passed.
Executive Status: 04/30/21 - Signed by governor.

Caption: AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 54 and Title 7, Chapter 53, relative to housing incentives.


SB1088/HB8567 GOVERNMENT REGULATION: Review of emergency rules.


Summary: Requires the attorney general and reporter to disapprove an emergency rule if it does not meet the statutory criteria for the adoption of the rule. Removes provision stating that the attorney general and reporter were prohibited from disapproving an emergency rule on the sole basis that it did not meet the statutory criteria.

Amendment Summary: House amendment 1 (004236) deletes and rewrites all language after the enacting clause without making any substantive changes to the legislation.

Fiscal Note: (Dated February 24, 2021) NOT SIGNIFICANT

Senate Status: 04/15/21 - Senate passed.
House Status: 03/08/21 - House passed with amendment 1 (004236).
Executive Status: 04/30/21 - Signed by governor.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5, relative to emergency rules.

Cosponsors: Sen. Bailey, Paul; Rep. Keisling, Kelly

SB1125/HB8235 EDUCATION: Purchasing by local board of education that requires competitive bids.

Sponsors: Sen. White, Dawn; Rep. Littleton, Mary

Summary: Increases from $10,000 or more to $25,000 or more, the amount for which a local board of education or the governing body of a public charter school must make purchases or expenditures by competitive bids.
Amendment Summary: Senate amendment 1 (006383) limits the application of this bill's increase from $10,000 to $25,000 in the threshold amount at which purchases must be made by competitive bid to LEAs and public charter schools located in a county having a population of 40,000 or more. For LEAs and public charter schools located in a county having a population of less than 40,000, the threshold amount will remain $10,000.

Fiscal Note: (Dated January 30, 2021) Decrease Local Expenditures Exceeds $5,700 FY21-22 and Subsequent Years

Senate Status: 04/19/21 - Senate passed with amendment 1 (006383).

House Status: 04/22/21 - House concurred in Senate amendment 1 (006383).

Executive Status: 05/04/21 - Signed by governor.

Caption: An ACT to amend Tennessee Code Annotated, Section 12-3-1212; Section 49-13-111 and Section 49-2-203, relative to purchasing procedures.


SB425/HB99 GOVERNMENT ORGANIZATION: Signage on state property indicating accessibility for persons with disabilities.


Summary: Allows a state department or agency to replace or repair existing signage or renovate any area of real property of this state with respect to such signage if the state department or agency has the existing resources to do so.

Fiscal Note: (Dated February 11, 2021) Other Fiscal Impact Increased expenditures to various state departments and agencies could be realized before the need for repairs or renovations, shifting such expenditures forward. The specific departments or agencies, timing, and extent of expenditures shifted forward cannot be reasonably determined. No additional appropriations will be necessary.

Senate Status: 03/29/21 - Senate passed.

House Status: 03/22/21 - House passed.

Executive Status: 04/26/21 - Enacted as Public Chapter 0173 effective April 20, 2021.

Caption: An ACT to amend Tennessee Code Annotated, Title 12, Chapter 2, Part 1, relative to the dynamic accessibility symbol.


SB382/HB188 PROFESSIONS & LICENSURE: Occupational training - members of US armed forces and veterans.


Summary: Makes members of the United States armed forces and honorably discharged veterans who receive certified occupational training as a member of the United States armed forces eligible to receive equivalent credit toward an occupational license relating to the training received. Broadly captioned.

Amendment Summary: House amendment 1 (004799) deletes and rewrites all language after the enacting clause such that the only substantive change removes the ability of such military members and veterans to receive equivalent credit towards the receipt of healing arts license.

Fiscal Note: (Dated February 9, 2021) NOT SIGNIFICANT

Senate Status: 04/07/21 - Senate passed.

House Status: 04/05/21 - House passed with amendment 1 (004799).

Executive Status: 04/26/21 - Enacted as Public Chapter 0222 effective April 22, 2021.

Caption: An ACT to amend Tennessee Code Annotated, Title 58; Title 62; Title 63 and Title 68, relative to occupational training.


SB539/HB657 PUBLIC FINANCE: Bonds and notes issued by local governments.

Sponsors: Sen. Watson, Bo; Rep. Baum, Charlie

Summary: Requires revenue anticipation notes have approval by the comptroller of the treasury or the comptroller's designee. Establishes renewal timeline for unpaid notes. Makes exemptions for FHA loans or any other direct lending department of the government of the United States. Makes other revisions to provisions governing bonds and notes issued by local governments (20 pp.).

Fiscal Note: (Dated February 26, 2021) Other Fiscal Impact Due to multiple unknown factors a precise recurring decrease in local government expenditures cannot reasonably be determined.

Senate Status: 03/29/21 - Senate passed.

House Status: 03/29/21 - House passed.

Executive Status: 04/16/21 - Enacted as Public Chapter 0128 effective April 13, 2021.

Caption: An ACT to amend Tennessee Code Annotated, Title 7; Title 9 and Section 12-10-116, relative to public finance.


SB540/HB658 GOVERNMENT CONTRACTS: Procurement contracts subject to review and approval by the comptroller.


Summary: Requires the comptroller of the treasury to review and approve all language after the enacting clause such that the only substantive change removes the ability of such military members and veterans to receive equivalent credit towards the receipt of healing arts license.

Fiscal Note: (Dated March 17, 2021) NOT SIGNIFICANT

Senate Status: 03/29/21 - Senate passed.

House Status: 04/05/21 - House passed.

Executive Status: 04/26/21 - Enacted as Public Chapter 0193 effective April 22, 2021.

Caption: An ACT to amend Tennessee Code Annotated, Title 13, Chapter 3; Title 13, Chapter 4 and Title 66, relative to subdivision regulations.

<table>
<thead>
<tr>
<th>Bill Numbers</th>
<th>Title</th>
<th>Sponsors</th>
<th>Summary</th>
<th>Fiscal Note</th>
<th>Senate Status</th>
<th>House Status</th>
<th>Action Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB11150/HB1112</td>
<td>LOCAL GOVERNMENT: Requirements placed on contractors under public contracts.</td>
<td>Sen. Johnson, Jack, Rep. Vaughan, Kevin</td>
<td>Prohibits local government entities from requiring a subcontractor to provide information regarding their employees, to adhere to stricter safety and health standards than required under the federal occupational health and safety act and Tennessee occupational health and safety act, and provide those who would not otherwise have access with access to the worksite as part of a contract to improve real property.</td>
<td>(Dated March 5, 2021) NOT SIGNIFICANT</td>
<td>03/16/21 - Failed in House Property &amp; Planning Subcommittee.</td>
<td>03/02/21 - Senate passed with amendment 1 (003970).</td>
<td>03/16/21 - Failed in House Property &amp; Planning Subcommittee.</td>
</tr>
<tr>
<td>SB1058/HB1244</td>
<td>GOVERNMENT CONTRACTS: Requirements for bidding on state or local public construction contract.</td>
<td>Sen. Rose, Paul, Rep. Freeman, Bob</td>
<td>Enacts the &quot;Commercial Property Assessed Clean Energy and Resilience Act.&quot; Allows a local government to establish a C-PACER program and designate a region within its boundaries as an area in which C-PACER activities are eligible. Defines &quot;C-PACER program&quot; to mean a commercial property assessed clean energy program. Specifies requirements for local government to establish such program and authorizes the local government to impose fees to offset the actual and reasonable costs of administering a program. Specifies that the fees may be assessed as part of the program application to be paid by the property owner requesting to participate in the program. Specifies other requirements for the administration of the C-PACER program.</td>
<td>(Dated February 27, 2021) NOT SIGNIFICANT</td>
<td>03/02/21 - Senate passed with amendment 1 (003970).</td>
<td>03/02/21 - House passed.</td>
<td>04/16/21 - Enacted as Public Chapter 0138 effective July 1, 2021.</td>
</tr>
<tr>
<td>SB864/HB1409</td>
<td>LOCAL GOVERNMENT: Incentives that promote the development of single-family housing.</td>
<td>Sen. Lundberg, Jon, Rep. Crawford, John</td>
<td>Specifies that in counties recognized as tier three and four by the department of economic and community development that economic development includes providing incentives approved by the local governing body to promote the development of single-family housing.</td>
<td>(Dated March 10, 2021) NOT SIGNIFICANT</td>
<td>02/12/21 - Referred to Senate State &amp; Local Government Committee.</td>
<td>03/03/21 - Referred to House Property &amp; Planning Subcommittee.</td>
<td>02/12/21 - Referred to Senate State &amp; Local Government Committee.</td>
</tr>
<tr>
<td>SB861/HB818</td>
<td>PROPERTY &amp; HOUSING: Types of lessees with whom a housing authority may negotiate payments in lieu of taxes.</td>
<td>Sen. Yarbro, Jeff, Rep. Clemmons, John</td>
<td>Expands the definition of a &quot;mixed-finance project&quot; to include a private party on property that is owned by an authority and leased to the party. Authorizes a local governing body to delegate the authority to negotiate and accept payments instead of ad valorem taxes from the housing authority's lessees operating mixed-finance projects to a housing authority. Deletes subsections relating to low-income housing tax credit property.</td>
<td>(Dated January 28, 2021) NOT SIGNIFICANT</td>
<td>01/17/21 - Senate passed.</td>
<td>02/22/21 - Referred to Senate State &amp; Local Government Committee.</td>
<td>02/22/21 - Referred to Senate State &amp; Local Government Committee.</td>
</tr>
<tr>
<td>SB815/HB818</td>
<td>PROPERTY &amp; HOUSING: Commercial Property Assessed Clean Energy and Resilience Act.</td>
<td>Sen. Gilmore, Brenda, Rep. Camper, Karen</td>
<td>Creates the Tennessee small business reserve pilot program, which provides opportunities for small businesses to be awarded state contracts, including minority-owned businesses, woman-owned businesses, service-disabled veteran-owned businesses, and businesses owned by persons with disabilities. Specifies that the pilot program is to expire June 30, 2026.</td>
<td>(Dated May 20, 2021) NOT SIGNIFICANT</td>
<td>02/10/21 - Senate passed.</td>
<td>03/31/21 - House Public Service Subcommittee deferred to first calendar of 2022.</td>
<td>02/10/21 - Referred to Senate State &amp; Local Government Committee.</td>
</tr>
<tr>
<td>SB811/HB812</td>
<td>LOCAL GOVERNMENT: Requirements placed on contractors under public contracts.</td>
<td>Sen. Bowling, Janice, Rep. Hazlewood, Patsy, Rep. Lambeth, William, Sen. Rose, Paul, Rep. Todd, Chris, Rep. Williams, Ryan;</td>
<td>Expands the definition of a &quot;mixed-finance project&quot; to include a private party on property that is owned by an authority and leased to the party. Authorizes a local governing body to delegate the authority to negotiate and accept payments instead of ad valorem taxes from the housing authority's lessees operating mixed-finance projects to a housing authority. Deletes subsections relating to low-income housing tax credit property.</td>
<td>(Dated February 27, 2021) NOT SIGNIFICANT</td>
<td>03/22/21 - Senate passed.</td>
<td>03/22/21 - Senate passed with amendment 1 (003970).</td>
<td>02/11/21 - Referred to Senate State &amp; Local Government Committee.</td>
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<tr>
<td>Bill Number</td>
<td>Title</td>
<td>Sponsors</td>
<td>Summary</td>
<td>Fiscal Note</td>
<td>Senate Status</td>
<td>House Status</td>
<td>Caption</td>
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<td>SB1065/HB1465</td>
<td>CONSTRUCTION: Delaying payment pursuant to a construction agreement to a commercial building contractor.</td>
<td>Sen. Nocely, Frank, Rep. Cochran, Mark</td>
<td>Prohibits persons from conditioning, reducing, withholding, or delaying payment pursuant to a construction agreement to a commercial building contractor by requiring a signed waiver, release, denial, discharge, negative affirmation, or similar document, other than a document that corresponds directly to the specific work, services, materials, and labor for which the payment is due. Broadly captioned.</td>
<td>(Dated March 11, 2021) Other Fiscal Impact Passage of the proposed language could jeopardize federal funding to the Department of Transportation in FY21-22 and subsequent years. Any other fiscal impact to state and local government is estimated to be not significant.</td>
<td>02/22/21 - Referred to Senate Commerce &amp; Labor Committee.</td>
<td>03/01/21 - Referred to House Business &amp; Utilities Subcommittee.</td>
<td>AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 4, relative to public contracts.</td>
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<td>SB1200/HB1261</td>
<td>GOVERNMENT CONTRACTS: Purchase agreements by counties without public advertisement and competitive bidding.</td>
<td>Sen. Southferland, Steve, Rep. Faison, Jeremy</td>
<td>Apportions and distributes a percentage of state sales and use tax revenues to an eligible county or a municipality within the eligible county that is economically distressed for the purpose of funding certain capital outlay or other eligible projects. Establishes requirements for such allocation. Broadly captioned (18 pp.).</td>
<td>(Dated April 8, 2021) Decrease State Revenue $12,500,000/FY21-22 $25,000,000/FY22-23 and Subsequent Years Increase State Expenditures - $60,700/FY21-22 $55,500/FY22-23 and Subsequent Years Increase Local Revenue $12,500,000/FY21-22/Permissive $25,000,000/FY22-23 and Subsequent Years/Permissive</td>
<td>02/22/21 - Referred to Senate State &amp; Local Government Committee.</td>
<td>05/04/21 - Caption bill held on House clerk's desk.</td>
<td>AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 67, relative to allocation of state sales and use tax revenues.</td>
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<td>SB1192/HB1414</td>
<td>PROPERTY &amp; HOUSING: Notice regarding public hearing for adopting or amending subdivision regulations.</td>
<td>Sen. Gilmore, Brenda, Rep. Miller, Larry</td>
<td>Requires TACIR to conduct a study on disparities in the issuance or award of state contracts to businesses, companies, and firms owned and operated by African Americans. Establishes that TACIR is to report its findings and recommendations by January 31, 2022, to the governor, members of the senate state and local government committee and members of the house of representatives state government committee.</td>
<td>(Dated March 12, 2021) NOT SIGNIFICANT</td>
<td>02/22/21 - Referred to Senate State &amp; Local Government Committee.</td>
<td>02/25/21 - Caption bill held on House clerk's desk.</td>
<td>AN ACT to amend Tennessee Code Annotated, Title 5, Title 6 and Title 67, relative to construction.</td>
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<td>SB1306/HB1507</td>
<td>PUBLIC FINANCE: Tennessee Infrastructure Bank Act.</td>
<td>Sen. Yarbrough, Jeff, Rep. McKenzie, Sam</td>
<td>Enacts the “Tennessee Infrastructure Bank Act,” which creates the Tennessee Infrastructure bank to sustainably finance infrastructure projects and drive economic growth. Specifies the bank’s powers and the process for receiving loans. Requires the bank to consider the economic, environmental and social benefits and costs of each project under consideration for assistance and prioritize projects that contribute to economic growth, lead to job creation and are of regional or local significance. Establishes a board of directors for the bank.</td>
<td>(Dated March 31, 2021) Other Fiscal Impact A precise increase in state expenditures cannot be determined but is reasonably estimated to exceed $100,000,000.</td>
<td>02/22/21 - Referred to Senate Government Operations Committee.</td>
<td>02/25/21 - Referred to House Government Operations Committee.</td>
<td>AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 9; Title 54, Title 55 and Title 67, relative to financing infrastructure projects.</td>
</tr>
</tbody>
</table>
SB1436/HB3561  GOVERNMENT CONTRACTS: Requirements for companies bidding or contracting with a local government.

**Sponsors:** Sen. Akbari, Raumesh; Rep. Mitchell, Bo

**Summary:** Deletes sections prohibiting the state and municipalities from requiring a company bidding or contracting to provide services to employ individuals who reside in the jurisdiction of the services or are within a specific income range.

**Fiscal Note:** (Dated March 28, 2021) NOT SIGNIFICANT

**Senate Status:** 02/22/21 - Referred to Senate State & Local Government Committee.

**House Status:** 03/01/21 - Referred to House Public Service Subcommittee.

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

SB1553  ANIMALS & ANIMAL HUSBANDRY: Annual report by nonprofit cooperative protective association engaged in the production of sheep.

**Sponsors:** Sen. Bailey, Paul

**Summary:** Authorizes a nonprofit cooperative protective association engaged in the production of sheep to submit its annual report to the commissioner of commerce and insurance in electronic format. Broadly captioned.

**Fiscal Note:** (Dated February 22, 2021) NOT SIGNIFICANT

**Senate Status:** 02/22/21 - Referred to Senate Commerce & Labor Committee.

**Caption:** AN ACT, relative to commerce.

SB113/HB199  ENVIRONMENT & NATURE: Stormwater management - abatement of fees owed by property owner.

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

**Summary:** Requires a municipality to abate the storm water fees owed by a property owner until such fees equal the construction costs of any holding or retention ponds constructed by the property owner pursuant to the Clean Water Act.

**Amendment Summary:** Senate Energy, Agriculture & Natural Resources Committee amendment 1, House Agriculture and Natural Resources Subcommittee amendment 1 (004699) deletes and rewrites language of the original bill such that the substantive change limits applicability to 501(c)(3) tax-exempt nonprofit organizations.

**Fiscal Note:** (Dated March 8, 2021) Decrease Local Revenue Exceeds $5,000,000/FY21-22 and Subsequent Years Other Fiscal Impact Local governments may increase storm water user fees charged to other customers to compensate, fully or partially, for recurring, mandatory, decreases in local revenue. The proposed language may result in mandatory increases in local government expenditures to maintain current operations, the extent and timing of which cannot reasonably be determined.

**Senate Status:** 03/17/21 - Senate Energy, Agriculture & Natural Resources Committee recommened with amendment 1 (004699). Sent to Senate Calendar Committee.

**House Status:** 03/23/21 - House Agriculture & Natural Resources Subcommittee deferred to summer study after adopting amendment 1 (004699).

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, relative to storm water management.

**Cospromiers:** Rep. Todd, Chris;

SB275/HB369  PROFESSIONS & LICENSURE: Contracting performed by unlicensed persons.

**Sponsors:** Sen. Rose, Paul; Rep. Williams, Ryan

**Summary:** Sets requirements for exemptions from contractor licensing requirements for real property owners who intend to construct a residential building on that real property. Requires notice of construction made to the board for licensing contractors and the register of deeds.

**Fiscal Note:** (Dated January 23, 2021) NOT SIGNIFICANT

**Senate Status:** 04/12/21 - Re-referred to Senate Calendar Committee.

**House Status:** 03/29/21 - House passed.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 13; Title 62, Chapter 6 and Title 66, relative to contracting performed by unlicensed persons.

**Cospromiers:** Rep. Todd, Chris;


**Summary:** Enacts the "Tennessee Source of Income Protection and Fair Access to Housing Act," which prohibits landlords from taking certain actions based solely on a person's income. Includes refusing to rent or lease a property or otherwise making a property unavailable in the list of prohibited actions. Specifies that landlords are allowed to refuse to rent or lease their property based on the prospective rentee's previous conduct, inability to pay rent considering the value of their housing assistance or for other reasons consistent with state and county law. Requires the department of economic and community development and the housing development agency to enforce this act by informing landlords and individuals of their rights.

**Fiscal Note:** (Dated February 9, 2021) NOT SIGNIFICANT

**Senate Status:** 03/30/21 - Taken off notice in Senate Commerce & Labor Committee.

**House Status:** 03/24/21 - Taken off notice in House Business & Utilities Subcommittee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 28, relative to housing.

SB1130/HB1173  TAXES GENERAL: Tennessee Local Education Capital Investment Act.

**Sponsors:** Sen. White, Dawn; Rep. Baum, Charlie

**Summary:** Enacts the "Tennessee Local Education Capital Investment Act," which establishes that LEAs with an average daily membership growth of at least two percent can elect to become a rapid growth school district. Specifies how LEAs can elect to become rapid growth school districts. Allows rapid growth school districts to receive a percentage of their proportionate share of the tax collected and remitted within the county equal to ten percent of their average daily membership growth. Maximizes the amount an LEA can get annually at $7,000,000.

**Fiscal Note:** (Dated March 19, 2021) Increase State Expenditures - $21,414,500/FY21-22 and Subsequent Years Increase Local Revenue - $21,414,500/FY21-22 and Subsequent Years

**Senate Status:** 03/03/21 - Taken off notice in Senate Finance, Ways & Means Committee.

**House Status:** 05/03/21 - Limitation in Senate Finance, Ways & Means Committee.

**Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, relative to local education capital investment.

SB1609/HB1423  PROPERTY & HOUSING: Historic zoning commission decisions on certificates of appropriateness.

**Sponsors:** Sen. Bailey, Paul; Rep. Travis, Ron

**Summary:** Reduces from 30 to 20 days following the availability of sufficient data, the period within which a historic zoning commission or regional historic zoning commission must grant or deny a request for a certificate of appropriateness. Broadly captioned.
AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13; Title 66 and Title 67, relative to public planning.

Cosponsors: Sen. Bowling, Janice;

Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13; Title 66 and Title 67, relative to public planning.


Summary: Vacates the current membership of the Tennessee historical commission on July 1, 2021. Reconstitutes the commission and specifies membership and appointing process for commission.

Amendment Summary: House Department & Agencies Subcommittee amendment 1 (005552) reduces the number of individuals on the Tennessee Historical Commission and restructures the appointment process.

Fiscal Note: (Dated March 4, 2021) Decrease State Expenditures - $9,800/FY21-22 and Subsequent Years/ Tennessee Historical Commission

Senate Status: 04/06/21 - Senate State & Local Government Committee deferred to summer study.

House Status: 03/30/21 - House Department & Agencies Subcommittee deferred to summer study after adopting amendment 1 (005552).

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