

Tennessee Association of Realtors[®], Inc.
BOARD OF DIRECTORS MEETING
Tuesday, March 25, 2014
Marriott Cool Springs Hotel & Conference Center – Franklin, TN

MINUTES

CALL TO ORDER

President Neal Clayton called the meeting of the Board of Directors to order on March 25, 2014 at 3:30 p.m. at the Marriott Cool Springs Hotel & Convention Center in Franklin, Tennessee.

President Clayton announced that Gail French, Realtor and wife of Past TAR President Nick French, died late yesterday. He then asked everyone to take a moment of silence for Gail.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Mike Pappas and was followed by the Pledge of Allegiance to the Flag of the United States of America.

CREDENTIALS REPORT

Administrative Vice President Linda Woods reported a quorum was present. A copy of the Directors Attendance List is attached as *Exhibit #1*.

ADOPTION OF THE RULES

President Clayton stated the Standing Rules are in your packet and there being no objection, the rules were adopted.

ADOPTION OF AGENDA

The Agenda was adopted as presented.

INTRODUCTIONS

President Clayton welcomed all members and guests and introduced those seated at the head table as follows: Russ Farrar, Lobbyist and General Counsel; Pat Beech, President-elect; Pat Junkin, Parliamentarian; Randy Durham, Secretary/Treasurer; Linda Woods, Administrative Vice President; and Steve Harding, Executive Vice President.

President Clayton recognized TAR's Technology Manager, John Crawford, and stated that as TAR's information technology person John interacts daily with the members regarding forms and other technology issues.

APPROVAL OF MINUTES

The minutes of the September 2013 Board of Directors Meeting were approved as published.

NAR UPDATE

Mike Gaughan, NAR Region 4 Vice President, reported on activities at the national level.

FINANCIAL REPORT

Treasurer Randy Durham presented the 2013 Year End Financial Report and the February 2014 Financial Report for information. He reported that income over expenses for the 2013 Operating Budget was \$245,099.43 and all of these funds have been put into the General Reserves. He also reported the CPA has completed the 2013 annual audit and again gave TAR an "Unqualified Opinion" which is the best a not-for-profit can receive.

PRESIDENT'S REPORT

President Clayton stated that TAR's regular Parliamentarian, Charlotte Buchanan, was recently in a bad auto accident and after undergoing two surgeries is expected to make a full recovery and be with us in Chattanooga for our next meeting. He then thanked Pat Junkin for filling in for Charlotte on very short notice.

President Clayton asked Russ Farrar to join him at the podium and presented him with a plaque as a symbol of appreciation for 25 years of service to TAR as Lobbyist and General Counsel. He stated Russ has served in that position longer than any other Lobbyist or General Counsel and will continue in that position.

He asked Pug (Charles) Scoville and his wife Kyra to come forward and announced Pug will be retiring in June and moving to Florida to be closer to his children and grandchildren. President Clayton thanked Pug for his dedication and faithful service to the Association and its members while serving as TAR's Education Director for almost 29 years. President Clayton stated we will miss Pug but this is a happy occasion for him as he looks forward to the next stage of his life and spending more time with his family. In recognition of his service, President Clayton presented a gift to Pug and Kyra to use in their new home in Ponte Vedra, Florida.

President Clayton announced two new AEs and asked Marti Veto, Williamson County Association of Realtors® and Jarron Springer, Greater Nashville Association of Realtors® to stand and be recognized.

He announced he would like to share a special achievement of TAR's Executive Vice President, Steve Harding, who was honored by NAR last November when he was presented with the 2013 Magel Award of Excellence. President Clayton stated the award is presented annually to only one individual in the country who has truly excelled in his or her role as an association executive of a local or state association of Realtors®.

This award is the highest honor that any Realtor® Association Executive can receive. Only one other AE in Tennessee has ever received this award and that was Grace Fairbanks, former AE of the Greater Nashville Association of Realtors®.

President Clayton said we are very proud of Steve and asked him to stand and be recognized, by the Directors, for receiving this special award.

COMMITTEE AND OTHER REPORTS

TREEF

President Pat Seymour gave a TREEF Report for information. Report attached as *Exhibit 2*.

RPAC

Chair Janice Carlton gave an RPAC report for information purposes.

Nominating Committee

On behalf of Chair Emil Mongeon, Acting Chair Sue Turner presented the Nominating Committee report as follows:

The committee recommends Randall Thomas from Kingsport for NAR Director to fill the one open three-year term.

With the membership increasing it is possible that TAR could have one or two additional NAR directors in 2015. NAR will use the August membership numbers to determine the actual number of directors from each State Association for 2015. Also, it is possible that a position could become available due to a resignation, which has occurred in the past.

Therefore, the committee recommends the following candidates for NAR Director in the event other positions become available in 2015. These positions will be filled in the order as numbered.

- 1) Joan Smith, Humboldt
- 2) Emil Mongeon, Brentwood
- 3) Doyle Webb, Knoxville

President-elect Pat Beech reported the Executive Committee recommends approval.

There being no nominations from the floor, the motion was passed to elect the slate of nominees presented.

Convention Committee

Chair Jennifer Grayson presented the following recommendation from the Convention Committee.

Beginning with the 2017 TAR Convention, a rotation system be put in place so when the Convention is held in state, it be held in West Tennessee the year the incoming President being installed is from West Tennessee and in East Tennessee the year the incoming president being installed is from East Tennessee. When the incoming president is from Middle Tennessee, the convention would continue to be held out of state since the Spring Conference is held in Middle Tennessee every year.

President-elect Pat Beech reported the Executive Committee recommends approval.

Motion was passed to approve the recommendation from the Convention Committee as presented.

Governmental Affairs Committee

Chair Kendra Cooke presented a report on behalf of the Governmental Affairs Committee for informational purposes since the committee had no motions to present. Directors were given a copy of the Bill Tracking Report, which included TAR's position on current Legislation. Report attached as *Exhibit 3*.

UNFINISHED BUSINESS

President Clayton stated there was no unfinished business.

NEW BUSINESS

There was no new business.

Meeting adjourned at 4:20 p.m.

Submitted by:

Randy Durham, Secretary/Treasurer

Tennessee Association of Realtors®
2014 Board of Directors
March 2014 Spring Conference Attendees

WESTERN DIVISION

CENTRAL WEST TN ASSN (3)

Valerie Cole
Joan Smith
Brian Williams

REELFOOT REGIONAL ASSN (3)

Alexander J. Bynum – DVP

DYER CO. ASSN (2)

Mike Frazier

TENNESSEE VALLEY ASSN (2)

Kathie Abbott
Brian Foster

MEMPHIS AREA ASSN (27)

Pat Beech – P-E
Cassandra Bell-Warren
Ceylon Blackwell, Jr. – PP
Thomas Byrd
Doug Collins – PP
Tommie Criswell
Leon Dickson – DVP
Rosemarie Fair – PP
Greg Glosson – NAR Dir.
Nancy Guy – CC
Hank Hogue
Carol Lott
Glenn Moore – Nar Dir.
Thomas Murphree
Lynn Pfund
Patty Rainey
Michael Saine
John Stamps
Joe Steffner
Thomas E. Talley – PP
Fontaine Taylor – PP
Sue Stinson Turner – PP, NAR Dir.

Tennessee Association of Realtors®
2014 Board of Directors
March 2014 Spring Conference Attendees

MIDDLE DIVISION

CLARKSVILLE ASSN (4)

Larry Evans
Mike Groves
Debbie Reynolds
Randy Worcester

EASTERN MIDDLE TN (5)

Sue Glore
Amy Hamilton
Judy Hughes
Tommy Williams

GTR. NASHVILLE (20)

Amy Cannon – CC
Neal Clayton – P, NAR Dir.
Kendra Cooke – CC
Brian Copeland – NAR Dir.
Denise Creswell
H. Lynn Greer, Jr. – PP
Kristy Hairston
Liz Kemp – PP
J.B. Knight – CC
Price Lechleiter
Marc Michaelson
~~Sher Powers~~ – Andrea Woodard
Pat Seymour – CC
Lucy Smith
~~Cindy Stanton~~ – John Clayton
Andrew Terrell
Brittney Testerman
Linda Vaughn – CC

MIDDLE TN ASSN (10)

Janice Carlton – CC
Chris Garrett – DVP
Richard Lewis
Virginia Pappafotis
Dale Patterson
Dave Patton – NAR Dir
Kay Petty

ROBERTSON CO. ASSN (5)

Nathan Carr

SOUTHERN MIDDLE TN ASSN (4)

Della Beyer
Phil Comstock
Bonnie Hickman
Fay Robinson – NAR Dir.

SUMNER ASSN (4)

Donna Crowley
Mike Gaughan – PP, NAR Dir.
Fran Marcou

UPPER CUMBERLAND ASSN (3)

Suzanne Copeland
Judd Dyle
Frank Hardegree

WARREN CO. ASSN (2)

WILLIAMSON CO. ASSN (9)

Danny Anderson – CC
Chip Kerr
David Logan
Boyce C. Magli – PP
Emil Mongeon – PP, NAR Dir.
Corbi Parker
Lisa Culp Taylor

Tennessee Association of Realtors®
2014 Board of Directors
March 2014 Spring Conference Attendees

EASTERN DIVISION

BRISTOL TN-VA ASSN (2)

GREATER CHATTANOOGA ASSN (11)

Travis Close
Randy Durham – S/T
Jennifer Grayson – CC
Dan Griess
Lois Killebrew – PP
Sam Martin
Vicki Trapp

GREAT SMOKY MTNS ASSN (3)

Wanda Galli
Bryan Kendrick
James Maddron

KNOXVILLE AREA ASSN (19)

C. Richard Bales – PP
Barry Hensley
Rich Levenson – PP
Linda Meese
Mike Pappas – NAR Dir.
Harold Reed
Patricia Shepherd
Sally Sparks
Amanda Stone – DVP
B.J. Swinehart – PP
Doyle Webb – NAR Dir.

LAKEWAY AREA ASSN (3)

Ed Franklin
Tammy Franklin
Otis Stubblefield

NORTHEAST TN ASSN (7)

Sharon Duncan – DVP
Eric Kistner
Louie Leach
Marsha Stowell
Aaron Taylor
Randy Thomas – PP

RIVER COUNTIES (3)

Yvonne Newman
Kelli Paul

P – TAR President
P-E – TAR President-Elect
CC – TAR Comm Chair
PP – TAR Past Pres
S/T – TAR Secretary/Treasurer
DVP – TAR Divisional Vice President
NAR Dir. – NAR Director

TREEF Report to the TAR Directors

Franklin, TN – March 25, 2014

The TREEF Trustees had their Annual Planning Session this past November 21, and made several significant changes to current programs. They met again at this Spring Conference for a progress report on those changes and projects. They took no actions requiring the approval of the TAR Directors and can report the following to Directors and Members.

1. We've made progress with our revamped GRI program, featuring all one-day classroom courses, as well as shortened E-Class GRI courses. Delivering the GRI program in "smaller bites" has proven much more appealing. Both classroom and E-Class GRI courses for 2014 and beyond have now been shortened to six hours each – a change that should facilitate an even more comfortable and productive learning experience.
2. In addition to the courses and locations that TREEF established for GRI courses in 2014, the Trustees approved a process by which any local association can host one or more classroom GRI courses without unduly impacting other scheduled courses.
3. Our E-Class GRI courses (created as a distance-learning option) are being converted to true self-paced, self-study courses – accessible by TAR members 24/7, to make this option even more convenient! As always, TAR members will still be able to "mix and match" classroom and E-Class GRI courses.
4. The Trustees approved creation of a marketing/promotional program for the GRI, to let members know about the many benefits and advantages of earning a GRI designation. The video for this effort is being showcased at this Spring Conference!
5. Our ever-expanding catalogue of pre-approved CE courses – available for local association use, with NO any royalties or payments to TAR or TREEF – continues to be a popular service!

The Trustees initiated several other projects, involving new agent training, transaction coordinator training, and free webinars for TAR members. We will brief you on these at future meetings, as these projects are completed and implemented!

That concludes our report.



TAR Bill Tracking Report 3-25-14

Agriculture - 1

SB619 / HB700 County enforcement of certain local ordinances.

Category Agriculture

Sponsors Sen. Mark S. Norris / Rep. Andy Holt

Description Prohibits local ordinances that seek to restrict the free exercise of rights from being applied to certain persons and property related to farm operations. Establishes cause of action for persons aggrieved by such enforcement.

Fiscal Note (Dated: March 17 2013) Increase Local Expenditures - Exceeds \$10,000.

Senate Status 02/08/2013 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status 02/06/2013 - Referred to House Agriculture & Natural Resources Subcommittee.

Position Monitor

Banking & Credit - 1

SB1939 / HB1458 High cost home lenders - fees limited for certain pay-off statements.

Category Banking & Credit

Sponsors Sen. Jack Johnson / Rep. Jimmy A. Eldridge

Description Limits fee to \$10, instead of specifying a reasonable fee, that high-cost home loan lenders or servicers may charge for third or subsequent pay-off statement provided to a borrower in a 12-month period.

Fiscal Note (Dated January 22, 2014) NOT SIGNIFICANT

Senate Status 01/27/2014 - Referred to Senate Commerce & Labor Committee.

House Status 01/22/2014 - Referred to House Insurance & Banking Subcommittee.

Position Monitor

Commercial Law - 2

SB1505 / HB1442 Revises laws relating to non-profit corporations.

Category Commercial Law

Sponsors Sen. Jack Johnson / Rep. William G. Lamberth

Description Makes several revisions to the Tennessee Nonprofit Corporation Act. Most of the more significant changes alter notices, filing requirements, filing fees, indemnification and liability, actions without a meeting, proxies, inspectors of election, the exercise of powers of directors, liability for unlawful distributions, duties of officers, removal of officers, conflict of interest, charter and bylaw amendments, mergers, membership exchanges and conversions, transfers of assets, and other provisions. (90 pp.)

Amendment HOUSE CIVIL JUSTICE COMMITTEE AMENDMENT 1, SENATE AMENDMENT 2 (011774) makes several technical corrections and changes that allow for proper cite references. Makes changes regarding the approval of a written ballot, such that the section is applicable to the election of directors, and that the section is contingent upon whether the charter, bylaws, or specified sections of statute requires a greater number of affirmative votes. Changes a provision relative to the

general standards of conduct for a director. Deletes Section 24 of the original bill regarding notice of meetings for mutual benefit corporations, the list of names of all members entitled to notice of a meeting, and regarding inspection requirements for corporations when a member has demanded an inspection of the list be completed.

Fiscal Note (Dated January 20, 2014) Increase State Revenue â€“ \$4,600/General Fund/FY14-15 \$100/Secretary of State/FY14-15 \$9,200/General Fund/FY15-16 and Subsequent Years \$300/Secretary of State/FY15-16 and Subsequent Years Increase State Expenditures - \$12,600/General Fund/One-Time

SB 1505 â€“ HB 1442

Senate Status 02/24/2014 - Senate passed with amendment 2.

House Status 03/20/2014 - Set for House Finance Subcommittee 03/26/14.

Position Monitor

SB2318 / HB1789 Warranty requirements - HVAC systems.

Category Commercial Law

Sponsors Sen. Randy McNally / Rep. Roger Kane

Description Requires persons making an express warranty regarding an HVAC system to include language in the warranty that identifies the person making the warranty and language that conforms to certain federal standards. Requires warranty or product registration form to contain certain information regarding such warranty. Prohibits certain express warranties from being labeled as a warranty registration or warranty confirmation. Requires violations of this provision to be an unfair or deceptive act. Allows civil actions for such violations. Specifies civil damages for such action.

Fiscal Note (Dated February 18, 2014) NOT SIGNIFICANT

Senate Status 03/12/2014 - Taken off notice in Senate Commerce & Labor Committee.

House Status 03/12/2014 - Taken off notice in House Consumer & Human Resources Subcommittee.

Position Monitor

Criminal Law - 3

SB1503 / HB1397 Failure to alert police when meth is manufactured on property.

Category Criminal Law

Sponsors Sen. Mark Green / Rep. William G. Lamberth

Description Creates a Class B misdemeanor of intentionally failing to notify law enforcement within 24 hours of discovering that methamphetamine is being manufactured in or on property or structures. Specifically applies to the owner, manager, caretaker, person or employee who is charged with the care of that property, structure or room.

Amendment SENATE AMENDMENT 1, HOUSE CRIMINAL JUSTICE COMMITTEE amendment 1 (012182) rewrites this bill to make it a Class B misdemeanor criminal offense for any landlord, owner, manger, caretaker, agent of the owner or employee who knows or reasonably should know that methamphetamine has been manufactured or is being manufactured on real property or any building, structure, or room located on such property on or in which such person performs compensated labor or is employed to or has a duty or responsibility to care for or manage to intentionally fail to notify the appropriate law enforcement agency within 24 hours of acquiring such knowledge. The offense that this amendment creates will not apply to property that the person having a duty to report as described above owns or has a mortgage on, resides in and does not derive rental income from.

Fiscal Note (Dated January 27, 2014) NOT SIGNIFICANT

Senate Status 02/12/2014 - Senate passed with amendment 1.

House Status 03/20/2014 - Set for House Floor on 03/24/14.

Position Monitor

SB2124 / HB1979 Size of notice for criminal violation for metals recycling facility.

Category Criminal Law

Sponsors Sen. Frank Niceley / Rep. Antonio Parkinson

Description Changes the size requirements of the posted notice regarding criminal violations for a metals recycling facility from 24 by 18 inches to 48 by 36 inches. Broadly captioned.

Fiscal Note (Dated March 18, 2014) NOT SIGNIFICANT

Senate Status 01/29/2014 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status 02/04/2014 - Referred to House Agriculture & Natural Resources Subcommittee.

Position Monitor

SB2398 / HB1860 Community notification system - sex offenders.

Category Criminal Law

Sponsors Sen. Jim Tracy / Rep. Billy Spivey

Description Allows a county, metropolitan form of government or municipality to establish a community notification system to notify certain residences, schools and child care centers that a sex offender or violent sexual offender is residing within a certain distance of such residences, schools and child care centers. Authorizes counties to enact a notification fee up to \$50 per year for each offender in the jurisdiction to defray the notification costs. Provides for the manner in which such a notification system may be instituted.

Fiscal Note (Dated February 14, 2014) Increase Local Expenditures â€“ Net Impact - Exceeds \$10,000/Permissive

Senate Status 03/20/2014 - Set for Senate Judiciary Committee Regular Calendar 03/25/14.

House Status 03/20/2014 - House Calendar & Rules Committee deferred to 03/27/14.

Position Monitor

Economic Development - 1

SB2010 / HB1930 Neighborhood Preservation Act - priority of liens.

Category Economic Development

Sponsors Sen. Reginald Tate / Rep. Mark White

Description Elevates the priority status of certain liens for court costs, expenses and receiver's fees levied relative to completion of a detailed development plan under the Neighborhood Preservation Act and the abatement of public nuisance.

Amendment HOUSE CIVIL JUSTICE COMMITTEE AMENDMENT 1 (013032) requires court approved costs to be paid to a receiver for abatement of a public nuisance to be considered a first lien on the property and superior to any prior or subsequent liens for any state or local taxes and assessments provided that the property has been found by the court to be an insolvent property and such state and local taxes and assessments are uncollectible. HOUSE CIVIL JUSTICE COMMITTEE AMENDMENT 2 (013621) adds a new provision requiring the proceeds of the sale to first satisfy the receiver's lien. Clarifies that if the proceeds are sufficient to satisfy the receiver's lien, the lien will be terminated. Clarifies that if the proceeds are not sufficient, the lien will remain in effect. SENATE AMENDMENT 2 (013802) deletes all language after the enacting clause. Requires court-approved costs to be paid to a receiver for abatement of a public nuisance to be considered a first lien on the property and superior to any prior or subsequent liens for any state or local taxes and assessments provided that the property has been found by the court to be an insolvent property and such state and local taxes and assessments are uncollectible. Requires the proceeds of the sale to first satisfy the receiver's lien. If the proceeds are sufficient to satisfy the receiver's lien, the lien will be terminated. If

the proceeds are not sufficient, the lien will remain in effect. SENATE AMENDMENT 3 (014380) puts Madison County into the act.

Fiscal Note (Dated February 14, 2014) Other Fiscal Impact â€œ Due to multiple unknown variables, a precise fiscal impact to state and local government cannot reasonably be determined.

Senate Status 03/13/2014 - Senate passed with amendments 2 (013802) and 3 (014380).

House Status 03/20/2014 - Set for House Finance Committee 03/25/14.

Position Support

Education - 1

SB2208 / HB2493 Study committee on BEP funding formula.

Category Education

Sponsors Sen. Ophelia Ford / Rep. Bo Mitchell

Description Creates a study committee of interested legislators from the majority and minority parties to study the BEP funding formula and its application and submit findings and recommendations to the education committees and speakers of the house of representatives and senate by January 15, 2015.

Fiscal Note (Dated February 23, 2014) Increase State Expenditures - \$2,600/Each One-Day Meeting

Senate Status 01/29/2014 - Referred to Senate Delayed Bills Committee.

House Status 03/20/2014 - Set for House Education Subcommittee Final Calendar Continued 03/25/14.

Position Monitor

Environment & Nature - 1

SB2581 / HB2488 Notice of percolation testing.

Category Environment & Nature

Sponsors Sen. Todd Gardenhire / Rep. Mike Carter

Description Increase the period of time, from 3 to 5 business days, required for applicants for subsurface sewage disposal permits to notify the department of environment and conversation when percolation testing.

Amendment Senate Energy, Agriculture & Natural Resources Committee amendment 1 (014246) deletes all language after the enacting clause. Requires water providers in Hamilton County to enter into contracts with wastewater treatment authorities prior to July 1, 2015, for the collection of sewer charges at a rate not to exceed \$1.50 per customer for each billing cycle.

Fiscal Note (Dated February 21, 2014) NOT SIGNIFICANT

Senate Status 03/12/2014 - Senate Energy, Agriculture & Natural Resources Committee recommended with amendment 1 (014246). Sent to Senate Calendar Committee.

House Status 03/19/2014 - House Agriculture & Natural Resources Subcommittee recommended with amendment 1. Sent to House Agriculture & Natural Resources Committee.

Position Monitor

Estates & Trusts - 2

SB1907 / HB2068 Various changes in probate and trusts.

Category Estates & Trusts

Sponsors Sen. Doug Overbey / Rep. Andrew Farmer

Description Makes various technical changes and additions to present law concerning probate and trusts and specifies a process for creditor claims against tenants by the entirety in the property.

Amendment House Civil Justice Committee amendment 1 (012236) redefines small estates for purposes of probating by affidavit to include an estate under 50,000 dollars rather than 25,000 dollars.

Fiscal Note (Dated March 2, 2014) NOT SIGNIFICANT

Senate Status 03/10/2014 - Senate passed.

House Status 03/20/2014 - Set for House Floor on 03/24/14.

Position Monitor

SB2399 / HB2208 Trustee to rescind a foreclosure sale.

Category Estates & Trusts

Sponsors Sen. Mark Green / Rep. Tim Wirgau

Description Authorizes a trustee within five (5) days of a foreclosure sale to rescind the sale, trustee's deed, or similar document of conveyance by filing an affidavit with the applicable register of deeds.

Amendment HOUSE CIVIL JUSTICE COMMITTEE 1 (014393) rewrites the bill. Changes the commission that a court clerk may charge, in addition to fees required by statute, for selling real or personal property under decree of court and for receiving, collecting, and paying out the proceeds of such a sale. Allows a court clerk to charge a three percent commission on the amount of the sale. HOUSE CIVIL JUSTICE COMMITTEE AMENDMENT 2 (014679) adds a section authorizing a real estate broker to be retained for the sale of property to be sold at public sale.

Fiscal Note (Dated February 19, 2014) NOT SIGNIFICANT

Senate Status 03/20/2014 - Set for Senate Judiciary Committee Regular Calendar 03/25/14.

House Status 03/20/2014 - Set for House Floor on 03/27/14.

Position Monitor

Government Contracts - 1

SB1623 / HB1419 State can sell real property by public auction.

Category Government Contracts

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description Allows the state to sell real property and convey any interest or rights in minerals, coal, natural gas, oil, timber and any other energy-related resources by public auction, including internet auctions and in-person auctions; as long as they are open for participation by the public at large, in addition to the sealed bid method. (Part of Administration Package)

Amendment House amendment 1 (012396) rewrites the bill. Specifies that the state can sell real property and can convey any interest or rights in minerals, coal, natural gas, oil, timber, and any other energy related resources by the sealed bid method. Specifies that fee interests in real property shall be sold by the sealed method or by public auction in accordance with policies established by the State Building Commission, with the condition that the State shall have the right to refuse any and all bids. Public auction may include internet auctions as well as in person auctions that are open to participation by the public at large.

Fiscal Note (Dated January 24, 2014) NOT SIGNIFICANT

Senate Status 03/03/2014 - Senate passed.

House Status 02/27/2014 - House passed with amendment 1.

Executive Status 03/12/2014 - Sent to governor.

Position Monitor

Government Organization - 1

SB1542 / HB1581 Sunset- extends Tennessee housing development agency.

Category Government Organization
Sponsors Sen. Mike Bell / Rep. Judd Matheny
Description Sunsets the Tennessee housing development agency, board of directors on June 30, 2018.
Fiscal Note (Dated January 26, 2014) NOT SIGNIFICANT
Senate Status 02/03/2014 - Senate passed.
House Status 02/20/2014 - House passed.
Executive Status 03/19/2014 - Enacted as Public Chapter 0511 effective March 6, 2014.
Position Support

Government Regulation - 1

SB869 / HB590 Majority of voters needed for approval of certain annexations.

Category Government Regulation
Sponsors Sen. Rusty Crowe / Rep. James (Micah) Van Huss
Description Requires, prior to a municipality annexing within its urban growth boundary, the approval of a majority vote of qualified voters who reside in the territory proposed for annexation. Requires the municipality to give 90 days' notice of the proposed ordinance annexing the property to the affected residents of the territory by registered mail, return receipt requested.
Amendment HOUSE AMENDMENT 1 (003101) clarifies that annexation resulting from a petition by a majority of the residents and property owners of the affected territory, will not become operative until 30 days after final passage of the ordinance for annexation. During this 30-day period, the municipality must notify the county mayor in whose county the territory being annexed is located that territory located in the unincorporated part of the county is being annexed by the municipality. This amendment further clarifies that when a municipality on its own initiative proposes annexation, such annexation will not become operative until approved by a majority of the qualified voters who reside in the territory proposed for annexation. This amendment also increases the amount of notice required from 90 to 180 days when annexation is proposed by the municipality. HOUSE AMENDMENT 2 (012551) removes the requirement that the municipality give 180 days' notice to the residents of the territory proposed for annexation by mailing the proposed ordinance to the affected residents. HOUSE AMENDMENT 4 (013065) specifies that counties with a metropolitan form of government (Moore, Trousdale and Davidson) may expand the area of their urban services district using any method authorized by their charters, including methods that were applicable at the time the charter or amendment was approved.
Fiscal Note (Dated: February 25 2013) Increase Local Expenditures - Exceeds \$1,000* - Other Fiscal Impact - Due to several unknown factors, any change in local government property tax revenue cannot be quantified.
Senate Status 03/18/2014 - Senate State & Local Government Committee recommended with amendment 1. Sent to Senate Calendar Committee.
House Status 02/24/2014 - House passed with amendments 1, 2, and 4.
Position Monitor

Insurance General - 2

SB96 / HB94 Cancellation of property insurance after customer inquiry.

Category Insurance General
Sponsors Sen. Lowe Finney / Rep. Mike Stewart
Description Requires an insurance provider, upon declining to insure any real or personal property, to provide the insured or insurance applicant with a written statement within 30 days of the timely

receipt of a written request for such an explanation. After coverage has been in effect for more than 60 days or after the effective date of a renewal policy, prohibits cancellation except for the following reasons: nonpayment of premium; fraud or material misrepresentation; willful or reckless acts or omissions which increase any hazard insured against; change in risk; violation of any local or state fire, health, safety, building or construction regulation or ordinance with respect to any insured property or the occupancy thereof which substantially increases any hazard insured against; determination by the commissioner of commerce and insurance that the continuation of the policy would place the insurance provider in violation of the insurance laws of this state; or real property taxes owed on the insured property have been delinquent for two or more years and remain delinquent at the time notice of cancellation is issued. Requires that the provider deliver to the named insured notice of its intention not to renew at least 30 days prior to the expiration of the policy. The notice must advise the insured that, upon written request within 15 days after the effective date of the nonrenewal, the insurance provider, within 20 days of receipt of such request, must mail to the named insured a written statement specifying a reason for the nonrenewal action. There would be no liability on the part of, and no cause of action would arise against, any insurance provider as to the reason for nonrenewal. If the insurance provider fails to comply with these provisions regarding notice and explanation of non-renewal, then the coverage would be deemed renewed under the same terms and conditions of the current policy until the named insured has accepted replacement coverage with another insurance provider or until the named insured has agreed to the nonrenewal. Prohibits an insurance provider from refusing to renew property insurance based solely on an inquiry regarding the policy or a loss under that policy. Specifies that an insurance provider may non-renew a property insurance policy if: (1) The claim asserted against the policy demonstrates that there has been a substantial change or increase in the hazard or in the risk assumed by the insurance provider, subsequent to the date the policy was issued, and such nonrenewal is applied to other property insurance policies similarly situated; or (2) The policyholder has refused or failed to make objectively necessary changes or repairs after being notified by the insurance provider that failure to make such changes or repairs will constitute a breach of contractual duties, conditions or warranties that will change or increase the hazard or risk assumed by the insurance provider after the policy as issued.

Amendment Senate Commerce & Labor Committee amendment 1 (014293) deletes the language "insurance provider" wherever it appears and substituting instead the language "insurance company".

Fiscal Note (Dated: March 14 2013) Not Significant.

Senate Status 03/20/2014 - Senate deferred to 03/24/14.

House Status 03/20/2014 - Set for House Insurance & Banking Subcommittee Final Calendar 03/26/14.

Position Monitor

SB880 / HB1005 Coverage of sinkhole losses and subsequent structural repair.

Category Insurance General

Sponsors Sen. Jim Tracy / Rep. Roger Kane

Description Makes various changes concerning coverage of sinkhole losses and subsequent structural repair. Adds definitions of primary structural member and primary structural system. Deletes restrictive definition of "sinkhole loss." Adds definition for structural damage to be interior floor displacement or deflection in excess of acceptable variances. Defines foundation displacement or deflection in excess of acceptable variances.

Amendment SENATE AMENDMENT 1 (011036) makes the bill. Deletes all language after the enacting clause. Specifies that sinkhole loss coverage is not mandated to be included in homeowner property insurance policies but insurers who offer homeowner property insurance must make sinkhole loss coverage available. Authorizes insurers to require an inspection of the property before issuance of sinkhole loss coverage. Establishes minimum standards an insurer must meet in investigating a claim

for a sinkhole loss. Requires any insurer who offers sinkhole loss coverage to appropriately file with the Department of Commerce and Insurance. Creates various provisions governing the sinkhole loss damage for which an insurer is liable and governing the conduct of the insurer and the policy holder. HOUSE AMENDMENT 2 (011657) corrects an internal cross-reference in the bill.

Fiscal Note (Dated: February 21 2013) Not Significant.

Senate Status 03/03/2014 - Senate concurred in House amendment 2.

House Status 02/24/2014 - House passed with amendment 2 (011657), which corrects an internal cross-reference in the bill.

Executive Status 03/17/2014 - Signed by governor.

Position Monitor

Judiciary - 2

SB1712 / HB1387 Permits broker-file interpleader action without an attorney.

Category Judiciary

Sponsors Sen. Ken Yager / Rep. William G. Lamberth

Description Allows a real estate broker to file an interpleader action in general sessions court without an attorney if the broker or real estate firm is not claiming any right to a portion of the money filed with the court. Clarifies that such filing is not unauthorized practice of law.

Senate Status 01/22/2014 - Referred to Senate Judiciary Committee.

House Status 01/22/2014 - Withdrawn in House.

Position Support - TAR Bill

SB2364 / HB2093 Notice to community affected by a nuisance.

Category Judiciary

Sponsors Sen. Ophelia Ford / Rep. G.A. Hardaway

Description Requires that the community, including any person who resides or owns a business within 1000 feet of the nuisance, affected by a nuisance be notified and given an opportunity to be heard prior to the voluntary dismissal of a nuisance action; allows any interested parties to be notified as well. Provides that the notice may be mailed or posted when necessary, and after providing notice and the opportunity to be heard a relator is allowed to consent to a voluntary dismissal. Prohibits the provisions of this bill from delaying a taking or demolition of a nuisance property.

Fiscal Note (Dated February 10, 2014) Increase State Expenditures â€“ Exceeds \$5,000 Increase Local Expenditures â€“ Exceeds \$5,000*

Senate Status 01/29/2014 - Referred to Senate Judiciary Committee.

House Status 03/19/2014 - Taken off notice in House Civil Justice Subcommittee.

Position Monitor

Local Government - 8

SB959 / HB1199 Repurchase of property taken by eminent domain.

Category Local Government

Sponsors Sen. Randy McNally / Rep. John Ragan

Description Grants certain property owners, or their heirs or assigns, whose land is taken by eminent domain the right to repurchase such property if the condemning entity decides to sell the property within 10 years of the property being taken the property shall be first offered for sale to the person whom the property was taken. Establishes that the property owner has 30 days to sign an agreement to purchase the property. Requires local legislative bodies to conduct public hearings and a majority vote prior to taking property by eminent domain.

Amendment SENATE JUDICIARY COMMITTEE AMENDMENT 1 (003784) deletes Sections 1-3 of the original bill and deletes language from the effective date clause. Rewrites Section 1 to require state and local governments selling property originally acquired by eminent domain to first offer the property to the previous owner from whom the property was taken. Requires the former property owner's right to terminate 10 years after the condemnation date or 1 year from the determination the property was not being used for its intended purpose or that it would be sold, whichever is later. This right does not transfer to the former property owner's heirs. Authorizes the former property owner to purchase the property for an amount representing not less than fair market value, including costs. Declares that if the former property owner has not purchased the land within 30 days, the property shall be offered for sale to the general public for an amount not less than fair market value. HOUSE AMENDMENT 1 (006398) deletes all language after the enacting clause. Requires, under certain circumstances, counties and municipalities selling property that was acquired by eminent domain to first offer the property to the previous owner from whom the property was acquired. Removes transferability of the right, from former property owners to heirs of former property owners, to terminate 10 years after the condemnation date, or one year from the determination that the property was not being used for its intended purpose. Authorizes the former property owner to purchase the property for not less than fair market value, including costs; and declares if the former property owner has not purchased the property within 30 days, the property shall be offered for sale to the general public for an amount not less than fair market value.

Fiscal Note (Dated: February 19 2013) Decrease State Revenue - \$100,000/Recurring/Highway Fund - Increase State Expenditures - \$10,000/Recurring/Highway Fund - Decrease Local Revenue - Exceeds \$10,000 - Increase Local Expenditures - Exceeds \$10,000/Mandatory* - Exceeds \$10,000/Permissive.

Senate Status 02/04/2014 - Senate Finance, Ways & Means Committee deferred to 03/18/14.

House Status 04/17/2013 - House passed with amendment 1.

Position Monitor

SB1800 / HB2260 Eminent domain - definition of blighted revised.

Category Local Government

Sponsors Sen. Stacey Campfield / Rep. Steve Hall

Description Narrows the definition of the areas that may be considered blighted for purposes of eminent domain. Adds to the definition of blighted property the requirement that the property in question must have been tax delinquent for a period of at least three years. Requires that prior to commencement of an eminent domain action to remediate blight, the owner of the property must be granted the opportunity to rehabilitate the property within a certain time constraints designated by law, or one year if no such constraints exist. Prohibits property from being considered blighted because of aesthetic conditions. Provides that the determination of a property as blighted shall not be a factor in the determination of another property as blighted. Provides that upon appeal by the property owner for the final judgment for damages, if the amount to be compensated to the owner is 40 percent greater than the last written offer by the condemning authority prior to filing the petition, the court shall award the owner reasonable attorney fees, expenses, and other related costs. If the amount to be compensated to the owner is a least 20 percent, but not more than 40 percent, greater than the last written offer, the court may award reasonable attorney fees, expenses, and other related costs.

Fiscal Note (Dated February 25, 2014) Increase Local Expenditures "Exceeds \$5,000* Other Fiscal Impact "The provisions of the bill could result in litigation costs for the state. It is unknown how often or to what extent those costs may occur; therefore a precise fiscal impact cannot be determined. Any increase in state expenditures is estimated to exceed \$5,000 per case. Due to multiple unknown variables, a precise impact to state and local government for any delay in initiating eminent domain proceedings cannot reasonably be determined.

Senate Status 03/20/2014 - Set for Senate Judiciary Committee Regular Calendar 03/25/14.
House Status 03/20/2014 - Set for House Civil Justice Subcommittee 03/26/14.
Position Monitor

SB1828 / HB1716 Notification regarding removal of debris.

Category Local Government
Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent
Description Allows a municipality to send notice by personal delivery or publication in a newspaper to a property owner to notify the property owner that they are entitled to a hearing regarding the removal of vegetation or debris in instances when delivery by U.S. mail to the property owner is unsuccessful.
Fiscal Note (Dated February 9, 2014) Increase Local Expenditures â€“ Exceeds \$100/Permissive
Senate Status 01/23/2014 - Referred to Senate State & Local Government Committee.
House Status 01/29/2014 - Referred to House Local Government Subcommittee.
Position Monitor

SB2176 / HB2259 Eminent domain - right of first refusal by original property owner.

Category Local Government
Sponsors Sen. Stacey Campfield / Rep. Steve Hall
Description Requires the condemning authority, in instances where the governing body of the condemning authority determines that publicly owned property acquired by eminent domain has not been used and is no longer needed for a public use, to offer to sell the property to the owner from whom it was acquired. Specifies that such offer must be the lower of the original price adjusted for inflation or deflation or the current fair market value of the property.
Fiscal Note (Dated March 15, 2014) Decrease State Revenue â€“ Exceeds \$20,000 Decrease Local Revenue â€“ Exceeds \$20,000
Senate Status 01/29/2014 - Referred to Senate Judiciary Committee.
House Status 02/03/2014 - Referred to House Civil Justice Subcommittee.
Position Monitor

SB2200 / HB2006 Notice to property owner regarding removal of debris.

Category Local Government
Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent
Description Allows a municipality to publish notice by personal delivery or by publication to a property owner when an attempt at notification by United States mail fails to notify the property owner that they are entitled to a hearing regarding the removal of vegetation or debris. Authorizes the municipality to publish the notice in a newspaper of general circulation in the county where the property sits for no less than two consecutive issues or personally deliver notice to the owner of record.
Fiscal Note (Dated February 9, 2014) Increase Local Expenditures â€“ Exceeds \$100/Permissive
Senate Status 03/20/2014 - Set for Senate State & Local Government Committee 03/25/14.
House Status 03/20/2014 - Set for House Finance Subcommittee 03/26/14.
Position Monitor

SB2391 / HB2026 Annexation by ordinance abolished.

Category Local Government
Sponsors Sen. Bo Watson / Rep. Mike Carter
Description Abolishes annexation by ordinance at the initiative of the municipality unless authorized countywide by the county legislative body for the remainder of the twenty-year term of the

comprehensive county growth plan ratified and approved immediately following enactment of Chapter 1101 of the Public Acts of 1998.

Fiscal Note (Dated February 12, 2014) Increase Local Expenditures â€œ Exceeds \$100/Permissive Other Fiscal Impact - Due to multiple unknown variables a precise fiscal impact to local government property tax revenue cannot be quantified.

Senate Status 03/06/2014 - Withdrawn in Senate.

House Status 02/20/2014 - Withdrawn in House.

Position Monitor

SB2464 / HB2371 Abolishes annexation by ordinance.

Category Local Government

Sponsors Sen. Bo Watson / Rep. Mike Carter

Description Creates the "End of Forced Annexation in Tennessee Act". Abolishes annexation by ordinance at the initiative of the municipality.

Amendment Senate State & Local Government amendment 1 changes the effective date to May 15, 2015 and extends the TACIR study to February 15, 2015. This amendment also specifies that no city can annex by ordinance and that annexation by a city requires consent from the owner or a referendum. Prohibits annexation of land used for agricultural purposes without consent of owner. Adds a severability clause. Excludes metro governments from bill.

Fiscal Note (Dated February 12, 2014) Other Fiscal Impact â€œ Due to multiple unknown variables a precise fiscal impact to local government property tax revenue cannot be quantified.

Senate Status 03/18/2014 - Senate State & Local Government Committee recommended with amendment 1. Sent to Senate Calendar Committee.

House Status 03/20/2014 - Set for House Finance Committee 03/25/14.

Position Monitor

SB2472 / HB2469 Moratorium on annexation by ordinance extended.

Category Local Government

Sponsors Sen. Mark S. Norris / Rep. Antonio Parkinson

Description Extends moratorium from May 15, 2014, to May 15, 2015, on annexation by a municipality by means of ordinance in order to annex territory being used primarily for residential or agricultural purposes. Extends study by TACIR until February 1, 2015.

Fiscal Note (Dated February 22, 2014) Increase State Expenditures â€œ Not Significant Other Fiscal Impact - Due to multiple unknown factors, any change in local government property tax revenue cannot be determined.

Senate Status 03/18/2014 - Senate State & Local Government Committee recommended. Sent to Senate Calendar Committee.

House Status 03/20/2014 - Set for House Local Government Subcommittee 03/26/14.

Position Monitor

Media & Publishing - 1

SB2546 / HB2468 Disclosure of identify for complaints against businesses.

Category Media & Publishing

Sponsors Sen. Jim Summerville / Rep. Glen Casada

Description Requires that the identity of any person who makes a complaint against a business be disclosed if the complaint causes the business to be investigated by a state government agency.

Fiscal Note (Dated March 15, 2014) Increase State Expenditures - \$50,000/One-Time

Senate Status 02/10/2014 - Referred to Senate Judiciary Committee.

House Status 02/12/2014 - Referred to House Civil Justice Subcommittee.
Position Monitor

Professions & Licensure - 7

SB1620 / HB1416 Fingerprints for applicants applying to be a real estate appraiser.

Category Professions & Licensure

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description Requires applicants for an initial registration, license, or certification as a real estate appraiser to submit a full set of fingerprints in order to obtain criminal history records. Allows the Real Estate Appraiser commission to require fingerprints be submitted in an electronic format. Permits the commission to contract or use existing state contracts for the collection and transmission of fingerprints and in doing so order the applicant to pay the fee for collecting and transmitting the fingerprints. Requires that all information obtained be treated as confidential. Broadly captioned. (Part of Administration Package)

Amendment SENATE AMENDMENT 1 (011678) corrects various license-type references. Makes several technical corrections to this bill to clarify that real estate appraiser trainees are registered and not licensed or certified. HOUSE AMENDMENT 1 (012068) exempts from the background check requirement any person applying for a reciprocal license or certification if such person holds an active license or certification that is appraiser qualifications board-compliant in the other jurisdiction.

Fiscal Note (Dated January 27, 2014) Increase State Expenditures - \$2,500/One-Time/Real Estate Appraisers Commission Other Fiscal Impact - The estimated \$6,300 fee revenue collected from applicants for fingerprint sampling will be offset with identical expenditures attributed to those vendors contracted for collection and transmission.

Senate Status 03/13/2014 - Senate concurred in House amendment 1.

House Status 03/06/2014 - House passed with amendment 1 (012068), which exempts from the background check requirement any person applying for a reciprocal license or certification if such person holds an active license or certification that is appraiser qualifications board-compliant in the other jurisdiction.

Position Monitor

SB1710 Licensure of land surveyors.

Category Professions & Licensure

Sponsors Sen. Ken Yager

Description Allows a person to become a licensed surveyor without a college degree if the person has had practical training and experience working under the supervision of a land surveyor.

Senate Status 01/22/2014 - Referred to Senate Commerce & Labor Committee.

House Status None

Position Monitor

SB1931 / HB2234 Licensed surveyor without college degree.

Category Professions & Licensure

Sponsors Sen. Ken Yager / Rep. Kent Calfee

Description Allows a person who is being trained by and working under the supervision of a registered land surveyor to practice land surveying. Permits a person to become a licensed surveyor without a college degree if the person has had practical training and experience working under the supervision of a registered land surveyor for no less than 10 years and submits a notarized statement attesting to those years of experience under the registered land surveyors' supervision.

Amendment SENATE AMENDMENT 1 (011846) makes the bill. States that an individual who has worked under the supervision of a licensed surveyor for 10 years and has actively been engaged for 6 or more years in land surveying, prior to being able practice surveying, must pass the appropriate exams as set out by the Department of Commerce and Insurance. If a land surveyor has been found to have either not provided proper supervision to an unlicensed surveyor or to have made a false statement in support of any person applying for registration, the Board is authorized to revoke, suspend, or refuse to renew a certificate of registration or may take other lawful disciplinary action against such offender. This Act will expire after June 30, 2018. HOUSE BUSINESS & UTILITIES COMMITTEE AMENDMENT 1 (013010) rewrites the bill. Creates a three year window to take training and sit for the Land Surveying examination on or before June 30, 2017.

Fiscal Note (Dated January 30, 2014) Increase State Revenue - \$4,800/FY14-15 and Biennially Thereafter/Board of Examiners for Land Surveyors

Senate Status 02/10/2014 - Senate passed with amendment 1 (011846), which makes the bill. States that an individual who has worked under the supervision of a licensed surveyor for 10 years and has actively been engaged for 6 or more years in land surveying, prior to being able practice surveying, must pass the appropriate exams as set out by the Department of Commerce and Insurance. If a land surveyor has been found to have either not provided proper supervision to an unlicensed surveyor or to have made a false statement in support of any person applying for registration, the Board is authorized to revoke, suspend, or refuse to renew a certificate of registration or may take other lawful disciplinary action against such offender. This Act will expire after June 30, 2018.

House Status 03/20/2014 - Set for House Floor on 03/27/14.

Position Monitor

SB2071 / HB1941 Requires scrap metal dealers to wait before processing purchased scrap

Category Professions & Licensure

Sponsors Sen. Steve Southerland / Rep. David B. Hawk

Description Requires scrap metal dealers to wait forty-eight hours before processing purchased scrap metal. Requires a seller of scrap metal who is not an agent of a business to sign a statement of ownership or authorization. Requires a dealer to photograph metal being purchased if the seller is not an agent of a business.

Fiscal Note (Dated February 27, 2014) NOT SIGNIFICANT

Senate Status 03/11/2014 - Taken off notice in Senate Commerce & Labor Committee.

House Status 03/04/2014 - Taken off notice in House Business & Utilities Subcommittee.

Position Monitor

SB2300 Licensed surveyor without a college degree.

Category Professions & Licensure

Sponsors Sen. Randy McNally

Description Clarifies that for a person seeking to become a licensed surveyor without a college degree, that person must have practiced surveying for no less than ten years, which means that the person had practical training and experience working under the supervision of a land surveyor during that time.

Fiscal Note (Dated March 16, 2014) Increase State Revenue - \$4,800/FY14-15 and Biennially Thereafter/ Board of Examiners for Land Surveyors

Senate Status 01/29/2014 - Referred to Senate Commerce & Labor Committee.

House Status None

Position Monitor

SB2304 / HB2126 Uniform terminology for scrap metal dealers.

Category Professions & Licensure
Sponsors Sen. Randy McNally / Rep. John Ragan
Description Clarifies that, for purposes of maintaining records of metal purchased, scrap metal dealers must use the uniform terminology developed by the commissioner of commerce and insurance pursuant to the department's rulemaking authority.
Fiscal Note (Dated March 4, 2014) NOT SIGNIFICANT
Senate Status 03/19/2014 - Taken off notice in Senate Commerce & Labor Committee.
House Status 03/18/2014 - Failed in House Business & Utilities Subcommittee.
Position Monitor

SB2563 / HB2474 Not practice of law - representing business collecting certain debts.

Category Professions & Licensure
Sponsors Sen. Brian K. Kelsey / Rep. Tilman Goins
Description Provides that it is not considered the "practice of law" for the president of a corporation, limited liability corporation or the owner of a sole proprietor company to appear in court representing the corporation for the sole purpose of collecting debt owed the corporation provided that no single debt exceeds \$1,000.
Fiscal Note (Dated March 18, 2014) NOT SIGNIFICANT
Senate Status 02/10/2014 - Referred to Senate Judiciary Committee.
House Status 02/12/2014 - Referred to House Civil Justice Subcommittee.
Position Monitor

Property & Housing - 23

SB737 / HB671 Termination of a rental agreement for victims of abuse & stalking.

Category Property & Housing
Sponsors Sen. Reginald Tate / Rep. G.A. Hardaway
Description Permits a tenant to terminate a residential rental agreement or lease agreement entered into or renewed on or after July 1, 2013, upon the tenant providing the landlord with written notice stating that the tenant or a household member is the victim of domestic abuse, sexual assault, or stalking. Requires the tenant, in addition to providing written notice, to provide documentation verifying that tenant is a victim such as a copy of a valid order of protection. Prohibits a landlord from revealing any identifying information concerning a tenant who has terminated a lease without the written consent of the victim.
Fiscal Note (Dated: March 10 2013) Not Significant.
Senate Status 02/08/2013 - Referred to Senate Commerce & Labor Committee.
House Status 03/18/2014 - Taken off notice in House Business & Utilities Subcommittee.
Position Oppose

SB1634 / HB1430 Community Safety Act - gang-related nuisances.

Category Property & Housing
Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick
Description Establishes that certain petitions for the abatement of gang related conduct may be brought against the gang itself to which the gang members belong. Permits discovery in cases of abatement for nuisances under the rules of civil procedure in certain situations. Provides that gang related activities do not require a criminal conviction or a finding of juvenile delinquency in order for such activities to qualify for abatement. Permits the abatement of gang related activities through the testimony of a fact witness, an expert witness, or a combined fact-expert witness pursuant to the rules of evidence. Establishes that such an abatement order prohibits the defendant or defendants from

engaging or abetting the nuisance of the gang related activity. Authorizes the court, in the case of gang abatement, to designate a certain geographical area where gang members are prohibited from meeting in groups of two or more and where they are prohibited from entering because they have previously been found carrying out operations there. Provides an "opt out" provision in all gang injunctions where the gang member is allowed to take certain steps to seek a dismissal from the injunction. Such steps include not associating with any person found to be a gang member who is not a family member for two years, and not committing any crimes or spending any time incarcerated for two years. (Part of Administration Package)

Fiscal Note (Dated February 14, 2014) NOT SIGNIFICANT

Senate Status 03/20/2014 - Set for Senate Judiciary Committee Regular Calendar 03/25/14.

House Status 03/20/2014 - Set for House Civil Justice Subcommittee 03/26/14.

Position Support

SB1732 / HB1409 Execution of a writ of possession.

Category Property & Housing

Sponsors Sen. Doug Overbey / Rep. William G. Lamberth

Description Allows a plaintiff, after the execution of a writ of possession, to place the defendant's personal property in an appropriate area clear of the entrance to the premises and at a reasonable distance from any roadway, but they are prohibited from disposing of the personal property of a defendant for 48 hours. Also, temporarily suspends the actions of any local government relative to the disposition of personal property for that 48 hour time period..

Amendment HOUSE AMENDMENT 1 (012881) makes the bill. Prohibits items taken from the home be placed out on the roadway. Requires items to be placed somewhere on the property. Places a 48 hour time frame for when the tenant can come get their items and after that time frame the landlord has the authority to do whatever they want with the property. Provides that the city and county are not liable for the personal property once the landlord places it on the property. Makes a technical correction.

Fiscal Note (Dated February 2, 2014) NOT SIGNIFICANT

Senate Status 02/27/2014 - Senate passed.

House Status 02/27/2014 - House passed with amendment 1.

Executive Status 03/19/2014 - Enacted as Public Chapter 0534 effective July 1, 2014.

Position Support

SB1749 / HB1649 Fire sprinkler exemptions - certain places of worship.

Category Property & Housing

Sponsors Sen. Frank Niceley / Rep. Timothy Hill

Description Exempts certain places of worship from fire protection sprinkler system requirements if the building is single-story and meets other certain specifications.

Fiscal Note (Dated March 9, 2014) NOT SIGNIFICANT

Senate Status 01/23/2014 - Referred to Senate Commerce & Labor Committee.

House Status 03/12/2014 - House Local Government Subcommittee referred to TACIR.

Position Monitor

SB1761 / HB1663 Revises the "Notice of Agreement to Pay Leasing Commission".

Category Property & Housing

Sponsors Sen. Bill Ketron / Rep. Andrew Farmer

Description Changes a provision in the "Notice of Agreement to Pay Leasing Commission" form by entitling the broker to be paid certain leasing fees "as a result of securing a tenant for the real property", whereas before it was based on "rental income from the real property". Clarifies that

"subsequent owner", in regards to commercial real estate transactions, does not include the purchaser of transferee. Provides other changes for when a broker seeks a cause of action to enforce a contract with a commercial real estate owner.

Amendment House amendment 1 (012028) specifies that this bill's provision described above in the bill summary in (3) will apply to any cause of action for which the subsequent owner has notice on or after this bill's effective date that fees or commissions are owing.

Fiscal Note (Dated February 3, 2014) NOT SIGNIFICANT

Senate Status 02/24/2014 - Senate passed.

House Status 02/20/2014 - House passed with amendment 1.

Executive Status 03/19/2014 - Enacted as Public Chapter 0533 effective March 12, 2014.

Position Support - TAR Bill

SB1787 / HB1573 Shortens termination time for landlords in breached rental agreements.

Category Property & Housing

Sponsors Sen. Ferrell Haile / Rep. Sheila Butt

Description Decreases the amount of notice a landlord is required to give a tenant before terminating a rental agreement. It eliminates the initial 30 day notice requirement for termination of a rental agreement that is in breach. For reoccurring violations within a six month time period the required notice from a landlord to the tenant for termination of the rental agreement is reduced from 14 days to seven days, and if the breach cannot be remedied by payment or repairs the landlord's notice of termination requirement is reduced from 30 days to 14 days.

Fiscal Note (Dated February 2, 2014) NOT SIGNIFICANT

Senate Status 02/12/2014 - Senate passed.

House Status 03/10/2014 - House passed.

Executive Status 03/17/2014 - Sent to governor.

Position Support

SB1788 / HB1408 Forcible entry and detainer actions - decreased appeal time period.

Category Property & Housing

Sponsors Sen. Ferrell Haile / Rep. William G. Lamberth

Description Allows a general sessions judgment for a forcible entry and detainer action to be appealed in three days instead of 10 days.

Amendment HOUSE BUSINESS & UTILITIES COMMITTEE AMENDMENT 1 (012722) allows for the appealing party to petition the judge for an execution of judgment in three days if it would result in an undue hardship to the defendant. In such a case, the judge may permit up to 10 days to appeal. Makes technical corrections in the drafting language. SENATE JUDICIARY COMMITTEE AMENDMENT 1 (013516).

Fiscal Note (Dated February 1, 2014) NOT SIGNIFICANT

Senate Status 03/18/2014 - Failed in Senate Judiciary Committee on a 4-4 vote after adopting amendment 1 (013516).

House Status 03/20/2014 - Taken off notice in House Calendar & Rules Committee.

Position Support

SB1860 / HB2214 Older Neighborhood Preservation Act - application.

Category Property & Housing

Sponsors Sen. Reginald Tate / Rep. Karen D. Camper

Description Makes the Older Neighborhood Preservation Act applicable to areas where a majority of the residential property was constructed 30 years or more prior to April 22, 2004, instead of 50 years or more prior to April 22, 2004.

Fiscal Note (Dated March 15, 2014) Other Fiscal Impact â€œ Due to multiple unknown variables, a precise impact to local government cannot be determined; however any impact will be permissive.

Senate Status 03/20/2014 - Set for Senate State & Local Government Committee 03/25/14.

House Status 03/20/2014 - Set for House Local Government Subcommittee 03/26/14.

Position Monitor

SB2018 No bid on certain properties.

Category Property & Housing

Sponsors Sen. Reginald Tate

Description Pertains to any land that must be sold for payment of delinquent county taxes only. The county legislative body may make a determination that no bid should be made on behalf of the governmental entities on some properties, including non- buildable or non-conforming parcels such as storm water detention basins, drainage ditches, private road right-of-ways, private drives, common open areas, and utility easements

Fiscal Note (Dated March 15, 2014) Other Fiscal Impact â€œ Due to multiple unknown variables, a precise fiscal impact to local government property tax revenue is indeterminable; however any impact is permissive.

Senate Status 01/27/2014 - Referred to Senate State & Local Government Committee.

House Status *None*

Position Monitor

SB2028 / HB1830 Reorganizes eminent domain law.

Category Property & Housing

Sponsors Sen. Joey Hensley / Rep. Joe Carr

Description Reorganizes existing eminent domain law in Tennessee Code Annotated. Amends TCA Title 6; Title 7; Title 9; Title 11; Title 12; Title 13; Title 29; Title 42; Title 54; Title 59; Title 64; Title 65; Title 68; Title 69 and Title 70. Broadly captioned.

Fiscal Note Sen. Mark S. Norris / Rep. Glen Casada

Description Deletes requirement that a real estate appraiser must file a renewal application for a current, valid license 30 days prior to the expiration date of the license. Deletes requirement that a real estate appraiser must file a renewal application and pay a renewal fee to renew a certificate 30 days prior to the expiration date.

Fiscal Note (Dated February 6, 2014) NOT SIGNIFICANT

Senate Status 03/06/2014 - Senate passed.

House Status 03/06/2014 - House passed.

Executive Status 03/12/2014 - Sent to governor.

Position Monitor

SB2107 / HB2383 Division of land to be submitted to planning commission for approval.

Category Property & Housing

Sponsors Sen. Janice Bowling / Rep. Susan Lynn

Description Requires all plats showing a division of land be submitted to the regional planning commission first to determine whether the plat must be approved by the regional planning commission or whether the plat is exempt from such approval. Provides details to such procedure. Requires a certificate to be filed with the plat in certain circumstances

Fiscal Note (Dated February 13, 2014) NOT SIGNIFICANT

Senate Status 03/04/2014 - Taken off notice in Senate State & Local Government Committee.

House Status 02/12/2014 - Referred to House Local Government Subcommittee.

Position Monitor

SB2108 / HB2380 Subdivision plat - bond and recording.**Category** Property & Housing**Sponsors** Sen. Janice Bowling / Rep. Susan Lynn

Description Requires the posting of a bond or other guarantee for unfinished streets and other infrastructure projects in an approved subdivision plat before a building permit may be issued. Requires that an approved subdivision plat be recorded in the county register of deeds before a building permit may be issued. Allows for a building permit to be issued from and after the time when the platting jurisdiction of any municipal planning commission has attached if the street corresponds in its location and its lines with a street shown on a street plat made and adopted by the commission.

Fiscal Note (Dated February 13, 2014) NOT SIGNIFICANT**Senate Status** 03/20/2014 - Set for Senate State & Local Government Committee 03/25/14.**House Status** 03/19/2014 - House Local Government Subcommittee deferred to 03/26/14.**Position** Monitor**SB2110 / HB2070 Disclosure of whether a planned unit development is complete.****Category** Property & Housing**Sponsors** Sen. Janice Bowling / Rep. Andrew Farmer

Description Requires that prior to selling residential property located within a planned unit development (PUD) that any owner of the property disclose in writing whether the PUD is complete, and if the PUD is not complete, the date in which all property located in a PUD will be developed. Broadly captioned.

Fiscal Note (Dated February 13, 2014) NOT SIGNIFICANT**Senate Status** 03/20/2014 - Set for Senate State & Local Government Committee 03/25/14.**House Status** 03/20/2014 - Set for House Local Government Subcommittee 03/26/14.**Position** Monitor**SB2177 / HB1982 Order of protection for organized group of residents.****Category** Property & Housing**Sponsors** Sen. Stacey Campfield / Rep. Antonio Parkinson

Description Allows homeowners' associations, neighborhood associations, neighborhood watch or any organized group of residents that live within a residential area to seek an order of protection against offenders convicted of three or more offenses of the crimes of theft, burglary, rape or criminal homicide.

Fiscal Note (Dated March 7, 2014) Other Fiscal Impact â€œ Due to multiple unknown variables, a precise fiscal impact to local government is indeterminable.

Senate Status 03/20/2014 - Set for Senate Judiciary Committee Regular Calendar 03/25/14.**House Status** 03/20/2014 - Set for House Criminal Justice Committee Final Calendar 03/26/14.**Position** Monitor**SB2198 / HB2060 Restrictions on homeowners' associations.****Category** Property & Housing**Sponsors** Sen. Jack Johnson / Rep. Jeremy Durham

Description Prohibits a homeowners' association from barring any person from parking on any public street located within any county or municipality unless expressly authorized by the legislative body of the county or municipality. Specifies that any provision of a governing document of a homeowners' association that restricts parking on any public street is declared null and void. Also specifies that any fees or fines imposed by any homeowners' association for any public street parking violation shall be unenforceable and of no legal effect in a court of law. Restricts the ability of

homeowners' associations to ban political signs on private property and to impose fines in excess of the monthly dues owed by property owners within the homeowners' association.

Fiscal Note NOT SIGNIFICANT

Senate Status 01/29/2014 - Referred to Senate State & Local Government Committee.

House Status 02/11/2014 - Taken off notice in House Business & Utilities Subcommittee.

Position Monitor

SB2282 / HB2163 Enforcement of International Residential Code.

Category Property & Housing

Sponsors Sen. Steven Dickerson / Rep. Jason Powell

Description Prohibits the enforcement of Section 501.3 of the 2012 International Residential Code until January 1, 2016.

Amendment House Business & Utilities Subcommittee, Senate Commerce & Labor Committee amendment 1 (013581) rewrites the bill. Deals with unintentional consequences from international building codes; requires dry wall in crawl spaces and puts businesses at a competitive disadvantage. Authorizes state and local governments, when enforcing Section 501.3 of the 2012 International Residential Code (IRC), to not observe the exemption given to fuel-fired appliances prior to January 1, 2016.

Fiscal Note (Dated March 9, 2014) NOT SIGNIFICANT

Senate Status 03/18/2014 - Senate Commerce & Labor Committee recommended with amendment 1 (013581). Sent to Senate Calendar Committee.

House Status 03/19/2014 - House Business & Utilities Committee recommended with amendment 1 (013581). Sent to House Calendar & Rules.

Position Monitor

SB2299 / HB1689 Penalties for landlords who fail to repair code violations.

Category Property & Housing

Sponsors Sen. Randy McNally / Rep. Dale Carr

Description Specifies that in every lease of residential premises, the landlord covenants to maintain the premises in compliance with the applicable health and safety laws of this state and any applicable ordinance of the local government in which the residential premises are located during the term of the lease, except when the violation is caused by the willful, malicious, or irresponsible conduct of the tenant, or person under the direction or control of the tenant. Also specifies that the parties to a lease of residential premises may not waive or modify the covenants imposed by this bill. Requires the landlord of residential premises to: (1) Disclose to the residential tenant either in the rental agreement or otherwise in writing prior to the commencement of the tenancy the name and address of the person authorized to manage the premises and the landlord of the premises or an agent authorized by the landlord to accept service of process and receive and give receipt for notices and demands; (2) Place a printed or typewritten notice containing the information required to be disclosed by this bill in a conspicuous place on the premises; and (3) Provide a copy of all outstanding inspection orders for which a citation has been issued, pertaining to a rental unit or common area, that specifies the code violations issued that the housing inspector identifies as threatening the health or safety of the tenant, and all outstanding condemnation orders and declarations that the premises are unfit for human habitation to: a tenant, either by delivery or by U.S. mail, postage prepaid, within 72 hours after issuance of the citation; a person before signing a lease of paying rent or a security deposit to begin a new tenancy; and a person prior to obtaining new ownership of the property subject to the order or declaration of an inspection. Requires a local governmental entity charged with enforcing the code claimed to be violated by a landlord to inspect the residential premises where the alleged violation is occurring upon the request of a residential tenant or housing-related neighborhood organization. After

the local governmental entity has inspected the residential building, the inspector must inform the landlord or the landlord's agent and the residential tenant or housing-related neighborhood organization in writing of any code violations discovered during the inspection. The inspector must indicate on the inspection order whether the violation threatens the health or safety of a tenant or a prospective tenant. The local governmental entity must give the landlord or the landlord's agent at least 60 days to correct the violation and may issue reasonable extensions as necessary. Specifies that a landlord, agent, or person acting under the landlord's direction or control may not accept rent or a security deposit for residential rental property from a tenant after the leased premises have been condemned or declared unfit for human habitation by the applicable state or local governmental entity if the tenancy commenced after the premises were condemned or declared unfit for human habitation. Provides that an action to enforce this bill may be brought in chancery or general sessions court by a residential tenant of a residential building in which a violation is alleged to exist.

Fiscal Note (Dated March 10, 2014) Increase Local Expenditures â€“ Exceeds \$10,000*

Senate Status 03/11/2014 - Taken off notice in Senate Commerce & Labor Committee.

House Status 03/11/2014 - Taken off notice in House Business & Utilities Subcommittee.

Position Monitor

SB2307 / HB1987 Notice extended regarding improvement of blighted property.

Category Property & Housing

Sponsors Sen. Randy McNally / Rep. Art Swann

Description Gives owners of real property in counties and municipalities ten business days, instead of ten days, to clear any debris or garbage, or to fix up a vacant building after the local government sends notice to improve such blighted property. Gives any owner of a carrier engaged in transportation of property or utilities 20 business days instead of 20 days.

Amendment House Local Government Committee amendment 1 (011790) rewrites the bill. Includes in the definition of "project", in regards to industrial development corporations, a blighted property redevelopment project, or any project involving the renovation, elimination, rebuilding, repair, remodeling, or demolition of blighted residential property; provided that the legislative body of the county or municipality where the corporation is located approved the project by two-thirds vote. Provides that upon two-thirds vote, a local legislative body may empower an authority to negotiate and accept the authority's lessees, payments in lieu of ad valorem taxes, upon meeting certain conditions. Further provides that no contract or other agreement of any kind shall permit payment in lieu of taxes to be waived or otherwise not assessed for a period of greater than 10 years. Requires the local legislative body to establish a blighted property review commission, which shall objectively make blighted real property recommendations to the local legislative body. Adds that a housing authority has the power to negotiate and accept from the authority's lessees, payments in lieu of ad valorem taxes subject to the requirements of this statute.

Fiscal Note (Dated February 9, 2014) NOT SIGNIFICANT

Senate Status 03/20/2014 - Set for Senate State & Local Government Committee Final Calendar 03/26/14.

House Status 03/18/2014 - House Local Government Committee recommended with amendment 1 (011790), which rewrites the bill. Includes in the definition of "project", in regards to industrial development corporations, a blighted property redevelopment project, or any project involving the renovation, elimination, rebuilding, repair, remodeling, or demolition of blighted residential property; provided that the legislative body of the county or municipality where the corporation is located approved the project by two-thirds vote. Provides that upon two-thirds vote, a local legislative body may empower an authority to negotiate and accept the authority's lessees, payments in lieu of ad valorem taxes, upon meeting certain conditions. Further provides that no contract or other agreement of any kind shall permit payment in lieu of taxes to be waived or otherwise not assessed for a period of

greater than 10 years. Requires the local legislative body to establish a blighted property review commission, which shall objectively make blighted real property recommendations to the local legislative body. Adds that a housing authority has the power to negotiate and accept from the authority's lessees, payments in lieu of ad valorem taxes subject to the requirements of this statute. Sent to House Calendar & Rules.

Position Monitor

SB2334 / HB1864 Nonrecourse Mortgage Loan Act - covenants as a nonrecourse carveout.

Category Property & Housing

Sponsors Sen. Brian K. Kelsey / Rep. Steve McManus

Description Enacts the Nonrecourse Mortgage Loan Act, which prohibits post-closing solvency covenants from being used, directly or indirectly, as a nonrecourse carveout or as the basis for the claim or action against a borrower, guarantor, or other surety on a nonrecourse plan. Clarifies that the statute does not prohibit a loan secured by a mortgage on real property located in this state from being fully recourse to the borrower of the guarantor, including, but not limited to, as a result of a post-closing solvency covenant, if the loan documents for the loan do not contain nonrecourse loan provisions.

Fiscal Note (Dated February 17, 2014) NOT SIGNIFICANT

Senate Status 01/29/2014 - Referred to Senate Commerce & Labor Committee.

House Status 02/04/2014 - Referred to House Insurance & Banking Subcommittee.

Position Monitor

SB2375 / HB2275 Quality of property description verified.

Category Property & Housing

Sponsors Sen. Todd Gardenhire / Rep. Art Swann

Description Surveyors - As introduced, requires licensed land surveyors to verify in a written report the quality of a property description in certain transfer documents prior to the transfer of title to any interest in real property in the state. - Amends TCA Title 8; Title 35; Title 47, Chapter 10; Title 62, Chapter 18 and Title 66.

Senate Status 01/30/2014 - Referred to Senate Commerce & Labor Committee.

House Status 02/05/2014 - Referred to House Business & Utilities Subcommittee.

Position Oppose

SB2413 / HB2276 Davidson County - residential landlord registration.

Category Property & Housing

Sponsors Sen. Douglas Henry Jr. / Rep. Brenda Gilmore

Description Requires any landlord registering in Davidson county to provide the landlord's or their agent's physical address to the department of codes and building safety. Also requires the landlord or their agent to notify the department if any such information changes, or if ownership of the dwelling units changes, within thirty (30) days of such change.

Amendment House Business & Utilities Subcommittee amendment 1 (013309) provides that landlords give contact information and give notice within 30 days following a sale of property.

Fiscal Note (Dated February 21, 2014) NOT SIGNIFICANT

Senate Status 03/18/2014 - Senate Commerce & Labor Committee recommended. Sent to Senate Calendar Committee.

House Status 03/20/2014 - Set for House Business & Utilities Committee Final Calendar 03/26/14.

Position Monitor

SB2556 / HB2471 Bylaws of homeowners associations.

Category Property & Housing
Sponsors Sen. Mae Beavers / Rep. Susan Lynn
Description Expands the definition of an HOA's bylaws to include the HOA's financial statements and operating budget when a buyer, prior to purchasing property located in a PUD, requests that such bylaws be disclosed.
Fiscal Note (Dated February 18, 2014) NOT SIGNIFICANT
Senate Status 02/10/2014 - Referred to Senate Commerce & Labor Committee.
House Status 03/18/2014 - Taken off notice in House Business & Utilities Subcommittee.
Position Monitor

Retail Trade - 1

SB2245 / HB1991 Allows scrap jewelry or metal dealer to secure purchased items.

Category Retail Trade
Sponsors Sen. Jim Tracy / Rep. Pat Marsh
Description Allows a scrap jewelry or metal dealer to remove purchased items from the place in which business is conducted to hold the items in a secure location for the required twenty-day period.
Fiscal Note (Dated February 27, 2014) NOT SIGNIFICANT
Senate Status 03/10/2014 - Senate passed.
House Status 03/20/2014 - House passed.
Executive Status 03/20/2014 - Sent to the speakers for signatures.
Position Monitor

Taxes Business - 1

SB1636 / HB1432 Non-payment of professional privilege tax.

Category Taxes Business
Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick
Description Revises certain guidelines regarding the failure to pay the professional privilege tax. Removes the provision, in the case of failure to pay the privilege tax, which: requires the department of revenue to provide a warning letter on the first nonpayment; provides grounds for suspension of the license on the second nonpayment; and provides for revocation of the license on a third or subsequent nonpayment. Instead, provides that at the time the department of revenue assesses the tax liability, the department shall notify the taxpayer in writing that failure to cure the tax delinquency prior to the renewal date may result in the appropriate licensing board suspending the license. Provides that the commissioner of revenue shall compile a list of taxpayers, who are delinquent 90 days or more from the due date of their tax and have not pursued a proper remedy to remain liable for the tax, and to submit it to the appropriate licensing board or agency. Provides the necessary action that a taxpayer whose license has been held in abeyance must take to reverse the suspension of the license. Authorizes the Supreme Court to establish additional rules for the timely payment of the privilege tax by licensed lawyers. (Part of Administration Package)
Fiscal Note (Dated February 21, 2014) Increase State Revenue â€“ \$1,680,800
Senate Status 03/20/2014 - Set for Senate Finance Tax Subcommittee 03/25/14.
House Status 03/20/2014 - House passed.
Position Monitor

Taxes Fuel - 1

HJR579 Required study - advisory commission on intergovernmental relations.

Category Taxes Fuel
Sponsors Rep. Bob Ramsey
Description Requires the Tennessee advisory commission on intergovernmental relations to study allowing private communities and homeowner's associations to share in the distribution of the gasoline tax.
Senate Status None
House Status 02/25/2014 - Failed in House State Government Committee for lack of second.
Position Monitor

Taxes General - 2

SB1427 / HB1367 Reduces the rate of the Hall Income Tax.

Category Taxes General
Sponsors Sen. Mark Green / Rep. Curtis G. Johnson
Description Reduces the Hall income tax from 6% to 2.25% in varying increments by January 1, 2018. Increases the portion of taxes distributed to cities and counties in which the taxpayers reside.
Fiscal Note (Dated January 10, 2014) Decrease State Revenue â€“ Net Impact â€“ \$52,400,100/FY15-16 \$87,091,700/FY16-17 \$110,598,000/FY17-18 \$157,021,500/FY18-19 and Subsequent Years Increase Local Revenue â€“ Net Impact â€“ \$806,300/FY15-16 \$1,239,700/FY16-17 \$1,632,000/FY17-18 \$2,240,200/FY18-19 and Subsequent Years Other Fiscal Impact â€“
 Secondary economic impacts may occur as a result of this bill. Such impacts may be realized due to changes in population or as a result of other behavioral changes prompted by the passage of this bill. Due to multiple unknown factors, fiscal impacts directly attributable to such secondary economic impacts cannot be quantified with reasonable certainty.
Senate Status 03/18/2014 - Referred to Senate Finance, Ways & Means Committee with recommendation to refer the bill to summer study.
House Status 03/20/2014 - Set for House Finance Subcommittee 03/26/14.
Position Support

SB2376 / HB2058 Eliminates a requirement to pay greenbelt rollback taxes.

Category Taxes General
Sponsors Sen. John Stevens / Rep. Andy Holt
Description Removes requirement that a person pay three years of greenbelt rollback taxes on property deemed ineligible for greenbelt classification due to the buyer or purchaser previously exceeding the maximum allowable acreage.
Fiscal Note (Dated February 8, 2014) Decrease Local Revenue â€“ Exceeds \$75,000
Senate Status 01/30/2014 - Referred to Senate State & Local Government Committee.
House Status 03/05/2014 - House General Subcommittee of Finance placed behind the budget.
Position Monitor

Taxes Property - 16

SB54 / HB19 Property acquired by Hickman County at a tax sale.

Category Taxes Property
Sponsors Sen. Jim Summerville / Rep. David Shepard
Description Establishes that whenever Hickman County acquires property at a tax sale, any non-governmental entities holding a vested contractual right to payment of fees or assessments secured by such property shall retain such right, provided that the county shall not be liable for payment of such fees or assessments for a maximum of 24 months from the date of order of tax sale. Allows the county

to surrender the property to the non-governmental entity in full satisfaction of any fees or assessments. Broadly captioned.

Amendment House Local Government committee amendment 1 (002809) limits the bill to Hickman County by population reference.

Fiscal Note (Dated: February 23 2013) Decrease Local Expenditures - Exceeds \$200,000/One-Time/Hickman County - Other Fiscal Impact - To the extent Hickman County is a party to litigation in the future concerning fees or assessments on property purchased by the County at a tax sale, there will be subsequent one-time decreases in local government expenditures (for Hickman County) reasonably estimated to exceed \$200,000.

Senate Status 03/20/2014 - Set for Senate Finance, Ways & Means Committee Regular Calendar 03/25/14.

House Status 03/20/2014 - Set for House Finance Subcommittee 03/26/14.

Position Monitor

SB625 / HB455 Delinquent tax sale results made available to certain parties.

Category Taxes Property

Sponsors Sen. Mark S. Norris / Rep. G.A. Hardaway

Description Requires court clerks who are notified by persons having legal claims against property set for delinquent tax sale to notify such persons of the results of such delinquent tax sale.

Amendment House amendment 1 (004513) deletes and rewrites Section 1 of the original bill.

Requires parties receiving notice pursuant to Tenn. Code Ann. 67-5-2502(a)(3), to also be given notice of the amount of proceeds resulting from the sale, the division of such proceeds, and the remainder, if proceeds remain after distribution pursuant to Tenn. Code Ann. 67-5-2501. SENATE AMENDMENT 1 (013411) deletes all language after the enacting clause and rewrites the bill. Requires parties receiving notice pursuant to Tenn. Code Ann. § 67-5-2502(a)(3), to also be given notice of the amount of proceeds resulting from the sale, the division of such proceeds, and the remainder, if proceeds remain after distribution pursuant to Tenn. Code Ann. § 67-5-2501

Fiscal Note (Dated: February 19 2013) Other Fiscal Impact - There will be a shift in local government expenditures and responsibilities from the delinquent tax attorney to the clerk of the court resulting in a not significant net impact to local governments.

Senate Status 03/10/2014 - Senate passed with amendment 1.

House Status 03/17/2014 - House concurred in Senate amendment 1 (013411).

Executive Status 03/17/2014 - Sent to the speakers for signatures.

Position Monitor

SB1480 / HB1510 Property tax relief for disabled veterans.

Category Taxes Property

Sponsors Sen. Dolores R. Gresham / Rep. Mary Littleton

Description Requires that the reimbursement of property taxes paid by the state to eligible veterans who are disabled shall be based on the first \$200,000, instead of \$175,000, of the full market value of the veteran's property.

Fiscal Note (Dated January 14, 2014) Increase State Expenditures \$341,300/FY14-15 \$417,500/FY15-16 Exceeds \$510,600/FY16-17 and Subsequent Years

Senate Status 01/15/2014 - Referred to Senate State & Local Government Committee.

House Status 01/22/2014 - Referred to House State Government Subcommittee.

Position Support

SB1599 / HB1449 Supervision of reappraisals and revaluation programs.

Category Taxes Property

Sponsors Sen. Jack Johnson / Rep. Jeremy Faison

Description Removes the phrase "to the cost of which the state of Tennessee contributes", requiring the division of property assessments to be responsible for supervising and directing all reappraisals and evaluation programs, regardless of whether or not the state assists with a per-parcel grant in the local costs.

Fiscal Note (Dated January 28, 2014) NOT SIGNIFICANT

Senate Status 02/24/2014 - Senate passed.

House Status 02/26/2014 - Taken off notice in House State Government Subcommittee.

Position Monitor

SB1671 / HB1390 Tax of property qualifying for low-income housing tax credit.

Category Taxes Property

Sponsors Sen. Steve Southerland / Rep. Jeremy Faison

Description Requires that property that qualifies for federal low-income housing tax credits be valued for property taxation based on the actual income derived from the property, and not the value adjusted based on the amount of any federal low-income housing tax credits awarded for the development of the property. To ensure valuation for purposes of taxation of a property that qualifies for federal low-income housing tax credits, obligates an owner to apply to the assessor before March first of each tax year. Requires the property owner to include information that may reasonably be required to determine that the property qualifies for appraisal.

Senate Status 03/20/2014 - Set for Senate State & Local Government Committee Final Calendar 03/26/14.

House Status 03/20/2014 - Set for House Local Government Subcommittee 03/26/14.

Position Support

SB1677 / HB1448 Capitalization rate defined for greenbelt purposes.

Category Taxes Property

Sponsors Sen. Steve Southerland / Rep. David B. Hawk

Description Revises how the "capitalization rate" is determined by basing it on the average lending rate for agricultural land determined by the state board of equalization based on its most recent survey of lenders at the time of the calculation.

Amendment Senate amendment 1 (012760) changes entity referenced in the bill for publishing capitalization rates from the Tennessee agricultural statistics service to the Federal Farm Services Agency.

Fiscal Note (Dated January 26, 2014) Increase Local Revenue â€“ Exceeds \$100,000/FY15-16

Senate Status 03/06/2014 - Senate passed with amendment 1.

House Status 03/10/2014 - House passed.

Executive Status 03/17/2014 - Sent to governor.

Position Monitor

SB1723 / HB1474 Historic Rehabilitation Tax Credit Act.

Category Taxes Property

Sponsors Sen. Jack Johnson / Rep. Steve McDaniel

Description Establishes a tax credit for an owner of a certified historic structure that incurs qualified rehabilitation expenditures for the rehabilitation of that structure. Provides that the tax credit may be used against any state premium tax liability and is to be equal to 25 percent of the qualified rehabilitation expenditures, provided that certain requirements for the rehabilitation are met. Requires that requests for a property to be designated as a certified historic structure or for a proposed rehabilitation must be made on application forms provided by the Tennessee historical commission,

which shall entail certain standards, such as those established by the United States department of the interior for rehabilitation. Authorizes the commission to issue tax credit certificates to an owner for qualified rehabilitation expenditures, on the condition that an audited cost report of the rehabilitation by a public accountant is performed and there is evidence that the historic structure has been placed in service.

Fiscal Note (Dated February 28, 2014) Increase State Revenue â€“ \$55,200/FY14-15 and Subsequent Years/Historical Commission Decrease State Revenue â€“ \$959,400/FY14-15/State Premium Taxes* \$2,878,100/FY15-16/State Premium Taxes* \$4,796,800/FY16-17/State Premium Taxes* \$5,756,200/FY17-18 and Subsequent Years/State Premium Taxes* HB 1474 - SB 1723 Increase State Expenditures â€“ \$55,200/FY14-15 and Subsequent Years/ Historical Commission Other Fiscal Impact â€“ Secondary economic impacts may occur as a result of this bill. Such impacts may be reflected as additional private capital investment leveraged by the proposed state tax credits, additional jobs created as a result of rehabilitation efforts that would be undertaken as a direct result of this bill, additional commercial activity at restored historical properties, and increased property values at and around the restored properties. However, due to multiple unknown factors, fiscal impacts directly attributable to such secondary economic impacts cannot be quantified with reasonable certainty. *The following funds/departments will be affected by the estimated decrease in state revenue: General Fund, Second Injury Fund, and the Department of Commerce and Insurance. However, the extent to which any fund or the Department will be affected cannot be determined with reasonable certainty.

Senate Status 03/18/2014 - Taken off notice in Senate Finance Tax Subcommittee.

House Status 03/11/2014 - House Government Operations Committee recommended. Sent to House Finance.

Position Support

SB1795 / HB2078 County legislative body - bid restrictions.

Category Taxes Property

Sponsors Sen. Mark S. Norris / Rep. Mark White

Description Allows the county legislative body to determine that no bid may be made on certain nonbuildable or nonconforming parcels when land must be sold for payment of delinquent county taxes.

Fiscal Note (Dated February 13, 2014) Other Fiscal Impact â€“ Due to multiple unknown variables, a precise fiscal impact to local government property tax revenue is indeterminable; however any impact is permissive.

Senate Status 03/17/2014 - Senate passed.

House Status 03/20/2014 - Set for House Finance Committee 03/25/14.

Position Monitor

SB1859 / HB2215 Memphis city courts - waiver of certain fees.

Category Taxes Property

Sponsors Sen. Reginald Tate / Rep. Karen D. Camper

Description Allows courts in the city of Memphis to waive all or any portion of penalty and interest and attorney fees that are due on real property taxes upon finding that the property has been abandoned. by court order.

Fiscal Note (Dated March 15, 2014) Other Fiscal Impact â€“ Due to multiple unknown variables, a precise fiscal impact to local government cannot reasonably be determined; however any impact will be permissive.

Senate Status 01/23/2014 - Referred to Senate Judiciary Committee.

House Status 03/20/2014 - Set for House Civil Justice Subcommittee 03/26/14.

Position Monitor

SB1950 / HB1926 Creates a loan payment program for property taxes.

Category Taxes Property

Sponsors Sen. Todd Gardenhire / Rep. Courtney Rogers

Description Authorizes the THDA to make loans for the payment of property taxes to persons of low or moderate income who meet certain requirements, including the requirement that the participant must have resided in the qualifying dwelling unit for more than five years preceding the initial year of participation and the participant continues to reside in the property as the participant's primary place of residence. Requires THDA to set a total amount of permitted obligations on the qualifying dwelling unit that does not exceed 35 percent of the value of the dwelling unit as determined by the most recent assessment for property tax purposes. In the case of a qualified dwelling unit that is a unit in a condominium, a cooperative, an unincorporated cooperative association or a multi-unit dwelling with four or fewer units, only the portion of taxes allocable to the unit inhabited by the participant may qualify for loans under the program. Specifies that the maximum loan under this bill in the first year in which a loan is made is limited to the amount obtained by adding the property taxes levied on the qualifying dwelling unit for the tax year for which the loan is made and the delinquent taxes owed on the property together with interest and penalty on the delinquent taxes. The maximum loan under this bill in any subsequent year in which a loan is made is limited to the amount the property taxes levied on the qualifying dwelling unit for the tax year for which the loan is made. Specifies that loans will bear interest at a rate not greater than ten percent. Limits the maximum amount for all loans pursuant to the program to \$250,000 per year. Participants will be granted loans on a first come, first served basis.

Fiscal Note (Dated March 5, 2014) Increase State Revenue â€“ Exceeds \$163,900 Increase State Expenditures â€“ Exceeds \$149,000 Increase Local Revenue â€“ Exceeds \$149,000

Senate Status 03/20/2014 - Set for Senate State & Local Government Committee Final Calendar 03/26/14.

House Status 03/20/2014 - Set for House Local Government Subcommittee 03/26/14.

Position Monitor

SB2128 / HB2165 Changes to delinquent property tax procedures.

Category Taxes Property

Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent

Description Alters various delinquent property tax procedures. Alters priority of claims against estates. Requires notice to assessor and trustee under certain additional circumstances. Alters assessment of penalties and interest. Allows official tax number to be used as concise description. Clarifies that property tax is not required to be filed as a claim in probate. Alters provisions regarding tax liens proceedings, tax liens enforcement, tax lien sales of property, and redemption of property. (13 pp.)

Amendment Senate amendment 1, House Local Government Committee amendment 1 (013451) states that upon the court declaring that the redemption is complete the sale shall be set aside and the lienholder who redeems the parcel may thereafter proceed to foreclose upon the parcel or enforce such lien.

Fiscal Note (Dated March 4, 2014) Increase State Expenditures â€“ Not Significant Increase Local Expenditures â€“ Not Significant Other Fiscal Impact â€“ Due to unknown variables, the fiscal impact to local government revenue cannot be determined.

Senate Status 03/10/2014 - Senate passed with amendment 1.

House Status 03/20/2014 - Set for House Finance Subcommittee 03/26/14.

Position Monitor

SB2336 / HB2051 Increases in property tax rates higher than 25 percent - approval.

Category Taxes Property

Sponsors Sen. Brian K. Kelsey / Rep. Mike Sparks

Description Requires any increase in the property tax rate higher than 25 percent by a county or municipality to be approved through a referendum.

Amendment House Local Government Committee amendment 1 (013762) rewrites the bill to include "within a one year period" in Section 1.

Fiscal Note (Dated February 28, 2014) Forgone Local Revenue " Exceeds \$100,000 Other Fiscal Impact " The number of local governments who will elect to hold a special election for the purpose of increasing the property tax rate in excess of 25 percent is unknown; however the one-time increase in local expenditures associated with holding any special election is reasonably estimated to exceed \$10,000.

Senate Status 03/20/2014 - Set for Senate State & Local Government Committee Final Calendar 03/26/14.

House Status 03/20/2014 - Set for House Finance Subcommittee 03/26/14.

Position Monitor

SB2337 / HB1913 Restrictions on the lease or conveyance of certain property.

Category Taxes Property

Sponsors Sen. Brian K. Kelsey / Rep. Ron Lollar

Description Places restrictions on the lease or conveyance of property. If real property owned by the state or any political subdivision of the state is leased or conveyed in any matter to a person, corporation or other business entity which has the purpose or effect of reducing the real or personal property appraisal and tax collection then conveyance or other transfer arrangement may not be for a period in excess of 30 years without approval from the county's legislative body unless the agreement requires the lessee to pay all real and personal property taxes to the county after the initial thirty-year occupancy period if such property was not owned by the state or any political subdivision of the state or other tax exempt entity. Furthermore, if any real property owned by the state or any political subdivision of the state is leased or conveyed in any manner to a person, corporation, or entity and the lease or other transfer arrangement is for a period of 50 years or more or the lease permits the lessee to acquire real property for a nominal sum at the completion of the term, then the leasehold interest shall be assessed as if the lessee were the owner.

Fiscal Note (Dated March 9, 2014) Increase Local Revenue " Exceeds \$10,000,000

Senate Status 03/20/2014 - Set for Senate State & Local Government Committee Final Calendar 03/26/14.

House Status 03/20/2014 - Set for House State Government Committee 03/25/14.

Position Monitor

SB2361 / HB2089 Expands disabled veteran tax relief provisions.

Category Taxes Property

Sponsors Sen. Mark S. Norris / Rep. Debra Moody

Description Extends property tax relief to the surviving spouse when the veteran's death results from a service connected disability for which the surviving spouse is entitled to receive dependency and indemnity compensation from the United State veteran's administration providing that the surviving spouse does not remarry and the property for which tax relief is claimed is owned and exclusively used by the surviving spouses as a home.

Fiscal Note (Dated February 18, 2014) Increase State Expenditures - \$2,139,800

Senate Status 01/29/2014 - Referred to Senate State & Local Government Committee.

House Status 01/29/2014 - Referred to House State Government Subcommittee.
 Position Support

SB2507 / HB2236 Collection of fees - property included on delinquent tax lists.

Category Taxes Property
 Sponsors Sen. Reginald Tate / Rep. Ron Lollar
 Description Permits the county trustee, in counties having over 300,000 tax parcels to collect fees and costs, in addition to delinquent taxes, penalties and interest, on all property included on delinquent tax lists upon adoption of a resolution.
 Fiscal Note (Dated February 21, 2014) Other Fiscal Impact “ Due to multiple unknown variables, a precise fiscal impact to local government cannot be determined; however the permissive net increase in local government revenues is estimated to exceed \$10,000.
 Senate Status 03/20/2014 - Set for Senate State & Local Government Committee 03/25/14.
 House Status 03/20/2014 - Set for House Finance Committee 03/25/14.
 Position Monitor

SB2599 / HB2503 Property tax relief program subject to appropriations.

Category Taxes Property
 Sponsors Sen. Mark S. Norris / Rep. Charles M. Sargent
 Description Specifies that the costs of the property tax relief program are subject to annual appropriations.
 Fiscal Note (Dated February 19, 2014) NOT SIGNIFICANT
 Senate Status 03/20/2014 - Set for Senate Finance Tax Subcommittee 03/25/14.
 House Status 03/20/2014 - Set for House State Government Committee 03/25/14.
 Position Monitor

Utilities - 2

SB2151 / HB2269 Meters for apartment buildings.

Category Utilities
 Sponsors Sen. Reginald Tate / Rep. Raumesh Akbari
 Description Requires a utility to individually meter any newly constructed apartments on or after July 1, 2014 and prohibits master-metered designs for newly constructed apartment buildings. Requires a utility to provide notice to occupants in a master-metered apartment building prior to the discontinuance of service.
 Fiscal Note (Dated March 14, 2014) NOT SIGNIFICANT
 Senate Status 01/29/2014 - Referred to Senate State & Local Government Committee.
 House Status 03/18/2014 - Taken off notice in House Business & Utilities Subcommittee.
 Position Oppose

SB2373 / HB2324 Annexing municipality - right to provide utility services.

Category Utilities
 Sponsors Sen. Mae Beavers / Rep. Susan Lynn
 Description Clarifies that an annexing municipality has the exclusive right to provide utility services in annexed areas if the municipality chooses to provide such services. Adds to the provisions governing water and wastewater treatment authorities that any party having an interest in the subject matter and aggrieved or prejudiced by the finding and adjudication of the water and wastewater treatment authority board may pray and obtain an appeal from the finding and adjudication to the utility management review board within 30 days of the water and wastewater authority treatment

board's decision. Allows any party to appeal a decision of the utility management review board in the circuit court of the county in the manner provided by law for appeals from the court of general sessions, upon the execution of appeal bond as provided by law.

Fiscal Note (Dated March 13, 2014) Increase Local Expenditures “ Not Significant Other Fiscal Impact “ A precise impact to the Office of the Comptroller of the Treasury cannot be determined.

Senate Status 03/18/2014 - Taken off notice in Senate State & Local Government Committee.

House Status 03/18/2014 - Taken off notice in House Business & Utilities Subcommittee.

Position Monitor