

Tennessee REALTORS® Weekly Bill Track

Week of Feb. 12, 2018

AGRICULTURE

SB1291 AGRICULTURE: Removal of farms from a municipality's corporate limits.

Sponsors: Sen. Crowe, Rusty ,

Summary: Allows any property owner whose property is being used as a farm to petition to have such property removed from a municipality's corporate limits. Requires the legislative body of the municipality to read the petition into the record, and all municipal jurisdiction must cease over the territory excluded from the municipality's corporate limits on that date. Requires the chief executive officer of the municipality to notify the county assessor of property as to contractions in the territorial limits of the municipality and must provide the county assessor of property with a complete description of all property affected by the contractions.

Senate Status: 02/13/17 - Referred to Senate State & Local Government Committee.

Position: Realtors: monitor

BANKING & CREDIT

SB43/HB572 BANKING & CREDIT: Pawnbrokers - changes to the delivery of transaction records.

Sponsors: Sen. Southerland, Steve , Rep. Powers, Dennis

Summary: Changes the time within which records of pawn broker transactions must be delivered to law enforcement agencies from 48 hours to by noon the day following the day of transaction. Removes specifications about the manner of delivery of records.

Senate Status: 02/01/17 - Referred to Senate Commerce & Labor Committee.

House Status: 03/21/17 - Taken off notice in House Business & Utilities Subcommittee.

Position: Realtors: support

CAMPAIGNS & LOBBYING

SB1333/HB1232 CAMPAIGNS & LOBBYING: Campaign signs on private property.

Sponsors: Sen. Yarbro, Jeff , Rep. Beck, Bill

Summary: Prohibits HOA's from prohibiting the display of political or campaign posters or signs placed on private property that are not larger than 18 inches in height by 24 inches in width beginning 60 days before any election until the day after the election.

Senate Status: 02/28/17 - Taken off notice in Senate State & Local Government Committee.

House Status: 02/28/17 - Taken off notice in House Local Government Committee.

Position: Realtors: monitor

COMMERCIAL LAW

SB751/HB891 COMMERCIAL LAW: Exempts certain transactions by LLCs from the TN Real Estate Broker License Act of 1973.

Sponsors: Sen. Beavers, Mae , Rep. Williams, Ryan

Summary: Exempts limited liability companies' transactions from the Tennessee Real Estate Broker License Act of 1973 in transactions that occurs as an incident to the management, lease, etc. of company owned real

estate, but does not apply to a broker who collects rents, auctions, advertises, or holds out as engaged in any exchange for real estate.

Senate Status: 02/13/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/14/17 - Referred to House Business & Utilities Subcommittee.

Position: Realtors: oppose

SB1954/HB2293 COMMERCIAL LAW: Uniform Commercial Code financing statement filings.

Sponsors: Sen. Pody, Mark , Rep. Boyd, Clark

Summary: STATE SUMMARY - As introduced, makes available to all Tennessee residents the streamlined process in current law for certain public officials to contest Uniform Commercial Code financing statements that they believe to lack any legal basis.

Senate Status: 02/01/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/18 - Referred to House Insurance & Banking Subcommittee.

CONSTRUCTION

SB1052/HB554 CONSTRUCTION: Movements of mobile cranes.

Sponsors: Sen. Bowling, Janice , Rep. Matheny, Judd

Summary: Exempts mobile cranes from movement restrictions between the hours of six o'clock a.m. to nine o'clock a.m. and three o'clock p.m. to six o'clock p.m. Monday through Friday in Davidson, Hamilton, Shelby, Knox, and Rutherford counties. Allows the commissioner of transportation to authorize a single permit for the movement of multiple mobile cranes owned or operated by an applicant. The single permit shall be issued in the same manner, and be subject to the same restrictions, as if the department had issued separate permits for each individual mobile crane.

Senate Status: 03/20/17 - Taken off notice in Senate Transportation & Safety Committee.

House Status: 02/14/17 - Referred to House Transportation Subcommittee.

Position: Realtors: monitor

CRIMINAL LAW

SB18/HB24 CRIMINAL LAW: Citizen's Right to Fight Blight Act of 2017.

Sponsors: Sen. Harris, Lee , Rep. Deberry Jr., John

Summary: Exempts a property owner, lessee, or anyone acting under the direction of an owner or lessee, from criminal trespass for removal of trash or debris or maintenance of blighted property owned by the city or county. Specifies that such property must be situated immediately adjacent to the property owned by the city or county. Voids liability for city or county for any injury or damage to property.

Amendment Summary: House Local Government Committee Amendment 1 (003126) deletes and rewrites the bill to include and define language "unimproved city or county owned property."

Senate Status: 04/19/17 - Senate Judiciary Committee deferred to Summer Study.

House Status: 04/26/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB131/HB493 CRIMINAL LAW: Amends various firearms provisions.

Sponsors: Sen. Roberts, Kerry , Rep. Holt, Andy

Summary: Allows a person who is not otherwise prohibited from possessing a firearm to possess a firearm either openly or concealed. Clarifies that a person commits an offense who possesses a firearm and has been convicted of a dangerous felony unless such individual has had his or her civil rights restored. Specifies that a person possessing a firearm who has been convicted of a dangerous felony commits a Class E felony offense. Removes private educational institutions from the statute prohibiting the possession or carrying of firearms or weapons on school property. Clarifies that the board of directors or other

managing body of a private school may elect to prohibit possession or carrying of weapons on campus by posting signage in conformity with the signage required for public schools. Adds additional language to the statute regarding affirmative defense to carrying weapons on school property to include a person demonstrating that the required signage was not posted in conformity with the requirements of state law. Deletes language prohibiting the carrying of weapons in public parks, playgrounds, civic centers and other public buildings. Amends various other firearms provisions. (16 pp.)

Amendment Summary: House Civil Justice Subcommittee Amendment 1 (006146) deletes the nullification of federal law and reinstates posting notice for prohibition of firearms at certain meetings.

Senate Status: 04/04/17 - Taken off notice in Senate Judiciary Committee.

House Status: 03/29/17 - Failed in House Civil Justice Subcommittee after adopting amendment 1 (006146).

Position: Realtors: oppose

SB258/HB586 CRIMINAL LAW: Possession of property through illegal means to be a Class E felony.

Sponsors: Sen. Tracy, Jim , Rep. Rudd, Tim

Summary: Allows an action against a person claiming adverse possession to extend past the seven-year statute of limitation if there is an allegation of a person moving, removing, or destroying property stakes to alter the lawful property owner's property lines. Punishes any person found guilty of moving, removing, or destroying property stakes for the purpose of adverse possession of the property as a Class E felony.

Amendment Summary: House Criminal Justice Subcommittee Amendment 1 (006290) rewrites the bill to reduce the offense to a class A misdemeanor and to add a statute of limitations of one year for commencing prosecution for such offenses. House Criminal Justice Committee Amendment 1 (006623) deletes and rewrites the proposed legislation to prohibit a person from claiming adverse possession if the land was possessed by illegal means; to reduce the offense to a class A misdemeanor; and to add a statute of limitations of one year for commencing prosecution for such offenses.

Senate Status: 04/12/17 - Taken off notice in Senate Judiciary Committee.

House Status: 04/26/17 - House Finance Subcommittee deferred to 2018.

Position: Realtors: support

SB1178/HB803 CRIMINAL LAW: Making or receiving a phone call while driving a motor vehicle in a school zone.

Sponsors: Sen. Hensley, Joey , Rep. Doss, Barry

Summary: Creates the offense of using a hand-held mobile telephone to make or receive a phone call while driving a motor vehicle in a school zone 90 minutes before or after school hours or while flashers are in operation. Excepts officers of the state, emergency personnel, or the use of a hands-free device.

Senate Status: 02/13/17 - Referred to Senate Transportation.

House Status: 02/14/17 - Referred to House Transportation Subcommittee.

Position: Realtors: monitor

SB1734/HB1771 CRIMINAL LAW: New home contractors and home improvement services providers - criminal conduct.

Sponsors: Sen. Kelsey, Brian , Rep. Dunn, Bill

Summary: Protects home improvement contractors from being charged with deviating from the specified plans if they have received written permission from the homeowner to do so . Adds to definition of conduct by home improvement services provider that constitute offenses. Makes provision that deviations from plans are violations if the home contractor or home improvement services provider did not have written consent from home buyer or owner and such deviations caused damage to the property.

Senate Status: 02/09/18 - Set for Senate Consent 2 02/12/18.

House Status: 02/08/18 - Set for House Criminal Justice Subcommittee 02/13/18.

ECONOMIC DEVELOPMENT

SB1736/HB2064 ECONOMIC DEVELOPMENT: Industrial development corporation - acquiring of hotel, motel, or apartment building for project.

Sponsors: Sen. Kelsey, Brian , Rep. Vaughan, Kevin

Summary: Allows an industrial development corporation to acquire a hotel, motel, or apartment building for their project located in a county having a population greater than 900,000 according to the 2010 federal census.

Senate Status: 02/08/18 - Set for Senate State & Local Government Committee
02/13/18.

House Status: 02/05/18 - Referred to House Local Government Subcommittee.

EDUCATION

SB2386/HB2475 EDUCATION: Need for instruction on dangers of sending or reading messages on hand-held devices while operating while operating a vehicle.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis

Summary: Requires all driver education courses to include instruction on the dangers of using hand-held mobile telephones to send or read a written message. Explains to students that it is a delinquent act with penalty for a person under 18 years of age to knowingly operate a motor vehicle on any road or highway and use a mobile telephone that is equipped with a hands-free device to send or read a written message.

Senate Status: 02/05/18 - Referred to Senate Education Committee.

House Status: 02/07/18 - Referred to House Education Instruction and Programs Subcommittee.

ENVIRONMENT & NATURE

SB663/HB728

ENVIRONMENT & NATURE: Notification of pending soil percolation tests.

Sponsors: Sen. Tracy, Jim , Rep. Marsh, Pat

Summary: Extends to 5 days from 3 the time advance notice shall be given to the department of environment and conservation for pending soil percolation tests.

Senate Status: 02/13/17 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/14/17 - Referred to House Agriculture & Natural Resources Subcommittee.

Position: Realtors: monitor

SB1143/HB1249 ENVIRONMENT & NATURE: Extension of minimum period of time allotted for public comment on proposed landfill.

Sponsors: Sen. Hensley, Joey , Rep. Byrd, David

Summary: Extends the minimum period of time that must be allotted for public comment on a proposed new solid waste landfill between the time of public notice and a public hearing under the Jackson Law.

Senate Status: 02/13/17 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/15/17 - Referred to House Agriculture & Natural Resources Subcommittee.

Position: Realtors: support

ESTATES & TRUSTS

SB44/HB37 ESTATES & TRUSTS: Estates - creditor's claim against estate adjustment.

Sponsors: Sen. Massey, Becky , Rep. Staples, Rick

Summary: Changes the statute of limitations from within 12 months of the decedent's death to within four months of publication of notice or 60 days within receipt of a copy of the notice for a creditor filing claim against an estate.

Senate Status: 02/01/17 - Referred to Senate Judiciary Committee.

House Status: 02/22/17 - Taken off notice in House Civil Justice Subcommittee.

Position: Realtors: monitor

SB1826/HB1896 ESTATES & TRUSTS: Uniform Partition of Heirs Property Act.

Sponsors: Sen. Stevens, John , Rep. Matlock, Jimmy

Summary: STATE SUMMARY: As introduced, enacts the "Uniform Partition of Heirs Property Act." - Amends TCA Title 29, Chapter 27 and Title 66.

Senate Status: 01/29/18 - Referred to Senate Judiciary Committee.

House Status: 01/31/18 - Referred to House Civil Justice Subcommittee.

SB2581/HB1596 ESTATES & TRUSTS: Uniform Real Property Transfer on Death Act.

Sponsors: Sen. Hensley, Joey , Rep. Butt, Sheila

Summary: Enacts the "Uniform Real Property Transfer on Death Act." Defines "transfer on death deed." Specifies that an individual may transfer property to one or more beneficiaries effective at the transferor's death by a transfer on death deed. Also specifies that a transfer on death deed is revocable even if the deed or another instrument contains a contrary provision. Clarifies that a transfer on death deed is nontestamentary. Specifies that the capacity required to make or revoke a transfer on death deed is the same as the capacity required to make a will. Establishes other provisions regarding transfer on death deeds.

Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.

House Status: 01/22/18 - Referred to House Civil Justice Subcommittee.

GOVERNMENT CONTRACTS

SB40/HB340 **GOVERNMENT CONTRACTS: Compensation for additional services by a construction design professional.**

Sponsors: Sen. Southerland, Steve , Rep. Hulse, Bud

Summary: Entitles a construction design professional to compensation for additional services provided to state agencies that are not included in a basic services agreement. Refers to the University of Tennessee, the board of regents, the state of Tennessee real estate and asset management division of the department of general services as state agencies. If a state agency and designer have entered into a basic services agreement, and the state agency requires additional services of the designer that are not included in, or reasonably inferred from, the terms of the basic services agreement, the state agency may provide for the additional services at its own cost. If a contractual dispute arises between a designer and a state agency, either party may petition the secretary of state for a hearing before an administrative law judge.

Senate Status: 02/01/17 - Referred to Senate State & Local Government Committee.

House Status: 03/01/17 - Taken off notice in House State Government Subcommittee.

Position: Realtors: monitor

GOVERNMENT ORGANIZATION

SB1539/HB1647 **GOVERNMENT ORGANIZATION: Sunset - housing development agency board of directors.**

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

Summary: Extends the housing development agency board of directors for four years to June 30, 2022.

Senate Status: 02/05/18 - Senate passed.

House Status: 02/09/18 - Set for House Consent 02/12/18.

SB1548/HB1656 GOVERNMENT ORGANIZATION: Sunset - real estate appraiser commission.

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

Summary: Extends the real estate appraiser commission for six years to June 30, 2024.

Senate Status: 02/09/18 - Set for Senate Consent 2 02/12/18.

House Status: 02/08/18 - Set for House Government Operations Committee Consent Calendar 02/14/18.

SB1549/HB1657 GOVERNMENT ORGANIZATION: Sunset - real estate commission.

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

Summary: Extends the real estate commission for one year to June 30, 2019.

Amendment Summary: Senate Government Operations Committee amendment 1 (verbal) extends the real estate commission for four years to June 30, 2022.

Senate Status: 02/09/18 - Set for Senate Floor 02/12/18.

House Status: 01/24/18 - Referred to House Government Operations Committee.

SB1598/HB2543 GOVERNMENT ORGANIZATION: Records retained by state agencies - license holders who receive electronic notification of their license renewals.

Sponsors: Sen. Yager, Ken , Rep. Keisling, Kelly

Summary: Requires each state agency to retain a record of the number of holders of a professional or occupational license, certification, or

registration from the agency that receives notification of renewals of the holder's license, certification, or registration by email.

Senate Status: 01/18/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House State Government Subcommittee.

SB1760/HB1775 GOVERNMENT ORGANIZATION: GO Build Tennessee Program - annual report submission.

Sponsors: Sen. Dickerson, Steven , Rep. McDaniel, Steve

Summary: Increases the time period within which the corporation administering the GO Build Tennessee Program must submit its annual report to the governor and the speakers of the house and senate. Changes the time period from 90 to 120 days following the end of the corporation's fiscal year. Broadly captioned.

Senate Status: 01/25/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/30/18 - Referred to House Business & Utilities Subcommittee.

SB2109/HB2146 GOVERNMENT ORGANIZATION: Tennessee Historic Properties Act.

Sponsors: Sen. Niceley, Frank , Rep. Hill, Matthew

Summary: Gives the Tennessee historical commission the power of eminent domain for purposes of bringing an action or other appropriate legal proceedings to recover for the state any and all historic properties. Upon acquisition of such historic properties, requires the title to designate the state and the political subdivision that had been the prior owner as joint owners. Requires all costs of such proceeding incurred by the state to be charged to the political subdivision that conveyed its interests in the historic property.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/05/18 - Referred to House State Government Subcommittee.

SB2520/HB1574 GOVERNMENT ORGANIZATION: Tennessee Heritage Protection Act of 2016 - exclusions.

Sponsors: Sen. Ketron, Bill , Rep. McDaniel, Steve

Summary: Excludes from coverage under the Tennessee Heritage Protection Act of 2016 memorials under the control of an accredited museum, public library, or public archive in certain circumstances.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 01/19/18 - Referred to House State Government Subcommittee.

GOVERNMENT REGULATION

SB127/HB54 GOVERNMENT REGULATION: Discriminatory actions by government against business.

Sponsors: Sen. Green, Mark , Rep. Zachary, Jason

Summary: Prohibits state and local governments from taking discriminatory action against a business based on the business's internal policies.

Amendment Summary: Senate Amendment 1 (003286) makes a technical correction and specifies that this bill prohibits state and local governments from taking discriminatory action against a business on the basis of the business's internal policies that are in compliance with state and federal law. Senate Amendment 2 (003814) adds language to the original bill to expand the prohibition of state and local governments from taking discriminatory action against a business on the basis of personnel and employee benefit policies of the business entity that are in compliance with federal law. Senate Amendment 3 (004225) deletes and rewrites language in the bill such that the proposed prohibition for state and local governments from taking discriminatory action against a business entity is based specifically on that business's healthcare insurance policies and the coverage provided thereunder; family leave policies; minimum wage policies; or anti-discrimination policies; provided that such policies are in compliance with state and federal statues, rules, and regulations.

Senate Status: 03/09/17 - Senate passed with amendment 3 and previously adopted amendments 1 and 2.

House Status: 02/08/18 - Set for House State Government Subcommittee 02/14/18.

Position: Realtors: monitor

SB183 **GOVERNMENT REGULATION: Copy of emergency rules prior to effective date.**

Sponsors: Sen. Overbey, Doug ,

Summary: Requires an agency to provide a copy of an emergency rule to any person person upon request prior to the rule's effective date.

Senate Status: 02/02/17 - Referred to Senate Government Operations Committee.

Position: Realtors: monitor

SB189 **GOVERNMENT REGULATION: Providing copies of emergency rules filed.**

Sponsors: Sen. Overbey, Doug ,

Summary: Requires an agency to provide a copy of emergency rules filed with the secretary of state to any person upon request. Requires an agency to take steps to make emergency rules known to persons affected by the rules.

Senate Status: 02/02/17 - Referred to Senate Government Operations Committee.

Position: Realtors: monitor

SB295/HB362 **GOVERNMENT REGULATION: Permits issued by the department of environment and conservation.**

Sponsors: Sen. Briggs, Richard , Rep. Zachary, Jason

Summary: Prohibits the department of environment and conservation from issuing any permit that has not first been reviewed by the general

assembly in the same manner as a rule under the Uniform Administrative Procedures Act.

Amendment Summary: House Amendment 4 (008769) deletes all language after the enacting clause. Requires numeric or narrative effluent limitations to manage post-construction storm water to be adopted by the Board of Water Quality, Oil and Gas under the Uniform Administrative Procedures Act. Prohibits the issuance of a NPDES permit regulating a local government entity's municipal separate storm sewer system until the promulgated rules have been adopted under the Uniform Administrative Procedures Act.

Senate Status: 02/05/18 - Senate passed.

House Status: 05/09/17 - House passed with amendment 4 (008769).

Executive Status: 02/05/18 - Sent to the speakers for signatures.

SB456/HB806 GOVERNMENT REGULATION: Construction inspection services.

Sponsors: Sen. Bell, Mike , Rep. Keisling, Kelly

Summary: Increases the number of days for a building inspector to inspect a building for compliance with safety standards and to still be considered a timely inspection from three days to four days.

Senate Status: 05/03/17 - Set for Senate Finance, Ways & Means Committee
05/03/17.

House Status: 03/28/17 - Taken off notice in House Business & Utilities Subcommittee.

Position: Realtors: support

SB910/HB852 GOVERNMENT REGULATION: Burden of proof in contested case hearings on state agencies.

Sponsors: Sen. Bell, Mike , Rep. Daniel, Martin

Summary: Places the burden of proof in contested case hearings on state agencies to prove, by clear and convincing evidence, that the action taken by the agencies was proper.

Amendment Summary: Senate Government Operations Committee Amendment 1 (007184) rewrites the bill to specify that after a party has brought forward sufficient evidence to establish a prima facie case to contest the denial, suspension, or revocation of any permit, certificate, registration, or license, then pursuant to the contested case provisions of this part, the agency shall bear the burden of proving, by a preponderance of the evidence, that the agency's action was proper.

Senate Status: 04/12/17 - Senate Government Operations Committee recommended with amendment 1 (007184). Sent to Senate Calendar Committee.

House Status: 02/07/18 - Taken off notice in House State Government Subcommittee.

SB911/HB769 GOVERNMENT REGULATION: Requirements for revocation of a license by an agency.

Sponsors: Sen. Bell, Mike , Rep. Daniel, Martin

Summary: prohibits the revocation of a license by an agency unless the agency provides notice of facts or conduct that warrant such action and the licensee was permitted to show compliance; requires testimony in an agency proceeding to be given under oath and for persons who allege misconduct by a licensee to be present and available to testify at the proceeding. Requires a person who is denied an occupational license or certification by the final decision of an agency and that decision is subsequently reversed on appeal, to be awarded attorney fees, court costs, pre-judgment interest, post-judgment interest, and lost wages from the agency. Specifies that any lost wages awarded shall only include income lost for the period in which the person was aggrieved by the final decision in the contested case hearing.

Senate Status: 03/29/17 - Taken off notice in Senate Government Operations Committee.

House Status: 03/28/17 - Taken off notice in House Business & Utilities Subcommittee.

Position: Realtors: support

SB1414/HB1295 GOVERNMENT REGULATION: UAPA - admission of evidence by agencies in contested case hearings.

Sponsors: Sen. Briggs, Richard , Rep. Daniel, Martin

Summary: Allows in contested cases, for an agency to admit and give probative effect to evidence admissible in a court. When necessary to ascertain facts the agency must admit evidence if it is provided in person under oath or by sworn affidavit, or commonly relied upon by a reasonably person licensed in the profession or occupation in which the aggrieved person is applying for initial licensure, or renewal or reinstatement of a license.

Senate Status: 02/13/17 - Referred to Senate Government Operations Committee.

House Status: 04/12/17 - House State Government Subcommittee deferred to the first calendar of 2018.

Position: Realtors: support

SB1572/HB1895 GOVERNMENT REGULATION: Revisions to UAPA.

Sponsors: Sen. Bell, Mike , Rep. Matlock, Jimmy

Summary: Revises definitions of "policy" and "rule" for rulemaking purposes. Prohibits a policy from being enacted, adopted, or enforced by an agency until the policy has been filed with the office of the attorney general. Requires the attorney general to review the proposed policy with 15 days of receipt of such policy. Prohibits an agency from promulgating rules or implementing policies that infringe on an agency member's freedom of speech. Specifies that an agency's appointing authority has the sole power to remove a member from a board, commission, council, committee, authority, task force, or other similar multi-member agency.

Senate Status: 01/17/18 - Referred to Senate Government Operations Committee.

House Status: 01/31/18 - Referred to House Government Operations Committee.

SB1573/HB2437

GOVERNMENT REGULATION: UAPA - requirements for agencies holding public hearings regarding rulemaking process.

Sponsors: Sen. Bell, Mike , Rep. Gant, Ron

Summary: Requires agencies, when statutorily required to hold a public hearing as part of its rulemaking process, to make copies of the rule available in redline form to persons in attendance at the hearing.

Senate Status: 02/05/18 - Senate passed.

House Status: 02/07/18 - Referred to House Government Operations Committee.

SB1753/HB1737 GOVERNMENT REGULATION: UAPA - promulgation of new permanent rules by an agency.

Sponsors: Sen. Gardenhire, Todd , Rep. Daniel, Martin

Summary: Requires agencies to repeal two existing permanent rules when they create a new permanent rule.

Senate Status: 01/25/18 - Referred to Senate Government Operations Committee.

House Status: 02/07/18 - Taken off notice in House Government Operations Committee.

SB1764/HB1787 GOVERNMENT REGULATION: Payment of costs in a contested case hearing.

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

Summary: Authorizes a hearing officer or judge to order a state agency to pay the party issued a citation by the agency reasonable fees and expenses if ruled that the citation issued was not grounded.

Senate Status: 01/25/18 - Referred to Senate Government Operations Committee.

House Status: 01/25/18 - Referred to House Government Operations Committee.

SB1929/HB1966 GOVERNMENT REGULATION: UAPA - rules that infringe upon free speech.

Sponsors: Sen. Jackson, Ed , Rep. Daniel, Martin

Summary: STATE SUMMARY - As introduced, prohibits boards, commissions, and other multi-member governmental entities from promulgating rules or issuing other internal restrictions that infringe on an entity member's freedom of speech.

Senate Status: 02/01/18 - Referred to Senate Government Operations Committee.

House Status: 02/01/18 - Referred to House Government Operations Committee.

SB2160/HB1800 GOVERNMENT REGULATION: UAPA - review of administrative actions by the general assembly.

Sponsors: Sen. Bell, Mike , Rep. Daniel, Martin

Summary: Authorizes members of the general assembly the power to petition for a review by the government operations committee whether inter-agency memoranda should be promulgated as administrative rules. Requires either the committee chairs to direct the committees to meet with the purpose of reviewing any statement or intra-agency memoranda or for committees to vote to request the agency to promulgate the statement or intra-agency memoranda.

Senate Status: 02/05/18 - Referred to Senate Government Operations Committee.

House Status: 02/07/18 - House Government Operations Committee deferred to 02/21/2018.

SB2295/HB2328 GOVERNMENT REGULATION: UAPA - continues permanent rules filed with secretary of state.

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

Summary: Continues permanent rules filed with the secretary of state on or after January 1, 2017 with certain exceptions. Prohibits the department of

children's services from creating a process whereby a person determined to be a perpetrator of child abuse or neglect may have their substantiations reviewed as authorized under Rule 0250-07-09-.12.

Senate Status: 02/05/18 - Referred to Senate Government Operations Committee.

House Status: 02/07/18 - Referred to House Government Operations Committee.

SB2499/HB2364 GOVERNMENT REGULATION: UAPA - changes the venue for judicial review of administrative orders.

Sponsors: Sen. Johnson, Jack , Rep. Lynn, Susan

Summary: Changes the venue for judicial review of administrative orders under the Uniform Administrative Procedures Act from Davidson County to Williamson County.

Senate Status: 02/05/18 - Referred to Senate Government Operations Committee.

House Status: 02/07/18 - Referred to House Civil Justice Subcommittee.

SB2603/HB2386 GOVERNMENT REGULATION: UAPA - venue for appeals of contested case hearings.

Sponsors: Sen. Bell, Mike , Rep. Daniel, Martin

Summary: Requires the appeals of contested case hearings to be heard in the chancery court closest to the residence of the person contesting the agency action.

Senate Status: 02/05/18 - Referred to Senate Government Operations Committee.

House Status: 02/07/18 - Referred to House Civil Justice Subcommittee.

SB2652/HB1739 GOVERNMENT REGULATION: UAPA - economic impact analyses of administrative rules.

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

Summary: HB1739 Title: UAPA - economic impact analyses of administrative rules. Category: Government Regulation Summary: Requires agencies filing new rules with the secretary of state to provide an analysis of the rule's economic impact on the state. If a congressional government operations committee finds the cost of the rule's implementation to exceed \$1,000,000 over a three-year period, the agency will be forced to find ways to reduce the cost of the rule.

Senate Status: 02/05/18 - Referred to Senate Government Operations Committee.

House Status: 01/25/18 - Referred to House Government Operations Committee.

SB2715/HB2555 GOVERNMENT REGULATION: Fees promulgated by administrative rule.

Sponsors: Sen. Bowling, Janice , Rep. White, Dawn

Summary: Prohibits the increase of existing administrative fee that exceeds the lesser five percent or the average annual rate of inflation for the immediately preceding calendar year. Requires that state government agencies must submit a proposal for such increases as a legislative bill or amendment for consideration by the general assembly.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House State Government Subcommittee.

HB748 GOVERNMENT REGULATION: UAPA - filing of an emergency rule by an agency.

Sponsors: Rep. Alexander, David

Summary: Adds new language allowing an agency to precede all its rulemaking with notice and a public hearing unless an agency has filed an emergency rule, and cannot file a proposed rule on the same subject without first holding a public hearing.

House Status: 02/21/17 - Referred to House State Government Subcommittee.

Position: Realtors: monitor

HEALTH CARE

SB2474/HB1805 HEALTH CARE: Waiver of initial licensure fees imposed by health related boards.

Sponsors: Sen. Roberts, Kerry , Rep. Howell, Dan

Summary: Relieves certain persons of the initial licensure fee imposed by health-related boards and professional regulatory boards.

Senate Status: 02/05/18 - Referred to Senate Health & Welfare Committee.

House Status: 02/07/18 - Referred to House Health Subcommittee.

INSURANCE GENERAL

SB373/HB467 INSURANCE GENERAL: Full replacement contents coverage for losses from catastrophic wildfires.

Sponsors: Sen. Overbey, Doug , Rep. Williams, Ryan

Summary: Requires an insured that has paid premiums for full replacement contents coverage for losses from catastrophic wildfires to be paid the full amount of the coverage purchased without the necessity of purchasing replacement items prior to being compensated.

Senate Status: 03/28/17 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/15/17 - Taken off notice in House Insurance & Banking Subcommittee

Position: Realtors: support

SB1040/HB1061 INSURANCE GENERAL: Historic Rehabilitation Investment Incentive Act.

Sponsors: Sen. Watson, Bo , Rep. McCormick, Gerald

Summary: Enacts the Historic Rehabilitation Investment Incentive Act to facilitate the restoration and preservation of the state's historic buildings and structures and redevelop the state's main street communities.

Amendment Summary: House Insurance and Banking Committee Amendment 1 (004236) makes minute changes by deleting the language "Sections 2 through 8" in Section 1 and substituting the language "Sections 2 through 7." Also deletes the word "chapter" in the first sentence of subdivision (b)(2) in Section 5 and substituting the word "part." Further deletes the language "headings to sections, chapters, and parts" in Section 8 and substituting the language "headings to sections."

Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

JUDICIARY

SB28/HB1297 JUDICIARY: Remedies for creditors in cases of fraudulent transfer by debtors.

Sponsors: Sen. Stevens, John , Rep. Halford, Curtis

Summary: Authorizes a court to award punitive damages, attorney's fees, court costs, and incurred legal expenses to a creditor who prevails in fraudulent action by a debtor, such as the transfer of assets or property to avoid an obligation.

Senate Status: 01/30/17 - Referred to Senate Judiciary Committee.

House Status: 03/22/17 - Taken off notice in House Civil Justice Subcommittee.

Position: Realtors: support

SB1918 JUDICIARY: Judicial review of an administrative hearing under UAPA - trial by jury.

Sponsors: Sen. Niceley, Frank ,

Summary: STATE SUMMARY: - As introduced, authorizes aggrieved parties to demand a jury in judicial review of an administrative hearing under the Uniform Administrative Procedures Act and in cases for a permanent injunction or forfeiture under the Tennessee Food, Drug and Cosmetic Act. - Amends TCA Section 3-6-204; Title 4; Section 8-3-102; Title 27; Title 29; Section 36-5-1003; Section 36-5-1107; Section 37-5-514; Section 39-17-1509; Section 40-33-213; Section 42-2-224; Section 47-9-513; Section 49-1-1107; Title 53; Section 55-12-103; Section 55-17-116; Section 55-10-425; Section 60-1-401; Title 65; Title 67, Chapter 5, Part 13; Section 68-120-110; Section 68-201-116; Section 68-212-113; Section 68-212-114; Section 68-212-215; Section 68-221-714; Section 68-1-104; Section 69-3-115; Section 69-11-118; Section 71-3-510; Section 71-4-507 and Section 71-3

Senate Status: 01/31/18 - Referred to Senate Judiciary Committee.

SB1921/HB1792 JUDICIARY: Uniform Commercial Real Estate Receivership Act.

Sponsors: Sen. Johnson, Jack , Rep. Farmer, Andrew

Summary: Enacts the Uniform Commercial Real Estate Receivership Act. Authorizes the court that appoints a receiver exclusive jurisdiction to direct the receiver and determine any controversy related to the receivership or receivership property. Grants a receiver certain rights regarding receivership property. Requires an owner to assist and cooperate with the receiver in the administration of the receivership and the discharge of the receiver's duties, preserve and turn over to the receiver all receivership property under the owner, and identify all records and other information relating to the receivership property. Allows the court that appointed the receiver to sue the receiver for an act or omission in administering receivership property. Requires the receiver to file a final report on completion of a receiver's duties and upon approval from the court, the receiver is discharged.

Senate Status: 02/01/18 - Referred to Senate Judiciary Committee.

House Status: 01/30/18 - Referred to House Civil Justice Subcommittee.

LABOR LAW

SB1366/HB1151 LABOR LAW: Homestead exemption from garnishment.

Sponsors: Sen. Bailey, Paul , Rep. Wirgau, Tim

Summary: Increases the homestead exemption from garnishment where the debtor has one or more minor children in the debtor's custody and the property is used by the debtor as the principal place of residence from \$25,000 to \$32,500 .

Senate Status: 02/13/17 - Referred to Senate Judiciary Committee.

House Status: 02/15/17 - Referred to House Civil Justice Subcommittee.

Position: Realtors: monitor

SB2088/HB2392 LABOR LAW: Certain acts of harassment, intimidation, or bullying as unlawful employment practices.

Sponsors: Sen. Kyle, Sara , Rep. Miller, Larry

Summary: Establishes the Healthy Workplace Act to ensure legal protection from harassment, intimidation, or bullying for any constitutionally protected class. Recognizes certain actions as unlawful employment practice. Requires that any person injured as a result of violation of this action have a civil cause of action no later than one year from the last act that constitutes a violation. Requires employers to adopt a policy prohibiting harassment, intimidation, and bullying by December 31, 2019.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/18 - Referred to House Consumer & Human Resources Subcommittee.

SB2458/HB2537 LABOR LAW: Requirements for apprenticeship program.

Sponsors: Sen. Roberts, Kerry , Rep. Howell, Dan

Summary: Establishes an apprenticeship program professions regulated by the regulatory boards. Requires an apprenticeship program to last no more than six months starting January 1, 2019.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/18 - Referred to House Business & Utilities Subcommittee.

LOCAL GOVERNMENT

SB363/HB1143 LOCAL GOVERNMENT: Inclusionary housing requirements clarified.

Sponsors: Sen. Haile, Ferrell , Rep. Casada, Glen

Summary: States no local government has the authority to enact a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local

Senate Status: 04/04/17 - Senate State & Local Government Committee deferred to 2018.

House Status: 03/30/17 - House passed.

Position: Realtors: monitor

SB453/HB557 LOCAL GOVERNMENT: Posting notice for public zoning ordinances.

Sponsors: Sen. Bell, Mike , Rep. Carter, Mike

Summary: Increases the amount of time that a notice must be posted prior to a public hearing on a zoning ordinance from 15 days to 60 days.

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

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

Position: Realtors: monitor

SB520/HB476 LOCAL GOVERNMENT: Zoning to include building design elements.

Sponsors: Sen. Massey, Becky , Rep. Gravitt, Marc

Summary: Defines "building design elements" for purposes of local governmental zoning. Prohibits application of zoning regulations relating to building design elements for certain dwellings.

Senate Status: 01/09/18 - Re-referred to Senate Calendar Committee.

House Status: 04/20/17 - House Calendar & Rules Committee deferred to 01/01/18.

Position: Realtors: monitor

SB641/HB943 LOCAL GOVERNMENT: Petition to deannex an area.

Sponsors: Sen. Watson, Bo , Rep. Carter, Mike

Summary: Permits voters residing within an area annexed by a municipality to petition the county election commission to hold an election to de-annex such territory. Specifies that taxes that may continue to be levied on a de-annexed area. Prohibits the discontinuation of utility services outside municipal boundaries for reasons related to de-annexation.

Amendment Summary: Senate Amendment 1 (006271) adds language to the original bill prohibiting territory from being eligible for deannexation if such action will result in the creation of unincorporated territory area that is completely surrounded by municipal boundaries. Senate Amendment 3 (007115) deletes and replaces language in the original bill such that the substantive changes are as follows: deannexation elections are held for all qualified voters residing in the municipality rather than only for qualified voters residing within the deannexed territory and requires a municipality that has annexed territory, a court has found that the municipality has materially and substantially failed to comply with its plan of services, and the majority of voters fail to approve the deannexation in such an election, to comply with the adopted plan of services within five years of such election returns. Requires the annexed territory to be automatically deannexed from

the corporate boundaries of the municipality if the municipality does not comply with the plan of services within the five-year period. Senate Amendment 4 (007171) adds language to state that the nothing shall apply to any municipality that adopts a comprehensive deannexation plan by ordinance of the municipality to be completed by a date specified in the ordinance. If a municipality adopts a comprehensive deannexation plan before January 1, 2018, that plan shall control. The comprehensive deannexation plan ordinance may call for referenda to approve or disapprove the deannexation of particular territories identified in the comprehensive deannexation plan. If a referendum is called in accordance with the comprehensive deannexation plan, the question of approval or disapproval of the deannexation shall be submitted only to the qualified voters residing within the territory to be deannexed and shall be approved by a majority of voters. Senate Amendment 5 (008807) provides that any referendum in the ordinance must be held before January 1, 2019.

Senate Status: 05/10/17 - Senate passed with amendment 5 (008807), as well as previously adopted amendments 1 (006271), 3 (007115), and 4 (007171).

House Status: 02/14/17 - Referred to House Local Government Subcommittee.

Position: Realtors: monitor

SB895/HB945 LOCAL GOVERNMENT: TACIR report on comprehensive growth plans.

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam

Summary: Requires TACIR to report its findings on the implementation of comprehensive growth plans to the general assembly by July 1, 2018, and by July 1 every five years thereafter.

Senate Status: 02/13/17 - Referred to Senate State & Local Government Committee.

House Status: 02/17/17 - Referred to House Local Government Subcommittee.

Position: Realtors: monitor

SB1496/HB1727 LOCAL GOVERNMENT: Condemned property being offered for sale to the former owner.

Sponsors: Sen. Haile, Ferrell , Rep. Rogers, Courtney

Summary: Changes requirements for the local government notifying and offering the sale of a condemned property to the former property owner.

Senate Status: 01/17/18 - Referred to Senate Judiciary Committee.

House Status: 02/08/18 - Set for House Civil Justice Subcommittee 02/14/18.

SB1911 LOCAL GOVERNMENT: Display of US flag by property owner.

Sponsors: Sen. Niceley, Frank ,

Summary: Prohibits the governing body of a municipality or county legislative body from adopting or enforcing an ordinance that prohibits a property owner from displaying the flag of the United States or an official or replica flag of any branch of the United States armed forces on the property owner's property. Allows the governing body of a municipality or county legislative body to adopt and enforce an ordinance that reasonably regulates the placement for the display of the United States flag.

Senate Status: 01/31/18 - Referred to Senate State & Local Government Committee.

SB2117/HB2195 LOCAL GOVERNMENT: Local government restrictions on flag displays.

Sponsors: Sen. Niceley, Frank , Rep. Littleton, Mary

Summary: Prohibits a county legislative body or a municipal legislative body from adopting or enforcing a resolution or ordinance that prohibit or restrict the display of a flag on a property owner's property except when necessary to promote public health and safety.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/05/18 - Referred to House Local Government Subcommittee.

SB2343/HB2561 LOCAL GOVERNMENT: Redefining housing for local authorities to appropriate funds.

Sponsors: Sen. Dickerson, Steven , Rep. Jernigan, Darren

Summary: Redefines affordable housing and workforce housing for the purpose of appropriating funds.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2483/HB2607 LOCAL GOVERNMENT: Notice regarding eminent domain.

Sponsors: Sen. Kyle, Sara , Rep. Mitchell, Bo

Summary: Extends the time frame where a notice must be published in cases of annexation from seven days prior to a public hearing to 10 days prior to a public hearing.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2500 LOCAL GOVERNMENT: Notice from the city of excessive vegetation or debris on the owner's property.

Sponsors: Sen. Johnson, Jack ,

Summary: Extends the time allowed for property owners to take proper in action in clearing the property of excessive debris or vegetation after receiving notice from the city from 10 days to 15 days before the city takes action and the property owner becomes liable for the charges.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

PROFESSIONS & LICENSURE

SB260/HB371 PROFESSIONS & LICENSURE: Defines short term rentals.

Sponsors: Sen. Johnson, Jack , Rep. Marsh, Pat

Summary: Removes short term rental units from law relative to hotels and places of public accommodation. Defines a short term rental unit as a residence in which a person can stay for less than 30 consecutive days. Includes in the definition certain vacation lodging and property that provides hospitality services but excludes bed and breakfast establishments.

Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.

House Status: 03/07/17 - Taken off notice in House Business & Utilities Subcommittee.

Position: Realtors: monitor

SB370/HB1045 PROFESSIONS & LICENSURE: Changes requirement for real estate brokers.

Sponsors: Sen. Overbey, Doug , Rep. Matlock, Jimmy

Summary: Deletes the requirement that the executive director of the real estate commission pass the broker's examination.

Senate Status: 02/08/17 - Referred to Senate Commerce & Labor Committee.

House Status: 03/21/17 - Taken off notice in House Business & Utilities Subcommittee

Position: Realtors: support

SB814/HB747 PROFESSIONS & LICENSURE: Requirements for sponsoring apprentice auctioneers.

Sponsors: Sen. Briggs, Richard , Rep. Gravitt, Marc

Summary: Clarifies that extended listings or listings that allow a bidder to increase a bid beyond the original deadline are not timed listings. Requires an auctioneer to be licensed by the auctioneer commission for at least two years and in good standing with the commission to sponsor an apprentice auctioneer. Prohibits an auctioneer from sponsoring more than ten apprentice auctioneers at any one time. Prohibits an auctioneer from sponsoring an apprentice who lives more than 50 miles from the auctioneer's place of business. Allows the auctioneer commission to waive the requirement.

Senate Status: 04/03/17 - Senate Commerce & Labor Committee taken off notice.

House Status: 04/05/17 - House Business & Utilities Committee deferred to 2018.

Position: Realtors: support

SB1156/HB361 PROFESSIONS & LICENSURE: Limitation of actions brought against home inspectors.

Sponsors: Sen. Hensley, Joey , Rep. Zachary, Jason

Summary: Requires cause of actions resulting from a home inspection or home inspection report to be filed within 1 year from the its completion and prohibits contractual waiver of the limitation, limits home inspector's liability for certain defects, prohibits disciplinary action taken against home inspector by commissioner as the basis for civil or criminal cause of actions.

Senate Status: 04/11/17 - Taken off notice in Senate Judiciary Committee.

House Status: 01/17/18 - Taken off notice in House Civil Justice Subcommittee.

Position: Realtors: monitor

SB1634/HB1555 PROFESSIONS & LICENSURE: Suspension or revocation of professional licensure for defaulting on a student loan.

Sponsors: Sen. Yarbro, Jeff , Rep. Gilmore, Brenda

Summary: Repeals requirements that authorization to engage in regulated professions and occupations be revoked for persons who default on

student loans. Requires reinstatement of licenses for otherwise qualified applicants whose licenses were suspended, denied, or revoked based solely on defaulting on student loan repayment.

Senate Status: 02/08/18 - Set for Senate Commerce & Labor Committee 02/13/18.

House Status: 02/08/18 - Set for House Business & Utilities Subcommittee 02/13/18.

SB1657/HB1680 PROFESSIONS & LICENSURE: Opportunity to Earn Act.

Sponsors: Sen. Dickerson, Steven , Rep. Clemmons, John

Summary: Enacts the "Opportunity to Earn Act" to repeal requirements that authorization to engage in regulated professions and occupations be revoked for persons who default on student loans.

Senate Status: 02/08/18 - Set for Senate Commerce & Labor Committee 02/13/18.

House Status: 01/24/18 - Referred to House Business & Utilities Subcommittee.

SB1946/HB1789 PROFESSIONS & LICENSURE: Report on the status of statutorily created apprenticeship programs.

Sponsors: Sen. Crowe, Rusty , Rep. Daniel, Martin

Summary: Repeals the requirement that boards and commissions that have created apprenticeship programs to submit reports.

Senate Status: 02/01/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/30/18 - Referred to House State Government Subcommittee.

SB2055/HB2515 PROFESSIONS & LICENSURE: Remediation of licensure violation.

Sponsors: Sen. Tate, Reginald , Rep. Akbari, Raumesh

Summary: Requires all professional boards to create a remediation subcommittee for offering a licensee the option to have the licensure violation remediated prior to the board applying penalties to, or suspending or revoking the license of, the cited licensee. Allows the subcommittee to report to the board prior to the expiration of a thirty-day period if the subcommittee finds that the cited licensee is not cooperating with the remediation process.

Senate Status: 02/01/18 - Referred to Senate Government Operations Committee.

House Status: 02/07/18 - Referred to House Business & Utilities Subcommittee.

SB2216/HB1509 PROFESSIONS & LICENSURE: Revoking of professional license for defaulting on student loan.

Sponsors: Sen. Swann, Art , Rep. Powell, Jason

Summary: Repeals requirements that authorization to engage in regulated professions and occupations be revoked for persons who default on student loans.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/08/18 - Set for House Business & Utilities Subcommittee 02/13/18.

SB2461/HB1799 PROFESSIONS & LICENSURE: Roster of all licensed geologists in state.

Sponsors: Sen. Roberts, Kerry , Rep. Howell, Dan

Summary: Requires the department of commerce and insurance to publish a roster semiannually showing the names and places of businesses of all geologists licensed in this state on the department's website.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 01/30/18 - Referred to House Business & Utilities Subcommittee.

PROPERTY & HOUSING

SB218/HB1081

PROPERTY & HOUSING: Manufactured homes - monitoring inspection fee.

Sponsors: Sen. Massey, Becky , Rep. Sexton, Jerry

Summary: Deletes authorization for a monitoring inspection fee paid by manufactured home manufacturers under the Uniform Standards Code for Manufactured Homes Act.

Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/15/17 - Referred to House Business & Utilities Subcommittee.

SB372/HB497 PROPERTY & HOUSING: Taxation of short-term rentals.

Sponsors: Sen. Overbey, Doug , Rep. McCormick, Gerald

Summary: Permits a local government to regulate and tax a short-term rental unit that is located within the local government's jurisdiction. Disallows a local government from prohibiting the operation of an owner-occupied unit. Requires a short-term rental provider to comply with all applicable federal and state laws if renting a unit to the general public. Also requires a short-term rental provider to acquire all applicable permits and business licenses. Allows a condominium, co-op, HOA, or similar entity to prohibit or restrict an owner of a property within their jurisdiction from using the owner's property as a short-term rental unit. Requires a short-term rental provider to have at least five hundred thousand dollars in property and causality insurance and at least one million dollars in liability insurance. Specifies any violation of this part is a Class C misdemeanor punishable by a fine only. Requires a short-term rental listing service to remove a short-term rental unit from its listings if the short-term rental service discovers any violation of this part that is not cured within thirty days from the discovery of the violation. Changes the number of days transients or travelers need to stay at a residential unit owned by others for a person to be considered engaging in a vacation rental service from 14 to 30 days.

Senate Status: 04/03/17 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 04/24/17 - Withdrawn in House.

Position: Realtors: monitor

SB469/HB456 **PROPERTY & HOUSING: Flying of US flag and military flags by veterans - HOA restrictions.**

Sponsors: Sen. Niceley, Frank , Rep. Littleton, Mary

Summary: Prohibits a homeowners' association from adopting or enforcing a dedicatory instrument provision that prohibits, restricts, or has the effect of prohibiting or restricting a property owner who is a veteran from displaying the US flag or an official or replica flag of any branch of the US armed forces, including the POW-MIA flag, on the property owner's property.

Amendment Summary: Senate Amendment 1 (006470) rewrites the bill to state that no homeowners' association shall adopt or enforce a dedicatory instrument provision that prohibits a property owner from displaying the flag of the United States of America or an official or replica flag of any branch of the U.S. armed forces on the property owner's property. A homeowners' association may enforce reasonable regulations regarding the placement and manner for the display of the U.S. flag. The property owner must display the flag in accordance with U.S. Code.

Senate Status: 04/03/17 - Senate passed with amendment 1 (006470).

House Status: 05/01/17 - House passed.

Executive Status: 05/18/17 - Enacted as Public Chapter 0331 effective July 1, 2017.

Position: Realtors: monitor

SB794/HB464 **PROPERTY & HOUSING: Property Assessed Clean Energy Act.**

Sponsors: Sen. Dickerson, Steven , Rep. Staples, Rick

Summary: Authorizes local governments to impose assessments to repay the financing of qualified projects on real properties located in a region. Specifies that such assessments shall only occur after entering into a written contract with the record owner of the real property and providing notice to each lien holder. Specifies that the assessment

may include costs of material in labor, fees associated with program application and administration, and third party fees such as the costs to the property owner. Establishes the procedures for the creation of a PACE program by a local government. (15pp).

Senate Status: 03/29/17 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 03/29/17 - House Agriculture & Natural Resources Subcommittee deferred to Summer Study.

Position: Realtors: monitor

SB867/HB1185 **PROPERTY & HOUSING: Information regarding the acquisition of real property for a small business.**

Sponsors: Sen. Yarbro, Jeff , Rep. Powell, Jason

Summary: Clarifies that the small business advocate within the office of the comptroller of the treasury may provide information regarding the acquisition of real property for those starting a small business or already own one.

Senate Status: 02/13/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/17/17 - Referred to House Business & Utilities Subcommittee.

Position: Realtors: monitor

SB1005/HB823 **PROPERTY & HOUSING: Best practices concerning implementation of housing programs.**

Sponsors: Sen. Tate, Reginald , Rep. Gilmore, Brenda

Summary: Requires the Tennessee housing development agency to develop best practices concerning implementation of housing programs and options by local entities to assist formerly incarcerated individuals.

Senate Status: 03/14/17 - Senate State & Local Government Committee deferred to 03/28/17.

House Status: 03/14/17 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB1148/HB1197 **PROPERTY & HOUSING: Disposal of unclaimed garments left with dry cleaner.**

Sponsors: Sen. Hensley, Joey , Rep. Sparks, Mike

Summary: Increases from 180 days to 240 days the minimum time required before a dry cleaner or launderer may dispose of unclaimed garments without notifying the customer. Broadly captioned.

Senate Status: 03/28/17 - Senate Commerce & Labor Committee deferred to 04/04/17.

House Status: 03/23/17 - Set for House Business & Utilities Subcommittee 03/28/17.

SB1311/HB1230 **PROPERTY & HOUSING: Conveyance of real property by a licensed attorney or owner of the property.**

Sponsors: Sen. Yarbrow, Jeff , Rep. Beck, Bill

Summary: Requires that a deed of conveyance of real property must be prepared by a licensed attorney or the owner of the real property, and the deed must be filed with the county register of deeds in the county in which the real property is located. Adds language to require the county register to verify that a deed of conveyance of real property was prepared by a licensed attorney or the owner of the real property, and note the verification on the deed. Allows the county register to refuse to register any deed of conveyance of real property that is not prepared by a licensed attorney or the owner of the real property.

Amendment Summary: House Civil Justice Committee Amendment 1 (006002) deletes and rewrites the bill such that the only substantive changes are to: add language requiring a county register to refuse an affidavit on a deed of real conveyance that is not signed and notarized stating under oath the name and address of the preparer of the document and

stating that the preparer is a licensed attorney, title insurance agent, or owner of the property being transferred; add insurance agent to the applicable list of deed preparers; and clarify that timeshare programs, vacation clubs, and deeds filed on behalf of federal, state, local government, state or national banks, savings banks, credit unions, or federal farm credit associations are exempt from such preparation requirements.

Senate Status: 04/19/17 - Taken off notice in Senate Judiciary Committee.

House Status: 04/24/17 - Held on House clerk's desk.

Position: Realtors: support

SB1368/HB496 PROPERTY & HOUSING: Permits land owner subject to a regulatory taking to file a petition for a jury of inquest.

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan

Summary: Prohibits local government bodies from acquiring land from a private owner without first purchasing that portion of land at a fair market value. Allows for an owner to file a petition for a jury of inquest or to sue for damages. Specifies that devaluing of land by a local government entity is also grounds for lawsuit.

Senate Status: 02/13/17 - Referred to Senate Judiciary Committee.

House Status: 02/14/17 - Referred to House Local Government Subcommittee.

Position: Realtors: support

SB1603/HB2528 PROPERTY & HOUSING: Retainage due to a contractor.

Sponsors: Sen. Yager, Ken , Rep. Calfee, Kent

Summary: Changes time period for when retainage much be paid to a contractor as well as the timing and way notice of the initial retainage deposit made in an escrow account.

Senate Status: 01/18/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/18 - Referred to House Business & Utilities Subcommittee.

SB1655/HB1667 PROPERTY & HOUSING: Service of process - repossession of landlord's property.

Sponsors: Sen. Stevens, John , Rep. Lamberth, William

Summary: Allows for service of process of a summons served upon a contractually named party to enable a landlord repossession of their property.

Amendment Summary: House Civil Justice Subcommittee Amendment 1 (012791) adds language to the original bill authorizing any adult person occupying the premises to be served a summons for the purpose of a landlord regaining possession of property.

Senate Status: 01/24/18 - Referred to Senate Judiciary Committee.

House Status: 02/08/18 - Set for House Civil Justice Committee 02/13/18.

SB1703/HB2160 PROPERTY & HOUSING: Judgment lien against real property - notice.

Sponsors: Sen. Lundberg, Jon , Rep. Keisling, Kelly

Summary: Requires county register to provide notice by mail to landowner within 10 days of registration of judgment lien against real property.

Senate Status: 01/24/18 - Referred to Senate Judiciary Committee.

House Status: 02/05/18 - Referred to House Civil Justice Subcommittee.

SB1758/HB1794 PROPERTY & HOUSING: Electronic acknowledgments.

Sponsors: Sen. Kelsey, Brian , Rep. Farmer, Andrew

Summary: Establishes guidelines for the creation of online notaries public. Grants online notaries public the same powers as notaries public. Allows people living outside the state to have documents notarized, and requires online notaries public to keep electronic records of the notarization. Grants the secretary of state powers to implement and oversee this rule .

Senate Status: 01/25/18 - Referred to Senate Judiciary Committee.

House Status: 02/07/18 - House Civil Justice Subcommittee deferred to 02/21/18.

SB1879/HB1920 PROPERTY & HOUSING: New or amended subdivision regulations proposed by a regional planning commission.

Sponsors: Sen. Briggs, Richard , Rep. Staples, Rick

Summary: Prohibits new or amended subdivision regulations proposed by a regional planning commission from taking effect until approved by the county legislative body of any county, and by the governing body of any municipality, lying wholly or partly within the region. Deletes requirement that a regional planning commission hold a public hearing on subdivision regulations prior to adoption.

Senate Status: 01/31/18 - Referred to Senate State & Local Government Committee.

House Status: 01/31/18 - Referred to House Local Government Subcommittee.

SB1956 PROPERTY & HOUSING: Report regarding federal manufactured home construction and safety standards.

Sponsors: Sen. Pody, Mark ,

Summary: STATE SUMMARY - As introduced, requires the commissioner of commerce and insurance to annually submit a report to the general assembly detailing the implementation of the enforcement plan for federal manufactured home construction and safety standards under the National Manufactured Home Construction and Safety Standards

Act of 1974 and any agreements entered into with the department of housing and urban development.

Senate Status: 02/01/18 - Referred to Senate Commerce & Labor Committee.

SB1971/HB1772 PROPERTY & HOUSING: Public official as subject of lien on real property.

Sponsors: Sen. Massey, Becky , Rep. Dunn, Bill

Summary: Establishes an expedited process for listed public officials to contest liens on real property if they are believed to lack legal basis. The filing party must be notified within three business days of the public official contesting the lien with the register. The filing party may file an action for determination by a chancery court of county where the document was filed within 20 business days of delivery of the affidavit.

Senate Status: 02/01/18 - Referred to Senate Judiciary Committee.

House Status: 01/30/18 - Referred to House Civil Justice Subcommittee.

SB2001/HB1924 PROPERTY & HOUSING: Joint tenancy.

Sponsors: Sen. Yager, Ken , Rep. Keisling, Kelly

Summary: Authorizes the creation of right of survivorship clauses in joint tenancy agreements should one of the tenants die . Allows parties to a conveyance to create a joint tenancy with right of survivorship. Requires that in all estates held in joint tenancy with rights of survivorship the dying tenant's share go to surviving tenant. Joint tenancy with right of survivorship cannot be destroyed unilaterally.

Senate Status: 02/01/18 - Referred to Senate Judiciary Committee.

House Status: 01/31/18 - Referred to House Civil Justice Subcommittee.

SB2067/HB2098 PROPERTY & HOUSING: Return of certificate of insurance or worker's compensation policy following the expiration of a building permit.

Sponsors: Sen. Kelsey, Brian , Rep. Casada, Glen

Summary: Increases the number of business days from 10 to 15 for the return by mail of a certificate of insurance or workers' compensation policy following the expiration of the building permit.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/18 - Referred to House Local Government Subcommittee.

SB2126/HB2423 PROPERTY & HOUSING: Application of the Neighborhood Preservation Act.

Sponsors: Sen. Jackson, Ed , Rep. White, Mark

Summary: Extends the Neighborhood Preservation Act to apply to Shelby, Davidson, Madison, and any county or municipality that has formed a land bank.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2189/HB2212 PROPERTY & HOUSING: Email notification for tenants and landlords.

Sponsors: Sen. Lundberg, Jon , Rep. Holsclaw, Jr., John

Summary: Authorizes landlords to send required notifications to the tenant via email, except for when the Uniform Residential Landlord and Tenant Act requires other form of notification, unless the tenant rescinded the use of email in written notice to the landlord. Prohibits landlords from requiring an email address as condition of entering rental agreement.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/18 - Referred to House Business & Utilities Subcommittee.

SB2204/HB1926 PROPERTY & HOUSING: Fee charged for releasing of a lien.

Sponsors: Sen. Swann, Art , Rep. Rudd, Tim

Summary: Increases the fee a register may charge from \$3.00 to \$5.00 to file the form for a marginal release of a lien.

Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.

House Status: 01/31/18 - Referred to House Civil Justice Subcommittee.

SB2214/HB1929 PROPERTY & HOUSING: Sober living homes.

Sponsors: Sen. Swann, Art , Rep. Curcio , Michael

Summary: Allows for municipalities to require sober living homes to submit records of the home's location and its rehabilitation program. Decreases from eight to six the maximum number of unrelated people living in a place to be called a single family residence.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/08/18 - Set for House Local Government Subcommittee 02/14/18.

SB2360/HB2674 PROPERTY & HOUSING: Verifying if a contractor is properly licensed before recording a contractor's lien.

Sponsors: Sen. Yarbrow, Jeff , Rep. Fitzhugh, Craig

Summary: Requires jurisdictions to have systems in place to verify the licenses of people and corporations prior to accepting and recording liens by the register of deeds. Lists the methods for verifying a person or corporation's license.

Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.

House Status: 02/07/18 - Referred to House Civil Justice Subcommittee.

SB2375/HB2266 PROPERTY & HOUSING: Public hearing regarding zoning ordinances.

Sponsors: Sen. Bowling, Janice , Rep. Hicks, Gary

Summary: Requires a municipality prior to enacting a zoning ordinance or any relating amendment to publish notice the public hearing of the ordinance or amendment to website of the municipality.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/05/18 - Referred to House Local Government Subcommittee.

SB2451/HB2572 PROPERTY & HOUSING: Report on number of housing discrimination claims.

Sponsors: Sen. Harris, Lee , Rep. Stewart, Mike

Summary: Requires the human rights commission to submit an electronic report to each member of the general assembly no later than January 15th of each year regarding the number of claims involving discriminatory housing practices.

Senate Status: 02/05/18 - Referred to Senate Judiciary Committee.

House Status: 02/01/18 - Filed for Introduction

SB2556/HB2439 PROPERTY & HOUSING: Notifying landlord of change of email address.

Sponsors: Sen. Hensley, Joey , Rep. Terry, Bryan

Summary: Requires a tenant to provide a written notice of the tenant's change of electronic mail address to the landlord.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/18 - Referred to House Business & Utilities Subcommittee.

SB2658/HB2023 PROPERTY & HOUSING: Applicability of Uniform Residential Landlord and Tenant Act to certain counties.

Sponsors: Sen. Bailey, Paul , Rep. Farmer, Andrew

Summary: STATE SUMMARY - As introduced, in addition to counties to which the Uniform Residential Landlord and Tenant Act already applies, makes the Act applicable in counties in which any four-year college or university, whether public or private, is located.

Senate Status: 02/05/18 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/18 - Referred to House Business & Utilities Subcommittee.

SB2685/HB1766 PROPERTY & HOUSING: Managing or developing mixed-finance housing projects.

Sponsors: Sen. Bailey, Paul , Rep. Sargent, Charles

Summary: Expands the definition of immunity housing authority corporations to include entities that individuals or housing authorities may form.

Senate Status: 02/08/18 - Set for Senate State & Local Government Committee
02/13/18.

House Status: 02/08/18 - Set for House Local Government Subcommittee 02/14/18.

RETAIL TRADE

SB1038/HB1231 RETAIL TRADE: Requirements for short-term rentals.

Sponsors: Sen. Yarbro, Jeff , Rep. Beck, Bill

Summary: Clarifies that requirements that apply to hotels and places of public accommodation do not apply to short-term rentals. Defines short-

term rental as a residential dwelling of any type, including, but not limited to, a single-family residence, apartment, condominium, or cooperative, in which a person can obtain, for consideration, sleeping accommodations for less than thirty consecutive days. Clarifies that a short-term rental does not include a bed and breakfast establishment or bed and breakfast homestay.

Senate Status: 02/13/17 - Referred to Senate Commerce & Labor Committee.

House Status: 03/28/17 - Taken off notice in House Business & Utilities Subcommittee.

Position: Realtors: monitor

SB1086/HB1020 RETAIL TRADE: Short-Term Rental Unit Act.

Sponsors: Sen. Stevens, John , Rep. Sexton, Cameron

Summary: Enacts the "Short-Term Rental Unit Act," which states that a short-term rental unit provider must maintain at least \$500,000 in liability insurance or coverage to cover damage done by any person renting the unit from the short-term rental unit provider. Clarifies the restrictions a local governing body may or may not impose on short-term rental units.

Amendment Summary: House Amendment 1 (004831) prohibits a local governing body from restricting the use of or otherwise regulating a short-term rental unit based on the short-term rental unit's classification, use, or occupancy. Senate Commerce & Labor Committee (006388) deletes Section 1 of the bill to remove provisions limiting local governing bodies' ability to prohibit, restrict, or regulate short-term rental unit's classification, use, or occupancy. House Amendment 3 (008115) deletes the language "Section 12" in the effective date section and substituting instead the language "Section 11." House Amendment 10 (008656), which deletes and rewrites the bill. Enacts the "Short Term Rental Unit Act." Prohibits a local governing body from prohibiting or limiting the use of owner-occupied property as a short-term rental unit or amending a local law to allow prohibiting or limiting said units. In determining land use or utility rates, establishes that the renting of a property that is not owner-occupied is not a commercial activity. Unless the restrictions were established in local law prior to January 1, 2017. Prohibits a local governing body from prohibiting or limiting the use of property that is not owner-occupied as a short-term rental unit or amending a local law to allow prohibiting or limiting said units. In

determining land use or utility rates, it establishes that the renting of a property that is not owner-occupied is not a commercial activity. Unless the restrictions were established in local law prior to April 1, 2017. Section sunsets April 1, 2019. Requires the department of tourist development to complete a review of the economic impact of short-term rental units on the tourism industry and overall economy of Tennessee and submit a written report by July 1, 2018 to the speakers of the house of representatives and the senate. Does not prohibit condominium, co-op, homeowners association or other entity from limiting owners within their jurisdiction from using the property as a short-term rental unit. Applies only to Davidson County. Allows the department to have a written contract with an online short-term rental unit marketplace that agrees to register with the department of tourism industry for taxation purposes. Requires that provider of short-term rental units ensure every smoke alarm and carbon monoxide alarm is fully operational.

Senate Status: 05/09/17 - Senate Finance, Ways & Means Committee deferred to first calendar of 2018.

House Status: 05/08/17 - House passed with amendment 10 (008656).

TAXES BUSINESS

SB8/HB714 TAXES BUSINESS: Statutory apportionment formula used to calculate franchise and excise taxes.

Sponsors: Sen. Green, Mark , Rep. Whitson, Sam

Summary: For tax years beginning on or after July 1, 2017, changes the statutory apportionment formula used to calculate franchise and excise taxes from a three-factor formula to a single-sales-factor formula.

Senate Status: 03/21/17 - Senate Finance Revenue Subcommittee returned to full committee without a recommendation.

House Status: 02/14/17 - Referred to House Finance Subcommittee.

SB15/HB25 TAXES BUSINESS: Phases out the professional privilege tax over a four-year period.

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

Summary: Phases out the professional privilege tax by reducing the amount of the tax by \$100 each year, starting with the tax year that begins on or after June 1, 2017.

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

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB132/HB41 TAXES BUSINESS: Phases out professional privilege tax.

Sponsors: Sen. Bowling, Janice , Rep. VanHuss, James

Summary: Phases out the professional privilege tax over a five-year period for tax years that begin on and after June 1, 2017.

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

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

Position: Realtors: support

SB205/HB1034 TAXES BUSINESS: Eliminates the professional privilege tax.

Sponsors: Sen. Bowling, Janice , Rep. VanHuss, James

Summary: Eliminates the professional privilege tax for the tax year ending on May 31, 2018, and subsequent tax years.

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

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB234/HB602 TAXES BUSINESS: Professional privilege taxes for attorneys.

Sponsors: Sen. Harris, Lee , Rep. Williams, Ryan

Summary: Exempts an attorney who is legally forbidden to practice law by the supreme court of Tennessee from the professional privilege tax.

Senate Status: 03/01/17 - Senate Finance Revenue Subcommittee sent to Senate Finance with a negative recommendation.

House Status: 02/14/17 - Referred to House Finance Subcommittee.

Position: Realtors: support

SB306/HB46 TAXES BUSINESS: Professional privilege tax.

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

Summary: Exempts individuals from the professional privilege tax for the first year in which they are licensed or registered in a taxable profession.

Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB353/HB412 TAXES BUSINESS: Hotel tax - time frame for preserving assessment records.

Sponsors: Sen. Southerland, Steve , Sen. Swann, Art

Summary: Increases the time an operator of a hotel must preserve records associated with providing accommodations and assessment of the hotel tax from three years to four years. (Broadly Captioned)

Senate Status: 02/08/17 - Referred to Senate State & Local Government Committee.

House Status: 02/08/17 - Referred to House Local Government Subcommittee.

SB364/HB13 TAXES BUSINESS: Phases out the professional privilege tax over a four-year period.

Sponsors: Sen. Roberts, Kerry , Rep. Reedy, Jay

Summary: Phases out the professional privilege tax over a four-year period, by reducing the amount of the tax by \$100 each year, for tax years that begin on and after June 1, 2017.

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

House Status: 05/02/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB546/HB60 TAXES BUSINESS: Rebate on occupational privilege tax under certain conditions.

Sponsors: Sen. Ketron, Bill , Rep. Rogers, Courtney

Summary: Allows a person engaged in an occupation subject to the occupational privilege tax to receive a 75 percent rebate on their occupational privilege tax, if they are older than the age for full social security benefits and earn no more than \$16,000 per year from the taxable occupation. Requires yearly adjustments to the maximum amount of income from the taxable occupation in order to reflect the percentage of change in the average consumer price index, starting on July 1, 2019.

Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB901/HB65 TAXES BUSINESS: Exemption from franchise and excise tax liability for certain new businesses.

Sponsors: Sen. Bell, Mike , Rep. Smith, Eddie

Summary: Exempts certain new businesses from a portion of their franchise and excise tax liability during their first two years of existence based on the number of employees and the amount of gross receipts in the first two tax years.

Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB1075/HB971 TAXES BUSINESS: Adverse action related to a license or other privilege - written request for hearing.

Sponsors: Sen. Lundberg, Jon , Rep. Crawford , John

Summary: Increases from 10 to 12 the number of days following any adverse action related to a license or other privilege that the licensee must file a written request for a hearing before the commissioner to contest the action. Broadly captioned.

Amendment Summary: House Finance Subcommittee Amendment 1 (007935) rewrites the bill. Revises the distribution of local government revenue generation by the 2.25 percent local sales tax imposed on the sales price on the sales made in this state by dealers with no location in Tennessee.

Senate Status: 02/21/17 - Referred to Senate Finance Revenue Subcommittee.

House Status: 05/09/17 - House Finance Committee deferred to 01/01/18.

Position: Realtors: support

SB1799/HB1726

TAXES BUSINESS: Occupational privilege tax - rebate on tax for certain persons over 70.

Sponsors: Sen. Ketron, Bill , Rep. Rogers, Courtney

Summary: Allows a person engaged in an occupation subject to the occupational privilege tax who is 70 years old or older and who earned no income during the previous year from the taxable occupation to receive a 50 percent rebate on that person's occupational privilege tax.

Senate Status: 01/29/18 - Referred to Senate Finance, Ways & Means Committee.

House Status: 01/30/18 - Referred to House Finance, Ways & Means Subcommittee.

SB2202/HB1937 TAXES BUSINESS: Tax records related to hotel occupancy.

Sponsors: Sen. Swann, Art , Rep. Sargent, Charles

Summary: Increases from three to four years the amount of time an operator of a hotel must preserve records associated with providing accommodations and assessment of the hotel tax.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

TAXES FUEL

SB1107/HB1243 TAXES FUEL: Taxes and fines related to the highway fund.

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

Summary: Increases gasoline and diesel tax rates and allocates revenues to highway fund. Authorizes local option gasoline tax and surcharge. Increases registration fees and creates transportation services district consisting of certain counties. Authorizes special allocation of surplus state tax revenue within district to eligible counties for transportation services. Extends Class C misdemeanor offense of consuming an

alcoholic beverage or possessing an open alcoholic beverage container in an operating motor vehicle to passengers.

Senate Status: 03/27/17 - Taken off notice in Senate Transportation & Safety Committee.

House Status: 03/08/17 - Taken off notice in House Transportation Subcommittee.

Position: Realtors: support

TAXES GENERAL

SB2460/HB2421 TAXES GENERAL: Decreasing privilege tax.

Sponsors: Sen. Roberts, Kerry , Rep. Vaughan, Kevin

Summary: Reduces the privilege tax from \$400 to \$200 for persons whose license is on active status. Reduces the privilege tax from \$400 to \$100 for persons whose licenses is on inactive status. Requires that persons licensed for two or more professions to only pay one privilege tax.

Senate Status: 02/05/18 - Referred to Senate Finance, Ways & Means Committee.

House Status: 02/07/18 - Referred to House Finance, Ways & Means Subcommittee.

SB2696/HB1732 TAXES GENERAL: Sale of surplus real property by the department of transportation.

Sponsors: Sen. Bailey, Paul , Rep. Sexton, Cameron

Summary: Authorizes the department of transportation to transfer surplus property without further appraisal if the property is equal to or less than a total value of \$10,000.

Senate Status: 02/05/18 - Referred to Senate Transportation & Safety Committee.

House Status: 02/07/18 - Referred to House Transportation Subcommittee.

TAXES PROPERTY

SB21/HB23

TAXES PROPERTY: Property tax relief for disabled veterans.

Sponsors: Sen. Green, Mark , Rep. Hill, Timothy

Summary: Re-establishes the first portion of home value for which real property tax relief will be reimbursed to disabled veteran home owners from \$100,000 to \$175,000.

Senate Status: 04/05/17 - Taken off notice in Senate State & Local Government Committee.

House Status: 01/17/18 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB23/HB20 TAXES PROPERTY: Property tax relief for disabled veterans and low-income elderly.

Sponsors: Sen. Green, Mark , Rep. Forgety, John

Summary: Increases the home value for which real property tax relief will be granted from \$100,000 to \$175,000 for veterans with disabilities and from \$23,500 to \$25,000 for low-income elderly or disabled homeowners.

Amendment Summary: House Local Government Amendment 2 (006630)- Deletes and rewrites the bill to require the state to reimburse the first 27,000 of the full market value of such property owned by elderly low-income homeowners and disabled homeowners and the first \$135,100 of the full market to disabled veterans. House Finance Subcommittee Amendment 1 (007575)- Deletes all language after the enacting clause. Increases the property value threshold for determining the extent of any property tax relief payments to low-income elderly homeowners and low-income disabled homeowners from \$23,500 of full market value of the property to \$27,000 of the full market value of the property.

Senate Status: 03/06/17 - Senate State & Local Government Veterans Affairs Subcommittee returned to full committee with a neutral recommendation.

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB25/HB5 TAXES PROPERTY: Disabled veteran property tax reimbursement.

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

Summary: Increases the stated value of a given property to \$175,000 from \$100,000 for reimbursement of property taxes to a disabled veteran.

Senate Status: 01/30/17 - Referred to Senate State & Local Government Committee.

House Status: 01/17/18 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB143/HB82 TAXES PROPERTY: Complaints to county board of equalization.

Sponsors: Sen. Jackson, Ed , Rep. Sherrell, Paul

Summary: Allows any county board of equalization to permit any owner or taxpayer to make a written appearance for complaints. Requires anyone representing a taxpayer before a county board of equalization, to have written authorization signed by the taxpayer.

Senate Status: 02/09/17 - Senate passed.

House Status: 03/07/17 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB254/HB176 TAXES PROPERTY: Property tax relief for disabled veterans.

Sponsors: Sen. Crowe, Rusty , Rep. Forgety, John

Summary: Increases the property value threshold for determining the extent of property tax relief payments to disabled veterans and their surviving spouses from \$100,000 to \$175,000 of the full market value of the property.

Senate Status: 03/06/17 - Senate State & Local Government Veterans Affairs Subcommittee returned to full committee with a neutral recommendation.

House Status: 01/17/18 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB492/HB601 TAXES PROPERTY: Right of redemption for real property sold in a tax sale.

Sponsors: Sen. Briggs, Richard , Rep. Williams, Ryan

Summary: Eliminates owner's right of redemption in real property sold in a tax sale. Defines "vacant and abandoned" property and "evidence of abandonment" for purposes of the appointment of a receiver to collect rents on property subject to a lien for delinquent taxes.

Senate Status: 02/09/17 - Referred to Senate Judiciary Committee.

House Status: 02/17/17 - Referred to House Local Government Subcommittee.

Position: Realtors: monitor

SB594/HB544 TAXES PROPERTY: Report on counties and cities that have adopted property tax freeze program.

Sponsors: Sen. Watson, Bo , Rep. McCormick, Gerald

Summary: Requires the comptroller to report to the chairs of the senate finance, ways and means committee and the house finance, ways and means committee concerning the number of counties and municipalities that

have adopted the property tax freeze program by ordinance or resolution by January 15, 2018.

Senate Status: 02/09/17 - Referred to Senate Finance, Ways & Means Committee.

House Status: 02/14/17 - Referred to House Local Government Subcommittee.

Position: Realtors: support

SB753/HB893 TAXES PROPERTY: Assessment of real property.

Sponsors: Sen. Beavers, Mae , Rep. Williams, Ryan

Summary: Amends language to require that the value of real property assessed for property tax purposes be ascertained from evidence of its sound, intrinsic, and immediate value, for purposes of sale between a willing seller and buyer without consideration of speculative values, and when appropriate, subject to the Agricultural, Forest and Open Space Land Act of 1976; this includes, but is not limited to, an independent appraisal commissioned by the owner of the residential property. Also requires that at the time of assessment, residential property must be assessed at twenty-five percent of its value.

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

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

Position: Realtors: monitor

SB870/HB1357 TAXES PROPERTY: Property tax freeze for elderly.

Sponsors: Sen. Yarbro, Jeff , Rep. Mitchell, Bo

Summary: Requires that an application for a property tax freeze be approved if the qualified applicant dies prior to filing the application on or after January 1 of the tax year for which the freeze is sought

Senate Status: 04/11/17 - Senate State & Local Government Committee deferred to first calendar of 2018.

House Status: 01/17/18 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB1064/HB1228 TAXES PROPERTY: General fund reimbursement for property owned by elderly homeowners.

Sponsors: Sen. Kyle, Sara , Rep. Cooper, Barbara

Summary: Requires the general fund to reimburse a 65-year-old low-income taxpayer for all of the local property back taxes paid for a given year on that property that the taxpayer owned and which residence has incurred maintenance costs that exceed \$500.

Senate Status: 04/05/17 - Taken off notice in Senate State & Local Government Committee.

House Status: 01/17/18 - Taken off notice in House Local Government Subcommittee.

Position: Realtors: support

SB1235/HB874 TAXES PROPERTY: Expansion of the tax credit allowed for the purchase of brownfield property.

Sponsors: Sen. Norris, Mark , Rep. Akbari, Raumesh

Summary: Makes revisions to tax credits, such as expanding the tax credit allowed for the purchase of brownfield property to include real property that was previously the subject of an investigation or remediation as a brownfield project under a voluntary agreement or consent order.

Senate Status: 02/13/17 - Referred to Senate State & Local Government Committee.

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

Position: Realtors: support

SB1484/HB1670 TAXES PROPERTY: Reappraisals for cities lying in more than one county.

Sponsors: Sen. Briggs, Richard , Rep. Moon, Jerome

Summary: Removes requirement that a city lying in more than one county be reappraised under a separate plan of reappraisal.

Senate Status: 02/01/18 - Senate passed.

House Status: 02/08/18 - Set for House Local Government Committee 02/13/18.

SB1485/HB1502 TAXES PROPERTY: Filing requirements with the state board of equalization.

Sponsors: Sen. Jackson, Ed , Rep. Gravitt, Marc

Summary: Specifies that property subject to the tax exemption for religious, charitable, scientific, or educational property, property of certain low-income persons, property of certain educational institutions, and property used for airport runways is required to have the exemption application approved by the state board of equalization. Removes the requirement that the county assessor of property submit a record of the county board of equalization's changes to the state board of equalization.

Senate Status: 02/08/18 - Set for Senate State & Local Government Committee 02/13/18.

House Status: 02/08/18 - Set for House Local Government Committee 02/13/18.

SB1675/HB1496 TAXES PROPERTY: Property tax relief for disabled veterans who are temporarily in a nursing home.

Sponsors: Sen. Green, Mark , Rep. Pitts, Joe

Summary: Provides continued eligibility for a disabled veteran's property tax relief during temporary periods of confinement in a nursing home or

hospitalization if the disabled veteran intends to return to the residence once he or she has sufficiently recovered.

Amendment Summary: House Local Government Subcommittee amendment 1 (012582) requires disabled veterans who were temporarily hospitalized or confined in a nursing home and meet certain criteria receive retroactive reimbursement.

Senate Status: 02/08/18 - Set for Senate State & Local Government Committee 02/13/18.

House Status: 02/08/18 - Set for House Local Government Committee 02/13/18.

SB1791/HB1835 TAXES PROPERTY: Delinquent property taxes - waiving of penalties and fees due to severe weather.

Sponsors: Sen. Harper, Thelma , Rep. Miller, Larry

Summary: Allows the county trustee to waive penalties resulting from late property tax payments for up to one week if it is determined that severe weather obstructed timely payment at the time of the delinquency date. After one week from the delinquency date if there is no payment made penalties and interest accumulate.

Senate Status: 01/25/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - House Local Government Subcommittee deferred to 02/21/18.

SB1923/HB1952 TAXES PROPERTY: Accounting for tax increment financing in calculating the certified tax rate.

Sponsors: Sen. Lundberg, Jon , Rep. Crawford , John

Summary: Permits governing bodies to exclude from taxable value of property appearing on the assessment roll, the taxable value of properties subject to tax increment financing and properties within areas where an economic impact plan has been approved.

Senate Status: 02/01/18 - Referred to Senate State & Local Government Committee.

House Status: 02/05/18 - Referred to House Local Government Subcommittee.

SB1932 TAXES PROPERTY: Tax collected on real property conveyed by a land bank.

Sponsors: Sen. Jackson, Ed ,

Summary: STATE SUMMARY - As introduced, permits 50 percent of the real property tax collected on real property conveyed by a land bank to be remitted to the land bank for a period of five years following the conveyance.

Senate Status: 02/01/18 - Referred to Senate State & Local Government Committee.

SB1979/HB2460 TAXES PROPERTY: Procedure for classifying property as low-income housing property.

Sponsors: Sen. Dickerson, Steven , Rep. Harwell, Beth

Summary: STATE SUMMARY - As introduced, establishes procedure for classifying property as low-income housing property; requires such property be valued according to present use value; makes other related revisions.

Senate Status: 02/01/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2278/HB2686 TAXES PROPERTY: Property tax freeze program.

Sponsors: Sen. Pody, Mark , Rep. Weaver, Terri

Summary: Requires the comptroller of the treasury to annually report a list of all counties and municipalities that have adopted the property tax freeze program to the chairs of the finance, ways and means committees of the senate and the house of representatives.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2289/HB2541 TAXES PROPERTY: Exempts property tax of coffee shops owned by a religious institution.

Sponsors: Sen. Bell, Mike , Rep. Harwell, Beth

Summary: Exempts a coffee shop that is owned by a religious institution from property taxation. Sets requirements for a coffee shop to qualify under this section.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2290/HB2395 TAXES PROPERTY: Requirements for property tax increase.

Sponsors: Sen. Bell, Mike , Rep. Rogers, Courtney

Summary: Requires that any real property tax rate increase be passed at a minimum of two consecutive, regularly scheduled meetings of the governing body of a county or municipality. Requires resolution or ordinance to be passed by a two-thirds vote for property tax increases of five percent or greater. Authorizes referendum on the question of a property tax rate increase of five percent or greater if the tax increase is not approved by a two-thirds vote of the governing body of the county or municipality.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2385/HB1987 TAXES PROPERTY: Affordable Real Property Act

Sponsors: Sen. Lundberg, Jon , Rep. Gilmore, Brenda

Summary: STATE SUMMARY: As introduced, enacts the "Affordable Real Property Act." - Amends TCA Title 13, Chapter 23; Title 67, Chapter 4 and Title 67, Chapter 5.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/05/18 - Referred to House Local Government Subcommittee.

SB2495/HB2337 TAXES PROPERTY: Motions to claim excess tax sale proceeds.

Sponsors: Sen. Johnson, Jack , Rep. Powell, Jason

Summary: Requires that a motion to claim excess tax sale proceeds be served upon "all interested persons" rather than "the parties." Revises other provisions governing notice and publication of delinquent tax sales.

Senate Status: 02/05/18 - Referred to Senate State & Local Government Committee.

House Status: 02/07/18 - Referred to House Local Government Subcommittee.

SB2650/HB1735 TAXES PROPERTY: TACIR study on nontax-producing property held by state and local governments.

Sponsors: Sen. Watson, Bo , Rep. Carter, Mike

Summary: TACIR study on nontax-producing property held by state and local governments.

Senate Status: 02/05/18 - Referred to Senate Finance, Ways & Means Committee.

House Status: 02/08/18 - Set for House Local Government Subcommittee 02/14/18.

HJR591 TAXES PROPERTY: Constitutional amendment - prohibits general assembly from levying any state tax on property.

Sponsors: Rep. Sparks, Mike

Summary: Proposes additional language in Article II, Section 28 of the state constitution to prohibit the general assembly from levying, authorizing, or otherwise permitting any state tax on property.

House Status: 01/16/18 - Referred to House State Government Subcommittee.

TAXES SALES

SB1268/HB1069 TAXES SALES: Distribution of state- shared sales tax revenue.

Sponsors: Sen. Norris, Mark , Rep. Moody, Debra

Summary: Increases the portion of state-shared sales tax revenue for cities and counties by 0.5 percent, and divides that portion equally between cities and counties. Decreases by 0.5 percent the portion of revenue distributed to the general fund.

Senate Status: 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 05/08/17 - Taken off notice in House Finance Subcommittee.

Position: Realtors: support

SB1685/HB1468 TAXES SALES: Historic Structure Rehabilitation Act.

Sponsors: Sen. Briggs, Richard , Rep. Staples, Rick

Summary: Provides for a refund of state sales tax paid on expenditures to rehabilitate historic structures if the owner uses the certified historic structure for at least one year following the rehabilitation, the rehabilitation meets certain U.S. standards, and the certified qualified rehabilitation expenditures are made on or after July 1, 2018.

Senate Status: 01/24/18 - Referred to Senate Finance, Ways & Means Committee.

House Status: 02/08/18 - Set for House Government Operations Committee
02/14/18.

TRANSPORTATION GENERAL

SB345/HB53 TRANSPORTATION GENERAL: Funding of priority transportation projects.

Sponsors: Sen. Niceley, Frank , Rep. Zachary, Jason

Summary: Contingent upon monthly surplus state tax revenues exceeding \$5 million, allocates 25 percent of the surplus revenues to the priority transportation project fund to be used for transportation projects. Requires commissioner of transportation to recommend the top 100 projects to be funded and authorizes general assembly to appropriate from fund to implement all or part of the projects recommended. Specifies that any balance remaining unexpended at the end of a fiscal year in the priority transportation project fund cannot revert to the general fund but shall be carried forward into the subsequent fiscal year.

Senate Status: 02/08/17 - Referred to Senate Transportation.

House Status: 03/01/17 - Failed in House Transportation Subcommittee.

Position: Realtors: support

SB2089/HB2156 TRANSPORTATION GENERAL: Power of eminent domain to remove advertising structures on scenic highways.

Sponsors: Sen. Massey, Becky , Rep. Staples, Rick

Summary: Authorizes the use of eminent domain stretching to 300 meters from either side of a Tennessee scenic highway.

Senate Status: 02/05/18 - Referred to Senate Transportation & Safety Committee.

House Status: 02/07/18 - Referred to House Transportation Subcommittee.

TRANSPORTATION VEHICLES

SB658/HB864

TRANSPORTATION VEHICLES: Increases the penalty for the offense of unlawful use of a portable electronic device while driving.

Sponsors: Sen. Tracy, Jim , Rep. Holsclaw, Jr., John

Summary: Increases the penalty for the offense of unlawful use of a portable electronic device while driving to a Class B misdemeanor if the violation results in an accident causing serious bodily injury. Increases the penalty to a Class A misdemeanor if the accident results in death.

Senate Status: 03/30/17 - Senate passed.

House Status: 05/05/17 - Re-referred to House Calendar & Rules Committee.

Position: Realtors: oppose

UTILITIES

SB1646/HB1591 UTILITIES: Cooperative access for telecommunications and broadband internet services.

Sponsors: Sen. Yager, Ken , Rep. McCormick, Gerald

Summary: Grants access for a cooperative to certain properties for the purpose of supplying telecommunications and broadband internet access and related services.

Amendment Summary: House Business & Utilities Committee amendment 1 (012868) adds language "so long as such others are permitted by law to operate such systems within the cooperative's service area." Deletes certain subdivisions (a)(11)(B) and (a)(11)(B) and adds instead the following language: Public thoroughfares, including but not limited to, all roads, highways, streets, alleys, bridges, and causeways and publicly owned lands if the applications authorities having jurisdiction over the public thoroughfares and lands consent, but consent shall not be unreasonably withheld or conditioned for the purpose of enabling the authority to gain competitive advantage with respect to the rendition by the authority or any other entity of a service that the cooperative also has a right to render.

Senate Status: 02/08/18 - Set for Senate Commerce & Labor Committee 02/13/18.

House Status: 02/08/18 - Set for House Finance, Ways & Means Subcommittee
02/14/18.

WELFARE

SB412/HB627 WELFARE: Radon testing guidelines.

Sponsors: Sen. Tracy, Jim , Rep. Kumar, Sabi

Summary: Requires radon testing every 5 years for licensed child care agencies and for initial licensure applications or renewal of licenses to prove to department of human services they've been tested within the last 5 years. Must post most current radon measurement clearly and include an explanation of the radon health risk, what levels of radon exposure are dangerous, and contact information for the state's radon program.

Senate Status: 03/29/17 - Senate Health & Welfare Committee deferred to Summer Study.

House Status: 03/29/17 - Taken off notice in House Health Subcommittee.

Position: Realtors: monitor