

# Tennessee REALTORS® Bill Report

## Week of April 1, 2019

### 2019

#### **SB37/HB1108 PROFESSIONS & LICENSURE: Repeals revocation of professional license for defaulting on student loans.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Powell, Jason  
*Summary:* Repeals revocations of professional licenses in cases where the revocation was the result of defaults on student loans. Requires reinstatement of licenses revoked or denied due to defaulting on repayment of student loans.  
*Fiscal Note:* (Dated February 4, 2019) NOT SIGNIFICANT SB 37  
*Senate Status:* 01/19/19 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 03/12/19 - House Business Subcommittee deferred to the first calendar of 2020.

#### **SB73/HB101 TAXES PROPERTY: Appraisal ratio studies - references to public service commission to be removed.**

*Sponsors:* Sen. White, Dawn , Rep. Wright, Dave  
*Summary:* Deletes reference to the public service commission and replaces it with a reference to the office of state assessed properties in section regarding ratio of appraisals.  
*Fiscal Note:* (Dated January 31, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/21/19 - Senate passed.  
*House Status:* 02/25/19 - House passed.  
*Executive Status:* 03/26/19 - Enacted as Public Chapter 0010 effective March 13, 2019.

#### **SB83/HB125 CRIMINAL LAW: Burglary - entering a construction site with the intent to commit a felony.**

*Sponsors:* Sen. Kurita, Rosalind , Rep. Hodges, Jason  
*Summary:* Adds committing or intending to commit a felony, theft, or assault in a construction that is not open to the public into the definition of burglary.  
*Fiscal Note:* (Dated February 8, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/12/19 - Failed in Senate Judiciary Committee due to lack of a motion.  
*House Status:* 01/30/19 - Referred to House Criminal Justice Subcommittee.

#### **SB173/HB164 CRIMINAL LAW: Driving laws related to mobile phone use.**

*Sponsors:* Sen. Swann, Art , Rep. Holsclaw, Jr., John  
*Summary:* Expands the current offense of driving while using a handheld mobile phone as Class C misdemeanor to include any road, highway, or street, opposed to only in marked school zones as it currently stands. Establishes all drivers under 18 years of age using a hands-free device while the car is in motion will fall under this offense.  
*Amendment Summary:* Senate Transportation & Safety Committee amendment 1, House Transportation Committee amendment 1 (006464) prohibits physically holding or supporting, with any part of a person's body, a wireless telecommunications device or stand-alone electronic device while operating a motor vehicle unless the vehicle is lawfully parked. Authorizes use of an earpiece, headphone

device, wrist device or mounting device. Exempts employers or contractors of utility services providers, public safety officers, law enforcement, and emergency personnel acting within the scope of their employment and persons who are lawfully parked in their motor vehicles from the above punishments. Establishes that violation of such is a Class C misdemeanor, punishable by fine only, not to exceed \$50. Establishes that if the violation is the person's third or subsequent offense of the violation results in an accident the fine is \$100. Establishes that if such a violation occurs in a work zone when workers are present or in a marked school zone when warning flashers are on, the fine is \$200. Establishes court costs not exceed \$10. Requires the Department of Transportation (TDOT) to utilize permanent electronic overhead informational displays to provide periodic messages to inform public about the law. Requires the Department of Safety (DOS) to include distracted driving as part of the instructional information used in driver education training.

*Fiscal Note:* (Dated March 8, 2019) Increase State Revenue Exceeds \$262,400/FY19-20 Exceeds \$524,700/FY20-21 Up to \$262,400/FY21-22 and Subsequent Years Increase Local Revenue Exceeds \$31,100/FY19-20 Exceeds \$62,100/FY20-21 Up to \$31,100/FY21-22 and Subsequent Years

*Senate Status:* 04/03/19 - Set for Senate Finance, Ways & Means Committee 04/09/19.

*House Status:* 04/04/19 - Set for House Finance, Ways & Means Committee 04/09/19.

## **SB176/HB201 TAXES PROPERTY: Affordable Rental Property Act.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Jernigan, Darren

*Summary:* Requires THDA to create an annual report researching the availability of affordable housing in each county. Requires THDA to work with the state board of equalization to create an application for those searching in counties with scarce affordable housing, establishing what is affordable property, along with creating a means of addressing the economic impact upon the owner.

*Fiscal Note:* (Dated March 14, 2019) Other Fiscal Impact A precise decrease in local government property tax revenue cannot reasonably be determined.

*Senate Status:* 03/26/19 - Taken off notice in Senate State & Local Government Committee.

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

## **SB178/HB165 ENVIRONMENT & NATURE: Persons unable to connect to the public sewer system due to moratorium.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Hazlewood, Patsy

*Summary:* Requires the commissioner of environment and conservation to issue a permit for the installation of a subsurface sewage disposal system to any person unable to connect to the public sewer system from a moratorium. Requires the permit holder to discontinue service to the subsurface sewage disposal system and connect to the public sewer system within 90 days of the moratorium being lifted.

*Amendment Summary:* Senate amendment 1 (004862) removes requirement that permit holder connect to public sewer systems after 90 days. Requires disclosure of installed subsurface sewage disposal systems under these permits to purchasers.

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

*Senate Status:* 03/04/19 - Senate passed with amendment 1 (004862).

*House Status:* 03/25/19 - House passed.

*Executive Status:* 04/02/19 - Sent to governor.

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

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

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

*Amendment Summary:* House Government Operations amendment 1 (006605), which deletes and rewrites all language after the enacting clause. Makes various changes to the Right to Earn a Living Act. Authorizes an affected person to petition a licensing authority to repeal or modify an entry regulation within its jurisdiction, including entry regulations promulgated relative to statute. Exempts any state agency,

regulatory board, commission, council, or committee that regulates a person under certain circumstances.

*Fiscal Note:* (Dated February 15, 2019) Other Fiscal Impact Due to multiple unknown factors, the exact impact of the proposed legislation cannot be determined with reasonable certainty.

*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.

*House Status:* 04/04/19 - Set for House Finance, Ways & Means Subcommittee 04/10/19.

**SB224/HB232 PROPERTY & HOUSING: Creates registry of tenants evicted through writs of possession.**

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

*Summary:* Directs the housing development agency to create a registry of tenants who have been evicted through the execution of a writ of possession, which will be accessible to landlords in this state.

*Senate Status:* 02/01/19 - Referred to Senate State & Local Government Committee.

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

**SB231/HB913 PROPERTY & HOUSING: Requires register of deeds send written notice to property owner before recording a lien.**

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

*Summary:* Requires the register of deeds to send written notice to the property owner prior to recording a lien.

*Fiscal Note:* (Dated March 8, 2019) Increase Local Expenditures Exceeds \$84,800\*

*Senate Status:* 02/01/19 - Referred to Senate Judiciary Committee.

*House Status:* 03/12/19 - Taken off notice in House Business Subcommittee.

**SB238/HB99 PUBLIC EMPLOYEES: Authorizes comptroller to investigate Class A and B felonies related to private funds under certain conditions.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Tillis, Rick

*Summary:* Authorizes the comptroller to investigate Class A and B felonies involving private funds in regards to public interest, if requested by the attorney general and reporter or the district attorney general if held in conjunction with an investigation by the Tennessee Bureau of Investigation.

*Fiscal Note:* (Dated January 31, 2019) NOT SIGNIFICANT

*Senate Status:* 03/18/19 - Senate passed.

*House Status:* 02/25/19 - House passed.

*Executive Status:* 04/01/19 - Sent to governor.

**SB241/HB403 TAXES PROPERTY: Removes certain state provisions regarding property tax.**

*Sponsors:* Sen. Jackson, Ed , Rep. Hall, Mark

*Summary:* Eliminates certify valuation to local officials, authority to place liens, and issue distress warrants for state property tax.

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

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

*House Status:* 03/21/19 - House passed.

*Executive Status:* 04/02/19 - Sent to governor.

**SB249/HB229 TAXES PROPERTY: Commission retained by county registers for collecting and reporting recordation tax.**

*Sponsors:* Sen. Jackson, Ed , Rep. Bricken, Rush

*Summary:* Removes incrementally over a three-year period the requirement that 52 percent of the five percent commission retained by county registers for collecting and reporting recordation tax must be remitted to state treasurer and credited to state general fund.

*Fiscal Note:* (Dated February 22, 2019) Decrease State Revenue \$776,100/FY19-20 \$2,988,000/FY20-21 \$5,989,500/FY21-22 \$7,786,400/FY22-23 and Subsequent Years Increase Local Revenue

\$776,100/FY19-20 \$2,988,000/FY20-21 \$5,989,500/FY21-22 \$7,786,400/FY22-23 and Subsequent Years

*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.

*House Status:* 03/06/19 - House Local Committee recommended. Sent to House Finance.

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

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

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

*Fiscal Note:* (Dated January 31, 2019) Decrease State Revenue Net Impact \$23,375,600/FY18-19 \$46,751,300/FY19-20 \$70,126,900/FY20-21 \$93,502,500/FY21-22 and Subsequent Years Decrease State Expenditures \$243,600/FY18-19 \$487,200/FY19-20 \$730,800/FY20-21 \$974,400/FY21-22 and Subsequent Years Increase Local Revenue \$116,000/FY18-19 \$232,100/FY19-20 \$348,100/FY20-21 \$464,200/FY21-22 and Subsequent Years

*Senate Status:* 03/26/19 - Taken off notice in Senate Finance Revenue Subcommittee.

*House Status:* 02/20/19 - House Finance Subcommittee placed behind the budget.

**SB263/HB230 PROPERTY & HOUSING: Clarification of time-share transfer contracts.**

*Sponsors:* Sen. Niceley, Frank , Rep. Crawford, John

*Summary:* Clarifies that time-share transferring contracts are voidable by the purchaser for 10 days from the date of the signing of the contract, if the purchaser made an on-site inspection of a component site of the time-share project.

*Fiscal Note:* (Dated February 5, 2019) NOT SIGNIFICANT

*Senate Status:* 03/25/19 - Senate passed.

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

*Executive Status:* 04/04/19 - Sent to the speakers for signatures.

**SB278/HB100 TAXES PROPERTY: Filing of year's property maps with register of deeds.**

*Sponsors:* Sen. Kurita, Rosalind , Rep. Leatherwood, Tom

*Summary:* Changes date when assessors must file that year's property maps with the register of deeds from October 1 to April 15.

*Fiscal Note:* (Dated January 31, 2019) NOT SIGNIFICANT

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

*House Status:* 03/18/19 - House passed.

*Executive Status:* 03/28/19 - Signed by governor.

**SB315/HB338 TAXES BUSINESS: Phases out professional privilege tax.**

*Sponsors:* Sen. Watson, Bo , Rep. Reedy, Jay

*Summary:* Declares the privilege tax is payable on June 1 of each tax year, with each tax year beginning on June 1 and ending on May 31. Decreases professional privilege tax from \$400 to \$300 annually for tax years ending on or after May, 31, 2022. Repeals tax for tax years ending on or after May 31, 2025.

*Fiscal Note:* (Dated February 4, 2019) Decrease State Revenue Net Impact \$23,375,600/FY20-21 \$23,375,600/FY21-22 \$23,375,600/FY22-23 \$93,502,500/FY23-24 and Subsequent Years Decrease State Expenditures \$243,600/FY20-21 \$243,600/FY21-22 \$243,600/FY22-23 \$974,400/FY23-24 and Subsequent Years Increase Local Revenue \$116,000/FY20-21 \$116,000/FY21-22 \$116,000/FY22-23 \$464,200/FY23-24 and Subsequent Years Other Fiscal Impact To the extent the General Assembly further reduces the privilege tax rate annually through enactment of a general bill, and that such reductions are equal to \$100 each year, beginning in FY20-21, the net decreases in state revenue\* and increases in local revenue are estimated to be: (\$23,375,600) for the state and \$116,000 for the locals in FY20-21; (\$46,751,300) for the state and \$232,100 for the locals in FY21-22; (\$70,126,900) for the state and \$348,100 for the locals in FY22-23; and (\$93,502,500) for the state and \$464,200 for the locals in FY23-24 and subsequent years. The net decrease in state expenditures for the state is estimated to be: \$243,600 in FY20-

21; \$487,200 in FY21-22; \$730,800 in FY22- 23; and \$974,400 in FY23-24 and subsequent years. \*net decreases in state revenue denoted parenthetically SB 315 HB 338

*Senate Status:* 03/12/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.

*House Status:* 02/05/19 - Referred to House Finance, Ways & Means Subcommittee.

## **SB321/HB543 TAXES PROPERTY: Requirement of notice from the delinquent tax attorney relative to property tax.**

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

*Summary:* Requires the delinquent tax attorney to pose a copy of the proceeding and send a copy by first-class mail addressed to "occupant" at the last known municipal address of the parcel. Declares that all notices to all owners and interested parties must be detailed by the delinquent tax attorney.

*Amendment Summary:* House Local Committee amendment 1 (006265) deletes and rewrites all language after the enacting clause such that the only substantive changes (1) establish exact wording for notice which is to be furnished by the delinquent tax attorney; and (2) specify how certain charges and costs incurred by the delinquent tax attorney should be treated on a tax lien.

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

*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.

*House Status:* 04/04/19 - Set for House Finance, Ways & Means Subcommittee 04/10/19.

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

*Sponsors:* Sen. Johnson, Jack , Rep. Gant, Ron

*Summary:* Prohibits a written contract to have a condition precedent for payment clause where the prime contractor is not required to pay the remote contractor due to contract or until they are paid by the construction owner. Declares that if payment is not received, work by contractor can be suspended until received. Makes other revisions relative to the payment rights of contractors and subcontractors.

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

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

*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.

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

## **SB344/HB1225 CAMPAIGNS & LOBBYING: Increases campaign contribution limits.**

*Sponsors:* Sen. Watson, Bo , Rep. Casada, Glen

*Summary:* Increases contribution limits to \$4,200 offices elected in statewide elections and to \$2,500 any other state or local public office. Increases limits from multicandidate political campaign committee to \$20,000 for offices elected in statewide elections and to \$10,000 for any other state or local public office. Limits candidates for statewide offices to not more than fifty percent of total contributions and candidates for any other state or to \$200,000 from multicandidate political campaign committees.

*Senate Status:* 02/04/19 - Referred to Senate State & Local Government Committee.

*House Status:* 02/13/19 - Referred to House Elections & Campaign Finance Subcommittee.

**SB351/HB143 TAXES PROPERTY: Property tax assessments.**

*Sponsors:* Sen. Briggs, Richard , Rep. Smith, Robin  
*Summary:* Allows county clerks to keep oaths prescribed for assessors and deputies in electronic or digital format. Allows assessors to provide informal reviews of assessments under certain circumstances, raises cost of taxpayer appeal fees to under \$10, except for certain appellants, and allows the appeals commission to delegate decision-making authority to a single member when an evidentiary record must remain open for under 30 days after the hearing.  
*Fiscal Note:* (Dated February 16, 2019) Decrease State Revenue Exceeds \$4,800  
*Senate Status:* 02/25/19 - Senate passed.  
*House Status:* 03/18/19 - House passed.  
*Executive Status:* 03/28/19 - Signed by governor.

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

*Sponsors:* Sen. Gardenhire, Todd , Rep. Howell, Dan  
*Summary:* Makes the urban brownfield redevelopment project statute applicable to "mid-size and small counties" rather than "large and mid-size counties." Under present law, an urban brownfield redevelopment project must occur on a parcel or parcels of land located in a redevelopment zone and must either contain at least one brownfield site or contain a site of at least 10 acres that has remained vacant or substantially unoccupied for at least five years and, at any time within 20 years prior to June 1, 2011, included a manufacturing, industrial, distribution, or retail facility containing at least 1 million square feet. Allows the total amount of manufacturing, industrial, distribution, or retail facility space to be used to meet the 1 million square feet threshold. A redevelopment zone must be located in a county with a population of 80,000, or more. Adds that a redevelopment zone must also be located in a county having a population of 336,400, or less. Adds that an industrial development corporation must cease to receive allocations of sales and property tax revenue upon the maturity of the original bond or obligation used to finance the project, whose maximum amount of debt maturity must be no longer than 30 years.  
*Amendment Summary:* House Local Committee amendment 1, Senate State & Local Government Committee amendment 1 (005935) deletes and rewrites all language after the enacting clause such that the substantive changes (1) remove the required designation of county size, (2) remove minimum acreage requirements, (3) expands the definition of a qualified cost for which certain tax revenues may be utilized, and (4) expands the designation which must be obtained in order to qualify as a redevelopment zone.  
*Fiscal Note:* (Dated February 17, 2019) Other Fiscal Impact Due to multiple unknown variables, a precise impact to local government revenue cannot reasonably be determined.  
*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.  
*House Status:* 04/04/19 - Set for House Finance, Ways & Means Committee 04/09/19.

**SB359/HB362 LOCAL GOVERNMENT: Recording of annexation resolutions and deannexation ordinances.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Cochran, Mark  
*Summary:* Requires municipalities to record annexation resolutions and deannexation ordinances with the register of deeds in affected county or counties.  
*Fiscal Note:* (Dated February 12, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/25/19 - Senate passed.  
*House Status:* 03/25/19 - House passed.  
*Executive Status:* 04/02/19 - Sent to governor.

**SB366/HB425 COMMERCIAL LAW: Extends deadline for lessees of certain corporations to file reports listing leased properties.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Hakeem, Yusuf  
*Summary:* Extends the deadline to December 1 each year for a lessee or sublessee of a health, educational, and housing facility corporation to file a report listing leased properties and details of the lease and payment in lieu of tax (PILOT) agreements.

*Amendment Summary:* House Finance, Ways & Means Subcommittee amendment 1 (005066) establishes qualifications which must be met by certain projects in order to be eligible for payment in lieu of tax agreements with certain special purpose corporations.  
*Fiscal Note:* (Dated February 11, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/02/19 - Taken off notice in Senate State & Local Government Committee.  
*House Status:* 04/01/19 - Withdrawn in House.

**SB376/HB1361 PROPERTY & HOUSING: Authority to impose a monitoring inspection fee on each manufactured home.**

*Sponsors:* Sen. Swann, Art , Rep. Calfee, Kent  
*Summary:* Removes the authority to impose a monitoring inspection fee on each manufactured home produced in Tennessee from the commissioner of commerce and insurance.  
*Amendment Summary:* Senate Commerce and Labor Committee amendment 1, House Transportation Committee amendment 1 (006319) deletes all language after the enacting clause. Requires the movement of any mobile home that is less than or equal to 14 feet in width to utilize one escort vehicle during travel on a highway system with two or more lanes. Prohibits any transport of a mobile home exceeding 16 feet in height.  
*Fiscal Note:* (Dated February 20, 2019) Decrease State Revenue - \$633,400/Manufactured Housing Fund  
*Senate Status:* 04/03/19 - Set for Senate Transportation & Safety Committee 04/10/19.  
*House Status:* 04/04/19 - Set for House Floor for 04/10/19.

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

*Sponsors:* Sen. Lundberg, Jon , Rep. Bricken, Rush  
*Summary:* Exempts armed forces members stationed within this state and their spouses from licensure requirements to practice professions and occupations regulated by the department of commerce and insurance and the department of health, subject to meeting certain requirements to practice.  
*Amendment Summary:* Senate amendment 1, House Government Operations amendment 1 (005769) deletes and rewrites all language after the enacting clause such that the substantive changes are as follows: (1) a qualifying person must register with the state agency administering the profession and subject themselves in writing to the jurisdiction of such agency in respect to harms or violations of statutes and rules; (2) a qualifying individual must apply for licensure if such license expires in the state of issuance, or within one year of practicing in Tennessee, whichever comes first; (3) regulatory boards under the Department of Health (DOH) are not required to provide license exemption under this legislation; and (4) deletes prerequisite that a person must have left employment to accompany a spouse to this state in order to qualify for an expedited full license under a DOH regulatory board. House Government Operation Committee amendment 2 (006630) specifies the person or spouse holds a valid license to practice the regulated occupation or profession issued by another state or jurisdiction having reasonably similar standards for licensure.  
*Fiscal Note:* (Dated February 28, 2019) Decrease State Revenue Exceeds \$1,000/Health Regulatory Boards Exceeds \$1,000/Commerce Regulatory Boards  
*Senate Status:* 03/25/19 - Senate passed with amendment 1 (005769).  
*House Status:* 04/05/19 - Set for House Floor 04/08/19.

**SB388/HB256 TRANSPORTATION VEHICLES: Prohibits use of cell phones while operating motor vehicles.**

*Sponsors:* Sen. Briggs, Richard , Rep. Freeman, Bob  
*Summary:* Prohibits the use of wireless telecommunications devices while operating a motor vehicle, allows use of earpiece, headphone device, or wrist device, authorizes law enforcement and emergency personnel to use wireless telecommunications devices in their official duties.  
*Fiscal Note:* (Dated April 2, 2019) Increase State Revenue - Exceeds \$32,700/FY19-20 Exceeds \$65,500/FY20-21 Exceeds \$32,700/FY21-22 and Subsequent Years Increase Local Revenue Exceeds \$1,700/FY19-20 Exceeds \$3,400/FY20-21 Exceeds \$1,700/FY21-22 and Subsequent Years  
*Senate Status:* 02/06/19 - Referred to Senate Transportation & Safety Committee.

House Status: 02/01/19 - Referred to House Safety & Funding Subcommittee.

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

Sponsors: Sen. Briggs, Richard , Rep. Wright, Dave

Summary: Adds that a chief legislative body in order to establish zones or districts outside municipality must file the notice with the county mayor by certified mail, return receipt requested.

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

Senate Status: 02/06/19 - Referred to Senate State & Local Government Committee.

House Status: 02/15/19 - House sponsor changed from White to Wright.

**SB392/HB282 PROFESSIONS & LICENSURE: Legislation concerning licensure, certification, or registration requirements.**

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

Summary: Requires any legislation that creates or modifies licensure, certification, or registration requirements for occupational and professional groups to be referred for review to the government operations committee or an appropriate standing committee by the speaker of each house.

Fiscal Note: (Dated February 7, 2019) NOT SIGNIFICANT

Senate Status: 02/06/19 - Referred to Senate Government Operations Committee.

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

**SB393/HB51 TAXES PROPERTY: Collection of property taxes by banks - evidence of payments provided to trustee.**

Sponsors: Sen. Dickerson, Steven , Rep. Whitson, Sam

Summary: Changes the frequency that banks that collect property taxes must provide evidence of such payments to the trustee from daily to at least every three business days. Deletes outdated references to penalties that are no longer applied and deletes and obsolete code section.

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

Senate Status: 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.

House Status: 02/25/19 - House passed.

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

Sponsors: Sen. Stevens, John , Rep. Zachary, Jason

Summary: Creates a homestead exemption for agricultural land, increases aggregate value of real property homestead exemptions while establishing that, in 3-year intervals, the fiscal review committee will recommend to the general assembly increases in the homestead exemption.

Amendment Summary: House Civil Justice Subcommittee amendment 1 (007378) increases the maximum aggregate value of the homestead exemption upon real property to \$250,000. Declares that to be eligible for the homestead exemption, a claimant must have made Tennessee their residency for at least 730 days immediately preceding the date of filing the claim of the homestead exemption. Establishes that the value of real property claimed as a homestead must be reduced to the extent that the value is attributable to a portion of any property the claimant disposed of in the five years preceding the date the claim was made with the value of intent to hinder or defraud a creditor and that the claimant could not exempt, or that portion the debtor could not exempt if on a date the debtor held the property. Declares the homestead exemption to be null and void if the real property claimed was produced directly or indirectly through fraud. Establishes that the fiscal review committee must report to the chairs of the Judiciary Committee of the House and Senate the dollar amount of the exemptions distributed, on April 1, 2026, and every five years after ending on April 1. The fiscal review committee will also determine the amount of the adjustment based on the change in the average CPI, for the most recent five-year period ending on December 31 preceding the adjustment, with each adjustment rounded to the nearest \$1,000.

Fiscal Note: (Dated February 26, 2019) NOT SIGNIFICANT

Senate Status: 04/03/19 - Set for Senate Judiciary Committee 04/09/19.

House Status: 04/04/19 - Set for House Judiciary Committee 04/09/19.



<b>SB401/HB33</b>	<b>JUDICIARY: Service of process.</b>
<i>Sponsors:</i>	Sen. Stevens, John , Rep. Boyd, Clark
<i>Summary:</i>	Adds a private process server to the list of individuals authorized to personally serve a copy of a warrant or summons on behalf of a landlord in an action for forcible entry and detainer to regain possession of such landlord's real property.
<i>Fiscal Note:</i>	(Dated February 15, 2019) Decrease Local Revenue Exceeds \$4,000
<i>Senate Status:</i>	04/01/19 - Senate passed.
<i>House Status:</i>	03/21/19 - House passed.
<i>Executive Status:</i>	04/01/19 - Sent to the speakers for signatures.
<b>SB407/HB404</b>	<b>TAXES PROPERTY: Assessing authority for telecommunications tower properties.</b>
<i>Sponsors:</i>	Sen. Stevens, John , Rep. Hurt, Chris
<i>Summary:</i>	Specifies that the comptroller of the treasury is the assessing authority for telecommunications tower properties that are owned by a public utility company.
<i>Fiscal Note:</i>	(Dated February 27, 2019) NOT SIGNIFICANT
<i>Senate Status:</i>	03/18/19 - Senate passed.
<i>House Status:</i>	04/01/19 - House passed.
<i>Executive Status:</i>	04/02/19 - Sent to governor.
<b>SB410/HB570</b>	<b>TAXES BUSINESS: Delinquent tax notice - posting on door of courthouse.</b>
<i>Sponsors:</i>	Sen. Stevens, John , Rep. Holsclaw, Jr., John
<i>Summary:</i>	Specifies that a notice of delinquent occupancy tax from a city, town, or county that is required to be posted on the courthouse door due to the lack of an available published newspaper in the city, town, or county must be posted on the courthouse door that is most frequently used as the primary entrance by members of the general public. Broadly captioned.
<i>Fiscal Note:</i>	(Dated February 2, 2019) NOT SIGNIFICANT
<i>Senate Status:</i>	02/06/19 - Referred to Senate State & Local Government Committee.
<i>House Status:</i>	02/07/19 - Caption bill held on House clerk's desk.
<b>SB417/HB361</b>	<b>ENVIRONMENT &amp; NATURE: Prohibits landfill construction within five miles of a residence.</b>
<i>Sponsors:</i>	Sen. Kyle, Sara , Rep. Cooper, Barbara
<i>Summary:</i>	Prohibits the commissioner from granting a permit, variance, or waiver to construct a landfill within five miles of a residence. Requires the department of environment and conservation to organize a meeting between the permittee and interested persons if there has been a violation. The meeting must be held within 30 days of the date the petition is filed.
<i>Fiscal Note:</i>	(Dated February 24, 2019) Increase State Expenditures - \$51,400/Environmental Protection Fund \$14,500/General Fund Other Fiscal Impact To the extent the proposed legislation results in closures of landfills in the state, the Solid Waste Management Fund would experience a decrease in revenue of \$283,000 in FY20-21. Such decrease would increase at accelerating rates over the following 25 years.
<i>Senate Status:</i>	02/06/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.
<i>House Status:</i>	03/12/19 - Taken off notice in House Agriculture & Natural Resources Subcommittee.
<b>SB429/HB687</b>	<b>PROFESSIONS &amp; LICENSURE: Filling vacancies on pest control board.</b>
<i>Sponsors:</i>	Sen. Bell, Mike , Rep. Rudd, Tim
<i>Summary:</i>	Decreases time period for reporting and filling vacancies on the pest control board, from 90 days to 60 days. Broadly captioned.
<i>Fiscal Note:</i>	(Dated February 2, 2019) NOT SIGNIFICANT
<i>Senate Status:</i>	03/01/19 - Taken off notice in Senate Commerce & Labor Committee.

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

**SB437/HB85 TAXES PROPERTY: Time-share and vacation club property.**

*Sponsors:* Sen. Bell, Mike , Rep. Hicks, Gary

*Summary:* Classifies time-share and vacation club property that includes an interest in real property as residential property.

*Fiscal Note:* (Dated March 18, 2019) Decrease Local Revenue Exceeds \$500,000

*Senate Status:* 02/06/19 - Referred to Senate State & Local Government Committee.

*House Status:* 03/20/19 - Failed in House Property & Planning Subcommittee.

**SB466/HB539 LABOR LAW: Defining an employee and an employee-employer relationship.**

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

*Summary:* Requires the consideration of the 20-factor test IRS Revenue Ruling 87-41 to determine whether a worker is an independent contractor and whether an employer-employee relationship exists in the arrangement.

*Amendment Summary:* House amendment 1 (006074) deletes and replaces all language after the enacting clause such that the only substantive change is to add the IRS 20-factor test questions used by the IRS and to change the effective date from upon becoming law to January 1, 2020.

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

*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.

*House Status:* 03/28/19 - House passed with amendment 1 (006074).

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

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

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

*Fiscal Note:* (Dated January 15, 2019) Decrease State Revenue Net Impact \$18,700,500/FY18-19 \$37,401,000/FY19-20 \$56,101,500/FY20-21 \$74,802,000/FY21-22 \$93,502,501/FY22-23 and Subsequent Years Decrease State Expenditures \$194,900/FY18-19 \$389,800/FY19-20 \$584,600/FY20-21 \$779,500/FY21-22 \$974,400/FY22-23 and Subsequent Years Increase Local Revenue \$92,800/FY18-19 \$185,700/FY19-20 \$278,500/FY20-21 \$371,300/FY21-22 \$464,200/FY22-23 and Subsequent Years

*Senate Status:* 03/06/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.

*House Status:* 01/22/19 - Referred to House Finance, Ways & Means Subcommittee.

**SB492/HB40 TAXES BUSINESS: Eliminates professional privilege tax.**

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

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

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

*Senate Status:* 03/06/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.

*House Status:* 01/22/19 - Referred to House Finance, Ways & Means Subcommittee.

**SB520/HB1371 AGRICULTURE: Limits foreign ownership of agricultural property in this state.**

*Sponsors:* Sen. Niceley, Frank , Rep. Sexton, Jerry

*Summary:* Prohibits a nonresident alien, foreign business, or foreign government, or an agent, trustee, or fiduciary thereof, from purchasing or otherwise acquiring agricultural land in this state. Specifies that a nonresident alien, foreign business, or foreign government who holds agricultural land in

this state on July 1, 2019, may continue to own or hold the agricultural land, but shall not purchase or otherwise acquire additional agricultural land in this state.

*Fiscal Note:* (Dated April 4, 2019) Increase State Expenditures - \$132,200

*Senate Status:* 02/07/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

*House Status:* 02/13/19 - Referred to House Agriculture & Natural Resources Subcommittee.

**SB521/HB418 PROPERTY & HOUSING: Revises zoning notification regarding private property.**

*Sponsors:* Sen. Niceley, Frank , Rep. Marsh, Pat

*Summary:* Requires a zoning amendment affecting one or more parcels of private property to only take effect if there is written consent from each owner. Orders the governing body of a county to provide written notice 30 days before any public hearing to each individual property owner whose property is the subject of a proposed amendment to the zoning ordinance that changes the designation of the zoning district unless the owner already has knowledge of it.

*Fiscal Note:* (Dated March 15, 2019) Other Fiscal Impact A precise impact to local government cannot reasonably be determined.

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

*House Status:* 03/27/19 - Taken off notice in House Property & Planning Subcommittee.

**SB530/HB717 GOVERNMENT ORGANIZATION: Update of date comprehensive growth plans are to be filed.**

*Sponsors:* Sen. Briggs, Richard , Rep. Lafferty, Justin

*Summary:* Updates comprehensive growth plans be filed with the local government planning advisory committee by July 1, 2021, instead of July 1, 2000, and July 1, 2001.

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

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

*House Status:* 02/11/19 - Referred to House Property & Planning Subcommittee.

**SB543/HB1073 PROPERTY & HOUSING: Lien enforcement under the Tennessee Self-Service Storage Facility Act.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Sanderson, Bill

*Summary:* Revises provisions governing notice for lien enforcement under the Tennessee Self-Service Storage Facility Act. Requires owner to advertise sale of personal property in a commercially reasonable manner after expiration of the time stated in the notice and if the personal property has not otherwise been disposed of. Specifies that the manner of advertisement is deemed commercially reasonable if not less than three potential bidders participate in the sale at the time and place advertised. Specifies that the advertisement of sale may include, but not be limited to, the publishing one time before the date of the sale of the personal property in a newspaper of general circulation that serves the area where the self-storage facility is located.

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

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

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

**SB546/HB1301 TAXES SALES: Disaster relief funds issued by department of revenue.**

*Sponsors:* Sen. Reeves, Shane , Rep. Baum, Charlie

*Summary:* Requires the commissioner of revenue to annually report the amount of disaster relief refunds issued by the department for the previous calendar year. Broadly captioned.

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

*Senate Status:* 03/19/19 - Taken off notice in Senate Finance Revenue Subcommittee.

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

**SB554/HB546 PROPERTY & HOUSING: Rights of survivorship.**

*Sponsors:* Sen. Swann, Art , Rep. Moon, Jerome

*Summary:* Allows creation of a joint tenancy with right of survivorship and requires any share of a descended tenant to go to the surviving one. Orders that a a joint tenancy with right of survivorship cannot be destroyed unilaterally under the common law doctrine of severance by the action of any of the joint tenants conveying their interest to a third party.

*Fiscal Note:* (Dated March 15, 2019) NOT SIGNIFICANT

*Senate Status:* 04/02/19 - Senate Judiciary Committee deferred to last calendar.

*House Status:* 02/11/19 - Referred to House Civil Justice Subcommittee.

**SB555/HB188 TAXES BUSINESS: Removes requirement of general fund remittance of county register's commission.**

*Sponsors:* Sen. Swann, Art , Rep. Carr, Dale

*Summary:* Removes requirement that 52 percent of five percent commission retained by county registers for recordation tax be remitted to state treasurer and credited to state general fund.

*Fiscal Note:* (Dated January 31, 2019) Decrease State Revenue \$6,726,200 Increase Local Revenue \$6,726,200

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

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

**SB556/HB264 PROFESSIONS & LICENSURE: Requires report of number of business licenses issued by certain date.**

*Sponsors:* Sen. Swann, Art , Rep. Carr, Dale

*Summary:* Requires the governing body of each municipality, county, and metropolitan form of government to report to the state and local government committee of the senate and the local government committee of the house of representatives, no later than February 1, 2020, on the number of business licenses issued to hotels, motels, and other places of accommodation for transients for the immediately preceding calendar year. Broadly captioned.

*Fiscal Note:* (Dated February 26, 2019) NOT SIGNIFICANT

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

*House Status:* 02/01/19 - Referred to House Cities & Counties Subcommittee.

**SB557/HB1089 LOCAL GOVERNMENT: Property owners of proposed annexed territories can vote in the annexation referendum.**

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

*Summary:* Specifies that all property owners, rather than just residents, of a territory proposed for annexation may vote in the annexation referendum.

*Amendment Summary:* House Local Committee amendment 1 (006682) changes language to "who own property or reside in the territory proposed for annexation" for clarification purposes.

*Fiscal Note:* (Dated March 6, 2019) NOT SIGNIFICANT

*Senate Status:* 03/18/19 - Senate passed.

*House Status:* 04/04/19 - Set for House Floor for 04/10/19.

**SB568/HB629 TAXES PROPERTY: Commission retained by county registers for collecting and reporting recordation tax.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bricken, Rush

*Summary:* Removes requirement that 52 percent of the five percent commission retained by county registers for collecting and reporting recordation tax must be remitted to state treasurer and credited to state general fund.

*Fiscal Note:* (Dated February 21, 2019) Decrease State Revenue -- \$6,726,200 Increase Local Revenue -- \$6,726,200

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

*House Status:* 02/11/19 - Referred to House Property & Planning Subcommittee.

**SB570/HB861 PROPERTY & HOUSING: Reporting on total amount of state funds paid to acquire property through eminent domain.**

*Sponsors:* Sen. Bowling, Janice , Rep. Russell, Lowell  
*Summary:* Requires the commissioner of finance and administration to report the total amount of state funds paid to acquire property through eminent domain in the 2017-2018 year to the chairs of the finance, ways and means committees and the office of legislative budget analysis by January 1, 2020. Broadly captioned.  
*Fiscal Note:* (Dated February 6, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/11/19 - Referred to House Constitutional Protections & Sentencing Subcommittee.

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

*Sponsors:* Sen. Bowling, Janice , Rep. Daniel, Martin  
*Summary:* Establishes a person who receives certified comprehensive career and technical training in high school and post high school are eligible to receive equivalent credit towards the occupational license related to training.  
*Amendment Summary:* House Government Operations Committee amendment 1 (006603) specifies application to all professions and occupations regulated except for certified public accountants, architects and engineers. Requires any kind of training be consistent with the requirements for licensure by licensing authorities in order for persons to be eligible for equivalent credit. Allows any person aggrieved by the decision of a licensing authority concerning eligibility for equivalent credit to appeal to the commissioner and insurance or the commissioner's designee for a determination of whether the training meets the requirements for licensure. Orders commissioner of commerce and insurance, state board of education and various departments charged with supervision of licensing authorities to promulgate rules.  
*Fiscal Note:* (Dated February 24, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.  
*House Status:* 04/04/19 - Set for House Floor for 04/10/19.

### **SB574/HB693 TAXES PROPERTY: Time frame for eligible taxpayers to apply for refund.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Carr, Dale  
*Summary:* Extends time eligible taxpayers may apply for a refund or present a credit voucher for credit on their taxes from within 35 days from the date taxes in the jurisdiction become delinquent for that year to within 40 days from that date. Broadly captioned.  
*Fiscal Note:* (Dated February 27, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/07/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 02/11/19 - Referred to House Property & Planning Subcommittee.

### **SB682/HB875 PROPERTY & HOUSING: Limits enforcement of a lien.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Curcio, Michael  
*Summary:* Limits recovery of assets in successful lien challenges if the action was brought to challenge the securing unpaid dues, fees, assessments, or other charges pursuant to a properly recorded master deed.  
*Fiscal Note:* (Dated February 27, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/07/19 - Referred to Senate Judiciary Committee.  
*House Status:* 02/11/19 - Referred to House Civil Justice Subcommittee.

### **SB699/HB676 ESTATES & TRUSTS: Tennessee Disclaimer of Property Interests Act.**

*Sponsors:* Sen. Stevens, John , Rep. Garrett, Johnny  
*Summary:* Enacts the "Tennessee Disclaimer of Property Interests Act," which allows a person to disclaim, in whole or part, any interest in or power over property, including a power of appointment. Permits a person to disclaim the interest or power even if its creator imposed a spendthrift provision or similar restriction on transfer or a restriction or limitation on the right to disclaim. Allows a fiduciary to disclaim, in whole or part, any interest in or power over property, including a power of appointment, whether acting in a personal or representative capacity. Also allows a fiduciary to disclaim the interest or power even if its creator imposed a spendthrift provision or similar

restriction on transfer or a restriction or limitation on the right to disclaim. Specifies requirements for disclaimer to be effective. Specifies other requirements regarding disclaimer of interest in property, disclaimer of rights of survivorship in jointly held property, disclaimer of interest by trustee, and other disclaimers. Also specifies when a disclaimer can be barred or limited. (22 pp.)

*Amendment Summary:*

House Judiciary Committee amendment 1 (006287) clarifies the definition of a designated ancestor and a family member. Removes section 13 of the bill which included mandatory arbitration language. Establishes that trustees who have resigned or been removed have the right to petition the court for approval of its accountings and a release from liability related to such a trust. Clarifies general power of appointment. Makes technical changes.

*Fiscal Note:*

(Dated March 8, 2019) Increase State Revenue Exceeds \$1,000/Department of Financial Institutions Increase State Expenditures Exceeds \$1,000/Department of Financial Institutions

*Senate Status:*

04/03/19 - Set for Senate Judiciary Committee 04/09/19.

*House Status:*

04/03/19 - House Judiciary Committee recommended with amendment 1 (006287), which clarifies the definition of a designated ancestor and a family member. Removes section 13 of the bill which included mandatory arbitration language. Establishes that trustees who have resigned or been removed have the right to petition the court for approval of its accountings and a release from liability related to such a trust. Clarifies general power of appointment. Makes technical changes. Sent to House Finance.

## **SB706/HB579 ECONOMIC DEVELOPMENT: Report on status of broadband accessibility grant program.**

*Sponsors:*

Sen. Stevens, John , Rep. Todd, Chris

*Summary:*

Requires the department of economic and community development to deliver its report on the status of grants under the broadband accessibility grant program to the chairs of the commerce committee of the house and the commerce and labor committee of the senate. Broadly captioned.

*Fiscal Note:*

(Dated February 8, 2019) NOT SIGNIFICANT

*Senate Status:*

02/07/19 - Referred to Senate Commerce & Labor Committee.

*House Status:*

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

## **SB708/HB1269 TAXES PROPERTY: Ad valorem tax on mineral interests in real property.**

*Sponsors:*

Sen. Stevens, John , Rep. Holt, Andy

*Summary:*

Revises provisions related to the ad valorem tax on mineral interests in real property. Broadly captioned.

*Amendment Summary:*

House Local Committee amendment 1, Senate amendment 1 (006478) limits the scope of applicability to only agreements entered into or amended on or after July 1, 2019 regarding land leased from local government entities. Removes the requirement that payment in lieu of tax (PILOT) agreements are in an amount equal to the ad valorem taxes due.

*Fiscal Note:*

(Dated March 11, 2019) Other Fiscal Impact -- A recurring shift in local government revenue to state and local governmental entities exceeding \$2,720,400.

*Senate Status:*

04/01/19 - Senate passed with amendment 1 (006478).

*House Status:*

04/04/19 - Set for House Finance, Ways & Means Committee 04/09/19.

## **SB712/HB1112 TAXES PROPERTY: Delinquent property taxes due on parcel.**

*Sponsors:*

Sen. Stevens, John , Rep. Powell, Jason

*Summary:*

Allows a purchaser of a parcel subject to delinquent taxes to demand rents or profits from the occupier of the parcel only after the purchaser has made an advance demand for such rents or profits. Makes various revisions regarding delinquent tax proceedings.

*Fiscal Note:*

(Dated February 16, 2019) NOT SIGNIFICANT

*Senate Status:*

04/01/19 - Senate passed.

*House Status:*

03/14/19 - House passed.

*Executive Status:*

04/01/19 - Sent to the speakers for signatures.

## **SB714/HB851 PROPERTY & HOUSING: Notice of an execution and sale of land.**

*Sponsors:*

Sen. Stevens, John , Rep. Halford, Curtis

*Summary:* Increases the time in which a person in actual possession and occupation of land must be provided notice of execution and sale, from 20 days to 25 days.  
*Fiscal Note:* (Dated March 15, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/07/19 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 02/07/19 - Caption bill held on House clerk's desk.

**SB715/HB853 LOCAL GOVERNMENT: Annexation of territory by municipality that is not contiguous to its boundaries.**

*Sponsors:* Sen. Watson, Bo , Rep. Carter, Mike  
*Summary:* Requires the consent of a county before a municipality may annex territory that is not contiguous to the municipality's boundary.  
*Fiscal Note:* (Dated February 22, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/07/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 02/27/19 - Taken off notice in House Property & Planning Subcommittee.

**SB717/HB863 GOVERNMENT REGULATION: Good Neighbor Compact.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Rudd, Tim  
*Summary:* Enacts reciprocal bans on states that have issued bans on states state-sponsored travel to member states of this Compact, excepting travel for the purpose of economic development and job recruitment. Becomes effective and binding on the earlier date of legislative enactment of this Compact into law by at least 26 states or December 31, 2019.  
*Fiscal Note:* (Dated March 6, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/19/19 - Taken off notice in Senate State & Local Government Committee.  
*House Status:* 03/13/19 - Taken off notice in House Employee Affairs Subcommittee.

**SB759/HB252 GOVERNMENT REGULATION: Requires accommodations for dyslexic applicants for certain licenses.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Freeman, Bob  
*Summary:* Requires reasonable accommodations to be made for a person applying for a license to engage in an occupation, trade, or profession who is diagnosed with dyslexia.  
*Amendment Summary:* House State Committee amendment 1 (006297) moves the effective date from July 1, 2019 to July 1, 2020 and requires an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination to ensure the provision of appropriate accommodations in accordance with the Americans with Disabilities Acts. Requires a state agency that administers a required examination for licensure to promulgate rules that establish the eligibility criteria that a person must meet for an accommodation to be provided. Exempts examinations mandated and administered pursuant to federal law.  
*Fiscal Note:* (Dated February 20, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.  
*House Status:* 04/04/19 - Set for House Government Operations Committee Regular Calendar 04/08/19.

**SB766/HB582 TAXES PROPERTY: Taxation of residential property based on tree density.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Potts, Jason  
*Summary:* Requires that tree density to be considered as a factor in determining residential property value and the respective taxation in Davidson and Shelby Counties.  
*Fiscal Note:* (Dated March 3, 2019) Other Fiscal Impact The precise mandatory recurring decrease in property tax revenue collected by Davidson County cannot reasonably be determined.  
*Senate Status:* 02/07/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 03/06/19 - Taken off notice in House Property & Planning Subcommittee.

**SB811/HB845 ENVIRONMENT & NATURE: Regulatory oversight regarding effluents when federal government lacks funds.**

*Sponsors:* Sen. Jackson, Ed , Rep. Todd, Chris

*Summary:* Requires state assume regulatory oversight over effluents during periods when the federal government lacks adequate funds to exercise such responsibilities.  
*Fiscal Note:* (Dated March 14, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/07/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.  
*House Status:* 03/19/19 - Taken off notice in House Agriculture & Natural Resources Subcommittee.

**SB838/HB139 INSURANCE HEALTH: Health insurance coverage of acupuncture services.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Cooper, Barbara  
*Summary:* Orders every individual or group health insurance policy to provide coverage for acupuncture services after January 1, 2020. Allows for more stringent deductible, co-payment requirements and benefit limits than those established for the treatment of other regular health benefits.  
*Fiscal Note:* (Dated January 31, 2019) Increase State Expenditures \$720,000/FY19-20 \$1,440,000/FY20-21 and Subsequent Years Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation will result in an increase in the cost of health insurance premiums for procedures and treatments being provided by plans that do not currently offer these benefits at the proposed mandated levels. It is estimated that the increase to each individual's total premium will be less than one percent. A one percent increase in premium rates could range between \$50 (single coverage) and \$140 (family coverage) depending on the type of plan.  
*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 03/13/19 - Failed in House Life & Health Insurance Subcommittee.  
*Executive Status:* 03/11/19 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

**SB866/HB990 GOVERNMENT ORGANIZATION: Permit applications pertaining to water and sewage.**

*Sponsors:* Sen. Bowling, Janice , Rep. Russell, Lowell  
*Summary:* Requires the department to either approve permit applications pertaining to water and sewage within 30 days of receipt or provide a clear, written explanation for not issuing the permit with citations to supporting authority. Broadly captioned.  
*Fiscal Note:* (Dated March 15, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate Energy, Agriculture & Natural Resources Committee.  
*House Status:* 02/11/19 - Caption bill held on House clerk's desk.

**SB886/HB809 TAXES PROPERTY: Expands definition of agricultural land for purposes of greenbelt property tax program.**

*Sponsors:* Sen. Niceley, Frank , Rep. Kumar, Sabi  
*Summary:* Expands definition of agricultural land for purposes of greenbelt property tax program to include two noncontiguous tracts of land within same county totaling at least 15 acres and split only by public or private road. Broadly captioned.  
*Amendment Summary:* Senate State & Local Government Committee amendment 1, House Agriculture and Natural Resources Subcommittee amendment 1 (004587) allows for two non-contiguous tracks of land within the same county, totaling at least 15 acres, including woodlands and wasteland separated only by a road, body of water, or public or private easement, to form as one farming unit to qualify as agriculture land.  
*Fiscal Note:* (Dated February 14, 2019) Other Fiscal Impact Due to multiple unknown variables, a precise mandatory recurring decrease in local government revenue beginning in FY20-21 cannot reasonably be determined.  
*Senate Status:* 04/02/19 - Senate State & Local Government Committee recommended with amendment 1 (004587). Sent to Senate Finance.  
*House Status:* 03/27/19 - House Finance Subcommittee placed behind the budget.

**SB905/HB721 HEALTH CARE: TACIR study regarding inspection, testing, and quarantine of property where fentanyl found.**

*Sponsors:* Sen. Southerland, Steve , Rep. Moody, Debra



*Summary:* Directs TACIR to conduct a study regarding the inspection, testing, and quarantine of property where fentanyl or its analogues are found in this state and report the findings to the health committees by January 1, 2020. Requires all appropriate state department and agencies to provide assistance to TACIR in connection with the study.

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

*Senate Status:* 02/11/19 - Referred to Senate Health & Welfare Committee.

*House Status:* 02/11/19 - Referred to House Mental Health & Substance Abuse Subcommittee.

**SB916/HB259 ENVIRONMENT & NATURE: Requirements and clarification for discharging water.**

*Sponsors:* Sen. Southerland, Steve , Rep. Marsh, Pat

*Summary:* Establishes that the commissioner may issue permits authorizing discharges if there is no condition of pollution and meets the regulations of the board. Declares that an evaluation of alternative locations is not required when examining alternative locations for the purpose of avoiding and minimizing the impact of the project.

*Amendment Summary:* Senate amendment 1 (005598) rewrites this bill to specify that an alternatives analysis required by rule of the department of environment and conservation as part of the process of obtaining a discharge permit for a transportation project does not need to include alternative road locations but must include other measures to avoid and minimize impacts to resource values.

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

*Senate Status:* 03/18/19 - Senate passed with amendment 1 (005598).

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

*Executive Status:* 04/02/19 - Sent to governor.

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

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

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

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

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

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

**SB941/HB859 GOVERNMENT ORGANIZATION: Establishes the office of apprenticeship and work-study programs.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Thompson , Dwayne

*Summary:* Establishes the office of apprenticeship and work-study programs within the department of economic and community development. Requires the commissioner to appoint a director of the office, in consultation with THEC, the Tennessee board of regents, the department of education, and the department of labor. Requires the office to promote federally certified apprenticeship and work-study programs to assist industries that have needs for such programs and to establish industry consortiums in which the apprenticeship and work-study programs are organized by industry and where companies can participate to best meet their individual needs. Provides a tax credit to entities that participate in the programs. Reinstates certain apprenticeship programs for certain professional boards and commissions.

*Fiscal Note:* (Dated March 11, 2019) Increase State Revenue Exceeds \$253,300/FY19-20/Office of Apprenticeship Exceeds \$243,300/FY20-21 and Subsequent Years/Office of Apprenticeship Increase State Expenditures \$253,300/FY19-20/Office of Apprenticeship \$243,300/FY20-21 and Subsequent Years/Office of Apprenticeship

*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.

*House Status:* 03/12/19 - House Business Subcommittee deferred to the first calendar of 2020.

**SB942/HB1044 INSURANCE HEALTH: Convenience fee - commissioner of commerce and insurance.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Travis, Ron  
*Summary:* Clarifies that the rule the commissioner is authorized to promulgate for a convenience fee to cover the costs of issuing or renewing licenses, registrations, and permits must be in accordance with the Uniform Administrative Procedures Act. Broadly captioned.  
*Amendment Summary:* Senate Commerce and Labor Committee amendment 1, House Insurance Committee amendment 1 (006279) authorizes a pool of member employers qualifying as self-insurers to use case characteristics, claim experience, health status or duration of coverage since issue, in determining the initial or adjusted premium rates for such employers.  
*Fiscal Note:* (Dated February 11, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/04/19 - Set for Senate Floor 04/08/19.  
*House Status:* 04/04/19 - Set for House Floor for 04/11/19.

**SB973/HB44 TRANSPORTATION VEHICLES: Use of hand-held cell phones prohibited while operating a motor vehicle.**

*Sponsors:* Sen. Jackson, Ed , Rep. Hazlewood, Patsy  
*Summary:* Prohibits talking on a hand-held mobile phone on any road or highway in the state while the vehicle is in motion. Current law only applies to talking on such devices while driving within a marked school zone.  
*Fiscal Note:* (Dated March 26, 2019) Increase State Revenue Exceeds \$40,900/FY19-20 Exceeds \$81,800/FY20-21 Exceeds \$40,900/FY21-22 and Subsequent Years Increase Local Revenue Exceeds \$2,200/FY19-20 Exceeds \$4,300/FY20-21 Exceeds \$2,200/FY21-22 and Subsequent Years  
*Senate Status:* 02/11/19 - Referred to Senate Transportation & Safety Committee.  
*House Status:* 01/22/19 - Referred to House Safety & Funding Subcommittee.

**SB988/HB1024 PUBLIC FINANCE: Notification regarding estimate of board fees.**

*Sponsors:* Sen. Stevens, John , Rep. Lynn, Susan  
*Summary:* Requires each board to notify the commissioner of finance and administration when the estimate of board fees for a fiscal year is more than the certified amount of board fees required by the board for that fiscal year.  
*Fiscal Note:* (Dated February 8, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/02/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.  
*House Status:* 02/11/19 - Caption bill held on House clerk's desk.

**SB992/HB722 TAXES BUSINESS: Exemptions from professional privilege tax - judges and chancellors.**

*Sponsors:* Sen. Kelsey, Brian , Rep. Coley, Jim  
*Summary:* Exempts judges and chancellors from the professional privilege tax assessed to persons licensed as attorneys.  
*Fiscal Note:* (Dated February 16, 2019) Decrease State Revenue Net Impact - \$215,300/FY18-19 and Subsequent Years Increase Local Revenue - \$3,100/FY18-19 and Subsequent Years  
*Senate Status:* 03/26/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.  
*House Status:* 02/20/19 - House Finance Subcommittee placed behind the budget.

**SB997/HB699 PROPERTY & HOUSING: Establishes the Tennessee Plane Coordinate System.**

*Sponsors:* Sen. Kelsey, Brian , Rep. Leatherwood, Tom  
*Summary:* Establishes the Tennessee Plane Coordinate System as new system of defining and stating geographic positions and locations in Tennessee.  
*Amendment Summary:* House, Senate Energy, Agriculture & Natural Resources Committee amendment 1 (005270) adds various words to clarify statements and titles but makes no substantive changes. Gives credit to the United States Department of Commerce for their work on systems of plane coordinates from the past.

*Fiscal Note:* (Dated February 27, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/04/19 - Set for Senate Floor 04/08/19.  
*House Status:* 03/25/19 - House passed with amendment 1 (005270).

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

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Potts, Jason  
*Summary:* Allows the reinstatement of a professional or occupational license if there is submission of an application acceptable to the licensing entity, payment of the full renewal fee for an active license, and payment of any reinstatement penalty that may be required by the licensing entity.

*Fiscal Note:* (Dated February 22, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/19/19 - Failed in Senate Commerce & Labor Committee for lack of a second.  
*House Status:* 02/26/19 - Failed in House Business Subcommittee due to lack of second.

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

*Sponsors:* Sen. Roberts, Kerry , Rep. Daniel, Martin  
*Summary:* Clarifies that the board for licensing contractors must promulgate rules in accordance with the Uniform Administrative Procedures Act. Broadly captioned.

*Fiscal Note:* (Dated February 10, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate Government Operations Committee.  
*House Status:* 02/11/19 - Caption bill held on House clerk's desk.

**SB1005/HB1221 CAMPAIGNS & LOBBYING: Voter registration form provided by landlord and residential home sellers.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Potts, Jason  
*Summary:* Requires a residential landlord or a residential home seller to provide a lessee or buyer with the location and contact information for the office of the county election commission and a voter registration form at the time of the execution of the lease or sale.

*Fiscal Note:* (Dated February 27, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 03/06/19 - Taken off notice in House Elections & Campaign Finance Subcommittee.

**SB1006/HB56 LABOR LAW: Compensation history of applicants for employment.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Potts, Jason  
*Summary:* Prohibits employers from screening applicants based on their compensation history by requiring the applicant's compensation history to satisfy minimum or maximum criteria or seeking the compensation history of the applicant orally, in writing, or through an employee or agent. Allows employer to consider the compensation of a current employee during a move of job with the same employer. Specifies that a violation is a Class B misdemeanor punishable by a fine only of a minimum of \$100 up to a maximum of \$500.

*Fiscal Note:* (Dated March 3, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 03/05/19 - Failed in House Employee Affairs Subcommittee.

**SB1037/HB580 PUBLIC FINANCE: Limit on expenses incurred by the department of economic and community development to administer the broadband accessibility grant program.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Todd, Chris  
*Summary:* Reduces the limit at which the expenses incurred by the department of economic and community development to administer the broadband accessibility grant program must not exceed from the total amount appropriated to the program in any fiscal year from five to four percent.

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

*Senate Status:* 03/05/19 - Taken off notice in Senate Commerce & Labor Committee.

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

### **SB1044/HB1397 TAXES PROPERTY: Recordation tax on transfers to related entities.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Kumar, Sabi

*Summary:* Exempts the transfer of real estate from real estate transfer tax when the transferor is a member, stock holder, or partner, the transferee is a limited liability company, corporation, or partnership, and the real estate so conveyed serves as a capital contribution to the business entity. Broadly captioned.

*Fiscal Note:* (Dated February 26, 2019) Decrease State Revenue - \$4,013,300 Decrease Local Revenue - \$98,700

*Senate Status:* 04/02/19 - Taken off notice in Senate Finance Revenue Subcommittee.

*House Status:* 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.

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

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

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

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

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

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

### **SB1076/HB344 PROPERTY & HOUSING: Increases time to reclaim garments from dry cleaner.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Moon, Jerome

*Summary:* Increases the amount of time a customer has to reclaim a garment or article from a dry cleaner before the dry cleaner is able to dispose of the garment from 180 days to 240 days. Broadly captioned.

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

*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.

*House Status:* 02/04/19 - Caption bill held on House clerk's desk.

### **SB1080/HB997 PROPERTY & HOUSING: Animals that are abandoned in vacated rental property.**

*Sponsors:* Sen. Swann, Art , Rep. Beck, Bill

*Summary:* Requires a landlord to inspect a vacated residential property within 72 hours of when the last tenant vacated such property for abandoned animals left at the rental property. Requires landlord to report any abandoned animals found on the vacated rental property to the county or municipal animal shelter, animal control agency or a similar agency. Specifies that it is a Class C misdemeanor offense for a landlord to fail to make the inspection or report.

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

*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.

*House Status:* 03/27/19 - Taken off notice in House Criminal Justice Subcommittee.

### **SB1087/HB1285 PROFESSIONS & LICENSURE: Requirements for executive director of real estate commission.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Farmer, Andrew

*Summary:* Deletes requirement that the executive director of the real estate commission have passed the real estate broker's examination. Broadly captioned.

*Fiscal Note:* (Dated March 6, 2019) NOT SIGNIFICANT

*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.

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

**SB1090/HB648 TAXES PROPERTY: Property tax freeze program for persons 65 years of age or older.**

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

*Summary:* Creates real property tax freeze program for persons 65 years of age or older who have lived in their principal residence for 30 years or more when the assessed value of the property increases by 50 percent or more from an established baseline assessed value of the property. Defines "baseline assessed value of the property" to mean the assessed value of a residential property based on the periodic reappraisal of the property that occurred immediately preceding the first periodic reappraisal of the property used to establish that the residential property owner was qualified for the tax freeze program.

*Fiscal Note:* (Dated April 4, 2019) Decrease Local Revenue \$66,300

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

*House Status:* 02/11/19 - Referred to House Property & Planning Subcommittee.

**SB1100/HB247 MISCELLANEOUS: Orders daylight savings time as the standard time of the state.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Tillis, Rick

*Summary:* Requires daylight savings time as the standard time of the state. Specifies the new time will go into effect on the first Sunday of November after the United States Congress repeals or amends current law to authorize states to observe daylight saving time year-round. Orders the commissioner of transportation to monitor and certify in writing to the executive secretary of the Tennessee code commission the date of the changed legislation.

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

*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.

*House Status:* 04/04/19 - Set for House Finance, Ways & Means Committee 04/09/19.

**SB1101/HB74 PUBLIC FINANCE: Ability for appeal of transit-oriented redevelopment plans.**

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

*Summary:* Creates the ability for a property owner within the area covered by a transit-oriented redevelopment plan to appeal a decision of an authority regarding the project to a legislative appeal board. This appeal board must meet at least once each quarter. Voting on an amendment to the project must be done in 60 days. Reduces amount of expenses that can be set aside from incremental tax revenues from five to three percent.

*Amendment Summary:* House amendment 1 (005406) specifies membership of a legislative appeal board in any area that is covered by a transit-oriented redevelopment plan. Terms of the appointed members are to be coterminous with the terms of the appointing authority's term and members do not receive compensation of their service on the board. Clarifies membership of general assembly members will be nonvoting while membership of local legislative bodies will be voting.

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

*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.

*House Status:* 03/25/19 - House passed with amendment 1 (005406).

**SB1125/HB1127 ENVIRONMENT & NATURE: Report on sealed battery smoke alarms in residential buildings.**

*Sponsors:* Sen. Briggs, Richard , Rep. Tillis, Rick

*Summary:* Requires the state fire marshal to submit a report with the commissioner of commerce and insurance on the benefits of using sealed battery smoke alarms in residential buildings located in this state as compared to the use of standard smoke detectors in such buildings.

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

*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.

*House Status:* 02/13/19 - Referred to House Department & Agencies Subcommittee.

## **SB1158/HB1007 TAXES SALES: Share of state sales and use tax revenue deposited to the state general fund.**

*Sponsors:* Sen. Jackson, Ed , Rep. Carr, Dale  
*Summary:* Decreases the amount of the share of state sales and use tax revenue deposited to the state general fund from 29.0141 percent to 28.5262 percent. Increases the share amount appropriated to municipalities from 4.6030 percent to 5.0909 percent.  
*Fiscal Note:* (Dated March 8, 2019) Increase State Revenue - \$359,300/Municipal Technical Advisory Service Decrease State Revenue - \$37,196,700/General Fund Increase Local Revenue - \$36,837,400  
*Senate Status:* 03/12/19 - Taken off notice in Senate Finance Revenue Subcommittee.  
*House Status:* 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.

## **SB1162/HB1488 TAXES BUSINESS: Threshold decennial county growth rate.**

*Sponsors:* Sen. Hensley, Joey , Rep. Bricken, Rush  
*Summary:* Reduces to 15 percent the threshold decennial county growth rate required before a county is authorized to levy a privilege tax on entities engaged in residential development of property to provide the county with an additional source of funding to defray the cost of providing school facilities. Broadly captioned.  
*Fiscal Note:* (Dated April 1, 2019) Other Fiscal Impact Permissive recurring increases in local government revenue; the extent and timing of which cannot be determined due to several unknown factors.  
*Senate Status:* 02/11/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 02/13/19 - Referred to House Finance, Ways & Means Subcommittee.

## **SB1167/HB614 PROPERTY & HOUSING: Requires landlords provide email addresses.**

*Sponsors:* Sen. Hensley, Joey , Rep. Griffey, Bruce  
*Summary:* Requires a landlord to provide certain local governmental agencies responsible for enforcing building codes the landlord's email address, in addition to name, telephone number, and physical address.  
*Amendment Summary:* House Business Subcommittee amendment 1 (004989) makes it illegal for any lessor to lease, let, or rent a dwelling unit to an illegal alien, or allow an occupant who is an illegal alien to reside in a dwelling unit leased or rented by the lessor, knowing or in reckless disregard of the fact that the alien entered or remains in the United States illegally. Requires lessor verify citizenship and lawful presence of prospective occupants and maintain verifying documents for at least one year following the occupant ceasing to rent, let or lease from the lessor. Establishes punishment for offenses. Specifies that the law applies only to contracts to let, lease, or rent dwelling units on or after the effective date of this act. Requires law enforcement officers investigating violations of this law request federal verification on whether an occupant is an alien lawfully present in the United States. Prohibits law enforcement officers or agencies from making independent determinations of any occupant's immigration status.  
*Fiscal Note:* (Dated February 12, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 03/26/19 - House Commerce Committee deferred to summer study.

## **SB1172/HB757 PROPERTY & HOUSING: Limits recovery of a real property owner who prevails in action challenging validity of lien.**

*Sponsors:* Sen. Swann, Art , Rep. Marsh, Pat  
*Summary:* Limits recovery of a real property owner who prevails in an action challenging the validity of a lien to only liens filed against certain residential units.  
*Amendment Summary:* House amendment 1 (004202) rewrites this bill to eliminate the present law provisions described above in the bill summary whereby a real property owner who prevails in an action challenging the validity of a lien, including in a slander of title proceeding, may recover attorney's fees, costs, and damages.  
*Fiscal Note:* (Dated February 14, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/25/19 - Senate passed.  
*House Status:* 03/07/19 - House passed with amendment 1 (004202).  
*Executive Status:* 04/02/19 - Sent to governor.

**SB1184/HB817 TAXES PROPERTY: Time in which a county board of equalization must complete its assessment reviews.**

*Sponsors:* Sen. White, Dawn , Rep. Helton, Esther  
*Summary:* Deletes reference to a repealed provision to clarify the time in which a county board of equalization must complete its assessment reviews. Broadly captioned.  
*Amendment Summary:* House Local Committee amendment 1 (005340) rewrites the bill and establishes it to be permissive whether records with the register of deeds the application for the classification of property. Requires the property owner to record with the register of deeds if the assessor does not record the application.  
*Fiscal Note:* (Dated February 26, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.  
*House Status:* 03/27/19 - House Local Committee recommended with amendment 1 (005340). Sent to House Calendar & Rules.

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

*Sponsors:* Sen. White, Dawn , Rep. Carr, Dale  
*Summary:* Requires electrical inspectors employed by a local or state government to be certified by the state fire marshal and for this certification to be completed every three years. Declares that certain electrical inspectors contracted under the commissioner of commerce and insurance to be certified on and after January 1, 2020.  
*Fiscal Note:* (Dated February 17, 2019) Increase State Revenue \$2,800/FY22-23 and Every Three Years Thereafter/State Fire Marshal \$100/FY23-24 and Every Three Years Thereafter/State Fire Marshal \$100/FY24-25 and Every Three Years Thereafter/State Fire Marshal  
*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.  
*House Status:* 03/18/19 - House passed.

**SB1198/HB1080 TAXES BUSINESS: Passive investment income.**

*Sponsors:* Sen. White, Dawn , Rep. Rudd, Tim  
*Summary:* Defines passive investment income as gross receipts derived from royalties, rents from residential, farm, or commercial property, dividends, interest, annuities, and sales or exchanges of stock or securities to the extent of any gains therefrom.  
*Fiscal Note:* (Dated March 10, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/26/19 - Taken off notice in Senate Finance Revenue Subcommittee.  
*House Status:* 03/28/19 - Held on House clerk's desk.

**SB1227/HB1126 INSURANCE GENERAL: Unfair trade practices in the business of insurance.**

*Sponsors:* Sen. Niceley, Frank , Rep. Tillis, Rick  
*Summary:* Specifies the law surrounding rebates does not prohibit the payment of a fee to a trade or professional association exempt from income tax.  
*Fiscal Note:* (Dated February 20, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/11/19 - Senate passed.  
*House Status:* 03/14/19 - House passed.  
*Executive Status:* 04/03/19 - Signed by governor.

**SB1263/HB350 TAXES PROPERTY: Property purchased by a county at a tax sale.**

*Sponsors:* Sen. Gresham, Dolores , Rep. Shaw, Johnny  
*Summary:* Provides immunity to a county in suit based in contract or restrictive covenant when the county purchases property in a tax sale. Removes county's liability for the payment of any fees or assessments pursuant to any contractual right held by a non-governmental entity to such fees or assessments secured by property purchased by a county at a tax sale.

*Amendment Summary:* House Civil Justice Subcommittee amendment 1 (004743) rewrites the bill to solely include Hardeman County.  
*Fiscal Note:* (Dated February 17, 2019) Decrease Local Expenditures Exceeds \$200,000/Per Occurrence  
*Senate Status:* 02/11/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 04/04/19 - Set for House Judiciary Committee 04/09/19.

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

*Sponsors:* Sen. Pody, Mark , Rep. Hall, Mark  
*Summary:* Exempts individuals from the professional privilege tax if they are exempt from the business tax on gross receipts from providing services for which they are licensed.  
*Amendment Summary:* Senate Finance Revenue Subcommittee amendment 1 (003959) rewrites the bill and provides exemption from the professional privilege tax, beginning with taxes due on June 1, 2020 for the professions of lobbyist, architect, broker, audiologist, chiropractor, dentist, optometrist, podiatrist, psychologist, speech pathologist, veterinarian, and attorney.  
*Fiscal Note:* (Dated March 5, 2019) Decrease State Revenue Net Impact \$91,940,900/FY19-20 and Subsequent Years Decrease State Expenditures \$974,400/FY19-20 and Subsequent Years Increase Local Revenue \$456,300/FY19-20 and Subsequent Years  
*Senate Status:* 03/19/19 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation after adopting amendment 1 (003959).  
*House Status:* 03/06/19 - Taken off notice in House Finance, Ways & Means Subcommittee.

### **SB1299/HB272 INSURANCE GENERAL: Broadens ways for insurers to pay referral fees to unlicensed persons.**

*Sponsors:* Sen. Pody, Mark , Rep. Gant, Ron  
*Summary:* Broadens the manner and ability of insurers or insurance producers to pay referral fees to unlicensed persons.  
*Amendment Summary:* House amendment 1 (005519) clarifies that an unlicensed person who is neither employed by nor affiliated with the licensed insurance provider may be compensated only if the compensation is a fixed dollar amount under \$25.  
*Fiscal Note:* (Dated February 19, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/04/19 - Senate passed.  
*House Status:* 03/25/19 - House passed with amendment 1 (005519).  
*Executive Status:* 04/04/19 - Sent to the speakers for signatures.

### **SB1327/HB1088 PROFESSIONS & LICENSURE: Application of licensure expedited for military spouses.**

*Sponsors:* Sen. Bowling, Janice , Rep. Bricken, Rush  
*Summary:* Deletes requirement that spouses armed forces service members of the United States be actively employed in a profession when moving to this state in order to have their licensure application expedited. Broadly captioned.  
*Fiscal Note:* (Dated February 14, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/12/19 - Taken off notice in Senate Commerce & Labor Committee.  
*House Status:* 02/19/19 - Taken off notice in House Business Subcommittee.

### **SB1329/HB1467 GOVERNMENT REGULATION: UAPA - effects administrative rules and regulations have on small businesses.**

*Sponsors:* Sen. Watson, Bo , Rep. Daniel, Martin  
*Summary:* Requires an agency to submit an estimate to the members of the government operations committees of the senate and the house of representatives prior to filing a rule or regulation with the secretary of state. Orders the estimate to include implementation costs incurred by all small businesses over three years, number of small businesses affected by the regulation, reasoning upon which the estimate is based and all information used in determining the estimate. Prohibits the agency from promulgating a regulation that will cost equal to or greater than \$3,000,000, unless there is authorizing legislation or a germane modification to reduce costs below the



\$3,000,000 threshold. Does not apply to institutions of higher education, emergency rules, or regulations required by federal mandate.

*Amendment  
Summary:*

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

*Fiscal Note:*

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

*Senate Status:*

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

*House Status:*

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

**SB1336/HB1064 PROFESSIONS & LICENSURE: Contractor continuing education.**

*Sponsors:*

Sen. Southerland, Steve , Rep. Vaughan, Kevin

*Summary:*

Requires contractors licensed on or after January 1, 2009, to complete a minimum of eight hours of continuing education biennially by a board-approved provider and proof of compliance must be filed. Specifies that current membership in a professional trade association approved by the board qualifies as four hours.

*Amendment  
Summary:*

Senate amendment 1 (006331) adds that the board must include, at a minimum, provisions allowing online and in-person training. Decreases the time period active membership in a professional trade association, approved by the board, qualifies as four hours of continuing education from biennially to annually. House Commerce Committee 1 (004866) defines the category of licensed contractors, per the bill, as commercial building construction, industrial construction, heavy construction, highway, railroad and airport construction, municipal and utility construction, mechanical construction, electrical construction, environmental and special construction, and residential construction.

*Fiscal Note:*

(Dated February 23, 2019) NOT SIGNIFICANT

*Senate Status:*

03/25/19 - Senate passed with amendment 1 (006331).

*House Status:*

04/04/19 - Set for House Floor for 04/10/19.

**SB1361/HB797 PROFESSIONS & LICENSURE: Requires posting of auctioneers whose licenses have been suspended or revoked due to fraud.**

*Sponsors:*

Sen. Yager, Ken , Rep. Vaughan, Kevin

*Summary:*

Requires the auctioneer commission post the names of persons whose licenses have been suspended, revoked, or not renewed as a result of fraud and other violations.

*Amendment  
Summary:*

House Commerce Committee amendment 1 (006286) includes auctions on internet-based bidding platforms, in-person, on-site, or off-site auctions and other auction methods so long as they are open for participation by the public at large in the definition of "public sale." Creates an exception for motor vehicle dealers license requirements of motor vehicles sold incidentally at going-out-of-business auctions under certain circumstances. Updates and revises various auction-related terminology, substitutes the term "apprentice" with "affiliate auctioneer," meaning an individual who is employed by a principal auctioneer for the purposes of auction activities. Specifies that bid caller auctioneer license applicants may complete their auction instruction online at an auction school and that auction chant instruction is optional, and may not be completed online. Revises requirements for applications as an affiliate auctioneer and a principal auctioneer. Requires auctioneers licensed under this maintain a place of business in this state. Makes technical corrections.

*Fiscal Note:*

(Dated February 20, 2019) NOT SIGNIFICANT

*Senate Status:*

03/12/19 - Senate Commerce & Labor Committee recommended with amendment 1 (004966). Sent to Senate Finance.

*House Status:*

03/19/19 - House Commerce Committee recommended with amendment 1 (006286). Sent to House Finance.

**SB1365/HB1356 TAXES PROPERTY: Tax relief for certain disaster claimants.**

*Sponsors:* Sen. Yager, Ken , Rep. Calfee, Kent  
*Summary:* Requires any owner who filed a claim against the Tennessee Valley Authority (TVA) for the coal ash spill occurring between December 1, 2008 and January 1, 2009 to not be subject to the typical penalty or interest of delinquent taxes on property. Orders instead that only interest from the delinquency date of the respective tax year at the composite prime rate published by the federal reserve board, minus two points will be implemented.  
*Fiscal Note:* (Dated March 19, 2019) Decrease Local Revenue Exceeds \$132,900/One-Time  
*Senate Status:* 02/11/19 - Referred to Senate State & Local Government Committee.  
*House Status:* 03/27/19 - Returned to House clerk's desk.

## **SB1393/HB1190 PROPERTY & HOUSING: Misrepresentation of a service or support animal.**

*Sponsors:* Sen. Bell, Mike , Rep. Terry, Bryan  
*Summary:* Creates the new Class B misdemeanor offense "misrepresentation of a service or support animal." A person commits misrepresentation of a service or support animal who knowingly: (1) Misrepresents, as a part of a request to maintain a service or support animal in residential rental property, that the person has a disability or disability-related need for the use of a service or support animal; or (2) Provides documentation to a landlord that falsely states an animal is a service or support animal. This bill authorizes a landlord who receives a request for an exception to a pet policy from a tenant or prospective tenant with a disability that is not readily apparent who requires the use of a service or support animal to ask that the individual submit reliable documentation of a disability and the disability-related need for a service or support animal. If the disability is readily apparent or known but the disability-related need for the service or support animal is not, this bill authorizes the landlord to ask the individual to submit reliable documentation of the disability-related need for a service or support animal. This bill authorizes a landlord who receives reliable documentation of a disability and/or the disability-related need for a service or support animal to authenticate the reliable documentation. If a tenant or prospective tenant fails to provide accurate, reliable documentation of a disability and/or the disability-related need for a service or support animal, after the landlord requests the reliable documentation, this bill authorizes the landlord to deny the request for an exception to the landlord's pet policy. This bill defines "service animal" to mean a dog or miniature horse that has been individually trained to work or perform tasks for an individual with a disability. This bill defines "support animal" to mean an animal selected to accompany an individual with a disability that has been prescribed or recommended by a healthcare provider to work, provide assistance, or perform tasks for the benefit of the individual with a disability, or provide emotional support that alleviates one or more identified symptoms or effects of the individual's disability. The full text of this bill defines "reliable documentation," which definition includes a list of persons and entities who are reliable sources of such documentation. Under this bill, it is material noncompliance and default by a tenant with the rental agreement, if the tenant: (1) Misrepresents that there is a disability or disability-related need for the use of a service or support animal; or (2) Provides documentation to a landlord in support of a request for an exception to a pet policy that falsely states an animal is a service or support animal. In the event of default under (1) or (2), this bill authorizes the landlord to terminate the tenancy and recover damages, including, but not limited to, reasonable attorney's fees. This bill specifies that a landlord is not liable for injuries by a person's service or support animal permitted on the premises as a reasonable accommodation to assist the person with a disability pursuant to any federal, state, or local law. Only to the extent of any conflict with federal or state law, the provisions of this bill concerning residential rental agreements do not apply to public housing units owned by a governmental entity.

*Amendment Summary:* House amendment 1 (005842) revises this bill, as follows: (1) Specifies that the offense is committed if a person "fraudulently represents," instead of "misrepresents," that the person has a disability or disability-related need for the use of a service or support animal; (2) Authorizes a landlord who receives reliable documentation of a disability and the disability related need for a service animal or support animal to "verify," instead of "authenticate," such reliable documentation and specifies that this bill does not authorize a landlord to obtain confidential or protected medical records or confidential or protected medical information concerning a tenant's or prospective tenant's disability; and (3) Extends this bill's applicability to rental agreements amended on or after July 1, 2019.

*Fiscal Note:* (Dated March 6, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/04/19 - Senate deferred to 04/11/19.  
*House Status:* 04/04/19 - House passed with amendment 1 (005842).

**SB1394/HB691 PROPERTY & HOUSING: Notice landlord regarding change of tenant's email address.**

*Sponsors:* Sen. Bell, Mike , Rep. Hall, Mark  
*Summary:* Requires a tenant to notify the landlord within ten days of a change of email address.  
*Fiscal Note:* (Dated February 13, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 02/07/19 - Caption bill held on House clerk's desk.

**SB1396/HB1493 CEMETERY & FUNERAL SERVICES: Access to private cemeteries.**

*Sponsors:* Sen. Bell, Mike , Rep. Thompson , Dwayne  
*Summary:* Requires owners of private property on which a gravesite or crypt containing human remains is located to allow access to such site by certain persons. Prohibits the erection of a barrier to access of such site. Creates right of action if access is denied.  
*Fiscal Note:* (Dated February 26, 2019) NOT SIGNIFICANT  
*Senate Status:* 02/11/19 - Referred to Senate Judiciary Committee.  
*House Status:* 03/27/19 - Failed in House Property & Planning Subcommittee after adopting amendment 1 (006480).

**SB1429/HB1290 PROPERTY & HOUSING: Public viewing of solar easement instruments.**

*Sponsors:* Sen. Bailey, Paul , Rep. Farmer, Andrew  
*Summary:* Requires the department of environment and conservation to make the sample solar easement instrument accessible to the public through their website. Broadly captioned.  
*Amendment Summary:* House Local Committee amendment 1 (007237) deletes all language after the enacting clause. Defines terms associated with, and including homeowners association. Creates requirements for amendments to homeowners associations' governing documents which effectively prohibit the lease of residential property for 30 days or more. Establishes that the owner of a property subject to such prohibition has a vested right to continue renting such property until the owner transfers ownership of the property.  
*Fiscal Note:* (Dated February 11, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.  
*House Status:* 04/03/19 - House Local Committee recommended with amendment 1 (007237). Sent to House Calendar & Rules.

**SB1432/HB522 PROPERTY & HOUSING: Addresses tenant and landlord email notification.**

*Sponsors:* Sen. Bailey, Paul , Rep. Hill, Timothy  
*Summary:* Allows a tenant to rescind the use of an email address provided in the rental agreement by written notice to the landlord. Broadly captioned.  
*Fiscal Note:* (Dated February 12, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.  
*House Status:* 02/07/19 - Caption bill held on House clerk's desk.

**SB1437/HB371 PROPERTY & HOUSING: Increases time allotted for a home seller to refund a buyer.**

*Sponsors:* Sen. Bailey, Paul , Rep. Boyd, Clark  
*Summary:* Increases from 10 day to 15 days the time frame which a buyer is required to refund payments to the buyer when a home solicitation sale has been cancelled or an offer to purchase was revoked.  
*Fiscal Note:* (Dated February 13, 2019) NOT SIGNIFICANT  
*Senate Status:* 04/03/19 - Set for Senate Commerce & Labor Committee 04/09/19.  
*House Status:* 02/06/19 - Caption bill held on House clerk's desk.

**SB1456/HB1386 TAXES BUSINESS: Payment of professional privilege tax by military service member.**

*Sponsors:* Sen. Bailey, Paul , Rep. Williams, Ryan  
*Summary:* Increases the amount of time extended to a military or national guard service member who is subject to the professional privilege tax to pay the tax upon return from a combat deployment from 180 days to 210 days.  
*Fiscal Note:* (Dated March 13, 2019) NOT SIGNIFICANT  
*Senate Status:* 03/19/19 - Taken off notice in Senate Finance Revenue Subcommittee.  
*House Status:* 02/11/19 - Caption bill held on House clerk's desk.

**SB1485/HB1465 TAXES PROPERTY: Veterans Property Tax Relief Act of 2019.**

*Sponsors:* Sen. Bailey, Paul , Rep. Windle, John  
*Summary:* Establishes the Veterans Property Tax Relief Act of 2019. Requires that market value cap for real property eligible for disabled veteran property tax relief be adjusted every two years to reflect percentage change in consumer price index.  
*Fiscal Note:* (Dated March 4, 2019) Increase State Expenditures \$232,000/FY20-21 \$259,800/FY21-22 \$582,300/FY22-23 \$652,200/FY23-24 and Subsequent Years  
*Senate Status:* 04/03/19 - Set for Senate State & Local Government Committee 04/09/19.  
*House Status:* 03/13/19 - Taken off notice in House Property & Planning Subcommittee.  
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