

RAMSEY FARRAR & BATES

TN Realtors Weekly Bill Report

2021 Session

- SB178/HB151** **Nonprofit corporations - annual report for secretary of state.**
Sponsors Sen. Lundberg, Jon; Rep. Zachary, Jason
Category Commercial Law
Summary Extends the deadline by which the secretary of state must submit a list to the commissioner of revenue of all new corporations licensed or authorized to operate in this state during the preceding month from the fifteenth of each month to the twentieth of each month. Broadly captioned.
Senate Status 01/14/21 - Filed for Introduction
House Status 01/13/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 29; Title 34; Title 37; Title 39; Title 40; Title 48 and Title 50, relative to nonprofit corporations.
- SB191** **Coffee County - property bought by a county at a tax sale.**
Sponsors Sen. Bowling, Janice
Category Taxes Property
Summary Specifies that whenever Coffee County acquires property at a tax sale, any non-governmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by such property retains such right. Also specifies that Coffee County will be liable for the payment of such fees and assessments if the county makes actual use of the property purchased at the tax sale.
Senate Status 01/15/21 - Filed for Introduction
Caption AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 20 and Title 67, Chapter 5, relative to property bought by a county at a tax sale.
- SB200** **Removes prohibition on local governments enacting rent control and inclusionary zoning regulations.**
Sponsors Sen. Gilmore, Brenda
Category Local Government
Summary Removes the statewide prohibition on local governments enacting rent control and inclusionary zoning regulations.
Fiscal Note (Dated January 20, 2021) NOT SIGNIFICANT
Senate Status 01/15/21 - Filed for Introduction
Caption AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 35, relative to local housing regulations.
- SB208** **Tennessee Freedom of Speech Act.**
Sponsors Sen. Haile, Ferrell
Category Campaigns & Lobbying
Summary Allows a person to place political campaign signs on their property for a certain time for all elections rather than only general elections.
Senate Status 01/19/21 - Filed for Introduction
Caption AN ACT to amend Tennessee Code Annotated, Section 2- 7-143, relative to the Tennessee Freedom of Speech Act.
- SB294/HB198** **Property tax reimbursement for disabled veterans.**
Sponsors Sen. Briggs, Richard; Rep. Zachary, Jason
Category Taxes Property

Summary Expands property tax relief for disabled veterans to include prior tax years if the United States department of veterans affairs determined that the veteran has acquired service connected permanent and total disability or disabilities.
Senate Status 01/21/21 - Filed for Introduction
House Status 01/15/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 7, relative to disabled veterans.

HB34 Authorizes THDA to provide affordable housing to displaced tenants.
Sponsors Rep. Cooper, Barbara
Category Property & Housing
Summary Authorizes the THDA to provide eligible displaced tenants who have been denied requests for housing or housing repairs by local governmental entities with affordable housing and services. Broadly captioned.
House Status 01/13/21 - Held on House clerk's desk.
Caption AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 21; Title 5; Title 6; Title 7; Title 13, Chapter 23 and Title 66, Chapter 7, relative to displaced tenants.

HB37 Prohibits classification of workers as essential or non-essential by governmental entities.
Sponsors Rep. Ogles, Brandon
Category Labor Law
Summary Prohibits a state or local governmental entity, the governor, or the executive head of a local government from classifying a category of workers as essential or non-essential. Broadly captioned.
House Status 01/13/21 - Held on House clerk's desk.
Caption AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 50, Chapter 1, Part 2; Title 58 and Title 68, relative to the right to work.

HB43 Prohibits law enforcement surveillance on private property.
Sponsors Rep. Faison, Jeremy
Category Criminal Law
Summary Prohibits law enforcement from entering private property to engage in surveillance or set up surveillance equipment unless the officer has obtained a search warrant or a judicially recognized exception to the warrant requirement exists. Broadly captioned.
Fiscal Note (Dated January 11, 2021) NOT SIGNIFICANT
House Status 01/13/21 - Held on House clerk's desk.
Caption AN ACT to amend Tennessee Code Annotated, Title 39 and Title 40, relative to surveillance of private property.

HB51 Directs TACIR to conduct a study regarding the use of a voter referendum.
Sponsors Rep. Ogles, Brandon
Category Taxes Property
Summary Directs TACIR to conduct a study regarding the use of a voter referendum to approve significant tax increases on real property. Broadly captioned.
Fiscal Note (Dated January 8, 2020) NOT SIGNIFICANT
House Status 01/13/21 - Held on House clerk's desk.
Caption AN ACT to amend Tennessee Code Annotated, Title 2; Title 4, Chapter 10; Title 5; Title 6; Title 7; Title 9, Chapter 21 and Title 67, Chapter 5, relative to the use of a voter referendum to approve property tax increases.

HB60 Rewrites the Soil Conservation Districts Law.
Sponsors Rep. Lamberth, William
Category Environment & Nature
Summary Deletes the Soil Conservation and Domestic Allotment Act, the duties of the trustees of university to the act, and the policy of the state. Rewrites act as Soil and Water Conservation Districts Law, establishes definitions and requirement for commission members, expands duties and powers of commission, establishes guidelines for additional territories. (28 pp).
House Status 01/13/21 - Held on House clerk's desk.
Caption AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Section 5-9-106; Section 6-58-104; Title 43, Chapter 14; Title 43, Chapter 34; Title 64 and Title 69, Chapter 6, relative to soil and water

conservation.

HB79	UAPA - payment of expenses incurred during proceedings related to contested cases.
Sponsors	Rep. Lamberth, William
Category	Government Regulation
Summary	Requires a party issued a notice of violation by an agency to prevail on the merits of all allegations in the notice at the contested case hearing in order to recover reasonable costs from the agency. Requires a hearing officer or administrative law judge to set forth in writing facts upon which certain determinations are based. Requires parties seeking judicial review of certain agency decisions to cover reasonable costs of the review, including costs for the time, travel, and lodging of the office of the attorney general, court reporter and transcript costs, and court costs.
Fiscal Note	(Dated January 7, 2021) NOT SIGNIFICANT
House Status	01/13/21 - Held on House clerk's desk.
Caption	AN ACT to amend Tennessee Code Annotated, Section 4- 5-325 and Section 63-1-144, relative to payment of expenses incurred during proceedings related to contested cases.
HB93	Filing of claims by bureau of TennCare against TennCare recipients' estates.
Sponsors	Rep. Lamberth, William
Category	Estates & Trusts
Summary	Sets a time limit of within 12 months of a decedent's date of death on the filing of claims by the bureau of TennCare against TennCare recipients' estates unless the bureau files a claim with the probate court clerk or brings or revives suit within the later of 12 months from the decedent's date of death or four months from the date when the bureau received the notice to creditors.
House Status	01/13/21 - Held on House clerk's desk.
Caption	AN ACT to amend Tennessee Code Annotated, Section 30-2-310, relative to time limitations on filing claims by the bureau of TennCare.
HB128	HOA rules regarding posting of signage by homeowner.
Sponsors	Rep. Howell, Dan
Category	Property & Housing
Summary	Prohibits homeowners' associations from adopting or enforcing provisions in a dedicatory instrument that prohibits, or has the effect of prohibiting, a property owner from posting signage intended to protect the health or safety of the property owner, residents of the association, or other persons. Specifies that this section applies to dedicatory instruments created or amended on or after July 1, 2017.
House Status	01/13/21 - Introduced in the House
Caption	AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 27, relative to dedicatory instruments.
HB147	Water quality - powers of department of environment and conservation.
Sponsors	Rep. Zachary, Jason
Category	Environment & Nature
Summary	Prohibits the department of environment and conservation from requiring any permit, inspection, review, or approval of plans for the construction, installation, or modification of any land application system that the board of water quality, oil and gas is authorized to incentivize by rule as part of a system of incentives for alternatives to discharges to surface waters, including a land application system qualifying as a public sewerage system. Broadly captioned.
Fiscal Note	(Dated January 12, 2021) NOT SIGNIFICANT
House Status	01/13/21 - Introduced in the House
Caption	AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 5; Title 7, Chapter 35; Title 65 and Title 69, relative to water quality.
HB157	State tax revenue pertaining to National Hockey League franchises.
Sponsors	Rep. Beck, Bill
Category	Taxes Sales
Summary	Extends provisions related to the apportionment and distribution of state tax revenue as they pertain to National Hockey League franchises until June 30, 2049.
House Status	01/14/21 - Introduced in the House

Caption AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.

HB168 Valuation of property.

Sponsors Rep. Lamar, London

Category Taxes Property

Summary Requires residential property to be valued for ad valorem tax purposes on the basis of the most recent sale, lease, mortgage, or other transfer of an interest in the property for which unrelated parties with competing interests agreed to a valuation of the property. Broadly captioned.

House Status 01/14/21 - Introduced in the House

Caption AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

HB177 Property managers bringing suit or testifying against tenants.

Sponsors Rep. Russell, Lowell

Category Property & Housing

Summary Authorizes property managers to bring suit or testify against tenants in the same manner as landlords or owners of rental property. Defines "manager" to mean an individual, group, business, or organization hired by a landlord or owner to oversee the day-to-day operations of a premises.

House Status 01/14/21 - Introduced in the House

Caption AN ACT to amend Tennessee Code Annotated, Title 4; Title 16; Title 29 and Title 66, relative to rental property.

HB188 Occupational training - members of US armed forces and veterans.

Sponsors Rep. Moon, Jerome

Category Professions & Licensure

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

House Status 01/15/21 - Introduced in the House

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

SB4/HB132 Timeframe for charitable gaming events.

Sponsors Sen. Watson, Bo; Rep. Hazlewood, Patsy

Category Lottery

Summary Increases, from 28 to 60 calendar days, timeframe in which a charitable gaming event is required to be held after event date listed in event application for events held from January 1, 2021 through June 30, 2021.

Fiscal Note (Dated December 1, 2020) NOT SIGNIFICANT

Senate Status 01/12/21 - Introduced in the Senate

House Status 01/13/21 - Introduced in the House

Caption AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 17, relative to nonprofit gaming.

SB73/HB294 Sunset - state board of examiners for land surveyors.

Sponsors Sen. Roberts, Kerry; Rep. Ragan, John

Category Government Organization

Summary Extends the state board of examiners for land surveyors to June 30, 2027.

Fiscal Note (Dated January 10, 2021) NOT SIGNIFICANT

Senate Status 01/12/21 - Introduced in the Senate

House Status 01/20/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 62, Chapter 18, relative to the state board of examiners for land surveyors.

SB97 Requires periodic training for state agency heads.

Sponsors Sen. Roberts, Kerry

Category Government Regulation

Summary Requires each state agency head to complete periodic training for purposes of complying with the

Fiscal Note requirements of the "Regulatory Flexibility Act of 2007." Broadly captioned.
Senate Status (Dated January 8, 2021) NOT SIGNIFICANT
Caption 01/12/21 - Introduced in the Senate
AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 5, relative to the Uniform Administrative Procedures Act.

SB113/HB199 **Stormwater management - abatement of fees owed by property owner.**
Sponsors Sen. Gardenhire, Todd; Rep. Carter, Mike
Category Environment & Nature
Summary Requires a municipality to abate the storm water fees owed by a property owner until such fees equal the construction costs of any holding or retention ponds constructed by the property owner pursuant to the Clean Water Act.
Senate Status 01/13/21 - Introduced in the Senate
House Status 01/15/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, relative to storm water management.

SB128 **Regulation of political campaign signs by local governments and HOAs.**
Sponsors Sen. Haile, Ferrell
Category Campaigns & Lobbying
Summary Extends the period, from 60 days before a general election to 60 days before a primary election, in which local governments and homeowners' associations are limited in the regulation of political campaign signs.
Senate Status 01/14/21 - Introduced in the Senate
Caption AN ACT to amend Tennessee Code Annotated, Section 2- 7-143, relative to the Tennessee Freedom of Speech Act.