

★★ 2023 ★★

# PROGRAM GUIDE





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## A WORD FROM THE 2023 PRESIDENT

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Welcome and thank you for being here and giving your time to Advocacy Training!

This Advocacy Guide will serve as a roadmap for you in the busy year ahead as we navigate the intricacies of the REALTORS® Political Action Committee and the REALTOR® Party to expand our association’s engagement in RPAC and the REALTOR® Party for 2023.

Our mission as Tennessee REALTORS® is to advance our members’ success and advocate for property rights and ownership. Advocacy is an essential part of who we are as REALTORS®. We connect and build relationships with elected officials on the local, state, and national levels to further that goal. We invest in those candidates who stand with us on property issues that matter to consumers and our industry. We are the voice of REALTORS® and our advocacy makes a difference!

I hope to see each of you again at our Tennessee REALTORS® Day on the Hill coming up Wednesday, February 8th, 2023. Last year over 300 Tennessee REALTORS® met with over 132 state lawmakers last year. We look forward to see even more Tennessee REALTORS® members encouraged and committing to attend, to help us demonstrate that we are a powerful and united group, focused and dedicated to protecting and advancing property rights and ownership opportunities.

Thank you again for being here today; for your dedication, service, and your commitment to Tennessee REALTORS® and RPAC. 2023 is a year of great opportunity for us. Through your leadership and a collaborative, focused spirit, we will meet and exceed our RPAC goals and build stronger relationships with our legislators and communities.



Onward together!

Sincerely,

A handwritten signature in black ink that reads "Sher Powers". The signature is written in a cursive style.

Sher Powers  
2023 President

# IMPORTANT DATES

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2022

**NAR NXT, The REALTOR® Experience**

November 11-13, 2022  
Orange County Convention Center  
*(Orlando, FL)*

**REALTOR® Party Training Conference**

November 29-December 1, 2022  
Marriott Philadelphia Downtown  
*(Philadelphia, PA)*

2023

**Tennessee REALTORS® Excel Summit (TNEX)**

February 6-7, 2023  
Embassy Suites Nashville Downtown  
*(Nashville, TN)*

**Tennessee REALTORS® Day on the Hill**

February 8, 2023  
*(Nashville, TN)*

**NAR RPAC President's Circle Conference**

March 1-4, 2023  
Moon Palace The Grand Cancun  
*(Cancun, Mexico)*

**NAR Legislative Meetings**

May 6-11, 2023  
*(Washington, D.C.)*

**RPAC-A-THON**

September 7, 2023  
*(Nashville)*

**Tennessee REALTORS® Fall/Region 4 Conference**

October 16-19, 2023  
*(Savannah, GA)*

**NAR NXT, The REALTOR® Experience**

November 14-16, 2023  
*(Las Vegas, NV)*

# TENNESSEE'S 2022 RPAC HALL OF FAME MEMBERS

Congratulations to Tennessee's inductees into the NAR RPAC Hall of Fame! These generous investors are recognized each May during the NAR REALTORS® Legislative Meetings & Trade Expo in Washington, D.C.

Each year, our inductees join an esteemed fraternity of Tennessee RPAC Hall of Fame members that includes:

## 2005

Bobbi Gillis

## 2009

Lois Killebrew  
Jewell McKinney

## 2010

Martin Edwards  
Fontaine Taylor

## 2011

Rosemarie Fair

## 2014

John Brittle Jr.  
Brian Copeland  
Hagan Stone

## 2015

Margaret Dixon

## 2016

Rich Levenson

## 2017

### \$50,000

Jewell McKinney

## 2017

### \$25,000

Pat Beech  
Janice Carlton  
Gerald Daves  
Nick French  
Mike Gaughan  
Price Lechleiter  
Brianna Morant  
Sher Powers  
Randall Thomas

## 2018

Marcia Franks  
Thomas King  
Mike Pappas  
Ann Skiera

## 2019

### \$50,000

Hagan Stone

### \$25,000

Erin Krueger  
Geoff Ramsey  
Cindy Stanton  
Doyle Webb

## 2020

Alexander Bynum  
Denise Cummins  
Sharon Duncan  
Todd Harvey  
Jay Lowenthal  
Yvette Meldrum  
Fay Robinson  
Angela Shields

## 2021

Travis Close  
Chris Garrett  
Diane Hills  
Carol Lott  
Sally Sparks  
Sue Stinson-Turner  
BJ Swinehart  
Brittney Testerman Griffith  
Katie Townsend  
Bob Turner  
Kevin Wilson



# RPAC BASICS

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## WHAT IS RPAC?

### NATIONAL RPAC

A federal political action committee established and operated by NAR that maintains a separate bank account from NAR, and is required to register and report with the Federal Election Commission (FEC). All fundraising at local, state and national levels is subject to federal law wherein a portion of contributions are sent to National RPAC.

### STATE PACS

In Tennessee, state PACs are regulated by the Bureau of Ethics and Campaign Finance. Fundraising is subject to state law where a portion of the contributions are provided to your state PAC. Also, all local associations are allocated 25 percent out of the state PAC until they reach their RPAC fundraising goal, after which they receive 35 percent of everything they have contributed for the year.

### HARD MONEY VS. SOFT MONEY

Hard Money = Voluntary investments from individual REALTORS® for direct contributions to REALTOR® Champions running for national, state and local offices, such as: personal dollars, family members' dollars, affiliates' dollars.

Only hard dollars can be contributed to federal candidates and National PAC.

Soft Money = Indirect contributions, such as portions of NAR dues that fund the REALTOR® Party; investments from corporate allies (MLSs, technology partners and advisors, political vendors, institutes, societies, councils, franchisors, brokerages) that support federal, state and local independent expenditures for REALTOR® Champions running for public office, issue campaigns OR both; and corporate investments by state and local associations and their affiliates, used for federal political

activities permitted by law, such as opportunity races, legislative receptions, and meet-and-greet events.

Corporate dollars may be accepted by NAR's Political Advocacy Fund (PAF) for use in communications to members about federal candidates. Tennessee is among the states that permit corporate contributions to state and local candidates. Corporate dollars cannot be given to federal candidates or the National PAC.

### WHO CAN BE SOLICITED

- REALTORS®
- REALTOR-ASSOCIATES®
- Affiliate members of REALTOR® associations who are individuals
- NAR, State, and Local Association executive and administrative staff
- Immediate family members (of the above who are over the age of 18)

### WHAT IS A SOLICITATION?

A communication that encourages the support of RPAC activities (by making a contribution) or facilitates making a contribution (such as providing an address where contributions may be made).

### WHAT IS NOT A SOLICITATION?

Informational notices (e.g. amounts contributed, number of contributors, candidates contributed to).

Practical Point: To be on the safe side recognize that almost everything that references RPAC is a solicitation.

### METHODS OF SOLICITATION

- In person or in writing
- Email
- Social Media
- Payroll deduction
- Dues statements
- Fundraising events

# RPAC BASICS

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## SOLICITATION AND SOCIAL MEDIA \*\*

Many REALTOR® associations are embracing social media tools such as Facebook, Twitter, Instagram and YouTube, and integrating these tools into their day-to-day activities. In some cases, this includes using those tools in connection with RPAC activities.

It is important to keep in mind that RPAC-related pages on social media are subject to both federal and state election laws, and may require the association to regulate access to certain portions of the site.

If a post contains a solicitation, limit it to the solicitable class.

Do not post/tweet information about investing in RPAC on a publicly available website. For example, do not provide a business address where an investment can be sent or a link to your association website that permits an RPAC investment.

You may, on a publicly available website, encourage individuals to check the association website for upcoming RPAC events, but any event information on the association website must be firewalled. You may also make general statements about the value of RPAC or general information about the amounts contributed. (“RPAC supports REALTOR®-friendly candidates”; “\$15,000 raised for RPAC”.)

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*\*\*Your solicitations on social media must be limited to a closed group, accessible only by members of the solicitable class, and otherwise must comply with all other solicitation requirements.*

## CAN MY LOCAL ASSOCIATION USE SOCIAL MEDIA SITES FOR RPAC?

Subject to the restrictions noted in the previous section, yes. The association may make certain RPAC informational pages available to the public, such as posting meeting times and basic information about RPAC. However, because RPAC investments may only be solicited from the solicitable class, encouraging support for RPAC or asking for a RPAC investment can occur only behind a password-protected website.

## WHAT RPAC INFORMATION CAN BE PLACED ON A LOCAL ASSOCIATION'S SOCIAL MEDIA PUBLIC PAGES?

- General information about RPAC, such as staff contact information
- General information about RPAC activities, such as a calendar of RPAC events
- RPAC financial information, such as how much had been contributed or the number of contributors to RPAC in a given period
- Copies of the campaign finance reports filed with regulators like the Federal Election Commission or its state counterpart, setting forth the contributions received or disbursements made by RPAC
- Information about RPAC’s legislative priorities and accomplishments  
Associations must carefully monitor the content of their site if it includes RPAC information that goes beyond simply providing factual information and constitutes a solicitation for RPAC investments.



## WHAT INFORMATION NEEDS TO BE BEHIND MEMBER-ACCESS PASSWORD PROTECTION?

All communications that constitute a "solicitation" need to be password-protected.

## WHAT OTHER ISSUES SHOULD LOCAL ASSOCIATIONS CONSIDER WHEN USING THEIR SOCIAL MEDIA SITES FOR RPAC?

Your local association must ensure that there is a member-only, password-protected feature on the sections of the social media site that may include a RPAC solicitation. The site administrator also must devise and implement a process to terminate a member's access once that person is no longer a member of Tennessee REALTORS®. The association must decide whether to allow others to post messages in the public area of its social media site, and if so, must ensure that messages from others do not contain solicitations for RPAC investments. If an association allows such postings, it should include a disclaimer on the public page reminding members that any RPAC-related messages may only contain general information, and may not solicit RPAC investments or provide information about making or encouraging contributions.

## SOLICITATION DISCLOSURE

- Disclaimer Requirements (written)
- Tax non-deductibility
- Political purpose of RPAC
- Contributions are voluntary
- Right to refuse to contribute
- Guidelines = Suggestion
- Breakdown of federal and state contribution percentages
- Federal portion applies to limits

## SAMPLE DISCLAIMER NOTICE

### **Required Contributor Information**

- Full name
- Mailing address
- Occupation
- Employer
- Amount
- Date of contribution
- NRDS number (supplied by local association)

### CONTRIBUTION TIME LIMITS

- Contributions of \$50 or less must be forwarded to the State PAC within 30 days of receipt
- Contributions of more than \$50 must be forwarded within 10 days of receipt
- Clock starts ticking on the date of receipt

### THE ONE-THIRD RULE

**When applicable:** Applies to RPAC events where a portion of the contributions are provided to National RPAC and the association provides prizes or entertainment for the event.

**Purpose:** To prevent "exchange" of corporate dollars for contributed hard dollars.

**How to comply:** National RPAC must reimburse the association for that portion of the fair market value of the prizes and entertainment that exceeds one-third of the amount raised in contributions. Fair Market Value (FMV) applies to both purchased and donated items. The rule does not apply to food and drink costs.

When applying for a grant from NAR, the one-third rule applies.



# RPAC BASICS

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## ***Contributions from Foreign Nationals***

Because federal law prohibits contributions from foreign nationals, Tennessee RPAC will not solicit or accept contributions from any person who is not a U.S. citizen or a national of the United States (as defined by INS rules) and who is not lawfully admitted for permanent residence. Non-citizens who have been granted permanent residence status are not foreign nationals.

## **LOCAL TENNESSEE DUES BILLING**

In accordance with NAR Core Standards, each association shall include in their dues billing a voluntary contribution for the PAC or the Political Advocacy Fund (PAF) in an amount adequate to meet any NAR established RPAC fundraising goals. Further, local associations are encouraged to incorporate the use of voluntary RPAC contributions from dues billing in their fundraising plans, to solicit contributions at an amount higher than the Fair Share Goal amount adopted by the National RPAC Board of Trustees, and to incorporate the solicitation “above the line,” meaning it should be included in the total amount due.

All written solicitation materials, including dues billing statements, are required to include the statement below.

### ***FAILURE TO INCLUDE THIS STATEMENT IS A VIOLATION OF FEDERAL LAW:***

***Contributions to RPAC are not deductible for federal income-tax purposes. Contributions are voluntary and are used for political purposes. The amounts indicated are merely guidelines and you may contribute more or less than the suggested amounts. The National Association of REALTORS® will not favor or disadvantage any member because of the amount contributed or the decision not to contribute. You may refuse to contribute without reprisal. Your contribution is charged against your limits under 52 U.S.C. 30116.***

In Tennessee, 70% of each contribution supports state and local political candidates. Until the state reaches its RPAC goal, 30% is sent to National PAC to support federal candidates and is charged against your limits under 2 U.S.C. 441a. After the state PAC reaches its RPAC goal, it may elect to retain your entire contribution for use in supporting state and local candidates.

## **TENNESSEE RPAC STATE ALLOCATIONS**

*Contributions to Tennessee RPAC shall be allocated as follows:*

### ***National RPAC***

Thirty percent (30%) of contributions to Tennessee RPAC shall be forwarded to National RPAC for use in federal elections and other political activities. The Tennessee RPAC Board of Trustees may elect to retain all or a portion of this allocation from contributions received after Tennessee RPAC has remitted its annual NAR Federal Disbursement Allocation to the National RPAC, as allowed under the National RPAC Policies and the cooperative agreement. The amount retained shall be allocated for use in state elections and other state political activities.

### ***Tennessee RPAC, for Use in Local Elections and Political Activities***

Twenty-five percent (25%) of contributions to Tennessee RPAC shall be allocated for use in local elections. Local allocations shall be earmarked for use by the local association that transmits the contribution.

Once a local association has met its annual “Fair Share” goal, this allocation shall increase to thirty-five percent (35%), going back to the first dollar contributed that year. The amount allocated for use in state elections and other state political activities shall be adjusted accordingly.

# RPAC BASICS

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Beginning January 1, 2018, funds allocated in this manner that are not disbursed within two past years and the current year, for a total of three years, shall be re-allocated for use in state elections and other state political activities.

The main purpose of locally allocated funds is direct candidate contributions. Local associations may also use their local association funds for local political party activities.

Funds may also be available to help local associations fundraising efforts. Tennessee's RPAC Board of Trustees strongly encourages local associations to judiciously utilize NAR's RPAC Fundraising Grants for local associations, up to the full \$5,000 annual allotment, before coming to Tennessee RPAC for additional fundraising resources.

Once efforts to utilize NAR funds have been fully explored, the RPAC Board of Trustees may consider requests of up to 25 percent of a local association's fund balance (as maintained by Tennessee RPAC) for fundraising activities by the local association in an effort to assist local association in making fundraising goals.

Local associations will need to fill out a Fundraising Assistance Request Form.

**Form:** [tnrealtors.com/members/vote-act-invest/rpac-request-forms/](https://tnrealtors.com/members/vote-act-invest/rpac-request-forms/)

## ***Tennessee RPAC, for Use in State Elections and Political Activities***

Thirty-five to forty-five percent (35-45%) of contributions to Tennessee RPAC shall be allocated for use in state elections and other state political activities. This amount may be adjusted as needed in accordance with previous section.

## TENNESSEE RPAC REQUESTS FOR DISBURSEMENTS

### ***Requesting Disbursements***

Requests for disbursements to state or local candidates or for other state or local political activities shall be submitted in writing to the Board of Trustees on a form as prescribed by the Board of Trustees.

**Form:** [tnrealtors.com/rpac-request-local-candidate](https://tnrealtors.com/rpac-request-local-candidate)

## MEMBERSHIP DOES NOT GUARANTEE SUPPORT

RPAC strongly urges members to actively participate in the political process at all levels, including the pursuit of political office. RPAC also acknowledges that candidates for public office should be considered for support or contributions on the basis of individual merit in the context of the office sought. Accordingly, neither contributions to RPAC nor membership in Tennessee REALTORS® or any other association, past or present, direct or indirect, entitles a candidate to receive support or contributions from Tennessee RPAC.



# RPAC BASICS

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## TENNESSEE RPAC APPROVAL FOR DISBURSEMENTS

Approval for all disbursements shall require a majority vote of the Board of Trustees, except as provided below:

- (1) Disbursements in the amount of \$500.00 or less from funds allocated for use in state elections or other state political activities may be authorized by two of the three general officers of the Board (the Chair, Vice Chair, and Secretary-Treasurer) without the approval of the Board of Trustees. A form evidencing such approval shall be submitted to the Chief Executive Officer of Tennessee REALTORS®, who shall prepare the RPAC checks in accordance with such form. A copy of this form shall be transmitted to the general officers of the Board. The maximum aggregate amount of state RPAC funds that may be disbursed in this manner is \$20,000.00 in the course of one fiscal year. All disbursements authorized in this manner shall be reported to the Board of Trustees at their next meeting following the disbursements.
- (2) Disbursements in the amount of \$1,000.00 or less from funds allocated for use in local elections or other local political activities may be authorized by any of the three general officers of the Board without the approval of the Board of Trustees. A form evidencing such approval shall be submitted to the Chief Executive Officer of Tennessee REALTORS®, who shall prepare the RPAC checks in accordance with such form. A copy of this form shall be transmitted to the general officers of the Board. All disbursements authorized in this manner shall be reported to the Board of Trustees at their next meeting following the disbursements.

- (3) Disbursements in the amount of \$1,000.00 or less for administrative purposes may be authorized by two of the three general officers of the Board without the approval of the Board of Trustees. A form evidencing such approval shall be submitted to the Chief Executive Officer of the Tennessee Association of REALTORS® who shall prepare the RPAC checks in accordance with such form. A copy of this form shall be transmitted to the general officers of the Board. All disbursements authorized in this manner shall be reported to the Board of Trustees at their next meeting following the disbursements.





# RPAC BASICS

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## TENNESSEE RPAC DELIVERY OF DISBURSEMENTS

REALTOR® participation in the delivery of RPAC disbursements is essential to the proper function of RPAC. All checks approved by the Board of Trustees shall be delivered by an RPAC Trustee or their designee. All disbursement checks should be delivered within ten (10) days of issuance. If for any reason a disbursement check cannot be delivered within this time frame, the member responsible for delivery shall notify the Governmental Affairs Director immediately. Checks may be delivered by the Governmental Affairs Director or a staff designee, and/or Tennessee REALTORS® lobbyists.

RPAC may disburse funds to political parties and other political action committees. Tennessee RPAC may not reimburse any multi candidate political action committee for specific contributions made to a campaign or candidate.





# AUCTIONS

*Q. Can you provide an example?*

A. Assume, for example, a Board spent \$400 for items to be auctioned off at a fundraising event and collected \$1200 or more in contributions at the event. No reimbursement would be necessary because one-third of the fundraising proceeds (one-third of \$1,200, or \$400) is equal to the Board's costs. But if the Board collected only \$900 in contributions, it would have to be reimbursed for the amount by which the expenses (\$400) exceeded one-third of the contributions collected ( $\$900 \div 3 = \$300$ ), or \$100. [This calculation is complicated by the fact that this formula only applies to the National RPAC portion of the contributions, and any reimbursement must be made by National RPAC. In this example, National RPAC's portion of the total contributions is 30% of \$900, or \$270, and one-third of that amount is \$90. Similarly, National RPAC's allocable portion of the "expenditures" allocable to raising Federal PAC funds is 30% of \$400, or \$120. Thus, this example would require reimbursement by National RPAC of \$30, which is the difference between \$120 and one-third of \$270 (\$90).]

It is important to recognize two points in making these computations: (1) Each prize need not satisfy the one-third standard individually as long as the costs of all items and contributions received for them do so collectively. (2) In computing the Board's costs of the prizes distributed via the event, items donated to the Board must be valued at their fair market value, since even though such items may have been acquired by the Board without cost they have a market value and thus constitute as an asset of the Board with that fair market value.

## **Auctions**

Some RPAC fundraisers involve auctions of items or services to the highest bidder via either live or "silent" proceedings. Conducting an RPAC auction also prompts several legal considerations.

### **Purchase of Auction Item is a Contribution to RPAC**

The purchase of an item at an RPAC auction is considered an RPAC contribution equal to the entire purchase price, even if a portion of that price is paid by the association conducting the auction to the artist or other consignor who provided the item. Accordingly, persons outside the restricted class who are not permitted to be solicited to contribute to RPAC may not be invited to attend or allowed to purchase any auction items.

### **Publicizing an RPAC Auction Constitutes a Solicitation**

Publicizing an RPAC auction constitutes a solicitation of contributions. Therefore, such publicity must include the necessary information regarding the appropriate distribution of the contribution between National RPAC and the state RPAC, and the fact that the federal portion is charged against the contributor's limits under 2 U.S.C. 441a. Moreover, as noted above, the distribution of publicity about the auction must be limited to persons within the restricted class.

## SOLICITATION CLASS FOR ITEMS

### **Who Can Contribute Merchandise or Services**

Items of value may be donated to the board for sale at an RPAC auction only by bona fide members. Such members include affiliate members (and even affiliate corporate members, though such corporate members may not make direct contributions to RPAC.) Local businesses who are not members of the board or

*Source: REALTORS® Almanac, updated 2013*

















# 2022 STATE-LEGISLATIVE HIGHLIGHTS

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In addition to passing a \$52.8 billion budget, the largest budget in state history, and \$250 million into the State's Rainy Day Fund, the Legislature was hard at work passing the following items of interest:

## REALTOR® CHAMPIONED LEGISLATION

### ***ARELLO Certification Removal***

REALTOR®-championed SB 1867/HB 1958, by Powers/Rep. Alexander, removed the requirement for ARELLO certification from synchronous education courses, which are courses happening in real time, but the students and instructors are separate by distance, i.e. Zoom, Webex, Microsoft Teams, and Google Meets. The bill passed the House and Senate unanimously and was signed by the Governor on March 28, 2022. The Tennessee Real Estate Commission ("TREC") will now be the only certifying body for synchronous courses. TREC is working on formally adopting guidelines for these courses.

## BILLS TENNESSEE REALTORS® OPPOSED WHICH DID NOT PASS

### ***Impact Fees***

SB2922/HB2904 by Reeves/Warner allows the City of Lewisburg to impose an impact fee on new development.

SB1840/HB1675 by Hensley/Cepicky, as amended, allows Maury County to impose impact fees on residential development within the County at a rate of \$3.00/sq ft and earmarking the funds to pay for the costs of construction or renovation of schools, public facilities and other related infrastructure.

### ***Grandfathering of CE Requirements***

SB2853/HB1889 by Bailey/Keisling exempts real estate brokers from continuing education requirements if the broker has been licensed for 10 years or more.

### ***Creating a Misdemeanor for Littering on Landlords***

SB2759/HB2618 by Akbari/Harris, as amended, makes it a Class C Misdemeanor for littering if a Landlord places a Tenant's abandoned items on the curb and those items are not in a concealed bin.

### ***Exempting Slaughterhouses from County Zoning***

SB2622/HB2740 by Niceley/Holsclaw, as amended, exempts slaughterhouses from local zoning requirements if the property is outside of city limits, zoned agricultural and the operation slaughters less than 100 animal units a week. An "animal unit" is one cow, two hogs and four sheep.

### ***Notifying Neighbor to Trim, Cut or Remove a Tree***

SB2312/HB2260 by Gilmore/Harris requires a 48-hour notice by a landowner or resident to a neighbor of the owner's intent to trim, cut, or remove a tree greater than 36 feet in height if the distance from the base of the tree to the neighbor's real property line is equal to or less than the tree's height.

### ***Requiring Sellers to Make Certain Additional Disclosures***

SB2065/HB2403 by Campbell/Mitchell, requires sellers to disclose to buyers whether maintenance of the road, water pumping station, or sewer pumping station is the sole responsibility of the property owner.

### ***Fuel Gas Detector Act***

SB2047/HB1831 by Jackson/Lamar, requires a building owner to install and maintain at least one fuel gas detector in every room containing an appliance fueled by propane, natural gas, or a liquefied petroleum gas in each unit in a building of multi-family occupancy and in single family homes that are leased.

## 2022 STATE-LEGISLATIVE HIGHLIGHTS (CONT.)

### ***Prohibiting Landlords from Refusing to Rent to Persons with Criminal Convictions***

SB1771/HB1770 by Gilmore/Chism, prohibits a landlord from refusing to rent to a person solely because the person was previously convicted of a criminal offense if the conviction was for an offense other than a violent offense, sexual offense, or violent sexual offense and the conviction occurred more than five years before the refusal.

### ***Taxation on Transactions of Real Property on Online Platforms (Zillow Bill)***

SB998/HB1070 by Stevens/Marsh, as introduced, exempts payment of the recordation tax on transfers of residential real property purchased and resold by a business entity that operates an internet website or application.

## OTHER BILLS OF INTEREST TO TENNESSEE REALTORS®

### ***TACIR Study on Utility Scale Solar Energy Development***

SB2797/HB2761 by Walley/Gant, as amended, directs the Tennessee Advisory Commission on Intergovernmental Relations to perform a study of the overall effect of utility scale solar energy development in this State. The Legislation directs TACIR to review, among other items, the importance of private property rights and the ability of a landowner to use or transfer interests in property and required lease terms and conditions to protect future property use and rights of lessors in the event of default or termination of a lease. The legislation passed both chambers on April 27, 2022.

### ***Prepayment of Property Taxes***

SB2779/HB2114 by White/Eldridge, as amended, makes it a violation of the Consumer Protection Act to advertise, issue or deliver a home warranty to consumers without explicitly stating in written detail what items will be covered and fully paid for by the home warranty. This bill was signed by the Governor on April 20, 2022 and takes effect July 1, 2022.

### ***Allows Property Owners to be Displayed as “Unlisted” in Property Data Searches***

SB2772/HB2467 by Rose/Hulse, as amended, authorizes a county trustee to accept prepayments of property taxes in addition to partial payments of property taxes; such payments shall be held by the Trustee in a designated revenue account. The bill was signed by the Governor on April 20, 2022 and is now in effect.

### ***Subdivision Regulations by Municipal Planning Commission***

SB2695/HB2597 by Briggs/Hodges, as amended, authorizes an assessor of property to display “Unlisted” for the first and last name in the ownership field of an online database of property upon written request. Does not remove the owner’s information from public records requests. The bill was sent to the Governor for signature on April 22, 2022 to take effect January 1, 2023.

### ***Uniform Partition of Heirs Property Act***

SB2692/HB2534 by Briggs/Hicks, as amended, changes the maximum number of lots that a plat of subdivision may divide a tract into and gain endorsement without the approval of the planning commission. Provides that such plats must be certified by the planning commission or by the planning staff of the planning commission, if such responsibility is delegated to the staff. Prohibits a county register from receiving, filing, or recording a plat of a subdivision without the approval of the planning staff, if this responsibility has been delegated to the planning staff. Establishes that a planning commission may only delegate the responsibility for approval of subdivision plats that meet certain criteria. Prohibits a planning commission from delegating to its planning staff the authority to preliminarily approve, finalize approval of, or certify a subdivision plat unless the appropriate local legislative body or bodies approve such delegation by a majority vote. The bill was sent to the Governor for signature on April 22, 2022 and will take effect upon signature.

# 2022 STATE - LEGISLATIVE HIGHLIGHTS (CONT.)

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## **Tennessee Broadband Investment Maximization Act of 2022**

SB 2480/HB 2608 by Lundberg/Vaughan, as amended, creates a three year tax exemption from sales and use tax for companies investing in broadband equipment. Requires the Commissioner of the Department of Revenue to reimburse counties and municipalities for loss of revenue resulting from the Act's exemption. The bill passed both chambers on April 27, 2022.

## **Uniform Partition of Heirs Property Act**

SB2167/HB2612 by Stevens/Farmer, as amended, enacts the Uniform Partition of Heirs Property Act which applies to partition actions filed on or after July 1, 2022. Requires the court, in an action to partition real property under this chapter, to determine whether the property is heirs property. If the court determines that the property is heirs property, then the property must be partitioned unless all of the cotenants otherwise agree in a record. Requires the court, after determining that the property that is the subject of a partition action is heirs property, to make a determination of value for the property. Specifies process for a cotenant buyout and specifies partition alternatives. Establishes process for open-market sale of property, sale of property by sealed bids, and sale of property by auction. The bill passed both chambers on April 27, 2022.

## **Cancellation of Unsolicited Offers to Purchase Property**

SB1945/HB1946 by Hensley/Haston, as amended, authorizes an offeree to cancel a contract to purchase real property without penalty for 30 days if the contract was unsolicited, was sent through the mail and a real estate broker was not used. The bill was sent to the Governor for signature on April 19, 2022 and will apply to all agreements entered into on or after July 1, 2022.

## **Landlord to Provide Address of Child Alleged to be Abused to DCS Case Manager**

SB1910/HB2023 by Jackson/Littleton requires a landlord to provide a case manager from the Department of Children's Services ("DCS") or a child protective investigation team with information on the address and location of a child who has been alleged to be abused or neglected and resides or is located on the residential rental property. The landlord is not liable in any civil or criminal action that is based solely upon cooperation with the investigation by DCS or a child protective investigation team, except in cases of willful or wanton conduct or intentional wrongdoing. The bill was sent to the Governor for signature on April 21, 2022 and will take effect July 1, 2022.

## **Forest Land Management**

SB1688/HB1858 by Crowe/Darby clarifies the minimum size requirement of 15 acres for land to be eligible to be classified as forest land for purposes of assessment and reduced property taxes may be achieved with a single tract or with two noncontiguous tracts separated only by a road, body of water, or public or private easement. The bill was signed by the Governor on March 15, 2022 and took effect upon signature.













# TN CONGRESSIONAL ELECTED OFFICIALS & U.S. SENATORS

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## U.S. HOUSE MEMBERS

**Rep. Diana Harshbarger**  
(Dist. 1)



**Rep. Tim Burchett**  
(Dist. 2)



**Rep. Chuck Fleischmann**  
(Dist. 3)



**Rep. Scott DesJarlais**  
(Dist. 4)



**Rep. Jim Cooper**  
(Dist. 5)



**Rep. John Rose**  
(Dist. 6)



**Rep. Mark Green**  
(Dist. 7)



**Rep. David Kustoff**  
(Dist. 8)



**Rep. Steve Cohen**  
(Dist. 9)



## U.S. SENATORS

**Sen. Marsha Blackburn**



**Sen. Bill Hagerty**



Learn more about the Tennessee Legislature and pertinent Tennessee state committees by scanning the QR code below:



# THE CANDIDATE INTERVIEW PROCESS

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This program is initiated when there are two or more candidates running for the same office on a local, state, and federal level.

Prior to each primary or general election, Tennessee REALTORS® Governmental Affairs department will provide associations with a candidate interview packet that will include a candidate questionnaire, relevant issues, interview timelines, and ways to ensure a successful candidate interview(s).

## TIPS ON HOW TO PREPARE FOR AN INTERVIEW

### ***Work with Your Assigned State Trustee***

RPAC Trustees are great resources and including them in your candidate interview process is highly encouraged.

### ***Selecting Panel Members***

6-10 REALTORS® are recommended for the candidate interview panel. It is highly recommended that some members of the panel be REALTOR® members who have served in positions of leadership roles in the Legislative, Political Affairs, and/or PAC Committees.

Panel members should be articulate and informed of issues relating to the real estate industry. It is also very important that panel members remain objective, remain nonpartisan and have no conflict of interest with candidates being interviewed.

### ***Planning a Candidate Interview***

The panel members will meet and review questions from the state association. Its important questions focus on the real estate industry. For federal candidates, NAR will provide the questions.

## HOW TO START THE INTERVIEW PROCESS

### ***Scheduling Interviews***

Scheduling interviews before both primary and general elections with funding deadlines of both state and national trustees is crucial. It is counterproductive to schedule interviews past funding deadlines and after trustees have concluded funding sessions.

Local associations will receive interview timelines when they receive the candidate interview packet from the Tennessee REALTORS® Governmental Affairs department.

### ***Inviting the Candidates***

Be sure to include in the invitation REALTOR® position on issues of importance; on local, state, and federal levels.

If a candidate is serious about the associations support, they will be well-studied and diligently prepared for the interview; signaling how much they value your support.

**NEVER PROMISE FUNDING!** You can, however, inform the candidates that upon final recommendation, they are eligible to receive funds.

Keep candidate interviews timely. Give candidates an allotted time (under 30 minutes) and stick to that time whether the interview is concluded or not. It is important each candidate is treated the same.



# THE CANDIDATE INTERVIEW PROCESS

## CANDIDATE INTERVIEW

In preparation for interview(s), ensure to appoint a moderator in order for the interview to stay on course, on schedule, and to maintained control.

### ***Interviewing Incumbents and Their Opponents***

When interviewing an incumbent, their voting record and relationship with Tennessee REALTORS® may be considered. It is important to remember that when interviewing candidates who are not incumbents that the panel prepare the interview differently since there is no voting record or history of a relationship with Tennessee REALTORS®.

When interviewing a challenger of a “friendly” incumbent (receptive) it is permissible to explain the incumbent’s philosophy and that of Tennessee REALTORS®.

Of course, never interview the incumbent and their opponent at the same time.

### ***Campaign Structure***

It is important for the interview panel to consider the strength of a candidate’s campaign and whether they are able to raise funds that will greatly improve their chances at winning an election.

### ***Funding Needs***

Each candidate should be asked about funding needs. What level of funding do they believe they need in order to effectively campaign and how much have they already raised? Another question that should be asked is whether the candidate would be willing to accept PAC funds if made available to them. By asking about funding, it will provide the panel with a good indication of the candidate’s likelihood of success.

### ***Vote for Candidate Recommendation***

At the conclusion of each interview batch for each race, panel members should discuss candidates for each race and upon voting, in order to avoid conflict, it is recommended that panel members vote via secret ballot.

## POST-CANDIDATE INTERVIEW

### ***Receiving PAC Approval***

All interview panel recommendations will be forwarded to local board of directors for further support. Upon approval of local board of directors, a letter for support should be sent to the Tennessee REALTORS® Governmental Affairs department. Letter should include the candidates name, address, position, and funds requested.

## HOW TO REGISTER TO VOTE IN TENNESSEE

REGISTER TO VOTE ONLINE:

<https://ovr.govote.tn.gov>

FIND INSTRUCTIONS FOR REGISTERING IN OTHER WAYS:

<https://sos.tn.gov/elections/guides/how-to-register-to-vote>

You may pick up a registration application in person at your County Election Commission Office, County Clerk’s Office, Public Library, or Register of Deeds Office.

It’s also possible to register during any transaction with the Tennessee Depts. of Health, Human Services, Intellectual and Developmental Disabilities, Mental Health, Safety, or Veteran’s Affairs.



# RESOURCES & CONTACTS

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Build on your association's grassroots power with these tools and resources. Increase your membership's involvement in the political process.

## REALTOR PARTY NEW GAD AE ORIENTATION

Newly hired Association Executives (AEs) and Governmental Affairs Directors (GADs) are invited to attend a day-and-a-half orientation at the NAR offices in Washington, D.C. The orientation will offer an in-depth opportunity to discover how NAR'S Government Affairs Division works with state and local associations to promote our federal agenda; what resources are available through the REALTOR® Party to enable state and local associations to champion their advocacy, outreach and community issues; and how RPAC helps local associations increase their investments. This training will be offered three times a year and is free of charge, including attendee's travel and lodging, to participating AEs and GADs.

## BEST PRACTICES FOR CHOOSING REALTOR® PARTY CHAMPIONS COURSE

This three-hour training session, developed by NAR is intended to provide best practices for RPAC Trustees, Government Affairs Committees or other committee members that disburse money to candidates at their state or local associations. This training provides hands-on assistance, from NAR trainers, and time-tested templates for state and local associations that want to identify and support political candidates who are best qualified to represent the issues important to REALTORS® and real estate.

## SMART GROWTH GRANT PROGRAM

Smart Growth Action Grants support a wide range of land-use and transportation-related activities. These activities must support REALTOR® engagement in land-use and/or transportation-related community issues with the primary goal of affecting public policies that support development that meets one or more of the 10 Smart Growth Principles. The project should also raise the profile of REALTORS® as community leaders and enhance REALTOR® relationships with local elected officials. There are no program prerequisites to applying for or being awarded a Smart Growth Action Grant.

**Contact:** Hugh Morris at 202-383-1278 / [SmartGrowthGrants@nar.realtor](mailto:SmartGrowthGrants@nar.realtor)

## YOUNG PROFESSIONALS NETWORK (YPN)

The Young Professionals Network (YPN) was designed to help the younger generation of REALTORS® build a stronger link with the real estate industry and expand networking and business opportunities. The YPN Pledge taps into the enthusiasm and political engagement of this a large and diverse group of REALTORS®. This pledge promotes a culture of investing in RPAC while increasing participation in the Major Investor program.

**Contact:** Liz Demorest at 202-383-1061 / [ldemorest@nar.realtor](mailto:ldemorest@nar.realtor)

## RPAC AND POLITICAL FUNDRAISING

The REALTORS® Political Action Committee (RPAC) is your best investment in real estate. Take advantage of these grants, promotional materials and fundraising tools to boost your RPAC receipts and create a culture of RPAC and other political fundraising in your REALTOR® Association.

**Contact:** Lauren Colicelli at 202-383-1080 / [lcolicelli@nar.realtor](mailto:lcolicelli@nar.realtor)









# RESOURCES & CONTACTS

## RPAC SOCIAL MEDIA GUIDELINES

The posting of RPAC information on websites and social media is subject to both federal and state election laws. These laws may require that associations regulate access to certain portions of their sites.

**Contact:** Liz Demorest at 202-383-1030 / [ldemorest@nar.realtor](mailto:ldemorest@nar.realtor)

## RPAC MAJOR INVESTOR EVENT FUNDRAISING PROGRAM

Collaborate with NAR's fundraising staff to recruit Major Investors through NAR-sponsored fundraising events.

**Contact:** Jackie Zaporowski at 202-383-1029 / [jzaporowski@nar.realtor](mailto:jzaporowski@nar.realtor)

## RPAC FUNDRAISING GRANTS FOR STATE AND LOCAL ASSOCIATIONS

RPAC Fundraising Event Grants help state and local associations fund special fundraising events and activities designed to increase their RPAC fundraising receipts and RPAC participation. This program is limited to states with election laws that do not ban the use of corporate political contributions for use in fundraising. Your participation in the program is subject to state law.

**Contact:** [RPACPartnership@nar.realtor](mailto:RPACPartnership@nar.realtor)

## REALTOR® PAC MANAGEMENT SYSTEM FOR STATE AND LOCAL ASSOCIATIONS

Use NAR's online REALTOR® PAC Management System, Aristotle to streamline processing, provide comprehensive accounting and compliance reporting and increase your association's RPAC investments.

**Contact:** Peter Kelly at 202-383-7599 / [pkelly@nar.realtor](mailto:pkelly@nar.realtor)

## BROKER INVOLVEMENT PROGRAM

Broker-owners can use this turnkey program to rally agents to bring REALTOR® Party issues to the attention of state legislatures and Congress. Enrolled broker owners/managers are able to automatically send company-branded NAR and state association calls for action directly to their agents. This increases participation rates, while emphasizing the broker-owner's leadership role as a key provider of important information to their agents.

**Contact:** Penelope Evans at 312-329-8267 / [pevans@nar.realtor](mailto:pevans@nar.realtor)

## BROKER INVOLVEMENT GRANT

The Broker Involvement grant allows local and state associations to create broker activities that recruit, retain, educate and engage brokers and their agents participating in NAR's Broker Involvement Program. The grant activities will help solidify a culture of REALTOR® engagement and advocacy throughout the REALTOR® Association.

**Contact:** Penelope Evans at 312-329-8267 / [pevans@nar.realtor](mailto:pevans@nar.realtor)



















# GRANTS

## COMMUNITY OUTREACH GRANTS

### **Placemaking Programs and Grants**

Placemaking is a way to make your community a better place to live by transforming unused sites and “eyesores” into welcoming destinations accessible to everyone in a community. Who better to do this than a REALTOR® Association, and its members, as REALTORS® are already engaged in their communities and know the neighborhoods and the properties and are likely to know where to focus efforts to enhance a place. Check out “Greater Nashville REALTORS® Put Placement Grant to Work for Pedestrian Plaza”: <https://realtorparty.realtor/about-us/greater-nashville-realtors-put-placemaking-grant-to-work-for-pedestrian-plaza>

**Contact:** Catherine Mesick / [PlacemakingGrants@nar.realtor](mailto:PlacemakingGrants@nar.realtor)

### **Smart Growth Program and Grant**

Smart growth is an approach to development that encourages a mix of building types and uses, diverse housing and transportation options, development within existing neighborhoods, and community engagement. The Smart Growth Program offers state and local REALTOR® Associations a way to engage with government officials, community partners and the general public in planning and designing community’s future.

**Contact:** Hugh Morris at 202-383-1278 / [SmartGrowthGrants@nar.realtor](mailto:SmartGrowthGrants@nar.realtor)

### **Housing Opportunity Program and Grant**

Housing Opportunity Grants support state and local REALTOR® Associations’ affordable housing activities. The goal of the program is to position REALTORS® as leaders in improving their communities by creating affordable housing opportunities.

**Contact:** [HousingOpportunityGrants@nar.realtor](mailto:HousingOpportunityGrants@nar.realtor)

### **Broker Involvement Program and Grant**

Broker-owners can use this turnkey program to rally agents to bring REALTOR® Party issues to the attention of state legislatures and Congress. Enrolled broker owners/managers are able to automatically send company-branded national and state Calls for Action directly to their agents. This increases participation rates, while emphasizing the broker-owner’s leadership role as a key provider of important information to their agents.

**Contact:** Penelope Evans at 312-329-8267 / [pevans@nar.realtor](mailto:pevans@nar.realtor)

### **Diversity & Inclusion Grant**

The Diversity Program provides funding to state and local REALTOR® Associations to enhance the inclusion of diversity in their leadership and collaborate with local chapters of national multicultural real estate organizations. The Diversity and Inclusion Grants can support state and local association activities in several key target areas. Diversity and Inclusion Grants may be used for online and virtual activities.

**Contact:** Ryan Davis / [rdavis@nar.realtor](mailto:rdavis@nar.realtor) and Ashley Labanics / [alabanics@nar.realtor](mailto:alabanics@nar.realtor)

















# HOW A BILL BECOMES A LAW IN TENNESSEE



## INTRODUCTION

Legislator introduces bill to body by filing with appropriate clerk



## NUMBERED BY CHIEF CLERK

1. Chief Clerk (House or Senate) checks to see if it conforms to legislative rules
2. Bill is given a number then distributed per rules
3. TN Constitution requires that to become law, bill must be considered and passed on three different days in each house



## PASSED ON FIRST CONSIDERATION

Introduced - No objection, bill is passed



## PASSED ON SECOND CONSIDERATION

On second day - bill is introduced, read and passed

Bill is then referred by the Speaker to appropriate committee



## REFERRED TO COMMITTEE

Bill remains in committee unless:

- A. Bill sponsor goes before committee to explain bill for recommendation of passage upon majority vote of committee
- B. If after seven days of no action, bill may be recalled from committee by majority of members in House or Senate (chamber of initial introduction)
- C. If no objection bill is placed on committee consent calendar and recommended for passage
- D. Bill sponsor does not appear as scheduled to House committee on two occasions, the bill will be returned to Clerk to be held according to Rule 83(2)
- E. Bill sponsor does not appear as scheduled before Senate Committee and fails to re-schedule, the bill will be sent back to the Clerk for withdrawal from the Senate

Recommended bills for passage are then reported to Chief Clerk. Bills recommended for passage are automatically referred to scheduling committee: House Committee on Calendar and Rules or the Senate Calendar Committee

Bills not recommended for passage by committee do not go forward



**PLACED ON CALENDAR**  
For consideration for third reading



**PASSED ON THIRD CONSIDERATION**  
Called up for passage and debated  
May or may not be passed with or without amendments by majority of members (50 or more in the House; 17 or more in the Senate)  
If bill is passed it is automatically sent to the Chief Engrossing Clerk



**BILL IS ENROLLED**  
Upon passage in both the House and Senate, bill is then "enrolled" (retyped) on heavy-weight paper by Chief Engrossing Clerk in house of bill origin  
Bill is then in suitable format for approval by the two Speakers and by the Governor



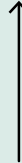
**BILL IS ENGROSSED**  
Engrossed is being reproduced with all amendments added  
Bill is retyped and then transmitted to the other body



**SENT TO SECRETARY OF STATE AND ASSIGNED PUBLIC CHAPTER NUMBER**  
All bills passed into law are assigned a public chapter number



**INCORPORATED INTO THE CODE**  
Tennessee Code Commission and publishers of the Tennessee Code Annotated work to move new laws into existing Code



**SIGNED BY GOVERNOR**  
Governor has 10 days to sign; if 10 days expires with no action, bill becomes law without Governor's signature  
Governor signs or vetoes bill:  
Upon Governor's action, bill is then sent to the house of origin IF legislature is in session  
After General Assembly, bill is sent to the Office of Secretary of State  
If bill is vetoed or reduced or reduced appropriations within the bill, the veto can be overridden by a majority vote of members in each body under the Constitution



**SIGNED BY SPEAKERS**  
Speakers sign the bill and the bill is sent to the Governor for signature



















*Contributions to RPAC are not deductible for federal income-tax purposes. Contributions are voluntary and are used for political purposes. The amounts indicated are merely guidelines and you may contribute more or less than the suggested amounts. The National Association of REALTORS® will not favor or disadvantage any member because of the amount contributed or the decision not to contribute. You may refuse to contribute without reprisal. Your contribution is charged against your limits under 52 U.S.C. 30116.*



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