



RAMSEY FARRAR RUSSELL & SMITH
GOVERNMENT RELATIONS

TN REALTORS Bill Report

2024 Legislative Session

AGRICULTURE

SB2099/HB1890 **AGRICULTURE: Agricultural real estate interests.**

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Establishes a program to allow the department of agriculture to acquire and administer real estate interests in the state, including the administration of grants to preserve farm and forestry land. Creates the Farmland Preservation Fund to be used for the program. Specifies provisions that must be included in an agricultural easement acquired through the program.

Amendment Summary: House Agriculture & Natural Resources Subcommittee amendment 1 (014391) establishes a program for the Department of Agriculture's acquisition and administration of agricultural real estate interests in the State, including the administration of grants for the purpose of preserving farm and forestry land and the acquisition of agricultural easements. Creates the Farmland Preservation Fund, within the General Fund, to be administered by the Commissioner of Agriculture for agricultural easements. Specifies that the fund may only consist of funds appropriated from the General Assembly or interest accrued on investments and deposits of the fund. Unexpended funds do not revert to the General Fund, but are carried forward and maintained until expended. Prohibits the department from selling, transferring, or otherwise divesting of any agricultural easement acquired pursuant to the proposed legislation.

Fiscal Note: (Dated February 10, 2024) Increase State Revenue \$25,000,000/FY24-25/Farmland Preservation Fund Increase State Expenditures \$25,000,000/FY24-25/General Fund Other Fiscal Impact The timing and amount of expenditures from the Farmland Preservation Fund for agricultural easements cannot reasonably be estimated. The Governor's proposed FY24-25 budget, on page B-267, recognizes a one-time appropriation of \$25,000,000 to fund the Farmland Conservation Fund within the Department of Environment and Conservation.

Senate Status: 04/10/24 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 04/11/24 - House Calendar & Rules Committee deferred to last calendar

Summary Or State Summary: Establishes a program to allow the department of agriculture to acquire and administer real estate interests in the state, including the administration of grants to preserve farm and forestry land. Creates the Farmland Preservation Fund to be used for the program. Specifies provisions that must be included in an agricultural easement acquired through the program.

Caption: AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 1, Part 1, relative to agricultural real estate interests.

SB2377/HB2842 **AGRICULTURE: Department of ECD prohibited from regulating certain farming activities.**

Sponsors: Sen. Watson, Bo , Rep. Vital, Greg

Summary: Prohibits the department of environment and conservation from regulating or otherwise overseeing farming activities involving topsoil, rock removal, or the building of a pond when such activities are conducted in an area that is less than five acres in size, and the property on which the activities occur has a greenbelt classification pursuant to the Agricultural, Forest and Open Space Land Act of 1976. Broadly captioned.

Amendment Summary: Senate amendment 2 and House Agriculture and Natural Resources Committee amendment 1 (014982) rewrites the bill to, instead amend the present law definition of "rock harvesting" to (i) mean the removal of the minerals dimension stone, flagstone, fieldstone, landscaping stone, drystack stone, fagade, and marble, by an operator with or without machinery; and (ii) not include activity that is exempt from the Water Quality Control Act by state law.

Fiscal Note: (Dated February 25, 2024) Decrease State Revenue - \$16,300/FY24-25 and Subsequent Years/Environmental Protection Fund

Senate Status: 03/14/24 - Senate passed with amendment 2 (014982).

House Status: 04/10/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Prohibits the department of environment and conservation from regulating or otherwise overseeing farming activities involving topsoil, rock removal, or the building of a pond when such activities are conducted in an area that is less than five acres in size, and the property on which the activities occur has a greenbelt classification pursuant to the Agricultural, Forest and Open Space Land Act of 1976. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 11; Title 13; Title 43; Title 44; Title 64; Title 66; Title 67; Title 68 and Title 69, relative to agriculture.

ANIMALS & ANIMAL HUSBANDRY

SB343/HB1292 **ANIMALS & ANIMAL HUSBANDRY: Animal feeding operations designated as an industrial land use for zoning.**

Sponsors: Sen. Campbell, Heidi , Rep. Hakeem, Yusuf

Summary: Designates a concentrated animal feeding operation as an industrial land use. Prohibits a person from constructing or expanding a concentrated animal feeding operation on land that is not zoned for industrial land use.

Fiscal Note: (Dated March 24, 2023) Increase Local Revenue \$10,200/FY24-25/Weakley County Other Fiscal Impact Due to multiple unknown factors, the extent of any recurring increase to local revenue cannot be estimated.

Senate Status: 01/26/23 - Referred to Senate State & Local Government Committee.

House Status: 02/07/23 - Referred to House Property & Planning Subcommittee.

Summary Or State Summary: Designates a concentrated animal feeding operation as an industrial land use. Prohibits a person from constructing or expanding a concentrated animal feeding operation on land that is not zoned for industrial land use.

Caption: AN ACT to amend Tennessee Code Annotated, Title 13; Title 43; Title 44 and Title 69, Chapter 3, Part 1, relative to animal feeding operations.

BANKING & CREDIT

SB1257/HB1172 **BANKING & CREDIT: Homeowner Bill of Rights.**

Sponsors: Sen. Akbari, Raumesh , Rep. Dixie, Vincent

Summary: Enacts the "Homeowner Bill of Rights," which details the pre-foreclosure procedures to notify the delinquent property owner, commencing foreclosure sales, assess the borrower's financial situation, and explore options for the borrower to avoid a foreclosure sale. States different avenues for the borrower to get out of foreclosure and implement foreclosure prevention. Details that sales and litigation are final after 90 days. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.

Summary Or State Summary: Enacts the "Homeowner Bill of Rights," which details the pre-foreclosure procedures to notify the delinquent property owner, commencing foreclosure sales, assess the borrower's financial situation, and explore options for the borrower to avoid a foreclosure sale. States different avenues for the borrower to get out of foreclosure and implement foreclosure prevention. Details that sales and litigation are final after 90 days. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 45 and Title 47, relative to homeowners.

SB1684/HB1819 BANKING & CREDIT: Requirements for consumer credit reports.

Sponsors: Sen. Lamar, London , Rep. Miller, Larry
Summary: Requires consumer reporting agencies to include on a consumer report reported payments of rent and utilities. Specifies that a violation of this act constitutes an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977. Broadly captioned.
Fiscal Note: (Dated January 12, 2024) NOT SIGNIFICANT
Senate Status: 02/27/24 - Failed in Senate Commerce & Labor Committee.
House Status: 03/05/24 - Taken off notice in House Banking & Consumer Affairs Subcommittee.
Summary Or State Summary: Requires consumer reporting agencies to include on a consumer report reported payments of rent and utilities. Specifies that a violation of this act constitutes an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13; Title 45; Title 47 and Title 66, relative to credit data.

SB1758/HB1838 BANKING & CREDIT: Reports furnished by consumer reporting agencies.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio
Summary: Prohibits a consumer reporting agency from creating or furnishing a consumer report that contains certain information if the information antedates the report by more than seven years, unless certain exceptions apply. Broadly captioned.
Fiscal Note: (Dated January 27, 2024) NOT SIGNIFICANT
Senate Status: 01/29/24 - Referred to Senate Commerce & Labor Committee.
House Status: 01/31/24 - Withdrawn in House.
Summary Or State Summary: Prohibits a consumer reporting agency from creating or furnishing a consumer report that contains certain information if the information antedates the report by more than seven years, unless certain exceptions apply. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6; Title 45; Title 47; Title 56 and Title 62, relative to consumer reporting agencies.

SB2072/HB2087 BANKING & CREDIT: Calculation of annual assessments for trust companies by department of finance and administration.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Changes how the department calculates annual assessments for trust companies, including differentiating between public and private trust companies. Changes the threshold at which a bank may obtain an evaluation in lieu of an appraisal for real property acquired by the bank.
Fiscal Note: (Dated February 3, 2024) NOT SIGNIFICANT
Senate Status: 02/26/24 - Signed by Senate speaker.
House Status: 02/27/24 - Signed by House speaker.
Executive Status: 03/20/24 - Enacted as Public Chapter 0556 effective July 1, 2024.
Summary Or State Summary: Changes how the department calculates annual assessments for trust companies, including differentiating between public and private trust companies. Changes the threshold at which a bank may obtain an evaluation in lieu of an appraisal for real property acquired by the bank.
Caption: AN ACT to amend Tennessee Code Annotated, Title 45, Chapter 1 and Title 45, Chapter 2, relative to financial institutions.

CAMPAIGNS & LOBBYING**SB100/HB388 CAMPAIGNS & LOBBYING: Contributions from persons who are not residents of state.**

Sponsors: Sen. Niceley, Frank , Rep. Wright, Dave
Summary: Prohibits a candidate or political campaign committee from accepting contributions that exceed 30 percent of the total contributions received by a candidate or political campaign committee from persons who are not residents of this state at the time the contribution is made. Broadly captioned.
Amendment Summary: House Elections & Campaign Finance Subcommittee amendment 1 (005259) requires that a candidate or political campaign committee shall not accept contributions from persons who are not residents of Tennessee at the time the contribution is made that, in the aggregate, exceed 30% of the total contributions received by a candidate or political campaign for a primary election.
Fiscal Note: (Dated February 22, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/15/23 - Failed in House Elections & Campaign Finance Subcommittee after adopting amendment 1 (005259).
Summary Or State Summary: Prohibits a candidate or political campaign committee from accepting contributions that exceed 30 percent of the total contributions received by a candidate or political campaign committee from persons who are not residents of this state at the time the contribution is made. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, Part 3, relative to campaign finance.

SB1916/HB2394 CAMPAIGNS & LOBBYING: Parameters for transferring unused campaign funds.

Sponsors: Sen. Niceley, Frank , Rep. Lafferty, Justin
Summary: Allows a candidate for a state or local campaign to transfer unused funds to a federal campaign account for a primary election if the candidate notifies each donor of the proposed transfer and a donor does not object to the transfer within 30 days of the notification. Requires the funds donated by donors who object to the transfer to be returned to the donor.
Fiscal Note: (Dated February 13, 2024) NOT SIGNIFICANT
Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/13/24 - Taken off notice in House Elections & Campaign Finance Subcommittee.
Summary Or State Summary: Allows a candidate for a state or local campaign to transfer unused funds to a federal campaign account for a primary election if the candidate notifies each donor of the proposed transfer and a donor does not object to the transfer within 30 days of the notification. Requires the funds donated by donors who object to the transfer to be returned to the donor.
Caption: AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, relative to campaign finance.

SB2386/HB2501 CAMPAIGNS & LOBBYING: Political communications generated by synthetic media using AI algorithms.

Sponsors: Sen. Kyle, Sara , Rep. Jones, Justin
Summary: Requires political communications to contain a disclaimer if the communication was generated in whole or in part by synthetic media using artificial intelligence algorithms. Broadly captioned.
Fiscal Note: (Dated February 16, 2024) NOT SIGNIFICANT
Senate Status: 02/01/24 - Referred to Senate State & Local Government Committee.
House Status: 03/06/24 - Failed in House Elections & Campaign Finance Subcommittee.
Summary Or State Summary: Requires political communications to contain a disclaimer if the communication was generated in whole or in part by synthetic media using artificial intelligence algorithms. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 2, relative to political communications.

SB2743/HB2117 CAMPAIGNS & LOBBYING: Written attestation with the political subdivision's annual audit.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis
Summary: Requires a political subdivision to provide a written attestation with the political subdivision's annual audit to the comptroller of the treasury certifying that the political subdivision has not sought or received a grant in intentional pursuit of certain prohibited policies. Broadly captioned.
Fiscal Note: (Dated February 28, 2024) NOT SIGNIFICANT
Senate Status: 04/04/24 - Senate passed.
House Status: 04/10/24 - House deferred to next available calendar.
Summary Or State Summary: Requires a political subdivision to provide a written attestation with the political subdivision's annual audit to the comptroller of the treasury certifying that the political subdivision has not sought or received a grant in intentional pursuit of certain prohibited policies. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 20; Title 21; Title 27; Title 28 and Title 29, relative to the protection of private property rights.

COMMERCIAL LAW

SB876/HB1396 COMMERCIAL LAW: Including record of civil action on consumer report.

Sponsors: Sen. Akbari, Raumesh , Rep. Harris, Torrey
Summary: Prohibits consumer reporting agencies from including on a consumer report a record of a civil action that is filed in this state, if the action is dismissed or any judgment issued in the action is satisfied. Broadly captioned.
Fiscal Note: (Dated March 8, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.
Summary Or State Summary: Prohibits consumer reporting agencies from including on a consumer report a record of a civil action that is filed in this state, if the action is dismissed or any judgment issued in the action is satisfied. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 9, Chapter 8; Title 10, Chapter 7; Title 16; Title 18; Title 20; Title 21; Title 27; Title 28; Title 29; Title 45; Title 47; Title 50, Chapter 6 and Title 66, relative to credit data.

SB1075/HB1499 COMMERCIAL LAW: Time frame for presenting a check for payment.

Sponsors: Sen. Yarbro, Jeff , Rep. Miller, Larry
Summary: Changes, from 30 days to 35 days, the time within which a check must be presented for payment or given to a depository bank for collection before the liability of the endorser is discharged under the Uniform Commercial Code. Broadly captioned.
Fiscal Note: (Dated February 3, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Changes, from 30 days to 35 days, the time within which a check must be presented for payment or given to a depository bank for collection before the liability of the endorser is discharged under the Uniform Commercial Code. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 9; Title 12; Title 45; Title 47; Title 48; Title 61 and Title 67, relative to commerce.

SB1252/HB1470 COMMERCIAL LAW: Consumer Wheelchair Repair Bill of Rights Act.

Sponsors: Sen. Akbari, Raumesh , Rep. Towns Jr., Joe
Summary: Enacts the "Consumer Wheelchair Repair Bill of Rights Act," which states that an original equipment manufacturer of powered wheelchair manufacturers shall, with fair and reasonable terms and costs, make available to an independent repair provider or owner of the manufacturer's equipment any documentation, parts, embedded software, firmware, or tools that are intended for use with the equipment or any part, including updates to documentation, parts, embedded software, firmware, or tools. Covers equipment that contains an electronic security lock or other security-related function. Details limitations to outdated powered wheelchairs.
Fiscal Note: (Dated March 16, 2023) NOT SIGNIFICANT
Senate Status: 03/27/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/19/24 - Returned to House clerk's desk.
Summary Or State Summary: Enacts the "Consumer Wheelchair Repair Bill of Rights Act," which states that an original equipment manufacturer of powered wheelchair manufacturers shall, with fair and reasonable terms and costs, make available to an independent repair provider or owner of the manufacturer's equipment any documentation, parts, embedded software, firmware, or tools that are intended for use with the equipment or any part, including updates to documentation, parts, embedded software, firmware, or tools. Covers equipment that contains an electronic security lock or other security-related function. Details limitations to outdated powered wheelchairs.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18, relative to consumer protection.

SB1284/HB1061 COMMERCIAL LAW: Unlawful representation as a licensed contractor.

Sponsors: Sen. Niceley, Frank , Rep. Faison, Jeremy
Summary: Specifies it is unlawful for a person, firm, or corporation to represent itself as a licensed contractor or to act in the capacity of a contractor while not licensed. Broadly captioned.
Amendment Summary: Senate amendment 1 (006129) requires, before transacting any business with this state or a political subdivision of this state, a domestic corporation, a foreign corporation, an LLC, a foreign LLC, a partnership, a registered limited liability partnership, a foreign registered limited liability partnership, a limited partnership or, a foreign limited partnership, that uses an assumed corporate name, to file with the Secretary of State a disclosure setting forth the true identity of each incorporator, partner, or member of the corporation.
Fiscal Note: (Dated February 3, 2023) NOT SIGNIFICANT
Senate Status: 04/10/23 - Senate passed with amendment 1 (006129).
House Status: 03/22/23 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Specifies it is unlawful for a person, firm, or corporation to represent itself as a licensed contractor or to act in the capacity of a contractor while not licensed. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 12; Title 13; Title 42; Title 43; Title 44; Title 45; Title 46; Title 47; Title 48; Title 50; Title 53; Title 54; Title 55; Title 56; Title 61; Title 62; Title 65; Title 66; Title 67; Title 68 and Title 71, relative to commerce.

SB1291/HB602 COMMERCIAL LAW: Timeframe for placing security freeze on consumer report.

Sponsors: Sen. Bailey, Paul , Rep. Powell, Jason
Summary: Increases, from three to five days, the number of days a consumer reporting agency has to place a security freeze on a consumer report after receiving the written or electronic request from the Tennessee consumer. Broadly captioned.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Increases, from three to five days, the number of days a consumer reporting agency has to place a security freeze on a consumer report after receiving the written or electronic request from the Tennessee consumer. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 12; Title 43; Title 45; Title 47; Title 48; Title 50; Title 61; Title 66 and Title 67, relative to commerce.

SB1651/HB2823 COMMERCIAL LAW: TACIR study on approaches to the regulation of artificial intelligence.

Sponsors: Sen. Campbell, Heidi , Rep. Camper, Karen
Summary: Requires TACIR to conduct a study on approaches to the regulation of artificial intelligence and submit a report of such study, Requires TACIR to submit a report of its findings, including recommended legislative approaches, to the speakers of the house and senate and the legislative librarian no later than January 1, 2025. Broadly captioned.
Fiscal Note: (Dated January 24, 2024) NOT SIGNIFICANT
Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/19/24 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Requires TACIR to conduct a study on approaches to the regulation of artificial intelligence and submit a report of such study, Requires TACIR to submit a report of its findings, including recommended legislative approaches, to the speakers of the house and senate and the legislative librarian no later than January 1, 2025. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 47, relative to regulation of artificial intelligence.

SB1661/HB1707 COMMERCIAL LAW: Charitable Solicitations Act.

Sponsors: Sen. Swann, Art , Rep. McCalmon, Jake
Summary: Revises various provisions regarding the regulation of charitable solicitations regarding the age of organization to be regulated, public contributions, and tax exemption status. Allows a civil penalty to be assessed if violations occur.
Fiscal Note: (Dated January 20, 2024) NOT SIGNIFICANT
Senate Status: 02/28/24 - Signed by Senate speaker.

House Status: 02/28/24 - Signed by House speaker.
Executive Status: 03/07/24 - Enacted as Public Chapter 0533 effective July 1, 2024.
Summary Or State Summary: Revises various provisions regarding the regulation of charitable solicitations regarding the age of organization to be regulated, public contributions, and tax exemption status. Allows a civil penalty to be assessed if violations occur.
Caption: AN ACT to amend Tennessee Code Annotated, Title 48, Chapter 101, Part 5, relative to charitable organizations.

SB2051/HB1953 COMMERCIAL LAW: Consumer reports and information that antedates the report by more than seven years.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio
Summary: Prohibits a consumer reporting agency from creating or furnishing a consumer report that contains certain information, including bankruptcies and unlawful detainer actions, if the information antedates the report by more than seven years, unless certain exceptions apply. Broadly captioned.
Fiscal Note: (Dated January 31, 2024) NOT SIGNIFICANT
Senate Status: 01/31/24 - Referred to Senate Commerce & Labor Committee.
House Status: 03/12/24 - House Banking & Consumer Affairs Subcommittee deferred to summer study.
Summary Or State Summary: Prohibits a consumer reporting agency from creating or furnishing a consumer report that contains certain information, including bankruptcies and unlawful detainer actions, if the information antedates the report by more than seven years, unless certain exceptions apply. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 6; Title 45; Title 47; Title 56 and Title 62, relative to consumer reporting agencies.

SB2370/HB2309 COMMERCIAL LAW: Blockchain Basics Act.

Sponsors: Sen. Watson, Bo , Rep. Vaughan, Kevin
Summary: Specifies that an individual may engage in home digital asset mining as long as the individual complies with all local noise ordinances and operates a node for the purpose of connecting to a blockchain protocol or a protocol built on top of a blockchain protocol and transferring digital assets on a blockchain protocol, or participating in staking on a blockchain protocol. Clarifies that an individual engaged in home digital asset mining, a digital asset mining business, or operating a node or a series of nodes on a blockchain protocol is not required to obtain a license under the Money Transmission Modernization Act. Specifies that a digital asset mining business may engage in digital asset mining in any area that is zoned for industrial use.
Amendment Summary: House Business & Utilities Subcommittee amendment 1 (014403) authorizes an individual to engage in home digital asset mining as they comply with local noise ordinances and operate a node for the purpose of connecting to, transferring digital assets, or participating in staking on a blockchain protocol. Specifies individuals engaging in such activities are not required to obtain a license under the Money Transmission Modernization Act (MTMA). Prohibits a business offering to provide data asset mining services or staking as a service for individuals or businesses to be deemed to be offering a security under the Tennessee Securities Act of 1980. Authorizes a digital asset mining business to engage in digital asset mining in any area that is zoned for industrial use. Prohibits a political subdivision from: (1) setting a limit on sound decibels generated from home or business digital asset mining other than limits set for sound pollution in the political subdivision or industrial-zoned areas; (2) imposing requirements on a digital asset mining business that are not a requirement for data centers within the jurisdiction of the political subdivision; or (3) making zoning changes without the required procedures. Prohibits the state or a political subdivision from: prohibiting, restricting, or impairing the use of a controllable electronic record to purchase legal goods or services or a self-hosted, third-party, or hardware storage wallet for self-custody of controllable electronic records; or imposing additional taxes, withholdings, assessments, or charges on a controllable electronic record used as a method of payment based solely on the use of the record as the method of payment unless the imposition or collection of a tax, withholding, assessment, or charge would otherwise be collected if the transaction had taken place using legal tender. Authorizes a financial institution or trust company to provide customers with digital asset custody services through third-party service providers if the financial institution or trust company has adequate protocols in place to manage risks and comply with applicable laws. Requires the financial institution or trust company to examine the risks involved in offering such services through a methodical self-assessment process prior to the offering of such services. Requires the financial institution or trust company offering these services to implement risk management systems and controls to measure, monitor, and control relevant risks associated with custody of digital assets, confirm that it has adequate insurance coverage for such services, and maintain a service provider oversight program to address risks to service provider relationships as a result of engaging in digital asset custody services. Permits the financial institution or trust company, through the entity's charter authority, to provide digital asset custody services in a nonfiduciary or fiduciary capacity.
Fiscal Note: (Dated February 24, 2024) NOT SIGNIFICANT
Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/19/24 - Taken off notice in House Commerce Committee.
Summary Or State Summary: Specifies that an individual may engage in home digital asset mining as long as the individual complies with all local noise ordinances and operates a node for the purpose of connecting to a blockchain protocol or a protocol built on top of a blockchain protocol and transferring digital assets on a blockchain protocol, or participating in staking on a blockchain protocol. Clarifies that an individual engaged in home digital asset mining, a digital asset mining business, or operating a node or a series of nodes on a blockchain protocol is not required to obtain a license under the Money Transmission Modernization Act. Specifies that a digital asset mining business may engage in digital asset mining in any area that is zoned for industrial use.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13; Title 45; Title 47; Title 48 and Title 67, relative to digital assets.

SB2391/HB2711 COMMERCIAL LAW: Revises provisions governing trade practices and consumer protection.

Sponsors: Sen. Stevens, John , Rep. Garrett, Johnny
Summary: Revises provisions governing trade practices and consumer protection.
Fiscal Note: (Dated February 24, 2024) NOT SIGNIFICANT
Senate Status: 03/11/24 - Senate passed.
House Status: 04/08/24 - House passed.
Executive Status: 04/08/24 - Sent to the speakers for signatures.
Summary Or State Summary: Revises provisions governing trade practices and consumer protection.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 6, Part 4 and Title 47, relative to commerce.

SB2431/HB2707 COMMERCIAL LAW: Disclosure on content generated by AI.

Sponsors: Sen. Powers, Bill , Rep. Garrett, Johnny
Summary: Requires a person to include a disclosure on certain content generated by artificial intelligence that the content was generated using artificial intelligence. Makes it an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977 to distribute certain content generated using artificial intelligence without the required disclosure. Broadly captioned.
Fiscal Note: (Dated February 13, 2024) NOT SIGNIFICANT
Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/19/24 - Taken off notice in House Banking & Consumer Affairs Subcommittee.
Summary Or State Summary: Requires a person to include a disclosure on certain content generated by artificial intelligence that the content was generated using artificial intelligence. Makes it an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977 to distribute certain content generated using artificial intelligence without the required disclosure. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47, relative to the use of artificial intelligence.

SB2518/HB2633 COMMERCIAL LAW: Filing fees for business entities.

Sponsors: Sen. Hensley, Joey , Rep. Bricken, Rush
Summary: Increases the minimum filing fee required when certain business entities file an annual report with the secretary of state. Broadly captioned.
Fiscal Note: (Dated March 9, 2024) Increase State Revenue \$99,763,500/FY24-25 and Subsequent Years/General Fund \$3,085,500/FY24-25 and Subsequent Years/Secretary of State
Senate Status: 03/27/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/19/24 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Increases the minimum filing fee required when certain business entities file an annual report with the secretary of state. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 43; Title 48 and Title 61, relative to business entities.

SB2611/HB2656 COMMERCIAL LAW: Annual report regarding diversity in corporations.

Sponsors: Sen. Oliver, Charlane , Rep. Chism, Jesse
Summary: Requires corporations registered with the secretary of state to submit certain information to the secretary of state. Requires corporations that are publicly held domestic or foreign corporations with their principal executive offices located in this state to provide the secretary of state with information regarding diversity of board members and officers. Requires the secretary of state to publish certain information regarding such diversity. Broadly captioned.
Fiscal Note: (Dated April 3, 2024) Increase State Expenditures \$141,500/FY24-25 \$107,500/FY25-26 and Subsequent Years
Senate Status: 02/05/24 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/24 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Requires corporations registered with the secretary of state to submit certain information to the secretary of state. Requires corporations that are publicly held domestic or foreign corporations with their principal executive offices located in this state to provide the secretary of state with information regarding diversity of board members and officers. Requires the secretary of state to publish certain information regarding such diversity. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 12; Title 48 and Title 67, relative to business entities.

SB2640/HB2806 COMMERCIAL LAW: Written notice of objection by merchant - statute of frauds under the UCC.

Sponsors: Sen. Lundberg, Jon , Rep. Hulsey, Bud
Summary: Increases, from 10 to 11 days, the time a merchant has to provide a written notice of objection to a writing or record that confirms a contract between the recipient and another merchant before the writing or record is considered sufficient to satisfy the statute of frauds under the Uniform Commercial Code. Broadly captioned.
Amendment Summary: Senate Commerce & Labor Committee amendment 1, House Civil Justice Committee amendment 1 (014435) makes various changes to the Uniform Commercial Code (UCC) adopted by the Uniform Law Commission of the National Conference of Commissioners on Uniform State Laws.
Fiscal Note: (Dated February 7, 2024) NOT SIGNIFICANT
Senate Status: 03/13/24 - Senate Commerce & Labor Committee recommended with amendment 1 (014435). Sent to Senate Calendar Committee.
House Status: 03/20/24 - House Civil Justice Committee deferred to Summer Study after adopting amendment 1 (014435).
Summary Or State Summary: Increases, from 10 to 11 days, the time a merchant has to provide a written notice of objection to a writing or record that confirms a contract between the recipient and another merchant before the writing or record is considered sufficient to satisfy the statute of frauds under the Uniform Commercial Code. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47, relative to the uniform commercial code.

SB2707/HB2092 COMMERCIAL LAW: Changes the definition of "home loan."

Sponsors: Sen. Southerland, Steve , Rep. Vaughan, Kevin
Summary: Changes the definition of a "home loan" to a closed-end loan with a term of at least 241 months. Removes existing variable limits on the maximum effective rate of annual interest on home loans of no higher than two points greater than the rate established by the FNMA auction or four points greater than the 30-year treasury bond market yield index, leaving the maximum rate of interest per annum for home loans that may be charged at a fixed 18 percent limit. Broadly captioned.
Fiscal Note: (Dated February 9, 2024) NOT SIGNIFICANT
Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/19/24 - Taken off notice in House Banking & Consumer Affairs Subcommittee.
Summary Or State Summary: Changes the definition of a "home loan" to a closed-end loan with a term of at least 241 months. Removes existing variable limits on the maximum effective rate of annual interest on home loans of no higher than two points greater than the rate established by the FNMA auction or four points greater than the 30-year treasury bond market yield index, leaving the maximum rate of interest per annum for home loans that may be charged at a fixed 18 percent limit. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47, relative to mortgage interest rates.

SB2863/HB2889 COMMERCIAL LAW: Authorizes registered agent of a foreign corporation to resign the agency appointment by filing info with the secretary of state.

Sponsors: Sen. Roberts, Kerry , Rep. Todd, Chris
Summary: Authorizes the registered agent of a foreign corporation to resign the agency appointment by filing information with the secretary of state in an electronic format deemed suitable by the secretary of state. Broadly captioned.
Amendment Summary: Senate Commerce & Labor Committee amendment 1 (014226) requires a person acting as an agent of a foreign principal from a county of concern (agent) to file a registration statement and supplemental information with the Tennessee Ethics Commission (Commission) within 10 days of becoming an agent. Requires each agent to file a supplemental statement under oath on a form prescribed by the Commission within 30 days after the expiration of each six-month period following a filing. Requires an agent to give notice within 10 days of when information furnished to the Commission changes. Imposes a \$150 registration fee for each agent and each foreign principal from a country of concern. Requires any person who acted as an agent from January 1, 2014 to July 1, 2024 to file a retroactive registration statement and supplemental statements. Establishes various disclosure and reporting requirements for agents. Authorizes a person who willfully violates a provision or rule promulgated pursuant to this act be fined up to \$100,000 and/or imprisoned for up to five years; provided that a violation of filing and labeling of informational materials has a fine up to \$50,000 and/or imprisonment for up to 12 months. Establishes that an alien who is convicted of a violation of, or a conspiracy to violate, this act may be referred to the United State Department of Justices for removal under the Immigration and Nationality Act. Prohibits an agent from being party to a contract or agreement with a foreign principal from a country of concern to which compensation of the agent is contingent upon the success of political activities carried out. Requires the Commission promulgate rules to effectuate this act, and to report to the General Assembly every six months regarding the administration of this act and to make such report publicly available on its website. House State Government Committee amendment 1 (015653) requires a person acting as an agent of a foreign principal from a county of concern (agent) to file a registration statement and supplemental information with the Tennessee Ethics Commission (Commission) within 10 days of becoming an agent. Requires each agent to file a supplemental statement under oath on a form prescribed by the Commission within 30 days after the expiration of each six-month period following a filing. Requires an agent to give notice, within 10 days, of when information furnished to the Commission changes. Imposes a \$150 registration fee for each agent and each foreign principal from a country of concern. Requires any person who acted as an agent from January 1, 2014 to July 1, 2024 to file a retroactive registration statement and supplemental statements. Establishes various disclosure and reporting requirements for agents. Authorizes a person who willfully violates a provision or rule promulgated pursuant to this act be fined up to \$100,000 and/or imprisoned for up to five years; provided that a violation of filing and labeling of informational materials has a fine up to \$50,000 and/or imprisonment for up to 12 months. Establishes that an alien who is convicted of a violation of, or a conspiracy to violate, this act may be referred to the United State Department of Justices for removal under the Immigration and Nationality Act. Prohibits an agent from being party to a contract or agreement with a foreign principal from a country of concern to which compensation of the agent is contingent upon the success of political activities carried out. Requires the Commission promulgate rules to effectuate this act, and to report to the General Assembly every six months regarding the administration of this act and to make such report publicly available on its website.
Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/08/24 - House Government Operations Committee recommended. Sent to House Finance.
Summary Or State Summary: Authorizes the registered agent of a foreign corporation to resign the agency appointment by filing information with the secretary of state in an electronic format deemed suitable by the secretary of state. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 8; Title 48; Title 61 and Title 62, relative to foreign agents.

SB2891/HB2593 COMMERCIAL LAW: TN Consumer Protection Act - removes obsolete provision related to penalties and remedies.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis
Summary: Removes an obsolete provision that applied penalties and remedies of the Tennessee Consumer Protection Act of 1977 to a repealed part of the Code.
Fiscal Note: (Dated January 31, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate Commerce & Labor Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Removes an obsolete provision that applied penalties and remedies of the Tennessee Consumer Protection Act of 1977 to a repealed part of the Code.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18, relative to consumer protection.

CONSTRUCTION

SB969/HB1207 CONSTRUCTION: Tennessee Public Buildings Accessibility Act.

Sponsors: Sen. Powers, Bill , Rep. Carringer, Michele
Summary: Increases from 120 to 180 days the period within which a public building must come into full compliance if the public building was constructed, enlarged, or substantially altered or repaired after July 1, 2012, and is discovered to have deviated from the standards and specifications of the Tennessee Public Buildings Accessibility Act.
Amendment Summary: Senate State & Local Government Committee amendment 1 (005913) prohibits a local government from limiting the use of construction material that is approved by a national building code or the state fire marshal.
Fiscal Note: (Dated February 6, 2023) NOT SIGNIFICANT
Senate Status: 03/28/23 - Senate State & Local Government Committee deferred to summer study after adopting amendment 1 (005913).
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Increases from 120 to 180 days the period within which a public building must come into full compliance if the public building was constructed, enlarged, or substantially altered or repaired after July 1, 2012, and is discovered to have deviated from the standards and specifications of the Tennessee Public Buildings Accessibility Act.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120, relative to construction.

SB1444/HB655 CONSTRUCTION: Contractor licenses minimum project cost.

Sponsors: Sen. Roberts, Kerry , Rep. Fritts, Monty
Summary: Increases the minimum total project cost amount for which a license as a contractor is required from \$25,000 to \$40,928. Ties the minimum total project cost amount to the United States Bureau of Labor Statistics' Producer Price Index by Industry: Building Materials and Supplies Dealers. Requires the board for licensing contractors to update the amount at least annually and publish the amount on its public website.
Amendment Summary: House Commerce Committee (013943) makes changes to the Contractors Licensing Act of 1994. Increases, from \$25,000 to \$50,000, the minimum total project cost amount for which a license as a certain contractor, limited license, or building permit is required. Changes the amount, from \$25,000 to \$50,000, that is a Class A misdemeanor for any firm corporation or person accepting a bid to contract for a project if the contractor is not licensed. Increases the required surety bond or irrevocable letter of credit that an applicant for a home improvement contractor's license must file with the Board of State Licensing Contractors (BLC) from \$10,000 to \$25,000. Senate Commerce & Labor Committee amendment 1 (006027) makes changes to the Contractors Licensing Act of 1994. Increases, from \$25,000 to \$50,000, the minimum total project cost amount for which a license as a certain contractor, limited license, or building permit is required. Changes the amount, from \$25,000 to \$50,000, that is a Class A misdemeanor for any firm corporation or person accepting a bid to contract for a project if the contractor is not licensed. Increases the required surety bond or irrevocable letter of credit that an applicant for a home improvement contractor's license must file with the Board of State Licensing Contractors (BLC) from \$10,000 to \$25,000.
Fiscal Note: (Dated February 8, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Senate Commerce & Labor Committee recommended with amendment 1 (006027). Sent to Senate Calendar Committee.
House Status: 02/20/24 - Failed in House Commerce Committee after adopting amendment 1 (013943).
Summary Or State Summary: Increases the minimum total project cost amount for which a license as a contractor is required from \$25,000 to \$40,928. Ties the minimum total project cost amount to the United States Bureau of Labor Statistics' Producer Price Index by Industry: Building Materials and Supplies Dealers. Requires the board for licensing contractors to update the amount at least annually and publish the amount on its public website.
Caption: AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6, relative to contractors.

SB1666/HB1702 CONSTRUCTION: Sunset - Go Build Tennessee Act extension.

Sponsors: Sen. Johnson, Jack , Rep. Williams, Ryan
Summary: Extends the Go Build Tennessee Act by changing the repeal date from July 1, 2024, to July 1, 2029.
Fiscal Note: (Dated February 5, 2024) Other Fiscal Impact The State Board of Licensing Contractors will continue annual payments to the Go Build Tennessee Corporation averaging approximately \$84,200 in FY24-25 through FY28-29. Additionally, the board will experience a one-time expenditure of \$250,000 in FY24-25 from the boards reserve fund. The Governors proposed FY24-25 budget, on page B-270, recognizes a non- recurring appropriation of \$250,000 from the reserves of the Contractors Board.
Senate Status: 03/06/24 - Signed by Senate speaker.
House Status: 03/06/24 - Signed by House speaker.
Executive Status: 04/03/24 - Enacted as Public Chapter 0567 effective March 15, 2024.
Summary Or State Summary: Extends the Go Build Tennessee Act by changing the repeal date from July 1, 2024, to July 1, 2029.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 41 and Title 62, Chapter 6, Part 1, relative to the Go Build Tennessee Act.

SB2100/HB1892 CONSTRUCTION: Use of third-party examiners, inspectors, or engineers.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Authorizes the use of certain third-party examiners, inspectors, engineers, and professionals in lieu of a local or state examiner, inspector, engineer, or professional for certain permitted processes and requirements. Establishes procedures and requirements for the use of a third-party examiner, inspector, engineer, or professional in building construction. Part of Administration Package (22 pp.).
Amendment Summary: Senate amendment 1 (013987) requires a local jurisdiction, which has adopted its building standards and codes authorized in statute, but outside of the minimum state-wide standards, to perform any examinations of construction plans and specifications and inspections within 30 days of a request. Authorizes the State Fire Marshal to require an inspection during construction or alteration of certain types of buildings or structures. Authorizes a person in a local jurisdiction to engage with third-party inspectors or third-party plans examiners to examine plans and specifications prior to construction or to complete locally required building construction inspections and inspection reports during construction, in lieu of examinations or inspections by the local jurisdiction. Clarifies that engaging with a third party is not applicable to state buildings, educational occupancies, or any other occupancy requiring an inspection by the State Fire Marshal for initial licensure, except agencies licensed by the Department of Human Services. Removes the requirement that a local jurisdiction that accepts an electrical engineer inspection by a registered inspector must maintain a record of an inspection performed by an engineer for no less than three audit years. Authorizes a person to engage a third-party water resource engineer to prepare a permit package to install a subsurface sewage disposal system or to inspect the final inspection of a subsurface sewage disposal system in lieu of the Department of Environment and Conservation (TDEC) or contract county. Authorizes a person to engage a third-party water resource engineer to conduct a final inspection or to review engineering reports, plans, and specifications to construct, install, or modify a non-discharging treatment works or sewerage system, including the collection system, treatment facility, and land application components. Authorizes a person to engage a third-party wetland professional to review an application for the alteration of the physical, chemical, radiological, biological, or bacteriological properties of any waters of the state in lieu of TDEC review. Authorizes the third party to submit a permit application review after the applicant has submitted an aquatic resource inventory and TDEC has concurred with this inventory. Creates requirements and guidelines for engaging with each applicable third party under the applicable departments. Prohibits third parties from conducting an inspection, examination, review or permit package if the third-party inspector or third-party examiner has a conflict of interest. Requires any fees charged by the local government or department for a third-party plans examinations, inspection, reviews or permit packaging to be the same amount charged by the local government, or departments to perform the same service. Senate amendment 2 (014959) requires a person who engages a third-party inspector to complete locally required building inspections are required to continue using a third-party inspector for any subsequent inspections. Requires the person to submit the building plans, inspection reports, third-party inspector's name and registration, and a sworn written statement by the third-party inspector stating any deficiencies in the applicable code. House amendment 1 (017076) makes the following changes: (1) Authorizes a soil scientist certified by the department to submit an application for a permit for a subsurface sewage disposal system with a capacity of less than 750 gallons per day that includes the completed application, application fee, proposed design, an appropriate intensity soils map signed by a soil scientist certified by the department, and a completed but unsigned permit for construction of the subsurface disposal system; and (2) When a local jurisdiction or the state fire marshal's office accepts a final inspection under the provisions in the bill summary regarding third-party inspectors, then requires the local jurisdiction to issue a certificate of occupancy.
Fiscal Note: (Dated February 10, 2024) NOT SIGNIFICANT
Senate Status: 04/08/24 - Senate concurred in House amendment 1 (017076).
House Status: 03/28/24 - House passed with amendment 1 (017076).
Executive Status: 04/08/24 - Sent to the speakers for signatures.
Summary Or State Summary: Authorizes the use of certain third-party examiners, inspectors, engineers, and professionals in lieu of a local or state examiner, inspector, engineer, or professional for certain permitted processes and requirements. Establishes procedures and requirements for the use of a third-party examiner, inspector, engineer, or professional in building construction. Part of Administration Package (22 pp.).
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120; Title 68, Chapter 221 and Title 69, Chapter 3, Part 1, relative to permitting.

SB354/HB463 CRIMINAL LAW: Requirements for securing a bail bond by real estate.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William
Summary: Lowers the amount, from two to one, the number of sureties required to sign a deed of trust when the defendant is seeking to secure a bail bond by real estate.
Fiscal Note: (Dated January 24, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Judiciary Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Lowers the amount, from two to one, the number of sureties required to sign a deed of trust when the defendant is seeking to secure a bail bond by real estate.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 16, Chapter 3, Part 8; Title 39 and Title 40, relative to bail bonds.

SB1645/HB1620 CRIMINAL LAW: Use of drones by law enforcement.

Sponsors: Sen. Massey, Becky , Rep. Gillespie, John
Summary: Deletes the July 1, 2024, termination date for Chapter 462 of the Public Acts of 2021, allowing a law enforcement agency to continue to use a drone to search for and collect evidence or obtain information with the consent of a private property owner, in case of a natural emergency, or to investigate a crime that is occurring or has occurred.
Fiscal Note: (Dated January 16, 2024) NOT SIGNIFICANT
Senate Status: 02/17/24 - Signed by Senate speaker.
House Status: 02/20/24 - Signed by House speaker.
Executive Status: 03/15/24 - Enacted as Public Chapter 0524 effective March 1, 2024.
Summary Or State Summary: Deletes the July 1, 2024, termination date for Chapter 462 of the Public Acts of 2021, allowing a law enforcement agency to continue to use a drone to search for and collect evidence or obtain information with the consent of a private property owner, in case of a natural emergency, or to investigate a crime that is occurring or has occurred.
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Chapter 462 of the Public Acts of 2021, relative to use of drones.

SB1775/HB1858 CRIMINAL LAW: Home address confidentiality program for victims.

Sponsors: Sen. Swann, Art , Rep. Davis, Elaine
Summary: Expands the ways in which applicants may apply for the home address confidentiality program to include moving to a new address unknown to the offender and not previously identified in a public record.
Fiscal Note: (Dated February 3, 2024) NOT SIGNIFICANT
Senate Status: 03/18/24 - Signed by Senate speaker.
House Status: 03/14/24 - Signed by House speaker.
Executive Status: 04/02/24 - Enacted as Public Chapter 0620 effective March 27, 2024.
Summary Or State Summary: Expands the ways in which applicants may apply for the home address confidentiality program to include moving to a new address unknown to the offender and not previously identified in a public record.
Caption: AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 38, Part 6, relative to the home address confidentiality program.

SB2410/HB2504 CRIMINAL LAW: Telecommunications transmitting misleading caller identification established as a misdemeanor.

Sponsors: Sen. Lamar, London , Rep. Harris, Torrey
Summary: Makes it an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or is not a toll-free phone number, to a subscriber with the intent to induce the subscriber to answer. Broadly captioned.
Amendment Summary: House amendment 1 (014656) establishes that it is an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or that is not a toll-free phone number, to a subscriber with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value, rather than with the intent to induce the subscriber to answer.
Fiscal Note: (Dated February 8, 2024) NOT SIGNIFICANT
Senate Status: 04/01/24 - Senate passed.
House Status: 03/25/24 - House passed with amendment 1 (014656).
Summary Or State Summary: Makes it an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or is not a toll-free phone number, to a subscriber with the intent to induce the subscriber to answer. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 47, Chapter 18, relative to caller identification spoofing.

SB2478/HB2691 CRIMINAL LAW: Cruelty to animals - entering private property without probable cause.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay
Summary: Prohibits the department of agriculture or any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has occurred or is occurring, the consent of the property owner, a warrant, or a recognized warrant exception. Requires a member of a society incorporated for the prevention of cruelty to animals to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. Broadly captioned.
Fiscal Note: (Dated March 5, 2024) NOT SIGNIFICANT
Senate Status: 03/11/24 - Senate passed.
House Status: 04/01/24 - House passed.
Executive Status: 04/01/24 - Sent to the speakers for signatures.
Summary Or State Summary: Prohibits the department of agriculture or any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has occurred or is occurring, the consent of the property owner, a warrant, or a recognized warrant exception. Requires a member of a society incorporated for the prevention of cruelty to animals to notify the appropriate local law enforcement agency of the member's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action before doing so. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 43; Title 44 and Title 63, Chapter 12, relative to animals.

SB2776/HB2813 CRIMINAL LAW: Search warrants required by POST-certified officers before entering private property.

Sponsors: Sen. Bowling, Janice , Rep. Hulsey, Bud
Summary: Requires, subject to judicially recognized exceptions, all POST-certified officers to obtain a search warrant before entering private property that identifies the person or property that is the subject of the search. Specifies that an officer who knowingly fails to obtain a search warrant when a search warrant is required by this section commits a Class C misdemeanor. Broadly captioned.
Fiscal Note: (Dated March 14, 2024) NOT SIGNIFICANT
Senate Status: 03/26/24 - Taken off notice in Senate Judiciary Committee.
House Status: 03/26/24 - Taken off notice in House Criminal Justice Subcommittee.
Summary Or State Summary: Requires, subject to judicially recognized exceptions, all POST-certified officers to obtain a search warrant before entering private property that identifies the person or property that is the subject of the search. Specifies that an officer who knowingly fails to obtain a search warrant when a search warrant is required by this section commits a Class C misdemeanor. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 38; Title 39 and Title 40, relative to searches.

ECONOMIC DEVELOPMENT

SB85/HB154 ECONOMIC DEVELOPMENT: Employee Ownership, Empowerment, and Expansion Act.

Sponsors: Sen. Walley, Page , Rep. Marsh, Pat

Summary: Enacts the Employee Ownership, Empowerment and Expansion Act for the purposes of providing incentives for small businesses to establish employee stock ownership plans or trusts to convert a worker-owned cooperative without requiring employees to invest their own money. Provides three options to small business owners to sell their businesses, including conversion costs, employee ownership trusts and employee stock ownership plans. Defines provisions under each option. For tax years beginning on or after January 1, 2024, but prior to January 1, 2029, allows a credit up to 50% percent of conversion costs, not to exceed \$25,000 for worker-owned cooperatives and employee ownership trusts, and up to 50 percent of conversion costs, not to exceed \$100,000, for costs included under employee stock ownership plans. Specifies certain taxpayer obligations for the tax credit and allows the commissioner to conduct audits. Requires the department to submit a one-time report to the finance, ways and means committees of the house of representatives and the senate on or before January 1, 2024.

Fiscal Note: (Dated March 4, 2023) Decrease State Revenue \$275,000/FY23-24 \$600,000/Each FY24-25 through FY28-29 \$50,000/FY29-30 and Subsequent Years Decrease Local Revenue \$50,000/FY24-25 and Subsequent Years

Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

Summary Or State Summary: Enacts the Employee Ownership, Empowerment and Expansion Act for the purposes of providing incentives for small businesses to establish employee stock ownership plans or trusts to convert a worker-owned cooperative without requiring employees to invest their own money. Provides three options to small business owners to sell their businesses, including conversion costs, employee ownership trusts and employee stock ownership plans. Defines provisions under each option. For tax years beginning on or after January 1, 2024, but prior to January 1, 2029, allows a credit up to 50% percent of conversion costs, not to exceed \$25,000 for worker-owned cooperatives and employee ownership trusts, and up to 50 percent of conversion costs, not to exceed \$100,000, for costs included under employee stock ownership plans. Specifies certain taxpayer obligations for the tax credit and allows the commissioner to conduct audits. Requires the department to submit a one-time report to the finance, ways and means committees of the house of representatives and the senate on or before January 1, 2024.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 9; Title 12, Chapter 3; Title 45; Title 50; Title 56, Chapter 1 and Title 67, relative to employee-owned businesses.

SB1283/HB1066 ECONOMIC DEVELOPMENT: Broadband ready community's ordinance or policy reviewing applications.

Sponsors: Sen. Bailey, Paul , Rep. Raper, Kevin

Summary: Requires that a broadband ready community's ordinance or policy for reviewing applications must contain a provision that all applications related to the project be either approved or denied within 30 calendar days, rather than 30 business days, after the applications are submitted. Broadly captioned.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Requires that a broadband ready community's ordinance or policy for reviewing applications must contain a provision that all applications related to the project be either approved or denied within 30 calendar days, rather than 30 business days, after the applications are submitted. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, relative to broadband.

EDUCATION

SB1216/HB1088 EDUCATION: Infrastructure stipend for LEA that experiences growth in ADM.

Sponsors: Sen. White, Dawn , Rep. Baum, Charlie

Summary: Allows a local education agency (LEA) that experiences growth in its average daily membership (ADM), excluding the ADM of the LEA's virtual schools, exceeding 2 percent for each year of a two-consecutive-year period to be eligible for an infrastructure stipend for the 2023-2024 school year. Broadly captioned.

Amendment Summary: House amendment 1 (005017) revises this bill to allow a local education agency (LEA) to be eligible for an infrastructure stipend for the 2023-2024 school year, if the LEA experienced average daily membership (ADM) growth in non-virtual schools exceeding two percent in the 2019-2020, 2022-2023, and 2023-2024 school years.

Fiscal Note: (Dated February 19, 2023) NOT SIGNIFICANT

Senate Status: 03/15/23 - Taken off notice in Senate Education Committee.

House Status: 04/13/23 - House passed with amendment 1 (005017).

Summary Or State Summary: Allows a local education agency (LEA) that experiences growth in its average daily membership (ADM), excluding the ADM of the LEA's virtual schools, exceeding 2 percent for each year of a two-consecutive-year period to be eligible for an infrastructure stipend for the 2023-2024 school year. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to the Tennessee Investment in Student Achievement Act.

ENVIRONMENT & NATURE

SB91/HB18 ENVIRONMENT & NATURE: Classification of wetlands.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott

Summary: Prohibits the department of environment and conservation from applying certain criteria that would result in the classification of real property as a wetland where the property is classified as prior converted cropland exempt from classification of a wetland by federal law.

Fiscal Note: (Dated February 17, 2023) NOT SIGNIFICANT

Senate Status: 03/08/23 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 01/12/23 - Referred to House Agriculture & Natural Resources Subcommittee.

Summary Or State Summary: Prohibits the department of environment and conservation from applying certain criteria that would result in the classification of real property as a wetland where the property is classified as prior converted cropland exempt from classification of a wetland by federal law.

Caption: AN ACT to amend Tennessee Code Annotated, Title 11, Chapter 14, Part 4 and Title 69, relative to wetlands.

SB627/HB1053 ENVIRONMENT & NATURE: Report on stream bank erosion provided to general assembly.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin

Summary: Removes an obsolete requirement that the commissioner of environment and conservation prepare and deliver a written report on stream bank erosion in this state to each member of the general assembly by January 15, 2000. Broadly captioned.

Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT

Senate Status: 03/08/23 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Removes an obsolete requirement that the commissioner of environment and conservation prepare and deliver a written report on stream bank erosion in this state to each member of the general assembly by January 15, 2000. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 43; Title 44 and Title 69, relative to water pollution control.

SB630/HB1055 ENVIRONMENT & NATURE: Discharge permit exemptions.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin

Summary: Specifies that a discharge permit is not required under the Water Quality Control Act for excavations supporting agricultural activity or timber harvesting. Broadly captioned.

Fiscal Note: (Dated March 5, 2023) Decrease State Revenue Exceeds \$300/FY23-24/Division of Water Management

Senate Status: 03/08/23 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 03/07/23 - Taken off notice in House Agriculture & Natural Resources Subcommittee.

Summary Or State

Summary:

Specifies that a discharge permit is not required under the Water Quality Control Act for excavations supporting agricultural activity or timber harvesting. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221 and Title 69, relative to permits.

SB631/HB1054 ENVIRONMENT & NATURE: Classification of real property as a wetland.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin

Summary: Prohibits the department of environment and conservation from applying criteria that will result in the classification of real property as a wetland, or otherwise regulating real property as a wetland, unless the property is classified as a wetland under federal law. Broadly captioned.

Amendment Summary: House Agriculture & Natural Resources Subcommittee amendment 1 (013341) removes certain wetland property from applicable standards under the Water Quality Control Act (Act). Separates wetlands into the following categories: high-quality wetlands, moderate-quality wetlands, low-quality wetlands, incidental wetlands, and isolated wetlands. Establishes that no permit, authorization, or another requirement related to riparian buffer, cumulative impact analysis, antidegradation, mitigation, or another regulatory purpose or requirement, within the scope of the Act, is required for alterations to a low-quality wetland or incidental wetland. Establishes that a permit is not required for a low-quality wetland, regardless of the size of the low-quality wetland, and that no mitigation requirements apply to such wetland type. Establishes that an alteration to a moderate-quality wetland that is less than four acres in size is regulated by a general permit for aquatic alterations; however, such permit must not impose any requirements related to riparian buffer, cumulative impact analysis, antidegradation, or mitigation, within the scope of the Act, and may only contain requirements to protect downstream riparian uses. Specifies that an application is complete and permit coverage is issued for an aquatic resource alteration general permit (ARAP) if a denial or request for additional information is not received by the applicant within 21 days of the submission of a hydrologic determination. Establishes that mitigation requirements are not required for a moderate-quality wetland that is less than four acres in size, and furthermore, mitigation requirements for a moderate-quality wetland that is above four acres in size must not exceed a 1:1 ratio. Establishes that an individual ARAP is required for a moderate-quality wetland that is four or more acres in size. Unless required by federal law, prohibits a permit or other authorization or requirement related to riparian buffer, cumulative impact analysis, antidegradation, or mitigation from requiring alterations to an incidental wetland, regardless of the wetland's size. Prohibits low-or-moderate-quality wetlands from being considered when determining the cumulative impact of a project. Senate Energy, Agriculture, & Natural Resources Committee amendment 1 (014537) removes certain wetland property from applicable standards under the Water Quality Control Act (Act). Separates wetlands into the following categories: high-quality wetlands, moderate-quality wetlands, low-quality wetlands, and isolated wetlands. Authorizes a person, desiring to develop property, to request a determination from the Tennessee Department of Environment and Conservation (TDEC) regarding the presence, extent, and category of wetland by submitting a wetland resource inventory report prepared by a third-party wetland professional, including delineation and, if applicable, documentation that the wetland is isolated and the quality of the wetland. If such report contains all required information, is prepared accurately, and is certified by a third-party wetland professional, then such determination made in report must be presumed to be true. Establishes that the alteration to a moderate-quality wetland that is one acre or less in size, or a low-quality isolated wetland, regardless of size and by any activity, cannot be considered as part of a cumulative impact or degradation analysis, any impact to such isolated wetlands do not apply to National Pollutant Discharge elimination system (NPDES) permits, and no notice, approval, or compensatory mitigation is required for such alteration, as long as certain conditions are met. Establishes mitigation requirements for a moderate-quality wetland that is more than one acre in size must not exceed a 1:1 ratio for wetland restoration, a 2:1 ration for wetland creation and enhancement, or a 5:1 ration for wetland preservation. Makes changes to current requirements, including timeliness, to which TDEC must adhere in responding to appeals to determinations of whether water in question is a stream or a wet weather conveyance or, as applicable, the presence, extent, status as isolated, and quality of wetlands.

Fiscal Note: (Dated March 2, 2023) NOT SIGNIFICANT

Senate Status: 03/06/24 - Senate Energy, Agriculture & Natural Resources Committee deferred to summer study.

House Status: 03/20/24 - House Agriculture & Natural Resources Committee recommended with amendment 1 (013341). Sent to House Finance.

Summary Or State Summary: Prohibits the department of environment and conservation from applying criteria that will result in the classification of real property as a wetland, or otherwise regulating real property as a wetland, unless the property is classified as a wetland under federal law. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 11, Chapter 14, Part 4; Title 66 and Title 69, relative to wetlands.

SB713/HB599 ENVIRONMENT & NATURE: Department of environment and conservation to collect and publish data on landslides and floods.

Sponsors: Sen. Oliver, Charlane , Rep. Powell, Jason

Summary: Requires the department to collect and publish data concerning landslides and floods. Requires the department to establish a network of weather stations across the state. Broadly captioned.

Amendment Summary: Senate Energy, Agriculture & Natural Resources Committee amendment 1, House Agriculture and Natural Resources Committee amendment 1 (004236) deletes all language after the enacting clause and clarifies that TEMA, rather than the department of environment and conservation, is responsible for establishing a network of weather monitoring stations called MesoNets.

Fiscal Note: (Dated February 12, 2023) Increase State Expenditures - \$3,475,000/FY23-24 \$797,200/FY24-25 and Subsequent Years

Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

Summary Or State Summary: Requires the department to collect and publish data concerning landslides and floods. Requires the department to establish a network of weather stations across the state. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 5; Title 58; Title 64, Chapter 3; Title 68 and Title 69, relative to weather-related information.

SB970/HB797 ENVIRONMENT & NATURE: Reporting date for nonprofit partners of the Tennessee Wildlife Resources Agency.

Sponsors: Sen. Powers, Bill , Rep. Johnson, Curtis

Summary: Extends the required reporting period, from 90 days after the fiscal year to 100 days, that a nonprofit that partners with the TWRA for marketing opportunities must file an annual report of their operation and accomplishments.

Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT

Senate Status: 03/08/23 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Extends the required reporting period, from 90 days after the fiscal year to 100 days, that a nonprofit that partners with the TWRA for marketing opportunities must file an annual report of their operation and accomplishments.

Caption: AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 9 and Title 70, relative to wildlife resources.

SB1107/HB1113 ENVIRONMENT & NATURE: Wildlife officers entering private property without owner's consent.

Sponsors: Sen. Bowling, Janice , Rep. Reedy, Jay

Summary: Limits situations where wildlife officers may enter private property without the owner's consent, a warrant, exigent circumstances, or have observed a crime taking place.

Fiscal Note: (Dated March 17, 2023) NOT SIGNIFICANT

Senate Status: 03/22/23 - Failed in Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Department & Agencies Subcommittee.

Summary Or State Summary: Limits situations where wildlife officers may enter private property without the owner's consent, a warrant, exigent circumstances, or have observed a crime taking place.

Caption: AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 9 and Title 70, relative to the powers of the wildlife resources agency.

SB1486/HB1514 ENVIRONMENT & NATURE: Newly published regulations involving cooperative agreements between the TWRA and federal agencies.

Sponsors: Sen. Southerland, Steve , Rep. Grills, Rusty

Summary: Extends the effective date for newly published regulations involving cooperative agreements between the TWRA and federal agencies, from 30 days to 45 days after the publication date by the TWRA. Revises the due date for the submission of financial reports by the TWRA executive director to the governor and commission members, from September 15 to September 30 of each year. Broadly captioned.

Fiscal Note: (Dated April 5, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/07/23 - Referred to House Department & Agencies Subcommittee.

Summary Or State Summary: Extends the effective date for newly published regulations involving cooperative agreements between the TWRA and federal agencies, from 30 days to 45 days after the publication date by the TWRA. Revises the due date for the submission of financial reports by the TWRA executive director to the governor and commission members, from September 15 to September 30 of each year. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 70, relative to wildlife resources.

SB1751/HB2141 ENVIRONMENT & NATURE: Removing a wild animal, fowl, or fish while trespassing on land penalty.

Sponsors: Sen. Rose, Paul , Rep. Hemmer, Caleb
Summary: Increases the penalty from a Class C misdemeanor to a Class B misdemeanor for removing a wild animal, wild fowl, or fish while trespassing on land. Increases various fines under \$500 to not more than \$500. Broadly captioned.

Amendment Summary: House State Government Committee Amendment 1 (013888) increases the maximum fine, from \$50 to no more than \$500, that is applicable for a violation of any arrestable offense regarding wildlife resources and for which a submission of fine in lieu of court is not authorized.

Fiscal Note: (Dated February 6, 2024) Increase State Revenue Up to \$442,800/FY24-25 and Subsequent Years/ Wildlife Resources Fund Increase Local Expenditures \$2,900/FY24-25 and Subsequent Years* Other Fiscal Impact This legislation is estimated to result in an unknown increase in local revenue as a result of receiving a portion of the increase in fine revenue. Any such increase in local revenue could not be confirmed with certainty.

Senate Status: 03/06/24 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Increases the penalty from a Class C misdemeanor to a Class B misdemeanor for removing a wild animal, wild fowl, or fish while trespassing on land. Increases various fines under \$500 to not more than \$500. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 70, relative to wildlife resources.

SB1879/HB1963 ENVIRONMENT & NATURE: Department of environment and conservation - publishing of data concerning landslides and floods.

Sponsors: Sen. Campbell, Heidi , Rep. Powell, Jason
Summary: Requires the department of environment and conservation to collect and publish on its website in map format data concerning landslides and floods. Broadly captioned.

Fiscal Note: (Dated February 25, 2024) NOT SIGNIFICANT

Senate Status: 03/06/24 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/27/24 - House Agriculture & Natural Resources Subcommittee deferred to the special calendar.

Summary Or State Summary: Requires the department of environment and conservation to collect and publish on its website in map format data concerning landslides and floods. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 5; Title 58; Title 64, Chapter 3; Title 68 and Title 69, relative to weather-related information.

SB2376/HB2620 ENVIRONMENT & NATURE: Renewal fee as a condition to renewing a septic system installer license.

Sponsors: Sen. Watson, Bo , Rep. Martin, Greg
Summary: Removes the requirement that installers of subsurface sewage disposal systems pay a renewal fee as a condition for renewing a septic system installer license.

Fiscal Note: (Dated February 25, 2024) Decrease State Revenue \$411,900/FY24-25 and Subsequent Years/Environmental Protection Fund

Senate Status: 03/06/24 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

House Status: 03/12/24 - Taken off notice in House Agriculture & Natural Resources Subcommittee.

Summary Or State Summary: Removes the requirement that installers of subsurface sewage disposal systems pay a renewal fee as a condition for renewing a septic system installer license.

Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, relative to subsurface sewage disposal systems.

SB2382/HB2534 ENVIRONMENT & NATURE: Decision on a request for a variance from rules for a subsurface sewage disposal system permit.

Sponsors: Sen. Hensley, Joey , Rep. Warner, Todd
Summary: Reduces from 90 to 75 the number of days within which the commissioner of environment and conservation must issue a decision on a request for a variance from rules for a subsurface sewage disposal system permit. Broadly captioned.

Senate Status: 02/01/24 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.

Summary Or State Summary: Reduces from 90 to 75 the number of days within which the commissioner of environment and conservation must issue a decision on a request for a variance from rules for a subsurface sewage disposal system permit. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 3; Title 62, Chapter 18; Title 62, Chapter 6; Title 68 and Title 69, relative to sewage disposal systems.

SB2579/HB2149 ENVIRONMENT & NATURE: Isolated wetlands defined.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin
Summary: Clarifies that an ephemeral wet weather conveyance is not a stream under the Water Quality Control Act. Defines "isolated wetlands" and clarifies that isolated wetlands are not waters under the act. Prohibits requiring a permit or other authorization under the act for impacts to isolated wetlands. Makes other related changes including not being subject to a requirement related to riparian buffers, cumulative impact analyses, antidegradation, mitigation, or another regulatory purpose or requirement. Details that a wetland shall not be designated as Exceptional Tennessee Water based solely on the presence of aquatic plants, semi-aquatic plants, or other vegetation.

Fiscal Note: (Dated April 4, 2024) Decrease State Revenue \$161,500/FY24-25 and Subsequent Years/Environmental Protection Fund Other Fiscal Impact - The net impact on the total number of pre- and post-permitting site visits and the workload of the Division of Water Resources cannot reasonably be determined due to a number of uncertainties. The resulting net impact on division expenditures is unknown. This legislation may result in an increase in aquatic resource alteration permit fees through rulemaking in future years. The timing and extent of any such increase and the impact on total fee revenue cannot be reasonably determined.

Senate Status: 02/05/24 - Referred to Senate Energy, Agriculture & Natural Resources Committee.

House Status: 01/31/24 - Referred to House Agriculture & Natural Resources Subcommittee.

Summary Or State Summary: Clarifies that an ephemeral wet weather conveyance is not a stream under the Water Quality Control Act. Defines "isolated wetlands" and clarifies that isolated wetlands are not waters under the act. Prohibits requiring a permit or other authorization under the act for impacts to isolated wetlands. Makes other related changes including not being subject to a requirement related to riparian buffers, cumulative impact analyses, antidegradation, mitigation, or another regulatory purpose or requirement. Details that a wetland shall not be designated as Exceptional Tennessee Water based solely on the presence of aquatic plants, semi-aquatic plants, or other vegetation.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 11, Chapter 14, Part 4; Title 66; Title 68 and Title 69, relative to water resources.

SB2783/HB1925 ENVIRONMENT & NATURE: Entering onto private property by wildlife officer.

Sponsors: Sen. Bowling, Janice , Rep. Richey, Bryan
Summary: Limits the situations in which a wildlife officer may enter private property without the owner's consent to those in which the officer has a warrant, there are exigent circumstances, the officer observed a crime taking place, or another protected class of action that permits an officer's entry onto private property without a warrant occurs. Broadly captioned.

Fiscal Note: (Dated February 17, 2024) NOT SIGNIFICANT

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

Summary Or State Summary: Limits the situations in which a wildlife officer may enter private property without the owner's consent to those in which the officer has a warrant, there are exigent circumstances, the officer observed a crime taking place, or another protected class of action that permits an officer's entry onto private property without a warrant occurs. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 9 and Title 70, relative to powers of the wildlife resources agency.

SB2827/HB2859 ENVIRONMENT & NATURE: Operation of golf carts on gravel roads within the campgrounds of state parks.

Sponsors: Sen. Crowe, Rusty , Rep. Ragan, John
Summary: Authorizes the operation of a golf cart on gravel roads within the campgrounds of state parks in addition to paved roads if such gravel roads are marked suitable for a golf cart. Broadly captioned.

Amendment Summary: Senate amendment 2 (003516) rewrites the bill to, instead, provide that an owner of land who enters into a cooperative agreement with a public utility owned by the federal government for the use of the public utility's land in conjunction with the owner's land of at least 100 acres that is made available to the public as a park for outdoor recreational purposes without charge, except for a nominal parking fee or special event fee, owes no duty of care to persons entering or going upon such land and is not liable for any loss, damages, or injury to such persons. However, this amendment does not limit liability for any conduct that constitutes gross negligence or willful and wanton misconduct. As used in this amendment, "outdoor recreational purposes" means any activity within an outdoor environment, including, but not limited to, fishing, wildlife viewing, swimming, boating, camping, picnicking, hiking, biking trails and bike skills areas, greenway trails, nature study, non-motorized boat access, and playgrounds.

Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT

Senate Status: 04/09/24 - Senate passed with amendment 2 (003516).

House Status: 04/11/24 - House passed.

Executive Status: 04/11/24 - Sent to the speakers for signatures.

Summary Or State Summary: Authorizes the operation of a golf cart on gravel roads within the campgrounds of state parks in addition to paved roads if such gravel roads are marked suitable for a golf cart. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 8; Title 11; Title 68; Title 69 and Title 70, relative to parks.

HJR50 ENVIRONMENT & NATURE: Constitutional amendment - right to clean air, pure water.

Sponsors: Rep. Camper, Karen

Summary: Proposes adding a provision establishing the right to clean air, pure water, and the preservation of the natural, scenic, historic, and esthetic values of the state's environment.

House Status: 03/21/23 - Failed in House Agriculture & Natural Resources Subcommittee.

Summary Or State Summary:

Proposes adding a provision establishing the right to clean air, pure water, and the preservation of the natural, scenic, historic, and esthetic values of the state's environment.

ESTATES & TRUSTS

SB811/HB1258 ESTATES & TRUSTS: Serving copies of claims filed against an estate.

Sponsors: Sen. Gardenhire, Todd , Rep. Vital, Greg

Summary: Requires a personal representative for an estate to serve a copy of each claim filed against the estate, within five days of receipt, to any known party interested in the estate, including creditors, distributees, and heirs. Broadly captioned.

Amendment Summary: House amendment 1 (017861) rewrites the bill to, instead, make the changes described below to the law relevant to the administration of estates. Present law requires the personal representative, within 60 days after entering on the administration of a testate or intestate estate, to notify the following: (1) Each legatee or devisee under the will that that person or entity is a beneficiary by sending a complete copy of the will to those beneficiaries sharing in the residue of the estate, and by sending a copy of the paragraph or paragraphs of the will containing the bequests to those beneficiaries only receiving bequests; and (2) Each residuary distributee of an intestate deceased person by sending that person a copy of the letters of administration. This amendment adds to the present law by also requiring the personal representative to notify each residuary distributee of a testate decedent whose will has been admitted to probate and each residuary distributee of an intestate decedent of the right to file an exception to a creditor's claim. If a residuary distributee desires to except to a creditor's claim, then the residuary distributee is responsible for determining the identity of each claiming creditor and the nature of each filed claim. The residuary distributee must timely file its exception and prosecute the exception. If a residuary distributee files an exception, then the residuary distributee must file a copy of the exception with the personal representative. Present law provides that within the sixty-day period, the personal representative must also execute and file with the clerk of the court an affidavit that the required copies have been mailed or delivered to the beneficiaries or distributees, and an explanation of efforts to identify and locate beneficiaries or distributees, if any, to whom copies have not yet been sent. This amendment revises that present law by, instead, providing that within the sixty-day period, the personal representative must also execute and file with the court clerk an affidavit that the required copies and notice have been mailed or delivered to the beneficiaries or distributees, and an explanation of efforts to identify and locate beneficiaries or distributees, if any, to whom copies have not yet been sent. Present law authorizes copies of a will, paragraphs of a will, or letters of administration sent to be sent by first class mail, electronic mail, or personal delivery. This amendment adds to the present law by also authorizing notices to be sent by first class mail, electronic mail, or personal delivery. This amendment provides that if a creditor files a claim against the estate, then each claiming creditor has the right to file an exception to the claim of any other claiming creditor. If a claiming creditor files an exception to the claim of another claiming creditor, then each claiming creditor is responsible to know the identity of the other claiming creditor, to timely file an exception, and to prosecute the exception. If the claiming creditor files an exception with the court, then the excepting creditor must send a copy of its exception to the personal representative of the estate. Present law provides that until 30 days after the expiration of four months from the date of the notice to creditors given, the personal representative, or any party interested in the estate either as creditor, distributee, heir or otherwise, may except to the claim by filing written exceptions in triplicate with the clerk of the court in which the estate is being administered. This amendment revises the present law by, instead, providing that until 30 days after the expiration of four months from the date of notice to creditors given, the personal representative, the residuary distributee of a testate decedent whose will has been admitted to probate, the residuary distributee of an intestate decedent, or any other claiming creditor may except to the claim of a claiming creditor by filing written exceptions in triplicate with the clerk of the court in which the estate is being administered. Present law provides that if the filing of the claim occurs after the date that is four months from the date of the notice to creditors, the personal representative, or any party interested in the estate either as creditor, distributee, heir or otherwise, may except to any claim by filing written exceptions in triplicate with the clerk of the court in which the estate is being administered so long the exception is filed no later than 30 days from the date the personal representative receives notice from the clerk of the filing of the claim. This amendment revises the present law by, instead, providing that if the filing of the claim occurs after the date that is four months from the date of the notice to creditors, the personal representative, the residuary distributee of a testate decedent whose will has been admitted to probate, the residuary distributee of an intestate decedent, or any other claiming creditor may except to the claim of a claiming creditor by filing written exceptions in triplicate with the court clerk in which the estate is being administered as long as the exception is filed no later than 30 days from the date the personal representative receives notice from the clerk of the filing of the claim.

Fiscal Note: (Dated February 17, 2023) NOT SIGNIFICANT

Senate Status: 03/02/23 - Senate passed.

House Status:

04/11/24 - House passed with amendment 1 (017861), which rewrites the bill to, instead, make the changes described below to the law relevant to the administration of estates. Present law requires the personal representative, within 60 days after entering on the administration of a testate or intestate estate, to notify the following: (1) Each legatee or devisee under the will that that person or entity is a beneficiary by sending a complete copy of the will to those beneficiaries sharing in the residue of the estate, and by sending a copy of the paragraph or paragraphs of the will containing the bequests to those beneficiaries only receiving bequests; and (2) Each residuary distributee of an intestate deceased person by sending that person a copy of the letters of administration. This amendment adds to the present law by also requiring the personal representative to notify each residuary distributee of a testate decedent whose will has been admitted to probate and each residuary distributee of an intestate decedent of the right to file an exception to a creditor's claim. If a residuary distributee desires to except to a creditor's claim, then the residuary distributee is responsible for determining the identity of each claiming creditor and the nature of each filed claim. The residuary distributee must timely file its exception and prosecute the exception. If a residuary distributee files an exception, then the residuary distributee must file a copy of the exception with the personal representative. Present law provides that within the sixty-day period, the personal representative must also execute and file with the clerk of the court an affidavit that the required copies have been mailed or delivered to the beneficiaries or distributees, and an explanation of efforts to identify and locate beneficiaries or distributees, if any, to whom copies have not yet been sent. This amendment revises that present law by, instead, providing that within the sixty-day period, the personal representative must also execute and file with the court clerk an affidavit that the required copies and notice have been mailed or delivered to the beneficiaries or distributees, and an explanation of efforts to identify and locate beneficiaries or distributees, if any, to whom copies have not yet been sent. Present law authorizes copies of a will, paragraphs of a will, or letters of administration sent to be sent by first class mail, electronic mail, or personal delivery. This amendment adds to the present law by also authorizing notices to be sent by first class mail, electronic mail, or personal delivery. This amendment provides that if a creditor files a claim against the estate, then each claiming creditor has the right to file an exception to the claim of any other claiming creditor. If a claiming creditor files an exception to the claim of another claiming creditor, then each claiming creditor is responsible to know the identity of the other claiming creditor, to timely file an exception, and to prosecute the exception. If the claiming creditor files an exception with the court, then the excepting creditor must send a copy of its exception to the personal representative of the estate. Present law provides that until 30 days after the expiration of four months from the date of the notice to creditors given, the personal representative, or any party interested in the estate either as creditor, distributee, heir or otherwise, may except to the claim by filing written exceptions in triplicate with the clerk of the court in which the estate is being administered. This amendment revises the present law by, instead, providing that until 30 days after the expiration of four months from the date of notice to creditors given, the personal representative, the residuary distributee of a testate decedent whose will has been admitted to probate, the residuary distributee of an intestate decedent, or any other claiming creditor may except to the claim of a claiming creditor by filing written exceptions in triplicate with the clerk of the court in which the estate is being administered. Present law provides that if the filing of the claim occurs after the date that is four months from the date of the notice to creditors, the personal representative, or any party interested in the estate either as creditor, distributee, heir or otherwise, may except to any claim by filing written exceptions in triplicate with the clerk of the court in which the estate is being administered so long the exception is filed no later than 30 days from the date the personal representative receives notice from the clerk of the filing of the claim. This amendment revises the present law by, instead, providing that if the filing of the claim occurs after the date that is four months from the date of the notice to creditors, the personal representative, the residuary distributee of a testate decedent whose will has been admitted to probate, the residuary distributee of an intestate decedent, or any other claiming creditor may except to the claim of a claiming creditor by filing written exceptions in triplicate with the court clerk in which the estate is being administered as long as the exception is filed no later than 30 days from the date the personal representative receives notice from the clerk of the filing of the claim.

Summary Or State Summary: Requires a personal representative for an estate to serve a copy of each claim filed against the estate, within five days of receipt, to any known party interested in the estate, including creditors, distributees, and heirs. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 30, relative to probate.

SB1346/HB1477 ESTATES & TRUSTS: Resignation notice requirement for trustees.

Sponsors: Sen. Stevens, John , Rep. Hulsey, Bud
Summary: Increases, from 30 to 35, the number of days in advance that a trustee seeking to resign is required to provide notice to the qualified beneficiaries, the settlor, if living, and all cotrustees. Broadly captioned.
Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 03/22/23 - Senate Judiciary Committee deferred to 03/28/23.
House Status: 03/21/23 - Taken off notice in House Banking & Consumer Affairs Subcommittee.
Summary Or State Summary: Increases, from 30 to 35, the number of days in advance that a trustee seeking to resign is required to provide notice to the qualified beneficiaries, the settlor, if living, and all cotrustees. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 30; Title 31; Title 32; Title 34; Title 35; Title 45 and Title 67, relative to trusts.

SB1855/HB2136 ESTATES & TRUSTS: Foreclosure notices.

Sponsors: Sen. Lowe, Adam , Rep. Eldridge, Rick
Summary: Requires the first publication for a sale of land to foreclose a deed of trust, mortgage, or other lien securing the payment of money or other thing of value or under judicial orders or process to be at least 30 days, instead of at least 20 days, previous to the sale. Broadly captioned.
Fiscal Note: (Dated March 8, 2024) NOT SIGNIFICANT
Senate Status: 01/31/24 - Referred to Senate Judiciary Committee.
House Status: 03/12/24 - Taken off notice in House Civil Justice Subcommittee.
Summary Or State Summary: Requires the first publication for a sale of land to foreclose a deed of trust, mortgage, or other lien securing the payment of money or other thing of value or under judicial orders or process to be at least 30 days, instead of at least 20 days, previous to the sale. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 35, relative to foreclosure notices.

SB2256/HB2713 ESTATES & TRUSTS: Makes various changes on trusts, estates, and partnerships.

Sponsors: Sen. Stevens, John , Rep. Garrett, Johnny
Summary: Makes various changes to present law on trusts, estates, and partnerships. Broadly captioned.
Amendment Summary: Senate amendment 1 (013721) makes the following changes: (1) Revises the bill by also authorizing a grandparent or sibling of an incapacitated adult who has assumed responsibility for the adult as determined by the disinterested trustee in the trustee's own discretion to represent and bind the incapacitated adult if a conservator of the property or of the person has not been appointed and an agent does not have authority to act with respect to the matter in question; (2) Deletes the provision in the bill that authorizes, following the settlor's death, a noncharitable irrevocable trust to be modified upon the unanimous agreement of the trustee and all qualified beneficiaries if the modification does not violate a material purpose of the trust. Additionally, a noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust; and (3) Adds to the present law that provides that a person who is the holder of a power of withdrawal is not considered a settlor of the trust by failing to exercise that power of withdrawal or letting that power of withdrawal lapse by also providing that a person who is the holder of a power of withdrawal is not considered a settlor of the trust by or releasing or waiving that power of withdrawal.
Fiscal Note: (Dated February 15, 2024) NOT SIGNIFICANT
Senate Status: 03/18/24 - Senate passed with amendment 1 (013721).
House Status: 04/01/24 - House passed.
Executive Status: 04/01/24 - Sent to the speakers for signatures.
Summary Or State Summary: Makes various changes to present law on trusts, estates, and partnerships. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 35; Title 45; Title 61 and Title 66, relative to trusts and estates.

GOVERNMENT CONTRACTS**SB124/HB176 GOVERNMENT CONTRACTS: Required document specifications.**

Sponsors: Sen. Walley, Page , Rep. Carr, Dale
Summary: Requires documents submitted to the county register for registration to be in Times New Roman font with a minimum twelve-point font size.
Amendment Summary: Senate amendment 1 (002667) requires documents submitted to the county register of deeds for registration to be written using a minimum 12-point font size.
Fiscal Note: (Dated January 19, 2023) NOT SIGNIFICANT
Senate Status: 02/13/23 - Senate passed with amendment 1 (002667).
House Status: 02/21/23 - Taken off notice in House Local Government Committee.

*Summary Or State**Summary:*

Requires documents submitted to the county register for registration to be in Times New Roman font with a minimum twelve-point font size.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 24, Part 1, relative to registration of writings.

GOVERNMENT ORGANIZATION

SB1611/HB1754 GOVERNMENT ORGANIZATION: Sunset - department of general services.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the department of general services to June 30, 2028.
Amendment Summary: Senate amendment 1 (015583) reduces sunset extension, for purposes of the Tennessee Governmental Entity Review Law, for the department of general services from four years to one year.
Fiscal Note: (Dated January 15, 2024) NOT SIGNIFICANT
Senate Status: 04/09/24 - Senate appoints conference committee: Sen. Roberts, Sen. Rose, Sen. Taylor, Sen. Akbari, and Sen. Crowe.
House Status: 04/04/24 - House appoints conference committee: Rep. Ragan, Rep. Reedy, Rep. Towns, Rep. Crawford, and Rep. Burkhart.
Summary Or State Extends the department of general services to June 30, 2028.
Summary:
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, relative to the department of general services.

SB1621/HB1764 GOVERNMENT ORGANIZATION: Sunset - real estate appraiser commission.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the real estate appraiser commission to June 30, 2030.
Fiscal Note: (Dated January 15, 2024) NOT SIGNIFICANT
Senate Status: 02/08/24 - Signed by Senate speaker.
House Status: 02/12/24 - Signed by House speaker.
Executive Status: 03/13/24 - Enacted as Public Chapter 0503 effective February 21, 2024.
Summary Or State Extends the real estate appraiser commission to June 30, 2030.
Summary:
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 62, Chapter 39, relative to the real estate appraiser commission.

SB1622/HB1765 GOVERNMENT ORGANIZATION: Sunset - Tennessee Real Estate Commission.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the Tennessee Real Estate Commission to June 30, 2030.
Fiscal Note: (Dated January 15, 2024) NOT SIGNIFICANT
Senate Status: 02/08/24 - Signed by Senate speaker.
House Status: 02/12/24 - Signed by House speaker.
Executive Status: 02/21/24 - Enacted as Public Chapter 0504 effective February 21, 2024.
Summary Or State Extends the Tennessee Real Estate Commission to June 30, 2030.
Summary:
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 62, Chapter 13, relative to the Tennessee real estate commission.

SB1662/HB1708 GOVERNMENT ORGANIZATION: Charitable organization fees and reporting.

Sponsors: Sen. Swann, Art , Rep. McCalmon, Jake
Summary: Changes certain fees payable to the secretary of state by certain charitable organizations from \$50 to \$10. Increases from \$500,000 to \$1,000,000 the amount of gross revenue received during a fiscal year to trigger certain reporting requirements. Assesses a late fee of \$25 per month on certain financial reports that are not timely filed.
Fiscal Note: (Dated January 20, 2024) Decrease State Revenue \$1,734,700/FY24-25/Division of Charitable Solicitations and Gaming
Senate Status: 03/18/24 - Signed by Senate speaker.
House Status: 03/14/24 - Signed by House speaker.
Executive Status: 04/02/24 - Enacted as Public Chapter 0615 effective July 1, 2024.
Summary Or State Changes certain fees payable to the secretary of state by certain charitable organizations from \$50 to \$10. Increases from \$500,000 to \$1,000,000 the amount of gross revenue received during a fiscal year to trigger certain reporting requirements. Assesses a late fee of \$25 per month on certain financial reports that are not timely filed.
Summary:
Caption: AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 17, Part 1 and Title 48, Chapter 101, Part 5, relative to charitable organizations.

SB1757/HB1670 GOVERNMENT ORGANIZATION: Discrimination - time frame for human rights commission to serve notice.

Sponsors: Sen. Campbell, Heidi , Rep. Behn, Aftyn
Summary: Increases, from 10 days to 10 business days, the time period from receipt of a complaint of a discriminatory practice having been committed in which the human rights commission must serve on the complainant a notice acknowledging the filing of the complaint and informing the complainant of the respondent's time limits and choice of forums, and the time period within which the commission must furnish the respondent with a copy of the complaint and a notice advising the respondent of the respondent's procedural rights and obligations. Broadly captioned.
Fiscal Note: (Dated January 11, 2024) NOT SIGNIFICANT
Senate Status: 01/29/24 - Referred to Senate Judiciary Committee.
House Status: 01/10/24 - Caption bill held on House clerk's desk.
Summary Or State Increases, from 10 days to 10 business days, the time period from receipt of a complaint of a discriminatory practice having been committed in which the human rights commission must serve on the complainant a notice acknowledging the filing of the complaint and informing the complainant of the respondent's time limits and choice of forums, and the time period within which the commission must furnish the respondent with a copy of the complaint and a notice advising the respondent of the respondent's procedural rights and obligations. Broadly captioned.
Summary:
Caption: AN ACT to amend Tennessee Code Annotated, Title 1; Title 4; Title 7; Title 8; Title 13; Title 40; Title 49; Title 56; Title 57; Title 63; Title 65 and Title 68, relative to discrimination.

SB2900/HB2719 GOVERNMENT ORGANIZATION: THDA board of directors - approval of operation of the financial assistance programs.

Sponsors: Sen. Bailey, Paul , Rep. Garrett, Johnny
Summary: Reduces the number of members of the board of directors of the Tennessee Housing Development Agency required to approve the operation of the financial assistance programs under the Tennessee Housing Development Agency Act from nine to eight. Broadly captioned.
Fiscal Note: (Dated March 13, 2024) NOT SIGNIFICANT
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/20/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Reduces the number of members of the board of directors of the Tennessee Housing Development Agency required to approve the operation of the financial assistance programs under the Tennessee Housing Development Agency Act from nine to eight. Broadly captioned.
Summary:
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 53; Title 13; Title 48, Chapter 101, Part 3; Title 56 and Title 67, relative to housing.

GOVERNMENT REGULATION

SB493/HB1007 GOVERNMENT REGULATION: Relocation of undocumented aliens into this state by an agency, business, or person.

Sponsors: Sen. Stevens, John , Rep. Grills, Rusty

Summary: Establishes a procedure under which each license, certificate, or registration of an agency, business, or person is revoked in this state if the attorney general and reporter verifies that such agency, business, or person facilitated the relocation of undocumented aliens into this state. Broadly captioned.

Fiscal Note: (Dated February 20, 2023) NOT SIGNIFICANT

Senate Status: 01/30/23 - Referred to Senate State & Local Government Committee.

House Status: 03/23/23 - Set for House Floor 03/30/27.

Summary Or State Summary: Establishes a procedure under which each license, certificate, or registration of an agency, business, or person is revoked in this state if the attorney general and reporter verifies that such agency, business, or person facilitated the relocation of undocumented aliens into this state. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 62; Title 63 and Title 68, relative to undocumented aliens.

SB1640/HB1783 **GOVERNMENT REGULATION: UAPA - permanent rules filed with secretary of state between January 1, 2023 and December 31, 2023.**

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

Summary: Continues permanent rules filed with the secretary of state between January 1, 2023, and December 31, 2023, that are in effect on the effective date of this act until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

Amendment Summary: Senate amendment 1, House Government Operations Committee amendment 1 (014569) rewrites the bill to, instead, do the following: (1) Except as provided in (3) below, establish that all permanent rules filed in the office of the secretary of state on or after January 1, 2023, that are in effect on the effective date of the bill, and that are scheduled for expiration on June 30, 2024, do not expire on June 30, 2024, but remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment; (2) Establish that the bill is not to be construed to justify the continued effectiveness of any rule that remains in effect under (1) above if the rule conflicts with the provisions of any legislative enactment other than the Uniform Administrative Procedures Act; (3) Require the following rules to expire on the effective date of the bill: (A) Board of Pharmacy Rule Number 1140-07-.01 through Rule Number 1140-07-.10, relative to sterile product preparation in pharmacy practice, and filed in the office of secretary of state on December 15, 2023; and (B) Board of Pharmacy Rule Number 1140-07-.01 through Rule Number 1140-07-.10, relative to compounding, and filed in the office of secretary of state on December 15, 2023.

Fiscal Note: (Dated January 11, 2024) NOT SIGNIFICANT

Senate Status: 03/25/24 - Senate passed with amendment 1 (014569).

House Status: 04/10/24 - House deferred to next available calendar.

Summary Or State Summary: Continues permanent rules filed with the secretary of state between January 1, 2023, and December 31, 2023, that are in effect on the effective date of this act until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

Caption: AN ACT relative to agency rules scheduled to expire pursuant to the provisions of the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SB1735/HB1807 **GOVERNMENT REGULATION: Building inspection time frame for new construction or renovation.**

Sponsors: Sen. Rose, Paul , Rep. Butler, Ed

Summary: Requires the state fire marshal or another state entity that receives an inspection request for new construction or the renovation of an existing building to conduct the inspection within 72 hours of receipt of the request. Broadly captioned.

Amendment Summary: House Commerce Committee amendment 1 (012771) requires the State Fire Marshal (SFM) or appropriate state entity to conduct a requested inspection of new construction or the renovation of an existing building within three business days of the receipt of the request. Authorizes the SFM or appropriate state entity who is physically unable to perform the inspection on-site within three business days to instead complete an inspection in the same timeframe by requesting submission of photographs or other appropriate technology for review that allows the SFM to ensure the requirements for the building inspection are met. Requires the Commissioner of the Department of Commerce and Insurance (DCI) to promulgate rules for resolving disputes that arise during the request for such inspections regarding the application of the rules adopted under the official construction safety standards. Senate Commerce & Labor Committee amendment 1, House Commerce Committee amendment 2 (013556) requires the State Fire Marshal (SFM) or appropriate state entity to conduct a requested inspection of new construction or the renovation of an existing building within three business days of the receipt of the request. Requires an inspection done in connection with a certificate of occupancy to be completed within five business days of the receipt of the request. Requires the Commissioner of the Department of Commerce and Insurance (DCI) to promulgate rules for resolving disputes that arise during the request for such inspections regarding the application of the rules adopted under the official construction safety standards.

Fiscal Note: (Dated January 29, 2024) Increase State Expenditures \$342,500/FY24-25/General Fund \$332,800/FY25-26 and Subsequent Years/General Fund \$358,200/FY24-25/Health Facilities Commission \$348,600/FY25-26 and Subsequent Years/ Health Facilities Commission Other Fiscal Impact To the extent that current revenue is not sufficient to cover the cost of additional expenditures of the Health Facilities Commission, the commission may increase fees to cover the additional expenditures.

Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.

House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Requires the state fire marshal or another state entity that receives an inspection request for new construction or the renovation of an existing building to conduct the inspection within 72 hours of receipt of the request. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 7; Title 12; Title 13; Title 62; Title 66 and Title 68, relative to building inspections.

INSURANCE GENERAL

SB836/HB991 **INSURANCE GENERAL: Restrictions on insurers of homeowner's or renter's insurance.**

Sponsors: Sen. Lundberg, Jon ,

Summary: Prohibits an insurer of homeowner's insurance, renter's insurance, or insurance that covers a manufactured or mobile home from making certain changes to or refusing to issue a policy based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property to which the policy applies.

Fiscal Note: (Dated March 23, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/23 - Referred to House Insurance Subcommittee.

Summary Or State Summary: Prohibits an insurer of homeowner's insurance, renter's insurance, or insurance that covers a manufactured or mobile home from making certain changes to or refusing to issue a policy based solely on the specific breed or mixture of breeds of a dog that lives or is otherwise cared for on the property to which the policy applies.

Caption: AN ACT to amend Tennessee Code Annotated, Title 56, relative to insurance.

SB2698/HB2281 **INSURANCE GENERAL: Education requirements for applicants for an insurance producer license.**

Sponsors: Sen. Southerland, Steve , Rep. Hawk, David

Summary: Requires an applicant for an insurance producer license for title insurance to complete a pre-licensing course of study that consists of a minimum of 30 hours of course work. Broadly captioned.

Amendment Summary: House amendment 1 (014428) changes effective date to July 1, 2024.

Fiscal Note: (Dated February 22, 2024) NOT SIGNIFICANT

Senate Status: 04/09/24 - Senate passed.

House Status: 03/14/24 - House passed with amendment 1 (014428).

Executive Status: 04/09/24 - Sent to the speakers for signatures.

Summary Or State Summary: Requires an applicant for an insurance producer license for title insurance to complete a pre-licensing course of study that consists of a minimum of 30 hours of course work. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 56, relative to insurance producers.

JUDICIARY

SB873/HB541 **JUDICIARY: Petitions for the removal and destruction of records by party to civil litigation.**

Sponsors: Sen. Akbari, Raumesh , Rep. Harris, Torrey

Summary: Authorizes a party to civil litigation to petition the court for removal and destruction of records under certain circumstances. Defines "public records" to mean trial court records. Clarifies that the definition of "public records" does not include appellate court records or appellate court opinions.

Fiscal Note: (Dated March 17, 2023) Increase Local Revenue Exceeds \$1,260,900/FY23-24 Exceeds \$1,519,100/FY24-25 and Subsequent Years

Senate Status: 03/22/23 - Taken off notice in Senate Judiciary Committee.

House Status: 02/01/23 - Referred to House Civil Justice Subcommittee.

Summary Or State Summary: Authorizes a party to civil litigation to petition the court for removal and destruction of records under certain circumstances. Defines "public records" to mean trial court records. Clarifies that the definition of "public records" does not include appellate court records or appellate court opinions.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 9, Chapter 8; Title 10, Chapter 7; Title 16; Title 18; Title 20; Title 21; Title 27; Title 28; Title 29; Title 50, Chapter 6 and Title 66, relative to court records in civil actions.

SB2806/HB2888 JUDICIARY: Compensation for a diminution of value of the property caused by the enactment of land use regulations.

Sponsors: Sen. Lowe, Adam , Rep. Todd, Chris

Summary: Enacts the Private Property Protection Act which details how judicial relief can be sought by private property owners for the diminution in value of the subject property through the actions taken through certain new land use regulations by governmental entities if the fair market value was reduced by a minimum of 10% or \$50,000, whichever amount is greater.

Fiscal Note: (Dated March 1, 2024) Increase Local Expenditures Exceeds \$50,000/FY24-25 and Subsequent Years' Other Fiscal Impact Due to multiple unknown factors, the extent of any additional impacts on local government revenue and expenditures cannot be reasonably determined.

Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/13/24 - Taken off notice in House Civil Justice Committee.

Summary Or State Summary: Enacts the Private Property Protection Act which details how judicial relief can be sought by private property owners for the diminution in value of the subject property through the actions taken through certain new land use regulations by governmental entities if the fair market value was reduced by a minimum of 10% or \$50,000, whichever amount is greater.

Caption: AN ACT to amend Tennessee Code Annotated, Title 29, relative to land use regulation.

LABOR LAW

SB909/HB693 LABOR LAW: Written consent requirement for appointing authorities to enter private property.

Sponsors: Sen. Niceley, Frank , Rep. Parkinson, Antonio

Summary: Prohibits an appointing authority from entering a government employee's private property or residence without written consent from the employee. Broadly captioned.

Fiscal Note: (Dated February 25, 2023) NOT SIGNIFICANT

Senate Status: 03/21/23 - Failed in Senate Commerce & Labor Committee.

House Status: 03/23/23 - Taken off notice in House Calendar & Rules Committee.

Summary Or State Summary: Prohibits an appointing authority from entering a government employee's private property or residence without written consent from the employee. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8 and Title 50, relative to government employees.

SB1028/HB1502 LABOR LAW: Employee Child Care Assistance Partnership Act.

Sponsors: Sen. Yarbrow, Jeff , Rep. McKenzie, Sam

Summary: Enacts the "Employee Child Care Assistance Partnership Act," which supports Tennessee families by incentivizing employers to contribute to the childcare costs of its employees. Details who, what, and how much money is to be contributed to childcare costs. Allows a public and private partnership pilot program and administer program funds. Requires an annual report on funding and lists of companies and number of employees involved. States the fund consists of moneys appropriated by the general assembly, contributions, gifts, or grants made available for the purposes of the program. (12pp). Broadly captioned.

Fiscal Note: (Dated April 10, 2023) Increase State Revenue \$12,251,500/FY23-24/ Employee Child Care Assistance Partnership Fund \$10,451,500/FY24-25 and Subsequent Years / Employee Child Care Assistance Partnership Fund Increase State Expenditures \$12,251,500/FY23-24/General Fund \$10,451,500/FY24-25 and Subsequent Years/ Employee Child Care Assistance Partnership Fund \$10,451,500/FY24-25 and Subsequent Years/ General Fund \$10,451,500/FY24-25 and Subsequent Years/ Employee Child Care Assistance Partnership Fund SB 1028 - HB 1502

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/20/24 - Taken off notice in House Banking & Consumer Affairs Subcommittee.

Summary Or State Summary: Enacts the "Employee Child Care Assistance Partnership Act," which supports Tennessee families by incentivizing employers to contribute to the childcare costs of its employees. Details who, what, and how much money is to be contributed to childcare costs. Allows a public and private partnership pilot program and administer program funds. Requires an annual report on funding and lists of companies and number of employees involved. States the fund consists of moneys appropriated by the general assembly, contributions, gifts, or grants made available for the purposes of the program. (12pp). Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 50 and Title 56, relative to childcare assistance.

SB1109/HB637 LABOR LAW: Religious exemption to immunization requirement.

Sponsors: Sen. Bowling, Janice , Rep. Barrett, Jody

Summary: Requires an employer that requires an immunization as a condition of employment or continued employment to exempt from the immunization requirement a person who files a signed, written statement that the immunization conflicts with the person's religious tenets or practices; prohibits an employer from taking adverse action against a person who files a statement of religious objection. Broadly captioned.

Amendment Summary: Senate Commerce and Labor Committee amendment 1 (005236) establishes that an employer who requires an immunization as a condition of employment or continued employment must grant an exemption from the requirement to an employee who files a written statement of religious objection. Prohibits an employer from taking an adverse action against a person who files a statement of religious objection. Allows healthcare providers to implement and provide reasonable accommodation measures to a person who files a statement of religious objection in order to protect the safety and health of other persons from communicable diseases. Creates a private right of action against an alleged violator for a person injured as a result of a violation of the proposed legislation. Excludes an employer that is a Medicare or Medicaid certified healthcare provider, to the extent such healthcare provider is subject to a valid and enforceable Medicare or Medicaid condition or requirement of participation that imposes a requirement contrary to the proposed legislation. Senate Commerce and Labor Committee amendment 3 (005926) establishes that an employer who requires an immunization as a condition of employment or continued employment must grant an exemption from the requirement to an employee who files a written statement of religious objection. Prohibits an employer from taking an adverse action against a person who files a statement of religious objection. Allows healthcare providers to implement and provide reasonable accommodation measures to a person who files a statement of religious objection in order to protect the safety and health of other persons from communicable diseases. Creates a private right of action against an alleged violator for a person injured as a result of a violation of the proposed legislation. The proposed legislation does not apply to a person in this state who is subject to an employment-related immunization requirement because the person is employed by the federal government or is performing work pursuant to a contract with the federal government.

Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT

Senate Status: 03/20/23 - Failed in Senate Commerce & Labor Committee after adopting amendment 1 (005236) and amendment 3 (005926).

House Status: 03/21/23 - Taken off notice in House Banking & Consumer Affairs Subcommittee.

Summary Or State Summary: Requires an employer that requires an immunization as a condition of employment or continued employment to exempt from the immunization requirement a person who files a signed, written statement that the immunization conflicts with the person's religious tenets or practices; prohibits an employer from taking adverse action against a person who files a statement of religious objection. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 14; Title 37; Title 50 and Title 68, relative to religious exemptions for immunizations.

SB1290/HB1196 LABOR LAW: Notice of apprenticeship programs available on department's website.

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

Summary: Requires the commissioner of the department of labor and workforce development to ensure that a listing of apprenticeship programs approved by made available to the public on the department's public website and updated twice annually.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT

Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Requires the commissioner of the department of labor and workforce development to ensure that a listing of apprenticeship programs approved by made available to the public on the department's public website and updated twice annually.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 50; Title 62 and Title 67, relative to apprenticeships.

LOCAL GOVERNMENT

SB75/HB28 LOCAL GOVERNMENT: Adoption of comprehensive growth plan prior to annexation.

Sponsors: Sen. Watson, Bo , Rep. Lamberth, William
Summary: Deletes requirement that municipalities adopt a comprehensive growth plan and have an approved urban growth boundary prior to annexing unincorporated territory. Requires all counties and municipalities that have an effective flood insurance rate map or flood hazard boundary map published by FEMA that identifies a special flood hazard area within the political boundaries of the county or municipality to meet the requirements for participation in the national flood insurance program administered by FEMA. Gives a county or municipality that does not currently have an effective flood insurance rate map or flood hazard boundary map published by FEMA that identifies a special flood hazard area within the political boundaries of the county or municipality 24 months from the effective date of any future flood insurance rate map or flood hazard boundary map published by the FEMA to meet the requirements for participation in the national flood insurance program.
Amendment Summary: House Local Government Committee amendment 1 (006368) prohibits a municipal planning commission or regional planning commission (Planning Commission) from adopting a development plan (Plan) that vests a municipality with the authority to exercise planning or zoning authority over property outside of the jurisdictional boundaries of the municipality, until and unless such property is annexed by a municipality. Provides that if a Plan vesting a municipality with such powers over unincorporated territory was adopted prior to this act, then a municipality is required to comply strictly with the parameters of the Plan. Requires a municipality's jurisdiction over such territory to cease to exist once the municipality has fulfilled its obligations under a Plan, until and unless such property is annexed by the municipality. Permits a CLB to adopt the following provisions by resolution: (1) a municipality must send a copy of the annexation resolution by certified mail to the chair of the county legislative body (CLB) and the annexation process is delayed until such notice is received; (2) a municipality shall not act on an annexation proposal until the applicable CLB approves the annexation by resolution; and (3) a municipality shall not approve an annexation proposal if the applicable CLB disapproves the annexation by resolution or if the municipality does not receive the resolution of CLB approval within 60 days of the county receiving notice of the proposed annexation.
Fiscal Note: (Dated March 2, 2023) Other Fiscal Impact The extent of any decrease in local expenditures associated with funding for economic and community development boards cannot reasonably be determined.
Senate Status: 03/29/23 - Senate State & Local Government Committee deferred to the first calendar of 2024.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Deletes requirement that municipalities adopt a comprehensive growth plan and have an approved urban growth boundary prior to annexing unincorporated territory. Requires all counties and municipalities that have an effective flood insurance rate map or flood hazard boundary map published by FEMA that identifies a special flood hazard area within the political boundaries of the county or municipality 24 months from the effective date of any future flood insurance rate map or flood hazard boundary map published by the FEMA to meet the requirements for participation in the national flood insurance program.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 10; Title 6; Title 7; Title 13; Title 49 and Title 65, Chapter 4, relative to comprehensive growth plans.

SB413/HB361 LOCAL GOVERNMENT: Grant program for nonprofit organizations that rent property below market rate.

Sponsors: Sen. Yarbro, Jeff , Rep. Love Jr., Harold
Summary: Allows local governments to create a program to provide grants to eligible nonprofit organizations that own residential property and rent the property for at least 25 percent below market rate. Requires the local government to set a maximum amount of grant money available to each nonprofit organization. Requires the local government to obtain approval for the program by the comptroller of the treasury prior to implementing a program. Broadly captioned.
Fiscal Note: (Dated March 9, 2023) Increase State Expenditures - \$117,700/FY23-24 \$115,200/FY24-25 and Subsequent Years Other Fiscal Impact The extent of any permissive increase in local government expenditures cannot reasonably be determined.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Allows local governments to create a program to provide grants to eligible nonprofit organizations that own residential property and rent the property for at least 25 percent below market rate. Requires the local government to set a maximum amount of grant money available to each nonprofit organization. Requires the local government to obtain approval for the program by the comptroller of the treasury prior to implementing a program. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13 and Title 67, Chapter 5, relative to a grant program.

SB513/HB471 LOCAL GOVERNMENT: Annual report on tourist development zone.

Sponsors: Sen. Lundberg, Jon , Rep. Crawford, John
Summary: Authorizes a municipality or public authority in which a tourism development zone is located to file with the commissioner of finance and administration and the state building commission its annual report concerning the zone in an electronic format. Broadly captioned.
Amendment Summary: House Local Government Committee amendment 1 (003781) enacts the Tennessee Landowner Bill of Rights which expands the rights and ownership of private property within reasonable means. Limits the regulatory power of the municipal government's approval authority over private property. Allows for more economic and investment expansion through decreased regulatory oversight.
Fiscal Note: (Dated January 27, 2023) NOT SIGNIFICANT
Senate Status: 03/28/23 - Senate State & Local Government Committee deferred to 2024.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Authorizes a municipality or public authority in which a tourism development zone is located to file with the commissioner of finance and administration and the state building commission its annual report concerning the zone in an electronic format. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7; Title 13 and Title 66, relative to regulation of development.

SB634/HB1064 LOCAL GOVERNMENT: Annexation - plan of services provided by municipality.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin
Summary: Increases from three to four the number of copies of a plan of services that a municipality must provide for public inspection in connection with a proposed annexation. Broadly captioned.
Fiscal Note: (Dated March 19, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Increases from three to four the number of copies of a plan of services that a municipality must provide for public inspection in connection with a proposed annexation. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 6 and Title 68, Chapter 221, relative to municipal services.

SB662/HB711 LOCAL GOVERNMENT: Release taxpayers of double taxes.

Sponsors: Sen. Hensley, Joey , Rep. Capley, Kip
Summary: Requires, rather than allows, county legislative bodies to release taxpayers from double taxes if they have been incurred and correct errors in the tax list. Broadly captioned.
Fiscal Note: (Dated March 16, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires, rather than allows, county legislative bodies to release taxpayers from double taxes if they have been incurred and correct errors in the tax list. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6 and Title 67, relative to local government taxes and fees.

SB707/HB1010 LOCAL GOVERNMENT: Municipalities agreeing to jointly engage one building inspector.

Sponsors: Sen. Stevens, John , Rep. Grills, Rusty
Summary: Lowers the population threshold, from 25,000 to 20,000, below which two or more cities may agree to jointly engage one building inspector.
Fiscal Note: (Dated March 1, 2023) NOT SIGNIFICANT
Senate Status: 03/20/23 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/27/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Lowers the population threshold, from 25,000 to 20,000, below which two or more cities may agree to jointly engage one building inspector.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 68, Chapter 120, relative to governmental approval.

SB787/HB1268 LOCAL GOVERNMENT: Timeframe for filing answer to petition initiating a condemnation proceeding.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William
Summary: Increases, from 30 to 60 days, the time in which a respondent who is not satisfied with the amount deposited by a condemner, or objects to a taking through the use of eminent domain, must file an answer to the petition initiating a condemnation proceeding.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Increases, from 30 to 60 days, the time in which a respondent who is not satisfied with the amount deposited by a condemner, or objects to a taking through the use of eminent domain, must file an answer to the petition initiating a condemnation proceeding.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 29, Chapter 17 and Title 29, Chapter 16, relative to eminent domain.

SB820/HB1206 LOCAL GOVERNMENT: Minimum number of regular meetings of the county legislative body each year.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Increases from four to six, the minimum number of regular meetings of the county legislative body each year. Specifies that, until otherwise set by ordinance by the board of commissioners in a city under a city manager-commission charter, regular meetings of the board must be held on the first and third Tuesdays, instead of Thursdays, of each month. Broadly captioned.
Amendment Summary: House Property & Planning Subcommittee amendment 1 (006369) prohibits a local government from enacting a local real estate transfer tax by public or private act. Prohibits a county from enacting an adequate facilities tax or impact fee on development by private or public act after December 1, 2023.
Fiscal Note: (Dated February 23, 2023) Increase Local Expenditures \$200/FY23-24 and Subsequent Years/Bledsoe County *
Senate Status: 03/28/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/22/23 - Failed in House Property & Planning Subcommittee after adopting 1 (006369).
Summary Or State Summary: Increases from four to six, the minimum number of regular meetings of the county legislative body each year. Specifies that, until otherwise set by ordinance by the board of commissioners in a city under a city manager-commission charter, regular meetings of the board must be held on the first and third Tuesdays, instead of Thursdays, of each month. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6 and Title 67, relative to local government.

SB1341/HB1472 LOCAL GOVERNMENT: Affordable housing and workforce development fund allocation - Shelby County.

Sponsors: Sen. Lamar, London , Rep. Towns Jr., Joe
Summary: Authorizes Shelby County to appropriate funds for affordable housing or workforce housing. Broadly captioned.
Fiscal Note: (Dated March 16, 2023) Other Fiscal Impact A precise impact on expenditures for Shelby County cannot be reasonably determined, but is considered permissive.
Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Authorizes Shelby County to appropriate funds for affordable housing or workforce housing. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 9; Title 13; Title 67 and Title 71, relative to affordable housing.

SB1373/HB287 LOCAL GOVERNMENT: Reporting on state funds paid to acquire property through eminent domain.

Sponsors: Sen. Southerland, Steve , 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 2021-2022 year to the chairs of the finance, ways and means committees of the senate and the house and the office of legislative budget analysis by January 1, 2024. Broadly captioned.
Fiscal Note: (Dated January 20, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.
House Status: 03/21/23 - Taken off notice in House Civil Justice Subcommittee.
Summary Or State 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 2021-2022 year to the chairs of the finance, ways and means committees of the senate and the house and the office of legislative budget analysis by January 1, 2024. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 29, Chapter 17; Title 29, Chapter 16 and Title 65, Chapter 27, relative to eminent domain.

SB1380/HB1525 LOCAL GOVERNMENT: Establishing central business improvement district - notice required.

Sponsors: Sen. Southerland, Steve , Rep. Carringer, Michele
Summary: Increases, from 3 weeks to 4 weeks, the amount of time that a notice of a public hearing to determine establishing a central business improvement district must be posted in a newspaper of general circulation. Broadly captioned.
Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Increases, from 3 weeks to 4 weeks, the amount of time that a notice of a public hearing to determine establishing a central business improvement district must be posted in a newspaper of general circulation. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 9; Title 13; Title 65; Title 67; Title 68 and Title 69, relative to improvement districts.

SB1446/HB400 LOCAL GOVERNMENT: White Bluff - assess fees for impact on infrastructure projects.

Sponsors: Sen. Roberts, Kerry , Rep. Littleton, Mary
Summary: Local bill for Town of White Bluff that authorizes the town to construct, regulate, and assess fees for the use of or impact upon, certain public infrastructure projects. Authorizes the town to exercise eminent domain for purposes of acquiring property for such projects. Amends Chapter 25 of the Private Acts of 2003.
Senate Status: 02/06/23 - Local bill held on Senate clerk's desk.
House Status: 02/01/23 - Referred to House Local Government Committee.
Summary Or State Summary: Local bill for Town of White Bluff that authorizes the town to construct, regulate, and assess fees for the use of or impact upon, certain public infrastructure projects. Authorizes the town to exercise eminent domain for purposes of acquiring property for such projects. Amends Chapter 25 of the Private Acts of 2003.
Caption: AN ACT to amend Chapter 25 of the Private Acts of 2003; and any other acts amendatory thereto, relative to the Town of White Bluff.

SB2131/HB1983 LOCAL GOVERNMENT: Municipal authority outside of corporate boundaries.

Sponsors: Sen. Lowe, Adam , Rep. Fritts, Monty

Summary: Prohibits a municipality, or an instrumentality of a municipality, from taking any action that affects or has the potential to affect the tax obligations, fees, or other costs for real property owners whose property is located outside a municipality's corporate boundary, unless the action is approved by the county legislative body in which such property is located. Broadly captioned.

Fiscal Note: (Dated February 29, 2024) Other Fiscal Impact A precise increase in foregone local revenue and increase in mandatory expenditures cannot be estimated. *

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 01/30/24 - Referred to House Property & Planning Subcommittee.

Summary Or State Summary: Prohibits a municipality, or an instrumentality of a municipality, from taking any action that affects or has the potential to affect the tax obligations, fees, or other costs for real property owners whose property is located outside a municipality's corporate boundary, unless the action is approved by the county legislative body in which such property is located. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 5 and Title 6, relative to municipal authority outside of corporate boundaries.

SB2137/HB2628 LOCAL GOVERNMENT: Disposal of solid waste on one's own land.

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

Summary: Prohibits a county from prohibiting an individual householder from disposing of solid waste from such householder's own household upon such householder's own land as long as the disposal does not create a public nuisance or a hazard to the public health. Broadly captioned.

Fiscal Note: (Dated February 22, 2024) NOT SIGNIFICANT

Senate Status: 03/06/24 - Re-referred to Senate State & Local Government Committee.

House Status: 02/28/24 - Taken off notice in House Cities & Counties Subcommittee.

Summary Or State Summary: Prohibits a county from prohibiting an individual householder from disposing of solid waste from such householder's own household upon such householder's own land as long as the disposal does not create a public nuisance or a hazard to the public health. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 5, relative to the authority of county governments.

SB2163/HB2422 LOCAL GOVERNMENT: Timeframe for a fire marshal to settle a building or fire code dispute.

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

Summary: Increases from 10 working days to 15 business days the amount of time the fire marshal has to issue a decision on a dispute between a city and county regarding a building or fire code. Broadly captioned.

Fiscal Note: (Dated February 7, 2024) NOT SIGNIFICANT

Senate Status: 02/01/24 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.

Summary Or State Summary: Increases from 10 working days to 15 business days the amount of time the fire marshal has to issue a decision on a dispute between a city and county regarding a building or fire code. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 13 and Title 68, Chapter 120, relative to building regulations.

SB2182/HB2797 LOCAL GOVERNMENT: Notice requirement for public meeting by an industrial development corporation.

Sponsors: Sen. Lundberg, Jon , Rep. Hulsey, Bud

Summary: Specifies that the required notice of a public meeting by an industrial development corporation related to the approval of a payment in lieu of taxes for a lessee of the corporation must be published on the website of the corporation. Broadly captioned.

Amendment Summary: Senate amendment 1 (015080) rewrites the bill to, instead, provide that an industrial development corporation created by a housing opportunity county or by a municipality within the boundaries of the housing opportunity county or jointly by any combination of such entities has the following powers: (1) To construct and install public infrastructure for qualified residential developments or contract with a private party for the construction and installation of such public infrastructure; (2) To accept loans and grants of money from this state or the U.S. or any agency or instrumentality of this state or the U.S., upon such terms and conditions as this state, the U.S., or the agency or instrumentality may impose, for purposes of carrying out the design, construction, installation, financing, or undertaking of public infrastructure; and (3) To make loans and grants of money to private entities constructing and installing public infrastructure for qualified residential developments within the boundaries of the housing opportunity county upon such terms as the industrial development corporation deems advisable. As used in this amendment, a "housing opportunity county" means a county that is certified by the comptroller of the treasury and the commissioner of economic and community development as a county with acute needs for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects, whether or not located in the county, that are expected to result in the employment of more than 1,000 new employees. Additionally, as used in this amendment, a "qualified residential development" means an area to be developed for residential housing, which may be single-family housing or multi-family housing so long as that at least 80 percent of the developable area in the development is expected to be used for residential housing, as determined by the industrial development corporation. If this state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in this amendment, then this amendment requires such loan or grant to be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and that are approved by the comptroller of the treasury, the commissioner of economic and community development, and the commissioner of finance and administration. Such agreement may include such terms as are deemed advisable to this state to ensure that the housing to be constructed in the qualified residential development is affordable for persons residing in the housing opportunity county. Senate amendment 2 (17340) makes the following changes: (1) Establishes that a "housing opportunity county" means a county with acute needs for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects, whether located in the county or surrounding area, that are certified by the commissioner of economic and community development as expected to result in the employment of more than 1,000 new employees; and (2) If this state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in the bill, requires such loan or grant to be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and the industrial development corporation and that are approved by the comptroller of the treasury and the commissioner of finance and administration. House Local Government Committee amendment 1 (015086) authorizes certain industrial development corporations (IDCs) to: (1) construct and install public infrastructure for qualified residential developments, or to contract for such services; (2) accept loans and grants from the state and federal government or an instrumentality thereof; and (3) make loans and grants to private entities constructing and installing public infrastructure for qualified residential developments. Requires loans and grants made to IDCs by the state or an instrumentality thereof to be approved by the Comptroller of the Treasury (COT), the Commissioner of Economic and Community Development (ECD), and the Commissioner of Finance and Administration (F&A). House Local Government Committee amendment 2 (017340) changes the definition of "housing opportunity county" to mean counties with acute needs for additional housing to support expected population growth due to the undertaking of one or more economic development projects, whether in the county or the surrounding area, that are certified by the commissioner of economic and community development that will result in the employment of more than 1,000 new employees. Removes the requirement for the written agreement to be approved by the commissioner of economic and community development and the language allowing for the agreement to include terms that ensure the development is affordable for persons residing in the housing opportunity county.

Fiscal Note: (Dated January 31, 2024) NOT SIGNIFICANT

Senate Status:

04/10/24 - Senate passed with amendment 1 (015080) and amendment 2 (17340). Senate amendment 1 (015080) rewrites the bill to, instead, provide that an industrial development corporation created by a housing opportunity county or by a municipality within the boundaries of the housing opportunity county or jointly by any combination of such entities has the following powers: (1) To construct and install public infrastructure for qualified residential developments or contract with a private party for the construction and installation of such public infrastructure; (2) To accept loans and grants of money from this state or the U.S. or any agency or instrumentality of this state or the U.S., upon such terms and conditions as this state, the U.S., or the agency or instrumentality may impose, for purposes of carrying out the design, construction, installation, financing, or undertaking of public infrastructure; and (3) To make loans and grants of money to private entities constructing and installing public infrastructure for qualified residential developments within the boundaries of the housing opportunity county upon such terms as the industrial development corporation deems advisable. As used in this amendment, a "housing opportunity county" means a county that is certified by the comptroller of the treasury and the commissioner of economic and community development as a county with acute needs for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects, whether or not located in the county, that are expected to result in the employment of more than 1,000 new employees. Additionally, as used in this amendment, a "qualified residential development" means an area to be developed for residential housing, which may be single-family housing or multi-family housing so long as that at least 80 percent of the developable area in the development is expected to be used for residential housing, as determined by the industrial development corporation. If this state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in this amendment, then this amendment requires such loan or grant to be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and that are approved by the comptroller of the treasury, the commissioner of economic and community development, and the commissioner of finance and administration. Such agreement may include such terms as are deemed advisable to this state to ensure that the housing to be constructed in the qualified residential development is affordable for persons residing in the housing opportunity county. Senate amendment 2 (17340) makes the following changes: (1) Establishes that a "housing opportunity county" means a county with acute needs for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects, whether located in the county or surrounding area, that are certified by the commissioner of economic and community development as expected to result in the employment of more than 1,000 new employees; and (2) If this state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in the bill, requires such loan or grant to be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and the industrial development corporation and that are approved by the comptroller of the treasury and the commissioner of finance and administration.

House Status:

04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State

Specifies that the required notice of a public meeting by an industrial development corporation related to the approval of a payment in lieu of taxes for a lessee of the corporation must be published on the website of the corporation. Broadly captioned.

Summary:

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13 and Title 48, relative to the development of housing.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13 and Title 48, relative to the development of housing.

SB2239/HB2439 LOCAL GOVERNMENT: Authorization of any local government to create a land bank.*Sponsors:*

Sen. Yarbro, Jeff , Rep. Sparks, Mike

Summary:

Authorizes any local government in this state to create a land bank. Authorizes a local government to post on its website, if available, a link to a state website or publication identifying surplus real property for sale or conveyance. Broadly captioned.

Fiscal Note:

(Dated March 1, 2024) Other Fiscal Impact A precise impact to local revenue and increase in local expenditures cannot be estimated; however, any such impacts are considered permissive.

Senate Status:

03/27/24 - Taken off notice in Senate State & Local Government Committee.

House Status:

03/20/24 - Taken off notice in House Property & Planning Subcommittee.

Summary Or State

Authorizes any local government in this state to create a land bank. Authorizes a local government to post on its website, if available, a link to a state website or publication identifying surplus real property for sale or conveyance. Broadly captioned.

Summary:

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 12, Chapter 2 and Title 13, relative to local governments.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 12, Chapter 2 and Title 13, relative to local governments.

SB2315/HB2368 LOCAL GOVERNMENT: Residential Infrastructure Development Act of 2024.*Sponsors:*

Sen. Pody, Mark , Rep. Carr, Dale

Summary:

Authorizes a uniform procedure to establish infrastructure development districts as an alternative method to fund and finance capital infrastructure through the levy and collection of special assessments. Provides for the uniform operation, exercise of power, and procedure for termination of any such independent district. Defines "host municipality" and other relative definitions. Authorizes the governing body of a host municipality to create, by resolution, one or more infrastructure development districts located in whole or part within the boundaries of such municipality. Requires an infrastructure development district to be approved by the governing body of each host municipality. Specifies residential requirement for district area. Also specifies public hearing and notice requirements regarding infrastructure development districts (19 pp.).

Amendment Summary:

Senate amendment 1, House Local Government Committee amendment 1 (015807) makes the following changes: (1) Clarifies that, as used in the bill, an "infrastructure development district" or "district" does not include a development district created pursuant to the Development District Act of 1965; (2) Revises the provision in the bill that defines "infrastructure" to mean (i) the streets, roads, bridges, and sidewalks, and water, wastewater, natural gas, electric, telecommunications, and storm water facilities, required for the development of a district, as identified in the establishment resolution, whether within or without the boundaries of the district; and (ii) land within the boundaries of the district required to be donated, dedicated, or otherwise made available to a governmental entity for public purposes by clarifying that the streets, roads, bridges, and sidewalks, and water, wastewater, natural gas, electric, telecommunications, and storm water facilities mentioned in (2)(i) above benefit the properties within the district; (3) Adds to the provisions in the bill requiring special assessments to be levied on the basis and in the amount set forth in the establishment resolution by also requiring the governing body to determine the total costs and expenses to be paid from the special assessments, and apportion such costs and expenses upon the various properties located within the district in accordance with the benefits conferred upon the various properties; (4) In determining the benefits to each lot or parcel of property within the district, authorizes the governing body to consider (i) frontage; (ii) area; (iii) the proportion that the assessed value of each lot or parcel bears to the whole assessed value of all properties within the district; or (iii) a combination of such factors; (5) Requires special assessments to be imposed and collected annually; (6) Provides that all books of accounts and financial records of the district are subject to annual audit by the comptroller of the treasury or the comptroller's designee. The host municipality must pay for the cost of any audit; (7) Requires the comptroller of the treasury to ensure that audits are prepared in accordance with generally accepted governmental auditing standards and determine if the audits meet minimum audit standards prescribed by the comptroller of the treasury. An audit must not be accepted as meeting the requirements of this amendment until approved by the comptroller of the treasury; (8) Requires all audits to be completed as soon as practicable after the end of the fiscal year of the host municipality. One copy of each audit must be furnished to each member of the governing body and the comptroller of the treasury; and (9) Revises the provisions in the bill authorizing the establishment of a district to be initiated by a petition filed in the office of the clerk or other officers responsible for keeping the records of the governing body of each host municipality required to approve the establishment of such district, signed by (i) the developer; (ii) a majority of the owners of real property in the district having an assessed value of not less than two-thirds of the assessed value of all the real property proposed to be included in the district; and (iii) the owners of each parcel of property within the district which is, at the time of the filing of the petition, being assessed as residential property by, instead, requiring the petition to be signed by (i) the developer; and (ii) the owners of each parcel of property proposed to be included in the district. House Finance, Ways & Means Committee amendment 1 (018099) specifies that the maximum term of any bonds, notes, or other debt obligations pursuant to this section to fund the cost of infrastructure, including any refinancing bonds, must not exceed 30 years from the issuance of the bonds, notes, or other debt obligations for the purpose of funding the infrastructure.

Fiscal Note:

(Dated March 3, 2024) Other Fiscal Impact A precise impact to local government revenue and expenditures cannot be estimated, but such impacts are considered permissive.

Senate Status:

04/01/24 - Senate passed with amendment 1 (015807).

House Status:

04/11/24 - Set for House Floor on 04/16/24.

Summary Or State

Authorizes a uniform procedure to establish infrastructure development districts as an alternative method to fund and finance capital infrastructure through the levy and collection of special assessments. Provides for the uniform operation, exercise of power, and procedure for termination of any such independent district. Defines "host municipality" and other relative definitions. Authorizes the governing body of a host municipality to create, by resolution, one or more infrastructure development districts located in whole or part within the boundaries of such municipality. Requires an infrastructure development district to be approved by the governing body of each host municipality. Specifies residential requirement for district area. Also specifies public hearing and notice requirements regarding infrastructure development districts (19 pp.).

Summary:

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 84; Title 9, Chapter 21; Title 66, Chapter 5 and Title 67, relative to residential infrastructure development districts.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 84; Title 9, Chapter 21; Title 66, Chapter 5 and Title 67, relative to residential infrastructure development districts.

SB2422/HB2425 LOCAL GOVERNMENT: Requirements for notifying affected persons on annexation of a territory.*Sponsors:*

Sen. Crowe, Rusty , Rep. Hicks, Tim

Summary:

Requires notices relating to annexation or municipal zoning to be published, posted, or mailed 21 days, rather than 15 days, before the public hearing on the annexation or zoning. Requires the annexing municipality to provide notice of annexation to property owners whose property is within 200 feet of the territory being annexed. Requires signs that inform viewers of the proposed annexation to be posted in and around the area being annexed.

Fiscal Note:

(Dated February 16, 2024) Other Fiscal Impact A precise increase in permissive local government expenditures cannot be estimated with certainty.

Senate Status:

03/27/24 - Signed by Senate speaker.

House Status:

03/28/24 - Signed by House speaker.

Executive Status: 04/01/24 - Sent to governor.
Summary Or State Summary: Requires notices relating to annexation or municipal zoning to be published, posted, or mailed 21 days, rather than 15 days, before the public hearing on the annexation or zoning. Requires the annexing municipality to provide notice of annexation to property owners whose property is within 200 feet of the territory being annexed. Requires signs that inform viewers of the proposed annexation to be posted in and around the area being annexed.
Caption: AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51, Part 1 and Title 13, Chapter 7, relative to municipal government.

SB2430/HB2530 LOCAL GOVERNMENT: Local government prohibited from limiting use of products or materials in construction.

Sponsors: Sen. Powers, Bill , Rep. Burkhart, Jeff
Summary: Prohibits a local government from limiting or prohibiting the use or installation of products that meet the national codes and standards or materials that meet the national codes and standards for single-family or multi-family housing or commercial construction under four stories. Deletes provision declaring that a denial of a waiver by a local governmental entity about construction materials does not constitute a prohibition of those construction materials.
Fiscal Note: (Dated March 8, 2024) NOT SIGNIFICANT
Senate Status: 03/27/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/12/24 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Prohibits a local government from limiting or prohibiting the use or installation of products that meet the national codes and standards or materials that meet the national codes and standards for single-family or multi-family housing or commercial construction under four stories. Deletes provision declaring that a denial of a waiver by a local governmental entity about construction materials does not constitute a prohibition of those construction materials.
Caption: AN ACT to amend Tennessee Code Annotated, Section 68-120-101, relative to building regulations.

SB2512/HB2640 LOCAL GOVERNMENT: Notice for public meeting related to approval of a payment in lieu of tax agreement.

Sponsors: Sen. Lundberg, Jon , Rep. Crawford, John
Summary: Specifies the required notice for a public meeting related to the approval of a payment in lieu of tax agreement of the board of directors of an industrial development corporation that must be published on the website of the corporation or the governing body of the municipality. Broadly captioned.
Fiscal Note: (Dated February 4, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate State & Local Government Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Specifies the required notice for a public meeting related to the approval of a payment in lieu of tax agreement of the board of directors of an industrial development corporation that must be published on the website of the corporation or the governing body of the municipality. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13 and Title 48, relative to development.

SB2542/HB2589 LOCAL GOVERNMENT: Report on amount of state funds paid to acquire property through eminent domain.

Sponsors: Sen. Niceley, Frank , 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 2023-2024 fiscal year to the chairs of the finance, ways and means committees and the office of legislative budget analysis by January 1, 2025. Broadly captioned.
Fiscal Note: (Dated March 31, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate Judiciary Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State 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 2023-2024 fiscal year to the chairs of the finance, ways and means committees and the office of legislative budget analysis by January 1, 2025. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 29, Chapter 17; Title 29, Chapter 16; Title 54, Chapter 21 and Title 65, Chapter 27, relative to eminent domain.

SB2561/HB2618 LOCAL GOVERNMENT: Nonprofit organization that has entered into a contract with district attorney general.

Sponsors: Sen. Taylor, Brent , Rep. Gillespie, John
Summary: Requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general to disclose the list of persons or entities that have donated to the nonprofit in the previous calendar year, upon written request from a member of the general assembly or passage of a resolution requesting the information by a county legislative body for a county within the judicial district. Broadly captioned.
Amendment Summary: Senate amendment 1 (013951) requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general to disclose the list of persons or entities that have donated to the nonprofit in the previous calendar year, upon written request from a member of the general assembly or passage of a resolution requesting the information by a county legislative body for a county within the judicial district, unless such contract or memorandum of understanding is required by statute. House amendment 1 (015356) rewrites the bill to, instead, make the following additions to the present law: (1) If a written request for the following information is made jointly by the speaker of the senate and the speaker of the house of representatives, then this amendment requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general related to policies and strategies related to cash bail, unless such contract or memorandum of understanding is required by statute, to disclose to the speakers the list of persons or entities that have donated to the nonprofit organization in the previous calendar year in accordance with this amendment; (2) The disclosed list of persons or entities that have donated to the nonprofit organization must be restricted to the lesser of the top five donors or the top 5 percent of donors in the previous calendar year. The aggregate donation during the previous calendar year must be equal to or greater than \$25,000; and (3) Disclosure of the list of persons or entities must only include the name of the person or entity. Other personal identifying information or details must not be included.
Fiscal Note: (Dated February 14, 2024) NOT SIGNIFICANT
Senate Status: 04/11/24 - Senate concurred in House amendment 1 (015356).
House Status: 04/08/24 - House passed with amendment 1 (015356), which rewrites the bill to, instead, make the following additions to the present law: (1) If a written request for the following information is made jointly by the speaker of the senate and the speaker of the house of representatives, then this amendment requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general related to policies and strategies related to cash bail, unless such contract or memorandum of understanding is required by statute, to disclose to the speakers the list of persons or entities that have donated to the nonprofit organization in the previous calendar year in accordance with this amendment; (2) The disclosed list of persons or entities that have donated to the nonprofit organization must be restricted to the lesser of the top five donors or the top 5 percent of donors in the previous calendar year. The aggregate donation during the previous calendar year must be equal to or greater than \$25,000; and (3) Disclosure of the list of persons or entities must only include the name of the person or entity. Other personal identifying information or details must not be included.
Executive Status: 04/11/24 - Sent to the speakers for signatures.
Summary Or State Summary: Requires a nonprofit organization that has entered into a contract or memorandum of understanding with the district attorney general to disclose the list of persons or entities that have donated to the nonprofit in the previous calendar year, upon written request from a member of the general assembly or passage of a resolution requesting the information by a county legislative body for a county within the judicial district. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 38; Title 39 and Title 40, relative to nonprofit organizations.

SB2819/HB2841 LOCAL GOVERNMENT: County's intent to appropriate funds to a nonprofit organization - notice required.

Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan
Summary: Requires the newspaper notice of a county's intent to appropriate funds to a nonprofit organization that is not a charitable organization to be published at least 15 days prior to the legislative body voting on the appropriation. Broadly captioned.
Fiscal Note: (Dated March 9, 2024) NOT SIGNIFICANT
Senate Status: 03/13/24 - Set for Senate State & Local Government Committee 03/19/24.
House Status: 03/13/24 - Taken off notice in House Cities & Counties Subcommittee.
Summary Or State Summary: Requires the newspaper notice of a county's intent to appropriate funds to a nonprofit organization that is not a charitable organization to be published at least 15 days prior to the legislative body voting on the appropriation. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5 and Title 67, relative to county authority.

SB2851/HB2896 LOCAL GOVERNMENT: Broadband service within the jurisdictional limits of Springfield.

Sponsors: Sen. Roberts, Kerry , Rep. Kumar, Sabi
Summary: Authorizes a cooperative that services Stewart, Cheatham, Robertson, Sumner, and Montgomery counties to provide broadband service within the jurisdictional limits of Springfield. Broadly captioned.
Fiscal Note: (Dated March 9, 2024) Other Fiscal Impact A precise increase in state revenue from payment of franchise & excise taxes due to the Cumberland Electric Membership Corporation providing broadband service outside its current service area cannot reasonably be determined.
Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/07/24 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Authorizes a cooperative that services Stewart, Cheatham, Robertson, Sumner, and Montgomery counties to provide broadband service within the jurisdictional limits of Springfield. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 6; Title 7; Title 13; Title 65; Title 67 and Title 68, relative to broadband services.

SB2853/HB2164 LOCAL GOVERNMENT: Requirements for changing a county boundary.

Sponsors: Sen. Roberts, Kerry , Rep. Littleton, Mary
Summary: Requires all applications for legislation changing county lines to include the physical address of each parcel of real property affected by the application. Broadly captioned.
Fiscal Note: (Dated March 24, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate State & Local Government Committee.
House Status: 01/31/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires all applications for legislation changing county lines to include the physical address of each parcel of real property affected by the application. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 8 and Title 66, relative to real property.

SB2968/HB2984 LOCAL GOVERNMENT: Davidson County - East Bank Development Authority.

Sponsors: Sen. Oliver, Charlane , Rep. Freeman, Bob
Summary: Creates the East Bank Development Authority for the metropolitan government of Nashville and Davidson County. (12pp.).
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/10/24 - Set for House Local Government Committee 04/16/24.
Summary Or State Summary: Creates the East Bank Development Authority for the metropolitan government of Nashville and Davidson County. (12pp.).
Caption: AN ACT to create the East Bank development authority for the metropolitan government of Nashville and Davidson County.

SB2971/HB2987 LOCAL GOVERNMENT: Algood - leasing of property by city.

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan
Summary: Local bill for Algood that authorizes the city to lease real, mixed, and personal property inside or outside of the city. Amends Chapter 78 of the Private Acts of 2014.
Senate Status: 03/28/24 - Senate passed.
House Status: 04/04/24 - Signed by House speaker.
Executive Status: 03/28/24 - Sent to the speakers for signatures.
Summary Or State Summary: Local bill for Algood that authorizes the city to lease real, mixed, and personal property inside or outside of the city. Amends Chapter 78 of the Private Acts of 2014.
Caption: AN ACT to amend Chapter 78 of the Private Acts of 2014; and any other acts amendatory thereto, relative to the charter for the City of Algood.

SB2975/HB2992 LOCAL GOVERNMENT: Henry County - sell or lease of assets by Henry County Hospital District.

Sponsors: Sen. Stevens, John , Rep. Darby, Tandy
Summary: Local bill for Henry County that authorizes the Henry County Hospital District to sell or lease assets outside of the ordinary course of business, including, without limitation, substantially all the assets of the Henry County Nursing Home. Amends Chapter 176 of the Private Acts of 1953, as amended.
Senate Status: 04/04/24 - Signed by Senate speaker.
House Status: 04/04/24 - Signed by House speaker.
Executive Status: 04/04/24 - Sent to governor.
Summary Or State Summary: Local bill for Henry County that authorizes the Henry County Hospital District to sell or lease assets outside of the ordinary course of business, including, without limitation, substantially all the assets of the Henry County Nursing Home. Amends Chapter 176 of the Private Acts of 1953, as amended.
Caption: AN ACT to amend Chapter 176 of the Private Acts of 1953, as amended by Chapter 524 of the Private Acts of 1953, Chapter 95 of the Private Acts of 1985, Chapter 56 of the Private Acts of 1991, Chapter 157 of the Private Acts of 1994, Chapter 7 of the Private Acts of 2015, and any other acts amendatory thereto, relative to the Henry County Hospital District.

SB2984/HB3001 LOCAL GOVERNMENT: Oneida - powers of town.

Sponsors: Sen. Yager, Ken , Rep. Keisling, Kelly
Summary: Local bill for Oneida that grants the town with the same powers and authorities granted to municipalities chartered under the general law mayor-aldermanic charter. Amends Chapter 211 of the Private Acts of 1917, as amended.
Amendment Summary: Senate amendment 1 (017646) removes the task of assessing fees for the use of or impact upon such property and facilities from the responsibilities of the Mayor and Board of Aldermen of the Town of Oneida.
Senate Status: 04/04/24 - Senate passed with amendment (017646).
House Status: 04/11/24 - House passed.
Executive Status: 04/11/24 - Sent to the speakers for signatures.
Summary Or State Summary: Local bill for Oneida that grants the town with the same powers and authorities granted to municipalities chartered under the general law mayor-aldermanic charter. Amends Chapter 211 of the Private Acts of 1917, as amended.
Caption: AN ACT to amend Chapter 211 of the Private Acts of 1917; as amended by Chapter 256 of the Private Acts of 1955 and Chapter 87 of the Private Acts of 1983; and any other acts amendatory thereto, relative to the charter of the Town of Oneida.

HB1546 LOCAL GOVERNMENT: Burns - meetings for board of commissioners.

Sponsors: Rep. Littleton, Mary
Summary: Local bill for Burns that moves from the first Monday in April to the second Monday in April the date for the biennial organizational meeting of the incoming board of commissioners. Moves the monthly meeting of the board to the second Monday of each month. Expands the board's authority with respect to public infrastructure and the board's ability to exercise eminent domain in furtherance of that purpose. Amends Chapter 89 of the Private Acts of 2008.
House Status: 02/23/23 - Referred to House Local Government Committee.
Summary Or State Summary: Local bill for Burns that moves from the first Monday in April to the second Monday in April the date for the biennial organizational meeting of the incoming board of commissioners. Moves the monthly meeting of the board to the second Monday of each month. Expands the board's authority with respect to public infrastructure and the board's ability to exercise eminent domain in furtherance of that purpose. Amends Chapter 89 of the Private Acts of 2008.
Caption: AN ACT to amend Chapter 89 of the Private Acts of 2008; and any other acts amendatory thereto, relative to the Town of Burns.

HB2968 LOCAL GOVERNMENT: Davidson County - East Bank Development Authority.

Sponsors: Rep. Freeman, Bob
Summary: Creates the East Bank Development Authority for the metropolitan government of Nashville and Davidson County.
House Status: 04/09/24 - Taken off notice in House Local Government Committee.
Summary Or State Summary: Creates the East Bank Development Authority for the metropolitan government of Nashville and Davidson County.
Caption: AN ACT to create the East Bank development authority for the metropolitan government of Nashville and Davidson County.

HB2988 LOCAL GOVERNMENT: Gallatin - authorizes city to impose impact fees.

Sponsors: Rep. Slater, William
Summary: Local bill for Gallatin that authorizes the City of Gallatin to impose impact fees. Amends Chapter 67 of the Private Acts of 1953, as amended.
House Status: 03/12/24 - Failed in House Local Government Committee.
Summary Or State Summary: Local bill for Gallatin that authorizes the City of Gallatin to impose impact fees. Amends Chapter 67 of the Private Acts of 1953, as amended.
Caption: AN ACT to amend Chapter 67 of the Private Acts of 1953; as amended by Chapter 74 of the Private Acts of 1955; Chapter 31 of the Private Acts of 1957; Chapter 12 of the Private Acts of 1963; Chapter 192 of the Private Acts of 1967; Chapter 70 of the Private Acts of 1975; Chapter 97 of the Private Acts of 1981; Chapter 48 of the Private Acts of 1999; Chapter 4 of the Private Acts of 2009; Chapter 30 of the Private Acts of 2014; and any other acts amendatory thereto, relative to the City of Gallatin.

LOTTERY**SB1669/HB1651 LOTTERY: Application by nonprofit organization to operate a charitable gaming event.**

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam
Summary: Establishes a five-day period after the effective date of this act during which a nonprofit organization may apply to operate a charitable gaming event during the annual period beginning July 1, 2023, until June 30, 2024.
Amendment Summary: House amendment 1 (013744) authorizes nonprofit organizations to submit an annual charitable gaming event application to the Secretary of State(SOS) within five calendar days after this proposed legislation becomes law for events being held from the period beginning July 1, 2023, and ending June 30, 2024, and for events being held in the period beginning July 1, 2024, and ending June 30, 2025. Requires the omnibus listing of any approved organizations for the period beginning July 1, 2023 to June 30, 2024, and for July 1, 2024 to June 30, 2025, to be transferred to the Clerk of the Senate and the Clerk of the House of Representatives within 10 calendar days after this proposed legislation becomes law.
Fiscal Note: (Dated January 20, 2024) Increase State Revenue \$300/FY23-24/Division of Charitable Solicitations and Gaming
Senate Status: 03/19/24 - Signed by Senate speaker.
House Status: 03/18/24 - Signed by House speaker.
Executive Status: 04/03/24 - Enacted as Public Chapter 0587 effective March 21, 2024.
Summary Or State Summary: Establishes a five-day period after the effective date of this act during which a nonprofit organization may apply to operate a charitable gaming event during the annual period beginning July 1, 2023, until June 30, 2024.
Caption: AN ACT to amend Tennessee Code Annotated, Title 3, Chapter 17, relative to charitable gaming.

PROFESSIONS & LICENSURE**SB770/HB989 PROFESSIONS & LICENSURE: Posting of info on board website regarding disciplining contractor, home improvement services provider.**

Sponsors: Sen. Yarbro, Jeff ,
Summary: Requires the state board for licensing contractors to post, within 15 days, instead of 30 days, of the board's action with regard to the board disciplining a contractor, home improvement services provider, or home improvement contractor, on the board's website information identifying the person, the violation, and the date a penalty was imposed. Broadly captioned.
Fiscal Note: (Dated February 3, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires the state board for licensing contractors to post, within 15 days, instead of 30 days, of the board's action with regard to the board disciplining a contractor, home improvement services provider, or home improvement contractor, on the board's website information identifying the person, the violation, and the date a penalty was imposed. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 50; Title 62 and Title 68, relative to professions.

SB1105/HB592 PROFESSIONS & LICENSURE: Repeals the Soil Scientist Licensure Act of 2009.

Sponsors: Sen. Bowling, Janice , Rep. Reedy, Jay
Summary: Repeals the Soil Scientist Licensure Act of 2009.
Fiscal Note: (Dated February 12, 2023) Decrease State Revenue - \$5,200/FY23-24 and Every Two Years Thereafter/ Geologist and Soil Scientist Board \$20,400/FY24-25 and Every Two Years Thereafter/ Geologist and Soil Scientist Board
Senate Status: 02/21/24 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.
House Status: 04/21/23 - House passed.
Summary Or State Summary: Repeals the Soil Scientist Licensure Act of 2009.
Caption: AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 18, Part 2 and Section 62-36-114, relative to the Soil Scientist Licensure Act of 2009.

SB1445/HB593 PROFESSIONS & LICENSURE: Change of business address of a licensed polygraph examiner - notice required.

Sponsors: Sen. Roberts, Kerry , Rep. Darby, Tandy
Summary: Decreases from 30 days to 21 days the time following a change of business address that a licensed polygraph examiner or licensed company has to notify the commissioner of commerce and insurance in writing. Broadly captioned.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 03/14/23 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Decreases from 30 days to 21 days the time following a change of business address that a licensed polygraph examiner or licensed company has to notify the commissioner of commerce and insurance in writing. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 62, relative to professions.

SB1915/HB1859 PROFESSIONS & LICENSURE: Occupational licensing for individuals with a criminal record.

Sponsors: Sen. Niceley, Frank , Rep. Davis, Elaine
Summary: Prohibits certain licensing authorities from automatically barring an individual from licensure because of the individual's criminal record. Requires the licensing authority to provide individualized consideration of an individual's criminal record and circumstances. Specifies which convictions a licensing authority may consider in deciding for licensure. Makes other changes related to licensure determinations and criminal records including not using a vague term in its consideration and its notice or decision, including good moral character, moral turpitude, or character and fitness. (11pp). Broadly captioned.
Amendment Summary: House amendment 1 (016022) prohibits a licensing authority under the Division of Health-Related Boards or a licensing authority under the Department of Commerce and Insurance from using vague terms including terms such as good moral character or character and fitness, in its considerations and its notices or decisions without also explaining how a prior conviction directly relates to the applicable occupation, profession, business, or trade, if such prior conviction serves as a basis for the licensing authority's consideration and notice or decision.
Fiscal Note: (Dated March 9, 2024) Other Fiscal Impacts Due to multiple unknown variable, the net impact on state license fee revenue cannot be quantified with reasonable certainty.
Senate Status: 04/08/24 - Senate passed.
House Status: 04/04/24 - House passed with amendment 1 (016022).
Executive Status: 04/08/24 - Sent to the speakers for signatures.

Summary Or State
Summary:

Prohibits certain licensing authorities from automatically barring an individual from licensure because of the individual's criminal record. Requires the licensing authority to provide individualized consideration of an individual's criminal record and circumstances. Specifies which convictions a licensing authority may consider in deciding for licensure. Makes other changes related to licensure determinations and criminal records including not using a vague term in its consideration and its notice or decision, including good moral character, moral turpitude, or character and fitness. (11pp). Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 62 and Title 63, relative to occupational licensing.

SB2264/HB2440 **PROFESSIONS & LICENSURE: Annual report required by pre-need seller and trustee.**

Sponsors: Sen. Kyle, Sara , Rep. Sparks, Mike
Summary: Reduces, from 75 to 60, days after the end of the pre-need seller's fiscal year the time by which a pre-need seller and trustee must file an annual report with the commissioner of commerce and insurance. Broadly captioned.

Amendment Summary: Senate amendment 1 (014744) authorizes a temporarily retired real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent whose license was in good standing with the Tennessee Real Estate Commission at the time of temporary retirement but whose license has lapsed due to non-payment of renewal fees to reactivate the license upon the payment of all renewal fees owed and any penalty imposed by the commission. Senate amendment 2 (016043) authorizes a temporarily retired real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent whose license was in good standing with the Tennessee Real Estate Commission at the time of temporary retirement but whose license has lapsed due to non-payment of renewal fees to reactivate the license upon the payment of all renewal fees owed and any penalty imposed by the commission. Requires the licensee to also submit proof of continuing education courses in real estate that would have been required had the licensee's license been active during the temporary retirement period in order to reactivate the license.

Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT

Senate Status: 03/25/24 - Senate passed with amendment 1 (014744) and amendment 2 (016043).

House Status: 04/04/24 - House passed.

Executive Status: 04/04/24 - Sent to the speakers for signatures.

Summary Or State Summary: Reduces, from 75 to 60, days after the end of the pre-need seller's fiscal year the time by which a pre-need seller and trustee must file an annual report with the commissioner of commerce and insurance. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 62 and Title 63, relative to professions.

SB2429/HB1903 **PROFESSIONS & LICENSURE: Requirements for licensing of contractors.**

Sponsors: Sen. Powers, Bill , Rep. Burkhart, Jeff
Summary: Changes from a reviewed or audited financial statement prepared by a licensed public accountant or a certified public accountant to a compilation prepared by a licensed public accountant or a certified public accountant that a contractor who is seeking renewal of a license with a monetary limit exceeding \$1,500,000 must submit with the renewal application.

Amendment Summary: House amendment 1 (013925) authorizes the board, without cause, to require a financial statement of the applicant that is reviewed or audited and attested to by a licensed public accountant or certified public accountant if the board has reason to believe it is in the best interest of the public safety and welfare.

Fiscal Note: (Dated February 7, 2024) NOT SIGNIFICANT

Senate Status: 03/27/24 - Signed by Senate speaker.

House Status: 03/26/24 - Signed by House speaker.

Executive Status: 03/28/24 - Sent to governor.

Summary Or State Summary: Changes from a reviewed or audited financial statement prepared by a licensed public accountant or a certified public accountant to a compilation prepared by a licensed public accountant or a certified public accountant that a contractor who is seeking renewal of a license with a monetary limit exceeding \$1,500,000 must submit with the renewal application.

Caption: AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6, relative to licensing of contractors.

SB2466/HB2843 **PROFESSIONS & LICENSURE: Condition for charging fees.**

Sponsors: Sen. Akbari, Raumesh , Rep. Miller, Larry
Summary: Adds as a condition for allowing the board to be able to charge a fee for reviewing and approving preclicensing general contractor education courses that the fee amount is listed on the board's website. Broadly captioned.

Fiscal Note: (Dated February 29, 2024) NOT SIGNIFICANT

Senate Status: 02/01/24 - Referred to Senate Commerce & Labor Committee.

House Status: 02/05/24 - Caption bill held on House clerk's desk.

Summary Or State Summary: Adds as a condition for allowing the board to be able to charge a fee for reviewing and approving preclicensing general contractor education courses that the fee amount is listed on the board's website. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 50; Title 62; Title 63; Title 68 and Title 70, relative to licensure.

SB2584/HB2235 **PROFESSIONS & LICENSURE: Requirements for land surveyors.**

Sponsors: Sen. Taylor, Brent , Rep. Hicks, Tim
Summary: Requires that each year of progressive practical experience required of an applicant to qualify as a registered land surveyor be spent under the direct supervision of a practicing professional land surveyor rather than just part of the time an applicant receives such experience. Adds requirement that certain applicants be certified as a professional land surveyor in training (PLSIT) as part of the application to qualify as a registered land surveyor.

Fiscal Note: (Dated February 24, 2024) NOT SIGNIFICANT

Senate Status: 03/20/24 - Signed by Senate speaker.

House Status: 03/26/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0650 effective April 1, 2024.

Summary Or State Summary: Requires that each year of progressive practical experience required of an applicant to qualify as a registered land surveyor be spent under the direct supervision of a practicing professional land surveyor rather than just part of the time an applicant receives such experience. Adds requirement that certain applicants be certified as a professional land surveyor in training (PLSIT) as part of the application to qualify as a registered land surveyor.

Caption: AN ACT to amend Tennessee Code Annotated, Section 62-18-109, relative to land surveyors.

SB2588/HB2097 **PROFESSIONS & LICENSURE: Issuance of advisory opinions by state regulatory boards and state health related boards.**

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin
Summary: Requires state regulatory boards within the department of commerce and insurance to issue advisory opinions upon request to any person who is certified, licensed, or registered by such state entities. Also requires state health related boards within the department of health to issue advisory opinions upon request.

Amendment Summary: Senate amendment 1, House State Government Committee amendment 1 (015518) requires the commissioner of commerce and insurance, instead of the commissioner of health, to promulgate rules to effectuate the bill. House State Government Committee amendment 1 (017335) requires state regulatory boards within the Department of Commerce and Insurance (DCI) and state health-related boards within the Department of Health (DOH) to issue advisory private letter rulings, upon request, to any affected person who is certified, licensed, or registered by such state boards regarding any matters within the state entities' primary jurisdiction. Authorizes the Division of Regulatory Boards administratively attached to DCI to prescribe a fee for the issuance of an advisory private letter ruling.

Fiscal Note: (Dated March 8, 2024) NOT SIGNIFICANT

Senate Status: 04/04/24 - Senate passed with amendment 1 (015518).

House Status: 04/11/24 - Set for House Floor on 04/16/24.

Summary Or State Summary: Requires state regulatory boards within the department of commerce and insurance to issue advisory opinions upon request to any person who is certified, licensed, or registered by such state entities. Also requires state health related boards within the department of health to issue advisory opinions upon request.

Caption: AN ACT to amend Tennessee Code Annotated, Title 62 and Title 63, relative to advisory opinions.

SB2709/HB2874 **PROFESSIONS & LICENSURE: Requirements for sponsors of private investigator apprentices.**

Sponsors: Sen. Southerland, Steve , Rep. Hale, Michael
Summary: Authorizes sponsors of private investigator apprentices to submit apprentice training reports to the commissioner of commerce and insurance electronically. Broadly captioned.

Fiscal Note: (Dated February 7, 2024) NOT SIGNIFICANT

Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/12/24 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Authorizes sponsors of private investigator apprentices to submit apprentice training reports to the commissioner of commerce and insurance electronically. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 62 and Title 68, Chapter 21, relative to state licensure.

SB2732/HB2781 PROFESSIONS & LICENSURE: Notification regarding change of address to state board of cosmetology and barber examiners.

Sponsors: Sen. Akbari, Raumesh, Rep. Parkinson, Antonio
Summary: Requires a holder of a certificate of registration to notify the state board of cosmetology and barber examiners within 35 days, instead of 30 days, of a change to the certificate holder's mailing address. Broadly captioned.
Amendment Summary: House Commerce Committee amendment 1 (015776) enacts the Cosmetology Licensure Compact (Compact). States that the purpose of the Compact is to facilitate the interstate practice and regulation of cosmetology with the goal of improving public access to, and the safety of, cosmetology services and reducing unnecessary burdens related to cosmetology licensure. The Compact establishes a regulatory framework that provides for a new multistate licensing program that authorizes individuals to practice in other states that are members of the compact. Authorizes the Department of Commerce and Insurance to charge a fee for granting a multi-state license. Requires license holders moving from one member state to another member state to pay any fees required for reissuance of a license in the new home state. Creates a commission whose members consist of all states that have enacted this Compact. Authorizes commission meetings to be held via telecommunication. Authorizes the commission to levy and collect an annual assessment from each member state and impose fees on licensees to cover the cost of operations. Removes the requirement to have completed and passed at least two years of high school or received at least a score of 38 percent on the GED® or HiSET® examination to be eligible for cosmetology school or licensure and removes the requirement for barbers or barber instructors to have completed the twelfth grade in an accredited school or the equivalent. Reduces the requirement for a barber instructor to have a valid certificate of registration from three consecutive years to three years. Removes the authorization that an expired registration may be reinstated upon payment of twice the fees that would have been collected for timely renewal and sets the penalty to be determined by the Board of Cosmetology and Barber Examiners. Prohibits schools from enrolling a student under the age of sixteen. Exempts public and vocational schools from this requirement. Senate amendment 1 (014816) rewrites the bill to enact the "Cosmetology Licensure Compact" ("compact"). To be eligible to join this compact, and to maintain eligibility as a member state, this amendment requires a state to: (1) License and regulate cosmetology; (2) Have a mechanism or entity in place to receive and investigate complaints about licensees practicing in that state; (3) Require that licensees within that state pass a cosmetology competency examination prior to being licensed to provide cosmetology services to the public in that state; (4) Require that licensees satisfy educational or training requirements in cosmetology prior to being licensed to provide cosmetology services to the public in that state; (5) Implement procedures for considering one or more of the following categories of information from applicants for licensure: criminal history, disciplinary history, or background check. Such procedures may include the submission of information by applicants for the purpose of obtaining an applicant's background; (6) Participate in the data system, including through the use of unique identifying numbers; (7) Share information related to adverse actions with the cosmetology licensure compact commission ("commission") and other member states, both through the data system and otherwise; (8) Notify the commission and other member states, in compliance with the terms of this compact and rules of the commission, of the existence of investigative information or current significant investigative information in the state's possession regarding a licensee practicing in that state; (9) Comply with such rules as may be enacted by the commission to administer this compact; and (10) Accept licensees from other member states as established in this compact. This amendment authorizes member states to charge a fee for granting a license to practice cosmetology. This amendment requires individuals not residing in a member state to continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals must not be recognized as granting a multistate license to provide services in any other member state. Nothing in this compact affects the requirements established by a member state for the issuance of a single-state license. This amendment requires a multistate license issued to a licensee by a home state to a resident of that state to be recognized by each member state as authorizing a licensee to practice cosmetology in each member state. This amendment prohibits the commission from having the power to define the educational or professional requirements for a license to practice cosmetology. The member states must retain sole jurisdiction over the provision of these requirements. To be eligible to apply to their home state's state licensing authority for an initial multistate license under this compact, the amendment requires a licensee to hold an active and unencumbered single-state license to practice cosmetology in their home state. Upon the receipt of an application for a multistate license, according to the rules of the commission, a member state's state licensing authority must ascertain whether the applicant meets the requirements for a multistate license under this compact. If an applicant meets the requirements for a multistate license under this compact and any applicable rules of the commission, then the state licensing authority in receipt of the application must, within a reasonable time, grant a multistate license to that applicant, and inform all member states of the grant of said multistate license. This amendment requires a multistate license to practice cosmetology issued by a member state's state licensing authority to be recognized by each member state as authorizing the practice thereof as though that licensee held a single-state license to do so in each member state, subject to the restrictions in this compact. A multistate license granted pursuant to this compact may be effective for a definite period of time, concurrent with the licensure renewal period in the home state. To maintain a multistate license under this compact, this amendment requires a licensee to (i) agree to abide by the rules of the state licensing authority, and the state scope of practice laws governing the practice of cosmetology, of any member state in which the licensee provides services; (ii) pay all required fees related to the application and process, and any other fees that the commission may by rule require; and (iii) comply with any and all other requirements regarding multistate licenses that the commission may by rule provide. This amendment provides that a licensee practicing in a member state is subject to all scope of practice laws governing cosmetology services in that state. The practice of cosmetology under a multistate license granted pursuant to this compact subjects the licensee to the jurisdiction of the state licensing authority, the courts, and the laws of the member state in which the cosmetology services are provided. This amendment authorizes a licensee to hold a multistate license, issued by their home state, in only one member state at any given time. If a licensee changes their home state by moving between two member states, then the licensee is subject to the following: (1) The licensee must immediately apply for the reissuance of their multistate license in their new home state. The licensee must pay all applicable fees and notify the prior home state in accordance with the rules of the commission; (2) Upon receipt of an application to reissue a multistate license, the new home state must verify that the multistate license is active, unencumbered, and eligible for reissuance under the terms of this compact and the rules of the commission. The multistate license issued by the prior home state must be deactivated and all member states notified in accordance with the applicable rules adopted by the commission; (3) If required for initial licensure, the new home state may require a background check as specified in the laws of that state, or the compliance with any jurisprudence requirements of the new home state; and (4) If a licensee does not meet the requirements set forth in this compact for the reissuance of a multistate license by the new home state, then the licensee is subject to the new home state requirements for the issuance of a single-state license in that state. If a licensee changes their primary state of residence from a member state to a non-member state, or from a non-member state to a member state, then the licensee is subject to the state requirements for the issuance of a single-state license in the new home state. Nothing in this compact interferes with a licensee's ability to hold a single-state license in multiple states. However, for the purposes of this compact, a licensee must have only one home state, and only one multistate license. Additionally, nothing in this compact interferes with the requirements established by a member state for the issuance of a single-state license. This amendment prohibits anything in this compact, or any rule or regulation of the commission, from limiting, restricting, or in any way reducing the ability of a member state to enact and enforce laws, regulations, or other rules related to the practice of cosmetology in that state, where those laws, regulations, or other rules are not inconsistent with this compact. Insofar as practical, a member state's state licensing authority must cooperate with the commission and with each entity exercising independent regulatory authority over the practice of cosmetology according to this compact. This amendment provides that discipline is the sole responsibility of the state in which cosmetology services are provided. Accordingly, each member state's state licensing authority is responsible for receiving complaints about individuals practicing cosmetology in that state, and for communicating all relevant investigative information about any such adverse action to the other member states through the data system in addition to any other methods the commission may by rule require. This amendment provides that a licensee's home state has exclusive power to impose an adverse action against a licensee's multistate license issued by the home state. A home state may take adverse action on a multistate license based on the investigative information, current significant investigative information, or adverse action of a remote state. In addition to the powers conferred by state law, each remote state's state licensing authority has the power to do the following: (1) Take adverse action against a licensee's authorization to practice cosmetology through the multistate license in that member state, so long as: (i) only the licensee's home state has the power to take adverse action against the multistate license issued by the home state; and (ii) for the purposes of taking adverse action, the home state's state licensing authority must give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, the home state must apply its own state laws to determine the appropriate action; (2) Issue cease and desist orders or impose an encumbrance on a licensee's authorization to practice within that member state; (3) Complete any pending investigations of a licensee who changes their primary state of residence during the course of such an investigation. The state licensing authority is also empowered to report the results of such an investigation to the commission through the data system as described in this compact; (4) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, as well as the production of evidence. Subpoenas issued by a state licensing authority in a member state for the attendance and testimony of witnesses or the production of evidence from another member state must be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings before it. The issuing state licensing authority must pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located; (5) If otherwise permitted by state law, recover from the affected licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee; and (6) Take adverse action against the licensee's authorization to practice in that state based on the factual findings of another remote state. This amendment requires a licensee's home state to complete any pending investigation of a cosmetologist who changes their primary state of residence during the course of any investigation. The home state also has the authority to take appropriate actions and promptly report the conclusions of any investigation to the data system. If an adverse action is taken by the home state against a licensee's multistate license, then this amendment requires the licensee's authorization to practice in all other member states to be deactivated until all encumbrances have been removed from the home state license. All home state disciplinary orders that impose an adverse action against a licensee's multistate license must include a statement that the cosmetologist's authorization to practice is deactivated in all member states during the pendency of the order. However, nothing in this compact overrides a member state's authority to accept a licensee's participation in an alternative program in lieu of adverse action. A licensee's multistate

license must be suspended for the duration of the licensee's participation in any alternative program. This amendment authorizes a member state to participate with other member states in joint investigations of licensees. Member states must share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under this compact. This amendment requires active military members, or their spouses, to designate a home state where the individual has a current license to practice cosmetology in good standing. The individual may retain their home state designation during any period of service when that individual or their spouse is on active duty assignment. This amendment provides that the compact member states hereby create and establish a joint government agency whose membership consists of all member states that have enacted this compact, known as the commission. The commission is an instrumentality of the compact member states acting jointly and not an instrumentality of any one state. The commission comes into existence on or after the effective date of this compact. This amendment provides that each member state has and is limited to one delegate selected by that member state's state licensing authority. The delegate must be an administrator of the state licensing authority of the member state or their designee. The commission must by rule or bylaw establish a term of office for delegates and may by rule or bylaw establish term limits. The commission may recommend removal or suspension of any delegate from office. A member state's state licensing authority must fill any vacancy of its delegate occurring on the commission within 60 days of the vacancy. Each delegate is entitled to one vote on all matters that are voted on by the commission. The commission must meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The commission may meet by telecommunication, video conference, or other similar electronic means. This amendment provides that the commission has the following powers: (i) establish the fiscal year of the commission; (ii) establish code of conduct and conflict of interest policies; (iii) adopt rules and bylaws; (iv) maintain its financial records in accordance with the bylaws; (v) meet and take such actions as are consistent with this compact, the commission's rules, and the bylaws; (vi) initiate and conclude legal proceedings or actions in the name of the commission. However, the standing of any state licensing authority to sue or be sued under applicable law must not be affected; (vii) maintain and certify records and information provided to a member state as the authenticated business records of the commission, and designate an agent to do so on the commission's behalf; (viii) purchase and maintain insurance and bonds; (ix) borrow, accept, or contract for services of personnel; (x) conduct an annual financial review; (xi) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters; (xii) as set forth in the commission rules, charge a fee to a licensee for the grant of a multistate license and thereafter, as may be established by commission rule, charge the licensee a multistate license renewal fee for each renewal period. Nothing in this compact prevents a home state from charging a licensee a fee for a multistate license or renewals of a multistate license, or a fee for the jurisprudence requirement if the member state imposes such a requirement for the grant of a multistate license; (xiii) assess and collect fees; (xiv) accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same. However, at all times the commission must avoid any appearance of impropriety or conflict of interest; (xv) lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest therein; (xvi) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed; (xvii) establish a budget and make expenditures; (xviii) borrow money; (xix) appoint committees, including standing committees, composed of members, state regulators, state legislators or their representatives, consumer representatives, and such other interested persons as may be designated in this compact and the bylaws; (xx) provide and receive information from, and cooperate with, law enforcement agencies; (xxi) elect a chair, vice chair, secretary, treasurer, and such other officers of the commission as provided in the commission's bylaws; (xxii) establish and elect an executive committee, including a chair and a vice chair; (xxiii) adopt and provide to the member states an annual report; (xxiv) determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in this compact; and (xxv) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact. This amendment provides that the executive committee has the power to act on behalf of the commission according to the terms of this compact. The powers, duties, and responsibilities of the executive committee include: (i) overseeing the day-to-day activities of the administration of this compact; (i) recommending to the commission changes to the rules or bylaws, changes to this compact legislation, fees charged to compact member states, fees charged to licensees, and other fees; (iii) ensuring compact administration services are appropriately provided, including by contract; (iv) preparing and recommending the budget; (v) maintaining financial records on behalf of the commission; (vi) monitoring compact compliance of member states and providing compliance reports to the commission; (vii) establishing additional committees as necessary; (viii) exercising the powers and duties of the commission during the interim between commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the commission by rule or bylaw; and (ix) other duties as provided in the rules or bylaws of the commission. This amendment requires the executive committee to be composed of up to seven voting members as follows: (1) The chair and vice chair of the commission and any other members of the commission who serve on the executive committee must be voting members of the executive committee; (2) Other than the chair, vice chair, secretary, and treasurer, the commission must elect three voting members from the current membership of the commission; and (3) The commission may elect ex officio, nonvoting members from a recognized national cosmetology professional association as approved by the commission. The commission's bylaws must identify qualifying organizations and the manner of appointment if the number of organizations seeking to appoint an ex officio member exceeds the number of members specified. This amendment authorizes the commission to remove any member of the executive committee as provided in the commission's bylaws. This amendment requires the executive committee to meet at least annually. Annual executive committee meetings, as well as any executive committee meeting at which it does not take or intend to take formal action on a matter for which a commission vote would otherwise be required, must be open to the public, except that the executive committee may meet in a closed, non-public session of a public meeting when authorized by this amendment. The executive committee must give five business days' advance notice of its public meetings, posted on its website and as determined to provide notice to persons with an interest in the public matters the executive committee intends to address at those meetings. This amendment authorizes the executive committee to hold an emergency meeting when acting for the commission to: (i) meet an imminent threat to public health, safety, or welfare; (ii) prevent a loss of commission or member state funds; or (iii) protect public health and safety. This amendment requires the commission to adopt and provide to the member states an annual report. This amendment requires all meetings of the commission that are not closed pursuant to the below provisions to be open to the public. Notice of public meetings must be posted on the commission's website at least 30 days prior to the public meeting. The commission may convene an emergency public meeting by providing at least 24 hours' prior notice on the commission's website, and any other means as provided in the commission's rules, for any of the reasons it may dispense with notice of proposed rulemaking. The commission's legal counsel must certify that one of the reasons justifying an emergency public meeting has been met. Notice of all commission meetings must provide the time, date, and location of the meeting, and if the meeting is to be held or accessible via telecommunication, video conference, or other electronic means, the notice must include the mechanism for access to the meeting. This amendment authorizes the commission to convene in a closed, non-public meeting for the commission to discuss the following: (i) non-compliance of a member state with its obligations under the compact; (ii) the employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures; (iii) current or threatened discipline of a licensee by the commission or by a member state's licensing authority; (iv) current, threatened, or reasonably anticipated litigation; (v) negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate; (vi) accusing any person of a crime or formally censuring any person; (vii) trade secrets or commercial or financial information that is privileged or confidential; (viii) information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy; (ix) investigative records compiled for law enforcement purposes; (x) information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to this compact; (xi) legal advice; (xii) matters specifically exempted from disclosure to the public by federal or member state law; or (xiii) other matters as promulgated by the commission by rule. If a meeting, or portion of a meeting, is closed, then this amendment requires the presiding officer to state that the meeting will be closed and reference each relevant exempting provision, and such reference must be recorded in the minutes. This amendment requires the commission to keep minutes that fully and clearly describe all matters discussed in a meeting and to provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action must be identified in such minutes. All minutes and documents of a closed meeting must remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction. This amendment requires the commission to pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities. The commission may accept any and all appropriate sources of revenue, donations, and grants of money, equipment, supplies, materials, and services. The commission may levy on and collect an annual assessment from each member state and impose fees on licensees of member states to whom it grants a multistate license to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount for member states must be allocated based upon a formula that the commission must promulgate by rule. This amendment prohibits the commission from incurring obligations of any kind prior to securing the funds adequate to meet the same. This amendment also prohibits the commission from pledging the credit of any member states, except by and with the authority of the member state. This amendment requires the commission to keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission are subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review must be included in and become part of the annual report of the commission. This amendment provides that the members, officers, executive director, employees, and representatives of the commission are immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. However, nothing in these provisions protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission does not in any way compromise or limit the immunity granted hereunder. This amendment requires the commission to defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, so long as that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct. However, nothing in this compact prohibits that person from retaining their own counsel at their own expense. This amendment requires the commission to indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the

scope of commission employment, duties, or responsibilities, so long as the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person. Nothing in this compact is a limitation on the liability of any licensee for professional malpractice or misconduct, which is governed solely by any other applicable state laws. Nothing in this compact waives or otherwise abrogates a member state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation. Nothing in this compact is a waiver of sovereign immunity by the member states or by the commission. This amendment requires the commission to provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system. The commission must assign each applicant for a multistate license a unique identifier, as determined by the rules of the commission. This amendment requires a member state to submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including (i) identifying information; (ii) licensure data; (iii) adverse actions against a license and information related thereto; (iv) non-confidential information related to alternative program participation, the beginning and ending dates of such participation, and other information related to such participation; (v) any denial of application for licensure, and the reasons for such denial, excluding the reporting of any criminal history record information where prohibited by law; (vi) the existence of investigative information; (vii) the existence of current significant investigative information; and (viii) other information that may facilitate the administration of this compact or the protection of the public, as determined by the rules of the commission. This amendment provides that the records and information provided to a member state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, constitute the authenticated business records of the commission, and are entitled to any associated hearsay exception in any relevant judicial, quasi-judicial, or administrative proceedings in a member state. The existence of current significant investigative information and the existence of investigative information pertaining to a licensee in any member state must only be available to other member states. This amendment provides that it is the responsibility of the member states to monitor the database to determine whether adverse action has been taken against such a licensee or license applicant. Adverse action information pertaining to a licensee or license applicant in any member state must be available to any other member state. Member states contributing information to the data system may designate information that must not be shared with the public without the express permission of the contributing state. Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the member state contributing the information must be removed from the data system. This amendment requires the commission to promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes of this compact. A rule is invalid and has no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of this compact, or the powers granted under this compact, or based upon another applicable standard of review. The rules of the commission have the force of law in each member state. However, where the rules of the commission conflict with the laws of the member state that establish the member state's scope of practice laws governing the practice of cosmetology as held by a court of competent jurisdiction, the rules of the commission are ineffective in that state to the extent of the conflict. The commission must exercise its rulemaking powers pursuant to the criteria set forth in this amendment and the rules adopted under this amendment. Rules become binding as of the date specified by the commission for each rule. If a majority of the legislatures of the member states rejects a rule or portion of a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then this amendment provides that such rule has no further force and effect in any member state or to any state applying to participate in this compact. This amendment requires rules to be adopted at a regular or special meeting of the commission. Prior to adoption of a proposed rule, the commission must hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments. Prior to adoption of a proposed rule by the commission, and at least 30 days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission must provide a notice of proposed rulemaking: (i) on the website of the commission or other publicly accessible platform; (ii) to persons who have requested notice of the commission's notices of proposed rulemaking; and (iii) in such other ways as the commission may by rule specify. This amendment requires the notice of proposed rulemaking to include the following: (i) the time, date, and location of the public hearing at which the commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the commission will consider and vote on the proposed rule; (ii) if the hearing is held via telecommunication, video conference, or other electronic means, the commission must include the mechanism for access to the hearing in the notice of proposed rulemaking; (iii) the text of the proposed rule and the reason therefor; (iv) a request for comments on the proposed rule from any interested person; and (v) the manner in which interested persons may submit written comments. This amendment requires all hearings to be recorded. A copy of the recording and all written comments and documents received by the commission in response to the proposed rule must be available to the public. Nothing in this amendment requires a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings. This amendment requires the commission to, by majority vote of all members, take final action on the proposed rule based on the rulemaking record and the full text of the rule. The commission may adopt changes to the proposed rule; so long as the changes do not enlarge the original purpose of the proposed rule. The commission must provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters. The commission must determine a reasonable effective date for the rule. Except for an emergency, the effective date of the rule must be no sooner than 45 days after the commission issuing the notice that it adopted or amended the rule. Upon determination that an emergency exists, this amendment authorizes the commission to consider and adopt an emergency rule with five days' notice, with opportunity to comment; provided, that the usual rulemaking procedures provided in this compact must be retroactively applied to the rule as soon as reasonably possible, but in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately to: (i) meet an imminent threat to public health, safety, or welfare; (ii) prevent a loss of commission or member state funds; (iii) meet a deadline for the promulgation of a rule that is established by federal law or rule; or (iv) protect public health and safety. This amendment authorizes the commission or an authorized committee of the commission to direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions must be posted on the website of the commission. The revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, then the revision takes effect without further action. If the revision is challenged, then the revision does not take effect without the approval of the commission. This amendment provides that no member state's rulemaking requirements apply under this compact. This amendment requires the executive and judicial branches of state government in each member state to enforce this compact and take all actions necessary and appropriate to implement this compact. Venue is proper and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing in this compact affects or limits the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or such similar matter. This amendment provides that the commission is entitled to receive service of process in any proceeding regarding the enforcement or interpretation of this compact and has standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process renders a judgment or order void as to the commission, this compact, or promulgated rules. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, then this amendment requires the commission to provide written notice to the defaulting state. The notice of default must describe the default, the proposed means of curing the default, and any other action that the commission may take, and must offer training and specific technical assistance regarding the default. The commission must provide a copy of the notice of default to the other member states. If a state in default fails to cure the default, then this amendment authorizes the defaulting state to be terminated from the compact upon an affirmative vote of a majority of the delegates of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default. This amendment terminates termination of membership in the compact to be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority, and each of the member states' state licensing authority. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination. Upon the termination of a state's membership from this compact, that state must immediately provide notice to all licensees who hold a multistate license within that state of such termination. The terminated state must continue to recognize all licenses granted pursuant to this compact for a minimum 180 days after the date of said notice of termination. This amendment prohibits the commission from bearing any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. Upon request by a member state, this amendment requires the commission to attempt to resolve disputes related to the compact that arise among member states and between member and non-member states. The commission must promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate. This amendment requires the commission, in the reasonable exercise of its discretion, to enforce this compact and the commission's rules. By majority vote as provided by commission rule, the commission may initiate legal action against a member state in default in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with this compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. The remedies in this compact are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting member state's law. This amendment authorizes a member state to initiate legal action against the commission in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with this compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees. This amendment prohibits an individual or entity other than a member state from enforcing this compact against the commission. This amendment provides that the compact comes into effect on the date on which the compact statute is enacted into law in the seventh member state. On or after the effective date of the compact, this amendment requires the commission to convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different than the model compact statute. A charter member state whose enactment is found to be materially different from the model compact statute is entitled to the default process. If any member state is later found to be in default, or is terminated or withdraws from the compact, then the commission must remain in existence and the compact must remain in effect even if the number of member states is less than seven. This amendment provides that member states enacting the compact subsequent to the charter member states are subject to the process set forth in the provisions of this amendment regarding the

commission's powers to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact. All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence are considered to be actions of the commission unless specifically repudiated by the commission. Any state that joins the compact is subject to the commission's rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the day the compact becomes law in that state. This amendment authorizes any member state to withdraw from this compact by enacting a statute repealing that state's enactment of the compact. A member state's withdrawal does not take effect until 180 days after enactment of the repealing statute. Withdrawal does not affect the continuing requirement of the withdrawing state's state licensing authority to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal. Upon the enactment of a statute withdrawing from this compact, a state must immediately provide notice of such withdrawal to all licensees within that state. Such withdrawing state must continue to recognize all licenses granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal. Nothing in this compact invalidates or prevents any licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with this compact. This amendment authorizes this compact to be amended by the member states. No amendment to this compact becomes effective and binding upon any member state until it is enacted into the laws of all member states. This amendment requires this compact and the commission's rulemaking authority to be liberally construed so as to effectuate the purposes and the implementation and administration of this compact. Provisions of this compact expressly authorizing or requiring the promulgation of rules do not limit the commission's rulemaking authority solely for those purposes. This amendment provides that the provisions of this compact are severable and, if any phrase, clause, sentence, or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any member state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held to be unconstitutional by a court of competent jurisdiction, then the validity of the remainder of this compact and the applicability thereof to any other government, agency, person, or circumstance must not be affected thereby. This amendment authorizes the commission to deny a state's participation in this compact or terminate a member state's participation in this compact, if it determines that a constitutional requirement of a member state is a material departure from this compact. Otherwise, if this compact is held to be contrary to the constitution of any member state, then the compact must remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters. This amendment provides that nothing in this compact prevents or inhibits the enforcement of any other law of a member state that is not inconsistent with this compact. Any laws, statutes, regulations, or other legal requirements in a member state in conflict with this compact are superseded to the extent of the conflict. All permissible agreements between the commission and the member states are binding in accordance with their terms. Present law requires any person who desires a license to instruct in a school to submit an application for examination to the board on the prescribed form. The application must be accompanied by satisfactory proof that the applicant has been licensed as a cosmetologist, aesthetician, manicurist, or natural hair stylist for at least three continuous years. This amendment revises the present law and requires satisfactory proof that the applicant has been licensed as a cosmetologist, aesthetician, manicurist, or natural hair stylist at least three years, instead of three continuous years. Present law requires an application for examination to the state board of cosmetology and barber examiners to be accompanied by proof that the applicant has received a high school diploma or, in lieu of a high school diploma, has received a high school equivalency credential approved by the state board of education. This amendment deletes this provision. Present law authorizes a barbering school to only enroll a student who: (i) is at least 16; and (ii) has completed and passed at least two years of high school or received a score of at least 38 percent on the GED(R) or HiSET(R) examination. This amendment deletes (ii) above from the present law. Present law requires the board to issue a certificate of registration as a barber instructor to a person who, among other things, holds a valid certificate of registration as a master barber and has been duly registered as a master barber for a period of at least three consecutive years prior to filing an application to be an instructor. This amendment revises the present law by no longer requiring the three years to be consecutive. Present law also requires the board to issue a certificate of registration as a barber instructor to a person who has completed the twelfth grade in an accredited school or the equivalent. This amendment deletes this provision. Present law authorizes a certificate of registration for a master barber that has been expired for more than one year but less than three years to be reinstated upon payment of twice the fees that would have been collected for the timely and continuous renewal of the certificate. This amendment revises the present law by, instead, authorizing a certificate of registration for a master barber that has been expired for more than one year but less than three years to be reinstated upon payment of a penalty fee as set by the board. Present law requires an application to practice manicuring application to be accompanied by satisfactory proof that the applicant is a high school graduate, evidenced by a certificate or diploma, or possesses a high school equivalency credential approved by the state board of education. This amendment deletes this provision. Present law authorizes a cosmetology school to enroll only a student who (i) has attained the age of at least 16; and (ii) has completed and passed at least two years of high school or received at least a score of 38 percent on the GED(R) or HiSET(R) examination. Public and vocational schools are exempt from this provision. This amendment deletes (ii) above. This amendment authorizes the department of commerce and insurance, in consultation with the state board of cosmetology and barber examiners, to promulgate to implement this amendment. This amendment requires the chair of the state board of cosmetology and barber examiners to notify the chair of the government operations committee of the senate, the chair of the government operations committee of the house of representatives, and the revisor of statutes in the general assembly's office of legal services within 30 days of the date the compact comes into effect. Senate amendment 2 (015562) exempts public schools and vocational schools from the (Dated February 20, 2024) NOT SIGNIFICANT

Fiscal Note:

Senate Status: 03/25/24 - Senate passed with amendment 1 (014816) and amendment 2 (015562).

House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Requires a holder of a certificate of registration to notify the state board of cosmetology and barber examiners within 35 days, instead of 30 days, of a change to the certificate holder's mailing address. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 49 and Title 62, relative to professions.

PROPERTY & HOUSING

SB234/HB528 PROPERTY & HOUSING: Number of times an entity is permitted to contact property owner to make an unsolicited offer.

Sponsors: Sen. Oliver, Charlane , Rep. Thompson, Dwayne

Summary: Limits the number of times that a real estate developer, business entity, or individual working on behalf of the developer or business entity is permitted to contact a property owner to make an unsolicited offer to buy the property owner's property. Allows a property owner who believes a developer has violated the limitation to submit a complaint to the consumer affairs division in the office of the attorney general. Adds additional requirements and penalties for a violation. Broadly captioned.

Amendment Summary: Senate amendment 1 (005363) limits, to one time in a calendar year, the number of times that a person is permitted to contact a property owner to make an unsolicited offer to buy the property owner's property. Requires a person to provide the property owner with specified contact information prior to making an unsolicited offer. Authorizes a property owner who believes a person has violated the limitation to submit a complaint to the Consumer Affairs Division in the Office of the Attorney General (AG). Requires the AG to begin investigating a complaint within 20 business days from the date the complaint is submitted, provide written notice of the investigation to the property owner and send written notice to the property owner upon completion of the review describing the findings of the review, including whether the individual who contacted the property owner is a licensed real estate agent, and the actions, if any, as a result of the findings. Authorizes a court to assess a fine up to \$1,500 per violation as well as other reasonable costs and expense. Establishes this legislation does not apply to an individual who is licensed as a real estate agent in the state in which the real property about which the individual contacted the property owner is located. House Banking & Consumer Affairs Subcommittee amendment 1 (013332) limits, to one time in a calendar year, the number of times that a person is permitted to contact a property owner to make an unsolicited offer to buy the property owner's property. Requires a person to provide the property owner with specified contact information prior to making an unsolicited offer. Establishes that if contact between a person and a property owner is part of an ongoing negotiation between the person and the property owner, such contact is not an unsolicited request until the property owner states that the property owner does not want to continue the negotiations, or, in the case of negotiations occurring through text message, writes that the property owner does not want to continue negotiations. Requires a person who makes an offer to purchase a property owner's property to offer to provide the appraised value of the property or encourage the property owner to obtain an appraisal prior to deciding whether to accept the person's offer. Authorizes a property owner who believes a person has violated the limitation to submit a complaint to the Consumer Affairs Division in the Office of the Attorney General (AG). Requires the AG to begin investigating a complaint within 20 business days from the date the complaint is submitted, provide written notice of the investigation to the property owner and send written notice to the property owner upon completion of the review describing the findings of the review, including whether the individual who contacted the property owner is a licensed real estate agent, and the actions, if any, as a result of the findings. Authorizes a court to assess a fine up to \$1,500 per violation as well as other reasonable costs and expense. Establishes this legislation does not apply to an individual who is licensed as a real estate agent in the state in which the real property about which the individual contacted the property owner is located.

Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT

Senate Status: 03/20/23 - Senate passed with amendment 1 (005363).

House Status: 03/19/24 - Failed in House Banking & Consumer Affairs Subcommittee.

Summary Or State Summary: Limits the number of times that a real estate developer, business entity, or individual working on behalf of the developer or business entity is permitted to contact a property owner to make an unsolicited offer to buy the property owner's property. Allows a property owner who believes a developer has violated the limitation to submit a complaint to the consumer affairs division in the office of the attorney general. Adds additional requirements and penalties for a violation. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 33, Part 2; Title 47 and Title 66, relative to consumer protection.

SB337/HB97 PROPERTY & HOUSING: Establishes a property fraud alert program.

Sponsors: Sen. Oliver, Charlane , Rep. Hardaway, G.A.

Summary: Requires each county office of register of deeds to offer a no-cost property fraud alert program to property owners. Stipulates that the program must allow property owners to register the property owner's name and address and must notify property owners when a document is recorded with this information. Provides that the county office of register of deeds is only required to provide this program if the county's legislative body appropriates funds to pay the full cost of the program. Creates a Class D felony for unlawfully drawing property transfer documents without interest in the property but clarifies that penalties for violations may only be applied to prohibited conduct on or after July 1, 2023.

Fiscal Note: (Dated February 17, 2023) Increase Local Expenditures \$6,000/FY23-24/Permissive \$800/FY24-25 and Subsequent Years/Permissive

Senate Status: 03/28/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/22/23 - House Property & Planning Subcommittee deferred to first calendar of 2025.

Summary Or State Summary: Requires each county office of register of deeds to offer a no-cost property fraud alert program to property owners. Stipulates that the program must allow property owners to register the property owner's name and address and must notify property owners when a document is recorded with this information. Provides that the county office of register of deeds is only required to provide this program if the county's legislative body appropriates funds to pay the full cost of the program. Creates a Class D felony for unlawfully drawing property transfer documents without interest in the property but clarifies that penalties for violations may only be applied to prohibited conduct on or after July 1, 2023.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 13; Title 35; Title 39, Chapter 17; Title 45; Title 47; Title 66 and Section 67-4-409, relative to property.

SB427/HB476 **PROPERTY & HOUSING: Historic zoning commission recommendations.**

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

Summary: Requires that the recommendations submitted by a regional historic zoning commission to a county or municipal legislative body regarding the creation of a historic district or zone identify the statutory criteria or criterion met by the proposed historic zone or district. Broadly captioned.

Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT

Senate Status: 01/26/23 - Referred to Senate State & Local Government Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Requires that the recommendations submitted by a regional historic zoning commission to a county or municipal legislative body regarding the creation of a historic district or zone identify the statutory criteria or criterion met by the proposed historic zone or district. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 12; Title 13; Title 66 and Title 67, relative to land use regulation.

SB490/HB560 **PROPERTY & HOUSING: Private Property Protection Act.**

Sponsors: Sen. Stevens, John , Rep. Todd, Chris

Summary: Provides a method for a property owner to seek just compensation for a diminution in value of the property caused by the enactment or enforcement of land use regulations on the property.

Fiscal Note: (Dated January 31, 2023) Increase Local Expenditures Exceeds \$10,000/FY23-24 and Subsequent Years* Other Fiscal Impact Due to multiple unknown factors, the extent of any additional impacts on local government revenue and expenditures cannot be reasonably determined.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

House Status: 02/08/23 - Referred to House Civil Justice Subcommittee.

Summary Or State Summary: Provides a method for a property owner to seek just compensation for a diminution in value of the property caused by the enactment or enforcement of land use regulations on the property.

Caption: AN ACT to amend Tennessee Code Annotated, Title 29, relative to compensation for the diminution in value of private property.

SB642/HB833 **PROPERTY & HOUSING: Manufactured home connection to septic system.**

Sponsors: Sen. Powers, Bill , Rep. Burkhart, Jeff

Summary: Requires an affidavit of affixation for a manufactured home affixed to a parcel of real property to contain a statement that the manufactured home is permanently connected to a functioning septic system, not just a septic system. Broadly captioned.

Fiscal Note: (Dated March 8, 2023) NOT SIGNIFICANT

Senate Status: 03/20/23 - Senate Commerce & Labor Committee deferred to the first calendar of 2024.

House Status: 03/21/23 - House Agriculture & Natural Resources Subcommittee deferred to 2024.

Summary Or State Summary: Requires an affidavit of affixation for a manufactured home affixed to a parcel of real property to contain a statement that the manufactured home is permanently connected to a functioning septic system, not just a septic system. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 47; Title 55; Title 66; Title 68 and Title 69, Chapter 3, relative to septic systems.

SB658/HB623 **PROPERTY & HOUSING: Discloser of sinkholes on properties.**

Sponsors: Sen. Pody, Mark , Rep. Jernigan, Darren

Summary: Specifies that a seller of residential property is required to disclose the presence of a known sinkhole on the property prior to entering into a contract with a buyer regardless of whether the sinkhole is indicated through the contour lines on the property's recorded plat map.

Amendment Summary: Senate amendment 1 (011610) changes the date from July 1, 2023, to July 1, 2024.

Fiscal Note: (Dated February 16, 2023) NOT SIGNIFICANT

Senate Status: 02/05/24 - Signed by Senate speaker.

House Status: 01/31/24 - Signed by House speaker.

Executive Status: 03/15/24 - Enacted as Public Chapter 0510 effective July 1, 2024.

Summary Or State Summary: Specifies that a seller of residential property is required to disclose the presence of a known sinkhole on the property prior to entering into a contract with a buyer regardless of whether the sinkhole is indicated through the contour lines on the property's recorded plat map.

Caption: AN ACT to amend Tennessee Code Annotated, Title 56 and Title 66, relative to sinkholes.

SB732/HB733 **PROPERTY & HOUSING: Directory of brokers licensed by TN real estate commission on commission website.**

Sponsors: Sen. Rose, Paul , Rep. Rudd, Tim

Summary: Requires the Tennessee real estate commission to provide on its website at no cost to users any directory of all brokers and affiliate brokers licensed by the commission if the commission publishes such a directory. Broadly captioned.

Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Requires the Tennessee real estate commission to provide on its website at no cost to users any directory of all brokers and affiliate brokers licensed by the commission if the commission publishes such a directory. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 62 and Title 66, relative to real estate.

SB795/HB1259 **PROPERTY & HOUSING: Transfer of a possibility of reverter or right of entry by a holder other than the original grantor.**

Sponsors: Sen. Gardenhire, Todd , Rep. Rudd, Tim

Summary: Removes ambiguous language and clarifies that a transfer of a possibility of reverter or right of entry by a holder other than the original grantor is invalid unless the validity of the future interest was determined by a final judgment in a judicial proceeding, or by a settlement among interested persons, prior to July 1, 2015. Broadly captioned.

Amendment Summary: Senate amendment 1 (003741) clarifies that a tenancy by the entirety in real property cannot be assigned or severed, or a spouse's interest in a real property conveyed, to a third party without the written consent of both spouses or a court order. House Civil Justice Committee amendment 1 (017426) establishes a process by which a property owner may file a complaint to request the sheriff remove an unlawful occupant of a residential dwelling under certain conditions. Requires the sheriff to: (1) investigate the complaint; and (2) serve a notice to immediately vacate on all unlawful occupants. Authorizes the sheriff to arrest any person in the dwelling for trespass, outstanding warrants, or any other legal cause. Entitles the sheriff to a fee for service of the notice to immediately vacate and authorizes the sheriff to charge a reasonable hourly rate should the property owner request the sheriff to be on standby as the locks are changed and an unlawful occupant's personal property is removed. Authorizes a person to bring a civil action if they are wrongfully removed from a dwelling and requires the court to expedite such hearing.

Fiscal Note: (Dated February 16, 2023) NOT SIGNIFICANT

Senate Status: 02/27/23 - Senate passed with amendment 1 (003741).

House Status: 04/10/24 - House deferred to next available calendar.
Summary Or State: Removes ambiguous language and clarifies that a transfer of a possibility of reverter or right of entry by a holder other than the original grantor is invalid unless the validity of the future interest was determined by a final judgment in a judicial proceeding, or by a settlement among interested persons, prior to July 1, 2015. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 29 and Title 66, relative to real property.

SB954/HB674 PROPERTY & HOUSING: TACIR study on gated neighborhoods related to crime.

Sponsors: Sen. Johnson, Jack , Rep. Bulso, Gino
Summary: Requires the Tennessee advisory commission on intergovernmental relations (TACIR) to perform a study of the deterrent effect of gates blocking ingress and egress into communities as it relates to the rates of neighborhood crimes. Requires the study to be submitted to the general assembly no later than December 31, 2023.
Amendment Summary: House Property & Planning Subcommittee amendment 1 (005734) rewrites the bill and applies to gated communities in counties with populations in excess of 247,000 people according to the 2020 U.S. census. Requires HOAs in such gated communities to conduct a security assessment every three years and to report its findings. Requires the HOA to notify homeowners in gated communities of crimes committed within the gated community within seven days of an incident. Senate Judiciary Committee amendment 1 (006289) requires certain homeowner's associations (HOAs) to obtain a written assessment of the subdivision's security vulnerabilities and to provide each household in the subdivision with a copy of the assessment, on or before July 1, 2024, and every three years thereafter. Requires such HOAs to notify each household in the subdivision of any crime committed or reported within the subdivision.
Fiscal Note: (Dated March 16, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Senate Judiciary Committee recommended with amendment 1 (006289). Sent to Senate Calendar Committee.
House Status: 03/22/23 - Failed in House Property & Planning Subcommittee after adopting 1 (005734).
Summary Or State: Requires the Tennessee advisory commission on intergovernmental relations (TACIR) to perform a study of the deterrent effect of gates blocking ingress and egress into communities as it relates to the rates of neighborhood crimes. Requires the study to be submitted to the general assembly no later than December 31, 2023.
Caption: AN ACT to amend Tennessee Code Annotated, Title 38; Title 39; Title 66 and Title 68, relative to gated communities.

SB1000/HB1046 PROPERTY & HOUSING: THDA - votes required to approve the operation of financial assistance programs.

Sponsors: Sen. Yager, Ken , Rep. Vaughan, Kevin
Summary: Decreases, from nine to eight, the number of affirmative votes required by members of the Tennessee Housing Development Agency's board of directors in order for the agency to approve the operation of its financial assistance programs, which support the financing of residential housing construction for lower and moderate income persons and families. Broadly captioned.
Amendment Summary: Senate State & Local Government Committee amendment 1, House Local Government Committee amendment 1 (006168) creates the Tennessee Rural and Workforce Housing Act. Authorizes the owner of a qualified project to claim a tax credit (credit) against a taxpayer liability for a state fee, premium, tax or other charge in an amount not to exceed the federal housing tax credit for which the qualified project received. Defines a qualified project as a low-income building located in this state and placed in service after January 1, 2025, that receives a federal housing tax credit allocation from the Tennessee Housing Development Agency (THDA). Authorizes the credit to be allocated among partners, members, or shareholders of the business entity or association owning a qualified project regardless of whether such business entities or associations are allocated or allowed any portion of the federal housing tax credit with respect to the qualified project. Prohibits the credit amount from exceeding the amount of the taxpayer's liability. Authorizes any unused tax credit to be carried forward to the taxpayer's next five years of liability but prohibits the credit from applying against prior tax years. Requires the credit amount allocated to such owners of a qualified project to equal the proportion the taxpayer received for the federal housing tax credit. Prohibits the total credit amount allocated in any fiscal year from exceeding \$17,000,000 plus the total of all unallocated credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated. Requires THDA to create rules and operate the new credit program and requires the THDA to allocate the credit to promote the highest value for greatest public benefit, provided that at least 50 percent of the credits are allocated to qualified projects in an eligible rural area as designated by the United States Department of Agriculture.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/17/23 - House Government Operations Committee recommended. Sent to House Finance.
Summary Or State: Decreases, from nine to eight, the number of affirmative votes required by members of the Tennessee Housing Development Agency's board of directors in order for the agency to approve the operation of its financial assistance programs, which support the financing of residential housing construction for lower and moderate income persons and families. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 53; Title 13; Title 48, Chapter 101, Part 3; Title 56 and Title 67, relative to housing.

SB1030/HB35 PROPERTY & HOUSING: Notice to HOAs regarding transfer of ownership of property.

Sponsors: Sen. Yarbro, Jeff , Rep. Thompson, Dwayne
Summary: Increases, from 30 to 35, the number of business days a business entity that owns residential property in this state that is subject to a declaration has to send to the homeowners' association a change in contact information for the business entity or a transfer of the ownership interest in the residential property. Broadly captioned.
Fiscal Note: (Dated January 12, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/12/23 - Caption bill held on House clerk's desk.
Summary Or State: Increases, from 30 to 35, the number of business days a business entity that owns residential property in this state that is subject to a declaration has to send to the homeowners' association a change in contact information for the business entity or a transfer of the ownership interest in the residential property. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 48 and Title 66, relative to homeowners' associations.

SB1082/HB1344 PROPERTY & HOUSING: Preparing and filing deed for the conveyance of real property.

Sponsors: Sen. Kyle, Sara ,
Summary: Requires that a deed for the conveyance of real property be prepared and filed by a licensed attorney, title insurance agent, or the owner of the property. Requires the county register to verify that an affidavit on a deed of conveyance of real property was duly signed and notarized stating under oath the name and address of the preparer. Requires the register to refuse to register any deed of conveyance of a real property that is not prepared by a licensed attorney, title insurance agent, or the owner of the real property. Broadly captioned.
Fiscal Note: (Dated March 16, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Property & Planning Subcommittee.
Summary Or State: Requires that a deed for the conveyance of real property be prepared and filed by a licensed attorney, title insurance agent, or the owner of the property. Requires the county register to verify that an affidavit on a deed of conveyance of real property was duly signed and notarized stating under oath the name and address of the preparer. Requires the register to refuse to register any deed of conveyance of a real property that is not prepared by a licensed attorney, title insurance agent, or the owner of the real property. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 13; Title 23, Chapter 3; Title 66, Chapter 5, Part 1 and Title 66, Chapter 24, relative to conveyances of real property.

SB1128/HB1240 PROPERTY & HOUSING: Notice required prior to enacting a zoning ordinance.

Sponsors: Sen. Campbell, Heidi , Rep. Jernigan, Darren
Summary: Requires the chief legislative body of a municipality, before enacting a zoning ordinance or any amendment thereto, to publish notice of the public hearing to consider the ordinance or amendment on its website, if available, at least 15 days in advance of the hearing. Broadly captioned.
Fiscal Note: (Dated March 19, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State: Requires the chief legislative body of a municipality, before enacting a zoning ordinance or any amendment thereto, to publish notice of the public hearing to consider the ordinance or amendment on its website, if available, at least 15 days in advance of the hearing. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13, relative to zoning.

SB1137/HB1229 PROPERTY & HOUSING: Notifications to THDA related to metro government that creates escrow account to provide funding for low income housing.

Sponsors: Sen. Oliver, Charlane , Rep. Hemmer, Caleb
Summary: Requires a county having a metropolitan form of government that creates a special escrow account earmarked for the sole purpose of generating revenue to provide low income persons with safe and affordable housing to notify the Tennessee housing development agency and the chairs of the local government committee of the house of representatives and the state and local government committee of the senate. Broadly captioned.

Amendment Summary: Senate State & Local Government Committee amendment 1, House Property & Planning Subcommittee amendment 1 (015287) allows for a municipality to aid or otherwise provide assistance to a corporation, including without limitation, by granting, contributing, or pledging to or for the benefit of the corporation revenues from any source except revenues from ad valorem property taxes, for a portion of any project owned by the corporation and consists of any multifamily housing facility to be occupied by persons of low or moderate income, elderly, or handicapped persons for such term or terms and upon such conditions as may be determined by the governing body of the municipality. House Local Government Committee amendment 1 (017688) rewrites the bill and creates a new section regarding operations and powers of industrial development corporations. Grants municipalities the right to aid or provide assistance to corporations by pledging revenues to corporations except revenues derived from property taxes or portion of taxes for a project owned by the corporation. Sets requirements for associations to create a plan for assistance to submit to the comptroller. A plan is deemed approved if the written determination of the comptroller is not rendered within 60 days of the comptroller's receipt. This act takes effect upon becoming a law.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 03/28/24 - Re-referred to Senate Calendar Committee.
House Status: 04/10/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Requires a county having a metropolitan form of government that creates a special escrow account earmarked for the sole purpose of generating revenue to provide low income persons with safe and affordable housing to notify the Tennessee housing development agency and the chairs of the local government committee of the house of representatives and the state and local government committee of the senate. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13, Chapter 23; Title 48, Chapter 101, Part 9; Title 67, Chapter 5 and Section 67-4-409, relative to real property.

SB1184/HB1116 PROPERTY & HOUSING: Fee requirement for the transfer of real property within communities governed by certain nonprofit property owners' associations.

Sponsors: Sen. Swann, Art , Rep. Russell, Lowell
Summary: Requires payment of a \$2,500 fee for the transfer of real property located within communities governed by certain nonprofit property owners' associations. Adds other related requirements including fee collection, reporting, and how to use the collected fees.

Fiscal Note: (Dated March 30, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Property & Planning Subcommittee.
Summary Or State Summary: Requires payment of a \$2,500 fee for the transfer of real property located within communities governed by certain nonprofit property owners' associations. Adds other related requirements including fee collection, reporting, and how to use the collected fees.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8 and Title 66, relative to the transfer of real property.

SB1188/HB171 PROPERTY & HOUSING: Fuel Gas Detector Act.

Sponsors: Sen. Lamar, London , Rep. Chism, Jesse
Summary: Enacts the "Fuel Gas Detector Act." Requires a building owner to install or cause to be installed 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 any residential property under a lease agreement and intended for single-family use. Specifies penalties for violations of this Act (10 pp.).

Fiscal Note: (Dated March 10, 2024) Increase State Expenditures \$29,200/FY24-25/Locally Governed Institutions \$17,500/FY24-25/University of Tennessee System
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 03/12/24 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Enacts the "Fuel Gas Detector Act." Requires a building owner to install or cause to be installed 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 any residential property under a lease agreement and intended for single-family use. Specifies penalties for violations of this Act (10 pp.).
Caption: AN ACT to amend Tennessee Code Annotated, Title 47; Title 49; Title 66 and Title 68, relative to building safety.

SB1201/HB1276 PROPERTY & HOUSING: Circumstances under which a contractor can seek early release of a retainage.

Sponsors: Sen. Johnson, Jack , Rep. Boyd, Clark
Summary: Specifies circumstances under which a contractor can seek early release of a retainage held by a party with which the contractor has a written contract. Makes other changes related to retainages for contractors including permits, use of, or ability to use, the remote contractor's work, and certificate of substantial completion. Broadly captioned.

Amendment Summary: Senate Commerce & Labor Committee amendment 1 (006120) revises various provisions related to retainage in contracts. Effective January 1, 2024. Applies to contracts entered into, amended, or renewed on or after that date. Senate Commerce & Labor Committee amendment 2 (016068) introduces stricter regulations regarding the withholding and release of retainage funds in construction contracts. Owners who fail to release retained funds as required will be liable to pay an additional \$500 per day as damages after the ninetieth day of the specified events outlined in the subsection. Prime contractors or remote contractors must pay a similar penalty if they fail to release retained funds within ten days of receipt, accruing from the tenth day after receipt. These provisions are enacted immediately upon becoming law and apply to contracts executed, amended, or renewed thereafter, aiming to ensure prompt and fair payment practices within the construction industry in Tennessee. House Commerce Committee amendment 1 (013935) increases, from \$300 per day to \$500 per day, the amount required to be paid as damages by a party to a contract that is withholding retained funds to the owner of the retained funds, for failing to deposit the funds into an escrow account in accordance with state law. Requires a party that is withholding retained funds in accordance with a contract and fails to pay or otherwise release the retainage as required, to pay each owner of the retained funds an additional \$500 per day as damages for each day that the retained funds are not paid or otherwise released. Requires a prime or remote contractor that fails to pay or otherwise release retained funds within 10 days after receipt to pay each owner of the retained funds an additional \$500 per day as damages for each day that the funds are withheld after the tenth day of the contractor's receipt of the retainage. Specifies when damages begin to accrue for these provisions. Effective upon becoming a law. Applies to contracts entered into, amended, or renewed after the act takes effect.

Fiscal Note: (Dated March 9, 2023) NOT SIGNIFICANT
Senate Status: 03/21/24 - Re-referred to Senate Calendar Committee.
House Status: 04/09/24 - Returned to House clerk's desk.
Summary Or State Summary: Specifies circumstances under which a contractor can seek early release of a retainage held by a party with which the contractor has a written contract. Makes other changes related to retainages for contractors including permits, use of, or ability to use, the remote contractor's work, and certificate of substantial completion. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 15 and Title 66, relative to retainages.

SB1256/HB34 PROPERTY & HOUSING: Shelby County - landlord registration.

Sponsors: Sen. Akbari, Raumesh , Rep. Thompson, Dwayne
Summary: Requires residential landlords in Shelby County to furnish certain information to the agency or department of local government that is responsible for enforcing building codes in the jurisdiction where the dwelling units are located.

Fiscal Note: (Dated March 1, 2023) Increase Local Revenue \$27,300/FY23-24 and Subsequent Years/Permissive/Shelby County
Senate Status: 03/19/24 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 03/12/24 - Failed in House Business & Utilities Subcommittee.
Summary Or State Summary: Requires residential landlords in Shelby County to furnish certain information to the agency or department of local government that is responsible for enforcing building codes in the jurisdiction where the dwelling units are located.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 28, relative to landlord registration.

SB1276/HB1305 PROPERTY & HOUSING: Landlord disclosures to residential tenants.

Sponsors: Sen. Yarbrow, Jeff , Rep. Thompson, Dwayne
Summary: Requires a landlord, or another person authorized to enter into a rental agreement on the landlord's behalf, to disclose to a residential tenant certain contact information for the agent authorized to manage the premises and an owner of the premises, or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands.

Amendment Summary: House Business & Utilities Subcommittee amendment 1 (006178) requires a landlord, or another person authorized to enter into a rental agreement on the landlord's behalf, to disclose certain information to a residential tenant. Authorizes a tenant who requests such information in writing to bring a cause of action if the information is not provided within 10 days of the tenant submitting the request. Requires the court to order the information be provided and award the tenant reasonable costs and attorneys' fees, if the court finds that the landlord or the landlord's agent failed to comply.

Fiscal Note: (Dated March 9, 2023) NOT SIGNIFICANT

Senate Status: 03/21/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/21/23 - Failed in House Business & Utilities Subcommittee after adopting amendment 1 (006178).

Summary Or State Summary: Requires a landlord, or another person authorized to enter into a rental agreement on the landlord's behalf, to disclose to a residential tenant certain contact information for the agent authorized to manage the premises and an owner of the premises, or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands.

Caption: AN ACT to amend Tennessee Code Annotated, Title 66, relative to landlord obligations.

SB1296/HB52 PROPERTY & HOUSING: Notice requirement for land surveyors conducting boundary surveys.

Sponsors: Sen. Bailey, Paul , Rep. Hale, Michael

Summary: Expands notice requirement for land surveyors conducting boundary surveys by requiring them to notify all adjoining landowners of the survey rather than just when the surveyor discovers or reasonably should have discovered discrepancies between the deed descriptions of the adjoining owners. Specifies that notice be sent by certified mail to the current address used for mailing property tax notices within five business days of the completion of the survey.

Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT

Senate Status: 03/20/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/21/23 - Taken off notice in House Business & Utilities Subcommittee.

Summary Or State Summary: Expands notice requirement for land surveyors conducting boundary surveys by requiring them to notify all adjoining landowners of the survey rather than just when the surveyor discovers or reasonably should have discovered discrepancies between the deed descriptions of the adjoining owners. Specifies that notice be sent by certified mail to the current address used for mailing property tax notices within five business days of the completion of the survey.

Caption: AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 18, Part 1, relative to land surveyors.

SB1324/HB1355 PROPERTY & HOUSING: Public notice requirements for a foreclosure sale of real property.

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

Summary: Updates requirements regarding public notice for a foreclosure sale of real property, including a requirement that public notice is posted on the secretary of state's website.

Fiscal Note: (Dated February 9, 2023) Increase State Revenue \$488,900/FY23-24 \$977,800/FY24-25 and Subsequent Years Increase State Expenditures \$146,000/FY23-24 \$56,000/FY24-25 and Subsequent Years

Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 04/05/23 - Returned to House clerk's desk.

Summary Or State Summary: Updates requirements regarding public notice for a foreclosure sale of real property, including a requirement that public notice is posted on the secretary of state's website.

Caption: AN ACT to amend Tennessee Code Annotated, Title 35, relative to foreclosure sales.

SB1646/HB2047 PROPERTY & HOUSING: Former public officials may contest liens on real property.

Sponsors: Sen. Massey, Becky , Rep. Carringer, Michele

Summary: Adds former public officials to the list of officials who may contest liens on real property believed to lack any legal basis.

Fiscal Note: (Dated January 18, 2024) NOT SIGNIFICANT

Senate Status: 03/28/24 - Senate passed.

House Status: 04/04/24 - Signed by House speaker.

Executive Status: 03/28/24 - Sent to the speakers for signatures.

Summary Or State Summary: Adds former public officials to the list of officials who may contest liens on real property believed to lack any legal basis.

Caption: AN ACT to amend Tennessee Code Annotated, Section 47-9-513 and Title 66, Chapter 21, Part 1, relative to real property interests.

SB1659/HB2054 PROPERTY & HOUSING: Increase in acreage for tax jurisdiction purposes.

Sponsors: Sen. Walley, Page , Rep. Eldridge, Rick

Summary: Increases from 1,500 to 5,000 the number of acres of land that may be placed within one property tax jurisdiction for purposes of classification and assessment as agricultural, forest, or open space land. Increases from 1,500 to 5,000 the maximum acreage available to a real property owner that may be classified as forest or open space land.

Amendment Summary: House Local Government Committee amendment 1 (014703) increases from 1,500 to 3,000 the number of acres of land that may be placed within one property tax jurisdiction for purposes of classification and assessment as agricultural, forest, or open space land. Increases from 1,500 to 3,000 the maximum acreage available to a real property owner that may be classified as forest or open space land.

Fiscal Note: (Dated January 17, 2024) Decrease Local Revenue Exceeds \$3,000,000/FY25-26 and Subsequent Years

Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.

House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Increases from 1,500 to 5,000 the number of acres of land that may be placed within one property tax jurisdiction for purposes of classification and assessment as agricultural, forest, or open space land. Increases from 1,500 to 5,000 the maximum acreage available to a real property owner that may be classified as forest or open space land.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property taxes.

SB1694/HB1814 PROPERTY & HOUSING: Disclosure of information to residential tenant by landlord.

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

Summary: Requires a landlord, or another person authorized to enter into a rental agreement on the landlord's behalf, to disclose to a residential tenant certain contact information for the agent authorized to manage the premises and an owner of the premises, or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands. Broadly captioned.

Amendment Summary: House amendment 1 (017502) rewrites the bill to, instead, require the landlord, or a person authorized to enter into a rental agreement on the landlord's behalf, to disclose to the tenant in writing at or before the commencement of the tenancy the following: (1) The name and address of (i) the agent authorized to manage the premises, which may include a third-party management company; and (ii) an owner of the premises or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands; and (2) A telephone number or electronic mail address for maintenance services; or an online portal system designed for landlord-tenant communication. Senate Commerce & Labor Committee amendment 1 (015380) requires a landlord, or any person authorized to enter into a rental agreement on the landlord's behalf, to disclose certain contact information and means of communication to a residential tenant at or prior to commencement of tenancy.

Fiscal Note: (Dated January 27, 2024) NOT SIGNIFICANT

Senate Status: 04/11/24 - Senate deferred to 4/15/2024.

House Status: 04/11/24 - House passed with amendment 1 (017502), which rewrites the bill to, instead, require the landlord, or a person authorized to enter into a rental agreement on the landlord's behalf, to disclose to the tenant in writing at or before the commencement of the tenancy the following: (1) The name and address of (i) the agent authorized to manage the premises, which may include a third-party management company; and (ii) an owner of the premises or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands; and (2) A telephone number or electronic mail address for maintenance services; or an online portal system designed for landlord-tenant communication.

Summary Or State Summary: Requires a landlord, or another person authorized to enter into a rental agreement on the landlord's behalf, to disclose to a residential tenant certain contact information for the agent authorized to manage the premises and an owner of the premises, or a person or agent authorized to act for and on behalf of the owner for the acceptance of service of process and for receipt of notices and demands. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 66, relative to landlord obligations.

SB1761/HB1850 PROPERTY & HOUSING: Regulation by counties to prohibit gardens, chickens, and rabbits on single-family residential lots.

Sponsors: Sen. Niceley, Frank , Rep. Reedy, Jay
Summary: Prohibits counties and municipalities from adopting or enforcing a regulation that prohibits the growing of fruits and vegetables or the raising or keeping of six or fewer chickens or six or fewer adult rabbits on a single-family residential lot. Broadly captioned.
Amendment Summary: House Local Government Committee amendment 1 (016268) excludes condominium associations, co-ops, homeowners' associations, and other similar entities organized by restrictive covenants and governing documents from the bill.
Fiscal Note: (Dated March 14, 2024) NOT SIGNIFICANT
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/26/24 - House Local Government Committee deferred to summer study after adopting amendment 1 (016268).
Summary Or State Summary: Prohibits counties and municipalities from adopting or enforcing a regulation that prohibits the growing of fruits and vegetables or the raising or keeping of six or fewer chickens or six or fewer adult rabbits on a single-family residential lot. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13 and Title 43, relative to the regulation of food production.

SB1889/HB1849 PROPERTY & HOUSING: THDA reports on info relating to grants, tax credits, and other funds distributed through the authority.

Sponsors: Sen. Oliver, Charlane , Rep. Parkinson, Antonio
Summary: Requires THDA to report quarterly to each member of the general assembly information relating to grants, tax credits, and other funds distributed through the authority, the resources utilized by the authority to facilitate such distributions, and information relating to mechanisms by which the public may apply for and access such distributions. Broadly captioned.
Fiscal Note: (Dated January 15, 2024) NOT SIGNIFICANT
Senate Status: 01/29/24 - Referred to Senate State & Local Government Committee.
House Status: 02/14/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Requires THDA to report quarterly to each member of the general assembly information relating to grants, tax credits, and other funds distributed through the authority, the resources utilized by the authority to facilitate such distributions, and information relating to mechanisms by which the public may apply for and access such distributions. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 6, Chapter 58; Title 9 and Title 13, Chapter 20, relative to the Tennessee housing development authority.

SB1893/HB2025 PROPERTY & HOUSING: Residential Rental Fee Transparency and Junk Fee Prohibition Act

Sponsors: Sen. Oliver, Charlane , Rep. Clemmons, John
Summary: Requires a landlord, leasing company, or management company to disclose all fees charges in addition to the rent during a billing cycle and whether the residential property landlord accepts reusable screening reports prior to the prospective tenant's submission of an application. Creates requirements for an individual to use a reusable tenant screening report in an application for residential rental property. Makes other changes related to the disclosure and charging of fees in connection with residential rental property including prohibiting a landlord from charging a fee that is higher than the actual cost to do business.
Fiscal Note: (Dated March 1, 2024) NOT SIGNIFICANT
Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/05/24 - Failed in House Business & Utilities Subcommittee.
Summary Or State Summary: Requires a landlord, leasing company, or management company to disclose all fees charges in addition to the rent during a billing cycle and whether the residential property landlord accepts reusable screening reports prior to the prospective tenant's submission of an application. Creates requirements for an individual to use a reusable tenant screening report in an application for residential rental property. Makes other changes related to the disclosure and charging of fees in connection with residential rental property including prohibiting a landlord from charging a fee that is higher than the actual cost to do business.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18 and Title 66, relative to residential rental housing fees.

SB1950/HB2583 PROPERTY & HOUSING: Ownership of real property - foreign-party-controlled businesses prohibited.

Sponsors: Sen. Swann, Art , Rep. Russell, Lowell
Summary: Prohibits certain foreign-party-controlled businesses from acquiring an interest in public or private land in this state. Prohibits certain foreign parties from acquiring agricultural land in this state. Requires land acquired in violation of this act to divest such land within two years. Creates a Class E felony for violations of the act.
Fiscal Note: (Dated April 4, 2024) Increase State Revenue \$82,000/FY24-25/General Fund \$2,000/FY25-26 and Subsequent Years/General Fund Increase State Expenditures \$152,400/FY24-25/Department of Agriculture \$149,900/FY25-26 and Subsequent Years/ Department of Agriculture Decrease State Expenditures SB 1950 - HB 2583 \$82,000/FY24-25/Secretary of State \$2,000/FY25-26 and Subsequent Years/Secretary of StateOther Fiscal Impact This legislation could effectively deter the investments of PFPsand PFPCBs in real estate within this state. Any subsequent fiscal impacts upon stateor local tax revenue that would have occurred in the absence of this legislation aredependent upon multiple unknown factors and cannot be determined with reasonablecertainty.
Senate Status: 01/29/24 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/24 - Referred to House Property & Planning Subcommittee.
Summary Or State Summary: Prohibits certain foreign-party-controlled businesses from acquiring an interest in public or private land in this state. Prohibits certain foreign parties from acquiring agricultural land in this state. Requires land acquired in violation of this act to divest such land within two years. Creates a Class E felony for violations of the act.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 2, relative to ownership of real property.

SB1983/HB2119 PROPERTY & HOUSING: Condemned property.

Sponsors: Sen. Niceley, Frank , Rep. Faison, Jeremy
Summary: Specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation. Creates a right for property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use.
Amendment Summary: House amendment 1 (014194) specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation of a property. Authorizes property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use. Provides that the act does not apply to condemnation actions for projects or uses regarding streets, highways, roads, bridges, transportation, utilities, utility water, public water projects, sewer, and electricity. Senate amendment 1 (014742) specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation of a property. Authorizes property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use. Provides that the act does not apply to condemnation actions for projects or uses regarding streets, highways, roads, bridges, transportation, utility water, public water projects, sewer, electricity, and utilities, including, but not limited to, gas and natural gas utilities.
Fiscal Note: (Dated February 10, 2024) NOT SIGNIFICANT
Senate Status: 03/25/24 - Senate passed with amendment 1 (014742).
House Status: 04/01/24 - House concurred in Senate amendment 1 (014742).
Executive Status: 04/01/24 - Sent to the speakers for signatures.
Summary Or State Summary: Specifies that a condemner bears the burden of proving by a preponderance of evidence certain facts regarding the condemnation. Creates a right for property owners whose property is being condemned to have a court determine whether the taking is necessary to accomplish the public use.
Caption: AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 17, relative to eminent domain.

SB1984/HB2120 PROPERTY & HOUSING: Definition of "public use" as it applies to eminent domain.

Sponsors: Sen. Niceley, Frank , Rep. Faison, Jeremy
Summary: Excludes recreational facilities, recreational purposes, and parks from the definition of "public use" as it applies to eminent domain.

Amendment Summary: Senate amendment 1, House Civil Justice Committee amendment 1 (013928) adds to the bill by providing that "public use" also does not include recreational facilities, recreational purposes, or parks; private use or benefit; or the indirect public benefits resulting from private economic development and private commercial enterprise, including increased tax revenue and increased employment opportunity, except for the acquisition of any interest in land for parks or natural areas by this state, in accordance with the law relevant to natural areas and recreation; brownfield projects; or the redevelopment of brownfield sites. As used in this amendment, a "brownfield project" means the screening, investigation, monitoring, control and/or remediation of any abandoned, idled, under-utilized, or other property whose re-use, growth, enhancement or redevelopment is complicated by real or perceived adverse environmental conditions.

Fiscal Note: (Dated February 11, 2024) Other Fiscal Impact Due to multiple unknown factors, any fiscal impact to state or local government cannot be determined with reasonable certainty.

Senate Status: 04/10/24 - Senate passed with amendment 1 (013928), which adds to the bill by providing that "public use" also does not include recreational facilities, recreational purposes, or parks; private use or benefit; or the indirect public benefits resulting from private economic development and private commercial enterprise, including increased tax revenue and increased employment opportunity, except for the acquisition of any interest in land for parks or natural areas by this state, in accordance with the law relevant to natural areas and recreation; brownfield projects; or the redevelopment of brownfield sites. As used in this amendment, a "brownfield project" means the screening, investigation, monitoring, control and/or remediation of any abandoned, idled, under-utilized, or other property whose re-use, growth, enhancement or redevelopment is complicated by real or perceived adverse environmental conditions.

House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Excludes recreational facilities, recreational purposes, and parks from the definition of "public use" as it applies to eminent domain.

Caption: AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 17, Part 1, relative to eminent domain.

SB2030/HB2266 **PROPERTY & HOUSING: Documentation related to service and support animals.**

Sponsors: Sen. Reeves, Shane , Rep. Boyd, Clark

Summary: Specifies that documents provided through a website with the primary function of providing certificates, registrations, licenses, or similar documents for assistance animals in exchange for payment of a fee are not reliable documentation in seeking an exemption to a prohibition on animals in rental property. Broadly captioned.

Fiscal Note: (Dated February 15, 2024) NOT SIGNIFICANT

Senate Status: 04/01/24 - Senate passed.

House Status: 04/04/24 - Signed by House speaker.

Executive Status: 04/01/24 - Sent to the speakers for signatures.

Summary Or State Summary: Specifies that documents provided through a website with the primary function of providing certificates, registrations, licenses, or similar documents for assistance animals in exchange for payment of a fee are not reliable documentation in seeking an exemption to a prohibition on animals in rental property. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 29 and Title 66, relative to service and support animals.

SB2037/HB2150 **PROPERTY & HOUSING: Public disclosure mandate for redevelopment projects.**

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

Summary: Requires a housing authority adopting a redevelopment plan or urban renewal plan related to a redevelopment project to publicly provide information on the estimated cost of the redevelopment project, the sources of revenue to finance the costs of the project (including the estimated tax increment), an estimate of the total amount of debt to be incurred and expected time to be fully repaid, and an estimate of how the tax increment provision will affect the revenue streams of all taxing locations in the area being developed, at least ten days prior to a public hearing about the project, rather than five. Broadly captioned.

Fiscal Note: (Dated January 27, 2024) NOT SIGNIFICANT

Senate Status: 01/31/24 - Referred to Senate State & Local Government Committee.

House Status: 01/31/24 - Caption bill held on House clerk's desk.

Summary Or State Summary: Requires a housing authority adopting a redevelopment plan or urban renewal plan related to a redevelopment project to publicly provide information on the estimated cost of the redevelopment project, the sources of revenue to finance the costs of the project (including the estimated tax increment), an estimate of the total amount of debt to be incurred and expected time to be fully repaid, and an estimate of how the tax increment provision will affect the revenue streams of all taxing locations in the area being developed, at least ten days prior to a public hearing about the project, rather than five. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 9; Title 13 and Title 67, relative to tax incentives.

SB2124/HB2292 **PROPERTY & HOUSING: Housing development strategies required to be adopted by municipal and metropolitan governments.**

Sponsors: Sen. Briggs, Richard , Rep. Behn, Aftyn

Summary: Requires each municipal and metropolitan government to adopt, on or before July 1, 2025, certain housing development strategies, including providing for zoning that specifically allows or encourages the development of tiny homes, in addition to other strategies. Provides that a municipal or metropolitan government that does not adopt such housing development strategies is ineligible for certain state grants, including community development block grants and local park and recreation fund grants. Broadly captioned.

Fiscal Note: (Dated February 14, 2024) Other Fiscal Impact A mandatory impact to local government revenue and increase in local expenditures cannot be estimated with reasonable certainty. *

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 02/06/24 - Referred to House Property & Planning Subcommittee.

Summary Or State Summary: Requires each municipal and metropolitan government to adopt, on or before July 1, 2025, certain housing development strategies, including providing for zoning that specifically allows or encourages the development of tiny homes, in addition to other strategies. Provides that a municipal or metropolitan government that does not adopt such housing development strategies is ineligible for certain state grants, including community development block grants and local park and recreation fund grants. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 13, relative to zoning.

SB2150/HB2249 **PROPERTY & HOUSING: Declaration subject time frame.**

Sponsors: Sen. Johnson, Jack , Rep. McCalmon, Jake

Summary: Reduces from 30 business days to 30 days, the amount of time that a business entity that is subject to a declaration has to send notice of a change in contact information for the entity or a transfer of the ownership interest in the residential property to the homeowners' association. Broadly captioned.

Amendment Summary: Senate amendment 1 (014107) rewrites the bill to add to the law regarding homeowners' associations, as follows: (1) This amendment requires a homeowners' association seeking to levy a special assessment on its members for a nonessential amenity to (i) pass the assessment by at least a two-thirds majority vote of the total members in the homeowners' association; and (ii) provide members with financing or a payment plan over a defined period of time. As used in this amendment, a "nonessential amenity" means an amenity that is not essential to the daily regular operation of the community, including a pool, tennis court, or club house and does not include: (i) a road, utility, or other amenity that is necessary to the daily regular operation of a community; or (ii) an amenity described in the declaration but not yet built; (2) This amendment provides that if a member of the homeowners' association fails to pay a special assessment for a nonessential amenity, then this amendment prohibits the homeowners' association from taking a foreclosure action against the property or the member for failure to pay the special assessment; and (3) This amendment revises the present law that provides that the law regarding multiple ownership of property relevant to homeowners' associations applies to declaration amendments that are enacted on or after May 1, 2021. This amendment clarifies that such present law is not applicable to the provisions in this amendment.

Fiscal Note: (Dated January 31, 2024) NOT SIGNIFICANT

Senate Status: 04/04/24 - Signed by Senate speaker.

House Status: 04/05/24 - Signed by House speaker.

Executive Status: 04/05/24 - Sent to governor.

Summary Or State Summary: Reduces from 30 business days to 30 days, the amount of time that a business entity that is subject to a declaration has to send notice of a change in contact information for the entity or a transfer of the ownership interest in the residential property to the homeowners' association. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 13 and Title 66, relative to property.

SB2153/HB2612 **PROPERTY & HOUSING: Williamson County - report on criminal activity in a gated subdivision.**

Sponsors: Sen. Johnson, Jack , Rep. Bulso, Gino

Summary: Defines a gated community as a neighborhood with at least 300 single-family residential homes and at least two gates restricting entrance and exit from the street. If a member of the homeowners association requests a report on criminal activity in the neighborhood, the association must contact the local law enforcement office to obtain and compile a report of police activities and arrests within the gated community. This report must be made available to each household. This provision is only applicable within Williamson County.

Fiscal Note: (Dated February 7, 2024) NOT SIGNIFICANT

Senate Status: 03/20/24 - Signed by Senate speaker.
House Status: 03/26/24 - Signed by House speaker.
Executive Status: 04/05/24 - Enacted as Public Chapter 0645 effective July 1, 2024.
Summary Or State Summary: Defines a gated community as a neighborhood with at least 300 single-family residential homes and at least two gates restricting entrance and exit from the street. If a member of the homeowners association requests a report on criminal activity in the neighborhood, the association must contact the local law enforcement office to obtain and compile a report of police activities and arrests within the gated community. This report must be made available to each household. This provision is only applicable within Williamson County.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 27, relative to gated communities.

SB2237/HB2423 PROPERTY & HOUSING: Zoning reform strategies for counties to support housing development.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny
Summary: Allows for counties to adopt zoning reform strategies that support housing development which qualifies the county to receive from the department of revenue 5% of the revenue collected for each strategy based on transactions in the unincorporated territory of the county with a maximum of 20% of the revenue collected. Broadly captioned.
Fiscal Note: (Dated March 16, 2024) Other Fiscal Impact The extent and timing of any increase in state expenditures and corresponding permissive increase in local revenue cannot be reasonably determined. Additionally, a permissive increase in local expenditures cannot be estimated.
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/27/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Allows for counties to adopt zoning reform strategies that support housing development which qualifies the county to receive from the department of revenue 5% of the revenue collected for each strategy based on transactions in the unincorporated territory of the county with a maximum of 20% of the revenue collected. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 7 and Title 67, relative to housing.

SB2281/HB2850 PROPERTY & HOUSING: Housing Optimization and Market Empowerment Solutions (HOMES) Act of 2024

Sponsors: Sen. Briggs, Richard , Rep. Hill, Timothy
Summary: Enacts the Housing Optimization and Market Empowerment Solutions Act of 2024 which can be adopted by the local governments or voted in by a simple majority of people which would prohibit the local government from limiting or prohibiting a person's ability to use commercial property, owner-occupied property, or renter-occupied property as a short-term rental unit and allows for the local government to impose restrictions on the use of the property and to enforce certain requirements for the owners to use the property as a short-term rental unit. Broadly captioned.
Fiscal Note: (Dated March 16, 2024) NOT SIGNIFICANT
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/27/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Enacts the Housing Optimization and Market Empowerment Solutions Act of 2024 which can be adopted by the local governments or voted in by a simple majority of people which would prohibit the local government from limiting or prohibiting a person's ability to use commercial property, owner-occupied property, or renter-occupied property as a short-term rental unit and allows for the local government to impose restrictions on the use of the property and to enforce certain requirements for the owners to use the property as a short-term rental unit. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 13; Title 62; Title 66; Title 67 and Title 68, relative to local government.

SB2448/HB2215 PROPERTY & HOUSING: Real Estate Fraud Reduction Act.

Sponsors: Sen. Akbari, Raumesh , Rep. Parkinson, Antonio
Summary: Enacts the "Real Estate Fraud Reduction Act," which requires county registers of deeds and notaries public to verify the identity of a person recording or notarizing a document relating to certain real estate transactions, as applicable, using a government-issued identification card. Requires such registers and notaries to document and maintain as a permanent record certain personally identifying information of a person recording or notarizing such a document. Specifies penalties for violations by a notary public. Broadly captioned.
Amendment Summary: House Local Government Committee amendment 1 (017469) rewrites the bill to require the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study and compile a report on real estate fraud. The report must investigate different methods used by other states to combat real estate fraud in addition to the prevalence of real estate fraud in Tennessee. The report must provide suggestions and be submitted to the TN general assembly. Senate amendment 1 (017172) rewrites the bill to, instead, require the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study and compile a report to be submitted to the general assembly on real estate fraud in this state. The study must investigate the prevalence of real estate fraud in this state, the different schemes used to perpetrate real estate fraud, the methods used by other states to combat real estate fraud, and the best practices for local government officials in registering documents related to real estate transactions. The report must provide a detailed summary of the study and provide suggested statutory revisions that are designed to reduce the risk of real estate fraud for property owners in this state.
Fiscal Note: (Dated February 18, 2024) Increase Local Expenditures Exceeds \$99,100/FY24-25 and Subsequent Years*
Senate Status: 04/09/24 - Senate passed with amendment 1 (017172).
House Status: 04/09/24 - House Local Government Committee recommended with amendment 1 (017469). Sent to House Finance.
Summary Or State Summary: Enacts the "Real Estate Fraud Reduction Act," which requires county registers of deeds and notaries public to verify the identity of a person recording or notarizing a document relating to certain real estate transactions, as applicable, using a government-issued identification card. Requires such registers and notaries to document and maintain as a permanent record certain personally identifying information of a person recording or notarizing such a document. Specifies penalties for violations by a notary public. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8, Chapter 13; Title 8, Chapter 16 and Title 66, relative to real property.

SB2496/HB2623 PROPERTY & HOUSING: Creation of a voluntary attainable housing incentive program by ordinance.

Sponsors: Sen. Gardenhire, Todd , Rep. Carr, Dale
Summary: Authorizes the chief legislative body of a municipality to create a voluntary attainable housing incentive program by ordinance for the purpose of authorizing certain incentives to be provided to property owners who seek to build attainable housing. Broadly captioned.
Amendment Summary: Senate amendment 1 (014534) authorizes the chief legislative body of a municipality to create a voluntary attainable housing incentive program by ordinance for the purpose of authorizing certain incentives to be provided to property owners who seek to build multi-family attainable housing. Requires property owners to submit a completed application to the regional planning commission of a local government in order to be considered for the voluntary program. Defines "multi-family housing" to mean accommodations that are designed principally for residential use and consist of not less than five rental units on one site, so long as such units are not detached. House Local Government Committee amendment 1 (014174) requires property owners to submit a completed application to the regional planning commission of a local government or to the municipal planning commission of a local government, pursuant to the ordinance enacted, to be considered for the voluntary attainable housing incentive program. Restricts multi-family housing to mean housing accommodations that are designed primarily for residential use and consist of not less than five rental units on one site as long as they are not detached.
Fiscal Note: (Dated February 17, 2024) Other Fiscal Impact A recurring, permissive impact to local government revenue and expenditures cannot be reasonably estimated.
Senate Status: 03/18/24 - Senate passed with amendment 1 (014534).
House Status: 04/11/24 - House Calendar & Rules Committee deferred to 04/18/24.
Summary Or State Summary: Authorizes the chief legislative body of a municipality to create a voluntary attainable housing incentive program by ordinance for the purpose of authorizing certain incentives to be provided to property owners who seek to build attainable housing. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13 and Title 66, relative to attainable housing.

SB2522/HB2576 PROPERTY & HOUSING: Notification of a home improvement contractor licensee timeframe.

Sponsors: Sen. Pody, Mark , Rep. Boyd, Clark
Summary: Increases, from 30 to 35, the number of days after a change of control in ownership, management, or a change of address or trade name, that a home improvement contractor licensee has to notify the state board for licensing contractors. Broadly captioned.
Amendment Summary: Senate Commerce & Labor Committee amendment 1, House Business & Utilities Subcommittee amendment 1 (015133) prohibits a home improvement contractor from performing services involving a swimming pool without obtaining a bond in an amount that matches the value of the proposed swimming pool before performing services. Requires the contractor to provide proof of the bond upon request by a consumer. Authorizes the State Board for Licensing Contractors to discipline a licensee by revocation or suspension of the person's license or by the assessment of a civil penalties of not more than \$5,000 per violation.
Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT

Senate Status: 03/12/24 - Senate Commerce & Labor Committee recommended with amendment 1 (015133). Sent to Senate Calendar Committee.
House Status: 03/26/24 - Taken off notice in House Commerce Committee.
Summary Or State Summary: Increases, from 30 to 35, the number of days after a change of control in ownership, management, or a change of address or trade name, that a home improvement contractor licensee has to notify the state board for licensing contractors. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 29 and Title 62, relative to contractors.

SB2523/HB2353 PROPERTY & HOUSING: Foreign adversary designation.

Sponsors: Sen. Niceley, Frank , Rep. Reedy, Jay
Summary: Redesignates sanctioned foreign governmental and business entities and persons connected with such entities as foreign adversaries. Restates the order in which proceeds from the sale of property acquired illegally are disbursed by requiring that the attorney general and bona fide lien holders be reimbursed from such proceeds prior to any remaining funds being paid to the restricted foreign entity. Adds banks, credit unions, and those licensed by the department of financial institutions to the list of persons and entities that are exempt from liability under this part.
Fiscal Note: (Dated March 10, 2024) NOT SIGNIFICANT
Senate Status: 03/06/24 - Set for Senate Commerce & Labor Committee 03/12/24.
House Status: 02/06/24 - Referred to House Property & Planning Subcommittee.
Summary Or State Summary: Redesignates sanctioned foreign governmental and business entities and persons connected with such entities as foreign adversaries. Restates the order in which proceeds from the sale of property acquired illegally are disbursed by requiring that the attorney general and bona fide lien holders be reimbursed from such proceeds prior to any remaining funds being paid to the restricted foreign entity. Adds banks, credit unions, and those licensed by the department of financial institutions to the list of persons and entities that are exempt from liability under this part.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 2, relative to property.

SB2532/HB2725 PROPERTY & HOUSING: Affordable housing - development entitlements.

Sponsors: Sen. Lamar, London , Rep. McKenzie, Sam
Summary: Deletes the prohibition on local governments enacting a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local government. Deletes the prohibition on a local governmental unit from conditioning development entitlements through amendment to the zoning map on the allocation of existing or newly constructed private residential or commercial rental units to be sold or rented at below market rates.
Fiscal Note: (Dated February 25, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate State & Local Government Committee.
House Status: 03/06/24 - Failed in House Property & Planning Subcommittee for lack of a motion.
Summary Or State Summary: Deletes the prohibition on local governments enacting a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local government. Deletes the prohibition on a local governmental unit from conditioning development entitlements through amendment to the zoning map on the allocation of existing or newly constructed private residential or commercial rental units to be sold or rented at below market rates.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 35, relative to affordable housing.

SB2547/HB2617 PROPERTY & HOUSING: Electronic reporting of the total value of unclaimed property.

Sponsors: Sen. Powers, Bill , Rep. Vaughan, Kevin
Summary: Allows the treasurer to file the annual report regarding the total amount and value of abandoned or unclaimed property with certain executive and legislative branch officials electronically. Broadly captioned.
Amendment Summary: Senate amendment 2 (017601) rewrites the bill, in the context of mutual rights of cancellation under the Time-Share Act of 1981, as follows: (1) Prohibits a developer, sales agent, or related party from taking any action to prohibit, impede, or intimidate a purchaser from obtaining assistance from another person to understand the purchaser's rights and remedies under applicable law or to address a concern the purchaser has about a time-share contract or cancellation at any time, whether before or after the rescission period; and (2) Authorizes a person to assist a purchaser with communicating or addressing any concern with a developer, sales agent, or related party about a time-share contract, cancellation, or termination before or after the rescission period, and such assistance is not legal business or the practice of law unless provided as part of an administrative or judicial proceeding.
Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT
Senate Status: 04/11/24 - Senate passed with amendment 2 (017601), which rewrites the bill, in the context of mutual rights of cancellation under the Time-Share Act of 1981, as follows: (1) Prohibits a developer, sales agent, or related party from taking any action to prohibit, impede, or intimidate a purchaser from obtaining assistance from another person to understand the purchaser's rights and remedies under applicable law or to address a concern the purchaser has about a time-share contract or cancellation at any time, whether before or after the rescission period; and (2) Authorizes a person to assist a purchaser with communicating or addressing any concern with a developer, sales agent, or related party about a time-share contract, cancellation, or termination before or after the rescission period, and such assistance is not legal business or the practice of law unless provided as part of an administrative or judicial proceeding.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Allows the treasurer to file the annual report regarding the total amount and value of abandoned or unclaimed property with certain executive and legislative branch officials electronically. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 43; Title 44; Title 47; Title 48 and Title 66, relative to property.

SB2591/HB2567 PROPERTY & HOUSING: Neighborhood Preservation Act revisions.

Sponsors: Sen. Taylor, Brent , Rep. White, Mark
Summary: Makes certain revisions to the Neighborhood Preservation Act including costs, public nuisances, stabilization plans, and property tax liens with possible sales or auctions.
Amendment Summary: House amendment 1 (014716) makes the following changes: (1) Establishes that a "receiver's lien" means a first priority lien in favor of the receiver against the subject parcel of land that, with regard to the subject parcel, upon approval of the court, secures any and all reasonable expenses and costs incurred by the receiver, including reasonable attorney's fees and costs; (2) Clarifies that if a subject parcel is found to be a public nuisance, then the finding must take place after a hearing, and the court must issue an order of compliance requiring the owner of the subject parcel to produce a plan for the abatement of the public nuisance; and (3) If the court deems a plan submitted by any certified person appointed by the court for the purpose of preserving or improving the subject parcel ("receiver") to be sufficient and appropriate, authorizes the court to empower the receiver to pay all outstanding municipal fines, penalties, expenditures, and assessments and all amounts attributable to state and local taxes and assessments, including all outstanding amounts secured by delinquent property tax liens; however, within 30 days of being appointed, a receiver is required to fully satisfy all outstanding amounts secured by delinquent property tax liens.
Fiscal Note: (Dated March 10, 2024) NOT SIGNIFICANT
Senate Status: 04/04/24 - Senate passed.
House Status: 03/28/24 - House passed with amendment 1 (014716).
Executive Status: 04/04/24 - Sent to the speakers for signatures.
Summary Or State Summary: Makes certain revisions to the Neighborhood Preservation Act including costs, public nuisances, stabilization plans, and property tax liens with possible sales or auctions.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 6, relative to the Neighborhood Preservation Act.

SB2637/HB2805 PROPERTY & HOUSING: Time to file lienor's claim in a creditors' or foreclosure proceeding.

Sponsors: Sen. Niceley, Frank , Rep. Hulsey, Bud
Summary: Increases time for a lienor to commence a proceeding or file the lienor's claim in a creditors' or foreclosure proceeding after service of a written demand by the owner, the owner's agent, or a prime contractor of the real property to which the lien is attached to from within 60 days to within 75 days after service. Broadly captioned.
Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT
Senate Status: 03/26/24 - Taken off notice in Senate Judiciary Committee.
House Status: 03/12/24 - House Civil Justice Subcommittee deferred to Summer Study.
Summary Or State Summary: Increases time for a lienor to commence a proceeding or file the lienor's claim in a creditors' or foreclosure proceeding after service of a written demand by the owner, the owner's agent, or a prime contractor of the real property to which the lien is attached to from within 60 days to within 75 days after service. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 9; Title 13; Title 20; Title 21; Title 26; Title 29; Title 35; Title 43; Title 45; Title 47; Title 48; Title 56; Title 66; Title 67 and Title 71, relative to foreclosure of mortgages.

SB2639/HB2553 PROPERTY & HOUSING: Foreign-party controlled businesses prohibited from acquiring real property.

Sponsors: Sen. Niceley, Frank , Rep. Reedy, Jay
Summary: Restricts certain foreign investments in land located within this state through the creation of two separate prohibitions, one that restricts a prohibited foreign-party-controlled business from acquiring real property and another that restricts a prohibited foreign-party from acquiring agricultural land located within this state. (11pp.). Broadly captioned.
Amendment Summary: Senate Commerce & Labor Committee amendment 1 (015023) exempts certain licensed individuals and entities from liability under Tennessee's Real Estate Broker License Act of 1973. Specifically, it provides immunity to licensed real estate brokers, attorneys, title insurance companies and agents, banks and their affiliates, savings and loan associations, credit unions, and licensed mortgage lenders who are involved in transactions where a prohibited foreign party acquires property in violation of the law. Senate Commerce & Labor Committee amendment 2, House Local Government Committee amendment 1 (014859) includes Al-Shabaab, Boko Haram, Hayat Tahir al Sham, ISIS, the Taliban, and the Wagner group in the definition of entities of particular concern. Prohibits prohibited foreign party-controlled businesses from acquiring non-agricultural land in Tennessee. A violation of this act is punishable by fine or confinement. Declares a policy of the state to conserve, protect, and encourage the development and improvement of agricultural and forest lands. Senate Commerce & Labor Committee amendment 3, House State Government Committee amendment 2 (015419) exempts certain persons holding licenses within the State of Tennessee from liability in a transaction in which a prohibited foreign party acquired property in violation of the bill. Senate Commerce & Labor Committee amendment 4 (017433) declares that liability is not imposed on a person involved in a transaction in which a prohibited foreign party acquired property who is licensed under the Tennessee Real Estate Broker License Act of 1973, an attorney licensed in this state or another state and handling a matter governed by this states law, a title insurance company or agent licensed in this state, a state or national bank, bank holding company, a savings and loan association or savings bank, a credit union, an industrial loan or thrift company, or a mortgage lender licensed by the Tennessee department of financial institutions. Excludes prohibited foreign parties or related prohibited foreign party controlled businesses that have previously received a determination that there are no unresolved national security concerns or pending actions concluded with respect to a covered transaction provided that the prohibited foreign party has not undergone a change in control constituting a covered control transaction and the party files all reports otherwise required.
Fiscal Note: (Dated February 27, 2024) Increase State Revenue \$82,000/FY24-25/General Fund \$2,000/FY25-26 and Subsequent Years/General Fund Decrease State Expenditures \$82,000/FY24-25/Secretary of State \$2,000/FY25-26 and Subsequent Years/Secretary of State HB 2553 - SB 2639 Other Fiscal Impact This legislation could effectively deter the investments of PFPs and PFFCBs in real estate within this state. Any subsequent fiscal impacts upon state or local tax revenue that would have occurred in the absence of this legislation are dependent upon multiple unknown factors and cannot be determined with reasonable certainty.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/10/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Restricts certain foreign investments in land located within this state through the creation of two separate prohibitions, one that restricts a prohibited foreign-party-controlled business from acquiring real property and another that restricts a prohibited foreign-party from acquiring agricultural land located within this state. (11pp.). Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 43; Title 44; Title 47; Title 48 and Title 66, relative to property.

SB2692/HB2072 PROPERTY & HOUSING: Land surveyors requirements.

Sponsors: Sen. Southerland, Steve , Rep. Hicks, Gary
Summary: Requires a description of real property by metes and bounds contained within any deed of conveyance of real property of any property not previously described in a recorded instrument to be prepared by a registered land surveyor. Broadly captioned.
Fiscal Note: (Dated March 3, 2024) NOT SIGNIFICANT
Senate Status: 03/05/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 01/30/24 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Requires a description of real property by metes and bounds contained within any deed of conveyance of real property of any property not previously described in a recorded instrument to be prepared by a registered land surveyor. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 62 and Title 66, Chapter 5, Part 1, relative to surveyors.

SB2702/HB2688 PROPERTY & HOUSING: Failing to register with the secretary of state an interest in real property.

Sponsors: Sen. Southerland, Steve , Rep. Doggett, Clay
Summary: Increases from \$2,000 to \$3,000, the amount per violation assessed by the secretary of state as a civil penalty against a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or agent, trustee, or other fiduciary thereof, for failing to timely register with the secretary of state an interest in real property in this state on or after July 1, 2023, held by such individual or entity. Broadly captioned.
Fiscal Note: (Dated March 25, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate Commerce & Labor Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Increases from \$2,000 to \$3,000, the amount per violation assessed by the secretary of state as a civil penalty against a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or agent, trustee, or other fiduciary thereof, for failing to timely register with the secretary of state an interest in real property in this state on or after July 1, 2023, held by such individual or entity. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66, relative to property.

SB2833/HB2927 PROPERTY & HOUSING: Removal of temporary healthcare structure from a caregiver's property.

Sponsors: Sen. Stevens, John , Rep. Sexton, Cameron
Summary: Extends the time in which a temporary family healthcare structure must be removed from a caregiver's property from 30 to 45 days from the time in which the mentally or physically impaired person is no longer receiving or is no longer in need of assistance via a temporary family healthcare structure. Broadly captioned.
Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Extends the time in which a temporary family healthcare structure must be removed from a caregiver's property from 30 to 45 days from the time in which the mentally or physically impaired person is no longer receiving or is no longer in need of assistance via a temporary family healthcare structure. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 7, relative to zoning.

SB2843/HB2879 PROPERTY & HOUSING: Agricultural and Critical Infrastructure Protection Act.

Sponsors: Sen. Jackson, Ed , Rep. Todd, Chris
Summary: Restricts certain critical infrastructure and agricultural land transactions by aliens and entities of China, Iran, North Korea, Russia, or a future designated country. Allows the governor, after consultation with the commissioner of the department of safety, to designate a country as a threat to critical infrastructure or agricultural land.
Fiscal Note: (Dated February 25, 2024) Other Fiscal Impact It is assumed that state and local governments could incur an increase in expenditures related to resolving any disruptions to contracts or services with vendors that provide such services for critical infrastructure. Due to multiple unknown variables, a precise estimate of any such increases cannot be reasonably determined. HB 2879 - SB 2843
Senate Status: 04/02/24 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 03/19/24 - Failed in House Local Government Committee.
Summary Or State Summary: Restricts certain critical infrastructure and agricultural land transactions by aliens and entities of China, Iran, North Korea, Russia, or a future designated country. Allows the governor, after consultation with the commissioner of the department of safety, to designate a country as a threat to critical infrastructure or agricultural land.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 20 and Title 66, Chapter 2, relative to the "Agricultural and Critical Infrastructure Protection Act."

SB2895/HB2071 PROPERTY & HOUSING: Referendum for annexation of territory.

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan
Summary: Specifies circumstances in which a referendum will not be required to effectuate annexation of territory. Removes repealer provision for exceptions to the referendum requirement.

Fiscal Note: (Dated February 2, 2024) Other Fiscal Impact A precise impact to local government revenue and expenditures cannot be reasonably quantified. Municipalities may also experience permissive cost avoidances associated with referendums.

Senate Status: 02/05/24 - Referred to Senate State & Local Government Committee.

House Status: 03/05/24 - Failed in House Local Government Committee.

Summary Or State Summary: Specifies circumstances in which a referendum will not be required to effectuate annexation of territory. Removes repealer provision for exceptions to the referendum requirement.

Caption: AN ACT to amend Tennessee Code Annotated, Section 6- 51-104, relative to annexation.

SB2899/HB2430 PROPERTY & HOUSING: Foreclosure sale of real property to be posted on the secretary of state's website.

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

Summary: Updates requirements regarding public notice for a foreclosure sale of real property, including a requirement that public notice be posted on the secretary of state's website.

Fiscal Note: (Dated April 4, 2024) Increase State Revenue \$271,200/FY24-25 \$542,400/FY25-26 and Subsequent Years Increase State Expenditures \$154,000/FY24-25 \$66,000/FY25-26 and Subsequent Years

Senate Status: 02/13/24 - Referred to Senate State & Local Government Committee.

House Status: 02/06/24 - Referred to House Civil Justice Subcommittee.

Summary Or State Summary: Updates requirements regarding public notice for a foreclosure sale of real property, including a requirement that public notice be posted on the secretary of state's website.

Caption: AN ACT to amend Tennessee Code Annotated, Title 35, relative to foreclosure sales.

SB2927/HB2437 PROPERTY & HOUSING: Real property held by certain Chinese entities.

Sponsors: Sen. Bailey, Paul , Rep. Travis, Ron

Summary: Prohibits certain Chinese entities from directly or indirectly owning, having a controlling interest in, acquiring by purchase, grant, devise, or descent an interest, or holding by lease, contract, or usufruct an interest in, except a de minimus indirect interest, real property in this state or real property within 10 miles of a military installation. Requires divestment within two years of any such interest unlawfully held. Requires certain property owners to register with the secretary of state. Provides civil penalties for violations.

Fiscal Note: (Dated March 3, 2024) Other Fiscal Impact Any secondary impacts such as decreased business investment resulting from the prohibition of Chinese entities owning property, and what impact that may have on state and local tax revenue is dependent upon multiple unknown variables and cannot be reasonably determined.

Senate Status: 03/27/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/27/24 - House Property & Planning Subcommittee deferred to summer study.

Summary Or State Summary: Prohibits certain Chinese entities from directly or indirectly owning, having a controlling interest in, acquiring by purchase, grant, devise, or descent an interest, or holding by lease, contract, or usufruct an interest in, except a de minimus indirect interest, real property in this state or real property within 10 miles of a military installation. Requires divestment within two years of any such interest unlawfully held. Requires certain property owners to register with the secretary of state. Provides civil penalties for violations.

Caption: AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 2, relative to ownership of real property.

HJR139 PROPERTY & HOUSING: Home affordability and impact fees.

Sponsors: Rep. Sparks, Mike

Summary: Directs TACIR to review home affordability and rising costs of impact fees.

House Status: 04/19/23 - House adopted.

Summary Or State Summary: Directs TACIR to review home affordability and rising costs of impact fees.

PUBLIC EMPLOYEES**SB754/HB1354 PUBLIC EMPLOYEES: TACIR study on fees assessed by registers.**

Sponsors: Sen. Briggs, Richard , Rep. Farmer, Andrew

Summary: Requires the Tennessee advisory commission on intergovernmental relations (TACIR) to study the fees assessed by registers pursuant to present law, including, at a minimum, the amount in fees collected, the amount in fees not collected, the method by which the fees are collected, and a comparison of such fees to similar fees assessed in neighboring states. Requires TACIR to report its findings to the chair of the senate judiciary committee, the chair of the civil justice committee of the house of representatives, and the legislative librarian by January 1, 2024.

Fiscal Note: (Dated March 19, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Requires the Tennessee advisory commission on intergovernmental relations (TACIR) to study the fees assessed by registers pursuant to present law, including, at a minimum, the amount in fees collected, the amount in fees not collected, the method by which the fees are collected, and a comparison of such fees to similar fees assessed in neighboring states. Requires TACIR to report its findings to the chair of the senate judiciary committee, the chair of the civil justice committee of the house of representatives, and the legislative librarian by January 1, 2024.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 21, Part 10, relative to registers' fees.

SB1292/HB1420 PUBLIC EMPLOYEES: Base salary increase for certain preferred service employees.

Sponsors: Sen. Bailey, Paul , Rep. Butler, Ed

Summary: Increases the starting salaries and wages by 15% for the following preferred service employees: fire and building code inspector manager, fire and building code inspector supervisor, fire and building code inspector, levels 2 and 3, firefighting commission coordinator, manufactured home inspector advanced, manufactured home inspector associate, manufactured home inspector consultant, manufactured home inspector INT, and manufactured home inspector manager.

Fiscal Note: (Dated March 13, 2023) Increase State Expenditures - \$610,900/FY23-24 and Subsequent Years Other Fiscal Impact - The FY23-24 Governors proposed budget includes funding for a five percent raise for state employees. If the proposed five percent raise is enacted, then the required increase in state expenditures resulting from this legislation will be \$407,300 in FY23-24 and subsequent years.

Senate Status: 03/21/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/28/23 - Taken off notice in House Public Service Subcommittee.

Summary Or State Summary: Increases the starting salaries and wages by 15% for the following preferred service employees: fire and building code inspector manager, fire and building code inspector supervisor, fire and building code inspector, levels 2 and 3, firefighting commission coordinator, manufactured home inspector advanced, manufactured home inspector associate, manufactured home inspector consultant, manufactured home inspector INT, and manufactured home inspector manager.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 47; Title 48; Title 56 and Title 68, relative to the department of commerce and insurance.

SB1433/HB1526 PUBLIC EMPLOYEES: Issuance and renewal of business licenses.

Sponsors: Sen. Roberts, Kerry , Rep. Kumar, Sabi

Summary: Transfers the duty to issue and renew business licenses from the county clerks and city officials to the department of revenue.

Fiscal Note: (Dated March 13, 2023) Increase State Revenue \$488,800/FY23-24/DOR \$575,100/FY24-25 and Subsequent Years/DOR Increase State Expenditures \$276,200/FY23-24/DOR \$523,300/FY24-25 and Subsequent Years/DOR Decrease Local Revenue \$488,800/FY23-24 \$575,100/FY24-25 and Subsequent Years Other Fiscal Impact Any decrease in local government expenditures cannot be quantified with reasonable certainty.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 03/14/23 - Taken off notice in House Business & Utilities Subcommittee.

Summary Or State Summary: Transfers the duty to issue and renew business licenses from the county clerks and city officials to the department of revenue.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 21, Part 7; Section 50-6-904 and Title 67, Chapter 4, Part 7, relative to business licenses.

SB2313/HB2271 PUBLIC EMPLOYEES: Quitclaim deeds - notification required by register of deeds.

Sponsors: Sen. Johnson, Jack , Rep. Slater, William
Summary: Requires a register of deeds to consult with a county assessor of property when a quitclaim deed is recorded and send a postcard notification of the recording to the address of the person or entity that paid the property taxes on the property that is the subject of the quitclaim deed for the previous tax year. Broadly captioned.
Fiscal Note: (Dated March 15, 2024) Increase Local Expenditures Exceeds \$43,100/FY24-25 and Subsequent Years *
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/01/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires a register of deeds to consult with a county assessor of property when a quitclaim deed is recorded and send a postcard notification of the recording to the address of the person or entity that paid the property taxes on the property that is the subject of the quitclaim deed for the previous tax year. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 13; Title 35; Title 39, Chapter 17; Title 45; Title 47; Title 66 and Section 67-4-409, relative to property.

REGIONAL AUTHORITIES**SB2916/HB2717 REGIONAL AUTHORITIES: Submission of annual operating budget of metropolitan airport authority.**

Sponsors: Sen. Bailey, Paul , Rep. Garrett, Johnny
Summary: Requires the president of the metropolitan airport authority to prepare and submit annually the operating budget of the authority to the board of commissioners 75 days instead of 60 days prior to the beginning of the fiscal year.
Fiscal Note: (Dated February 4, 2024) NOT SIGNIFICANT
Senate Status: 03/13/24 - Taken off notice in Senate Transportation & Safety Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires the president of the metropolitan airport authority to prepare and submit annually the operating budget of the authority to the board of commissioners 75 days instead of 60 days prior to the beginning of the fiscal year.
Caption: AN ACT to amend Tennessee Code Annotated, Title 42, Chapter 3 and Title 42, Chapter 4, relative to airport authority boards.

SAFETY**SB2618/HB2733 SAFETY: Publishing of notices on department website related to blasting.**

Sponsors: Sen. Campbell, Heidi , Rep. Hemmer, Caleb
Summary: Requires the department to publish on its website the notices it receives of the exact location that blasting will occur and the beginning and end date of the blasting.
Fiscal Note: (Dated February 13, 2024) NOT SIGNIFICANT
Senate Status: 02/05/24 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/24 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Requires the department to publish on its website the notices it receives of the exact location that blasting will occur and the beginning and end date of the blasting.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 105, relative to blasting.

SB2635/HB2787 SAFETY: Building codes - inclusion of three-family and four-family dwellings.

Sponsors: Sen. Rose, Paul , Rep. Barrett, Jody
Summary: Authorizes a local government to amend adopted building codes to include three-family dwellings and four-family dwellings within the scope of the residential code by modifying, transitioning, and establishing minimum prescriptive requirements to address the design and construction of those dwellings and make conforming changes to adopted building codes.
Amendment Summary: Senate amendment 1, House Local Government Committee amendment 1 (015677) requires the statewide building construction safety standards to allow a local government to amend the adopted building code for three-family dwellings and four-family dwellings in accordance with the standards. In amending the rules pursuant to the bill, the state fire marshal must not mandate automatic fire sprinkler systems for three-family dwellings and four-family dwellings where structures are under 5,000 square feet in area and less than three stories in height and where two-hour fire-resistance-rating for wall, floor, and ceiling separation assemblies is met. Local governments may adopt mandatory sprinkler requirements and may be permitted to use the National Fire Protection Association 13D standard for three-family dwellings and four-family dwellings by local ordinance pursuant to the process described in state law.
Fiscal Note: (Dated February 25, 2024) Other Fiscal Impact A permissive increase in local expenditures in FY24-25 and subsequent years cannot be precisely estimated.
Senate Status: 04/09/24 - Senate passed with amendment 1 (015677).
House Status: 04/11/24 - Set for House Finance, Ways & Means Committee 04/16/24.
Summary Or State Summary: Authorizes a local government to amend adopted building codes to include three-family dwellings and four-family dwellings within the scope of the residential code by modifying, transitioning, and establishing minimum prescriptive requirements to address the design and construction of those dwellings and make conforming changes to adopted building codes.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120, relative to building codes.

STATE GOVERNMENT**SB1837/HB2075 STATE GOVERNMENT: Implementation of an electronic lien and title system.**

Sponsors: Sen. Johnson, Jack , Rep. Bricken, Rush
Summary: Requires the department to, on or before December 31, 2025, procure and implement an electronic lien and title system to be used throughout the state. Broadly captioned.
Amendment Summary: House amendment 1 (014689) rewrites the bill to, instead, (i) require the department of revenue to, on or before December 31, 2025, procure an electronic lien and title system to be used throughout the state; and (ii) revise "electronic lien and title system" to mean a program that allows the exchange of lien and title information with lienholders and is used to create, save, alter, and transfer titles to property. Senate amendment 1 (016041) revises the provision that requires the department of revenue to, on or before December 31, 2025, procure an electronic lien and title system to be used throughout the state by changing the date to June 30, 2026.
Fiscal Note: (Dated February 19, 2024) NOT SIGNIFICANT
Senate Status: 03/25/24 - Senate passed with amendment 1 (016041).
House Status: 04/01/24 - House concurred in Senate amendment 1 (016041).
Executive Status: 04/01/24 - Sent to the speakers for signatures.
Summary Or State Summary: Requires the department to, on or before December 31, 2025, procure and implement an electronic lien and title system to be used throughout the state. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 19; Title 8, Chapter 13; Title 10, Chapter 7; Title 12; Title 47, Chapter 9; Title 55; Title 66 and Title 69, Chapter 9, relative to electronic document systems.

SB2102/HB1889 STATE GOVERNMENT: State of Tennessee Real Estate Asset Management (STREAM) Act.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Enacts the "State of Tennessee Real Estate Asset Management (STREAM) Act" which authorizes the commissioner to perform certain activities related to the management of real property owned by this state including general custodial care and decision-making responsibility. Increases the cost threshold for major maintenance contracts for state departments, colleges of applied technology, and public two-year institutions of higher learning above which the state building commission must approve and supervise the contract. Broadly captioned. Part of Administration Package.

Amendment Summary: House Public Service Subcommittee amendment 1 (014281) establishes the State of Tennessee Real Estate Asset Management (STREAM) Act. Authorizes the Commissioner of the Department of General Services (DGS) to do the following: Administer general custodial care and decision-making responsibility for all executive branch leases, acquisitions, and disposals of real property, and exercise responsibility for agency compliance with State Building Commission (SBC) policy requirements on land and lease acquisitions and disposals; Provide state executive branch agencies with additional support services for real property that are not otherwise assigned by law to other departments or divisions; Notwithstanding another law or policy to the contrary, approve financial incentives for the early completion of capital projects under budget and in accordance with agreed upon construction schedules; and Promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in chapter 5 of this title, and establish policies to effectuate the purposes of this section. Increases the cost thresholds, from \$250,000 to \$1,000,000, for a structure, and \$1,000,000 to \$3,000,000, for a project, with regards to what constitutes a major maintenance contract for state departments and thus must be approved by the SBC.

Fiscal Note: (Dated February 19, 2024) NOT SIGNIFICANT

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/20/24 - Taken off notice in House State Government Committee.

Summary Or State Summary: Enacts the "State of Tennessee Real Estate Asset Management (STREAM) Act" which authorizes the commissioner to perform certain activities related to the management of real property owned by this state including general custodial care and decision-making responsibility. Increases the cost threshold for major maintenance contracts for state departments, colleges of applied technology, and public two-year institutions of higher learning above which the state building commission must approve and supervise the contract. Broadly captioned. Part of Administration Package.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, relative to state real estate management.

SB2462/HB2342 **STATE GOVERNMENT: Grant program for first-time home buyers.**

Sponsors: Sen. Akbari, Raumesh , Rep. Pearson, Justin

Summary: Requires the department of finance and administration, in conjunction with assistance from the department of revenue and the Tennessee Housing Development Agency, to promulgate rules to establish a grant program to render assistance to first-time home buyers, utilizing federal funds allocated and state funds appropriated for such purposes. Broadly captioned.

Fiscal Note: (Dated March 11, 2024) Increase State Expenditures Exceeds \$5,557,100/FY24-25 Exceeds \$5,533,100/FY25-26 and Subsequent Years Other Fiscal Impact The extent to which federal funding will be available for these purposes is unknown.

Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.

House Status: 03/13/24 - Failed in House Property & Planning Subcommittee for lack of second.

Summary Or State Summary: Requires the department of finance and administration, in conjunction with assistance from the department of revenue and the Tennessee Housing Development Agency, to promulgate rules to establish a grant program to render assistance to first-time home buyers, utilizing federal funds allocated and state funds appropriated for such purposes. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 10; Title 39, Chapter 14; Title 47 and Title 66, relative to first-time home buyers.

SB2882/HB2955 **STATE GOVERNMENT: Requires TACIR to study availability of affordable housing in this state.**

Sponsors: Sen. Kyle, Sara , Rep. Hardaway, G.A.

Summary: Requires the TACIR to study the availability of affordable housing in this state and report its findings and recommendations to the general assembly no later than January 1, 2025. Broadly captioned.

Fiscal Note: (Dated March 14, 2024) NOT SIGNIFICANT

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/27/24 - Taken off notice in House Property & Planning Subcommittee.

Summary Or State Summary: Requires the TACIR to study the availability of affordable housing in this state and report its findings and recommendations to the general assembly no later than January 1, 2025. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 5; Title 6; Title 7; Title 8 and Title 13, relative to affordable housing.

SB2907/HB2910 **STATE GOVERNMENT: ECD report on unserved locations receiving broadband service.**

Sponsors: Sen. Bailey, Paul , Rep. Alexander, Rebecca

Summary: Requires the department of economic and community development to include information on which unserved locations have received or are in the process of receiving broadband service since the last update to the broadband accessibility map. Broadly captioned.

Amendment Summary: Senate amendment 1 (015556) rewrites the bill to, instead, require that beginning January 1, 2025, and ending January 1, 2029, all recipients that have received state or federal grants or funding to provide broadband internet access services to unserved locations in this state must submit a report to the department by April 1st and October 1st of each year. The report must contain a list of locations for which the recipient received such state or federal funding to expand broadband access in this state that remain unserved as of the date of such report. The report must also include the date by which the recipient plans to serve such unserved locations and contact information of a representative for the recipient who may be contacted by state or county officials regarding the area for which grants have been administered. House Business & Utilities Subcommittee amendment 1 (015548) requires all recipients of the Broadband Equity, Access, and Deployment Program grants from the Department of Economic and Community Development (ECD) that have received other state or federal funding to provide broadband internet access services in this state to submit a biannual report to ECD, no later than April 1st and October 1st of each year, beginning January 1, 2025 and ending January 1, 2029. Requires the report to contain a list of locations the provider received such additional state or federal funding to expand broadband access that remain unserved as of the date of the report and a date by which the provider plans to serve such locations.

Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT

Senate Status: 04/01/24 - Senate passed with amendment 1 (015556).

House Status: 04/09/24 - House Commerce Committee deferred to summer study.

Summary Or State Summary: Requires the department of economic and community development to include information on which unserved locations have received or are in the process of receiving broadband service since the last update to the broadband accessibility map. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3; Title 7 and Title 65, relative to the reporting of broadband service availability.

TAXES BUSINESS

SB139/HB49 **TAXES BUSINESS: Extension to time to file franchise and excise tax return.**

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott

Summary: Limits the commissioner of revenue to granting only one extension of time for a taxpayer to file a franchise and excise tax return. Broadly captioned.

Fiscal Note: (Dated January 29, 2023) NOT SIGNIFICANT

Senate Status: 01/20/23 - Referred to Senate Finance, Ways & Means Committee.

House Status: 01/30/23 - Withdrawn in House.

Summary Or State Summary: Limits the commissioner of revenue to granting only one extension of time for a taxpayer to file a franchise and excise tax return. Broadly captioned.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, relative to taxation.

SB173/HB247 **TAXES BUSINESS: Business tax exemption.**

Sponsors: Sen. Hensley, Joey , Rep. Barrett, Jody

Summary: Exempts services or people engaged in the appraisal of real estate or real property from business tax.

Amendment Summary: Senate Finance Committee amendment 1 (007031) exempts services furnished by persons engaged in the appraisal of real estate or real property from the business tax.

Fiscal Note: (Dated January 28, 2023) Decrease State Revenue \$111,100/FY23-24 and Subsequent Years Decrease Local Revenue \$115,700/FY23-24 and Subsequent Years

Senate Status: 04/10/24 - Senate Finance, Ways & Means Committee recommended with amendment 1 (007031), which exempts services furnished by persons engaged in the appraisal of real estate or real property from the business tax. Sent to Senate Calendar Committee.

House Status: 04/10/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary: Exempts services or people engaged in the appraisal of real estate or real property from business tax.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 7, relative to business tax.

SB340/HB1505 TAXES BUSINESS: Childcare Advance Act.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo
Summary: Enacts the "Childcare Advance Act," which allows taxpayers to defer payment of business taxes according to a schedule approved by the department of revenue. Specifies that on or after January 1, 2024, and prior to January 1, 2028, a taxpayer who is subject to taxation under this part and who incurs eligible childcare expenses during a business tax period may elect to defer payment of the taxpayer's tax liability for that tax period by the amount of eligible childcare expenses, but not to exceed \$2,000.
Fiscal Note: (Dated March 12, 2023) Increase State Revenue \$181,300/FY29-30 \$279,300/FY30-31 \$377,300/FY31-32 \$392,000/FY32-33 through FY37-38 \$308,700/FY38-39 \$210,700/FY39-40 \$112,700/FY40-41 \$14,700/FY41-42 Decrease State Revenue \$833,000/FY24-25 \$980,000/FY25-26 through FY27-28 Net Impact \$63,700/FY28-29 Increase Local Revenue \$188,700/FY29-30 \$290,700/FY30-31 \$392,700/FY31-22 \$408,000/FY32-33 through FY37-38 \$321,300/FY38-39 \$219,300/FY39-40 \$117,300/FY40-41 \$15,300/FY41-42 Decrease Local Revenue \$867,000/FY24-25 \$1,020,000/FY25-26 through FY27-28 Net Impact \$66,300/FY28-29 SB 340 - HB 1505
Senate Status: 03/14/23 - Taken off notice in Senate Finance Revenue Subcommittee.
House Status: 02/02/23 - Referred to House Government Operations Committee.
Summary Or State Summary: Enacts the "Childcare Advance Act," which allows taxpayers to defer payment of business taxes according to a schedule approved by the department of revenue. Specifies that on or after January 1, 2024, and prior to January 1, 2028, a taxpayer who is subject to taxation under this part and who incurs eligible childcare expenses during a business tax period may elect to defer payment of the taxpayer's tax liability for that tax period by the amount of eligible childcare expenses, but not to exceed \$2,000.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to tax relief for taxpayers with childcare expenses.

SB837/HB1019 TAXES BUSINESS: Pregnancy Resource Tax Credit Act.

Sponsors: Sen. Taylor, Brent , Rep. Doggett, Clay
Summary: Enacts the "Pregnancy Resource Tax Credit Act," which authorizes business, excise, and franchise tax credits for businesses that make monetary contributions to eligible nonprofit organizations that provide certain pregnancy-related services.
Fiscal Note: (Dated March 12, 2023) Decrease State Revenue \$150,000/FY23-24 \$585,000/FY24-25 \$625,000/FY25-26 \$665,000/FY26-27 \$705,000/FY27-28 \$745,000/FY28-29 and Subsequent Years Decrease Local Revenue \$255,000/FY24-25 and Subsequent Years
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Enacts the "Pregnancy Resource Tax Credit Act," which authorizes business, excise, and franchise tax credits for businesses that make monetary contributions to eligible nonprofit organizations that provide certain pregnancy-related services.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, relative to tax credits.

SB849/HB793 TAXES BUSINESS: Filing of return for franchise or excise tax - exception.

Sponsors: Sen. Watson, Bo , Rep. Hazlewood, Patsy
Summary: Removes exception that allows persons subject to the franchise tax or excise tax who were registered under prior law, or who have filed a return under prior law, to not be required to complete and file a registration information form.
Fiscal Note: (Dated March 9, 2023) NOT SIGNIFICANT
Senate Status: 04/18/23 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 02/07/23 - Referred to House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Removes exception that allows persons subject to the franchise tax or excise tax who were registered under prior law, or who have filed a return under prior law, to not be required to complete and file a registration information form.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21, relative to taxation.

SB981/HB1117 TAXES BUSINESS: Exemption from franchise and excise taxes - community development entity.

Sponsors: Sen. Yager, Ken , Rep. Carr, Dale
Summary: Exempts from franchise and excise taxes, a community development entity or sub-community development entity that is certified by the United States department of the treasury's community development financial institutions fund, and that has received an allocation of the federal new markets tax credits or federal sub-new markets tax credits from a community development entity that is used to fund a qualified low-income community investment in a Tennessee facility or operations of a business or nonprofit entity where the qualified low-income community investment expands the Tennessee-based operations of the business or nonprofit entity.
Fiscal Note: (Dated March 6, 2023) Decrease State Revenue Exceeds \$40,000/FY23-24 Exceeds \$100,000/FY24-25 and Subsequent Years
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Exempts from franchise and excise taxes, a community development entity or sub-community development entity that is certified by the United States department of the treasury's community development financial institutions fund, and that has received an allocation of the federal new markets tax credits or federal sub-new markets tax credits from a community development entity that is used to fund a qualified low-income community investment in a Tennessee facility or operations of a business or nonprofit entity where the qualified low-income community investment expands the Tennessee-based operations of the business or nonprofit entity.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21, relative to exemptions from franchise and excise taxes.

SB1009/HB1490 TAXES BUSINESS: Business Tax Act administration.

Sponsors: Sen. Campbell, Heidi , Rep. McKenzie, Sam
Summary: Deletes the provision granting broad discretion to the commissioner of revenue to administer the Business Tax Act from July 1, 2013, to December 31, 2014. Broadly captioned.
Amendment Summary: Senate Finance Revenue Subcommittee amendment 1, House Government Operations Committee amendment 1 (003845) requires all publicly traded corporations, including those traded on foreign stock exchanges, doing business in the state of Tennessee for which 50 percent or more of the corporation's voting stock is owned, directly or indirectly, by a publicly traded corporation to file an additional tax disclosure statement with the Secretary of State (SOS). Authorizes corporations who must file the additional statement that are not required to file a Tennessee excise tax return to elect to file an alternative statement with the SOS containing all applicable information that is submitted by filing corporations who also file an excise tax return; an explanation of why the corporation is not required to file a Tennessee excise tax return; and identification of the filing corporations total gross receipts from sales to purchasers in Tennessee. Clarifies additional statements submitted are open for public review. Imposes a civil penalty up to \$5,000 if a corporation fails to submit an additional statement within 60 days after it is due. Allows applicable corporations required to file the additional statement to submit supplemental, publicly available, information to facilitate proper interpretation of the information contained in the additional statement. Requires the Department of Revenue (DOR) to offer assistance to the SOS. Subjects the required statements to audit by the DOR. Effective January 1, 2024.
Fiscal Note: (Dated February 6, 2023) NOT SIGNIFICANT
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/10/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Deletes the provision granting broad discretion to the commissioner of revenue to administer the Business Tax Act from July 1, 2013, to December 31, 2014. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, relative to taxation.

SB1310/HB157 TAXES BUSINESS: Elimination of business tax.

Sponsors: Sen. Bailey, Paul , Rep. Baum, Charlie
Summary: Eliminates the business tax for tax periods that begin on or after January 1, 2024. Broadly captioned.
Fiscal Note: (Dated February 19, 2023) Decrease State Revenue \$285,600,000/FY23-24 \$336,000,000/FY24-25 and Subsequent Years Decrease Local Revenue \$274,735,600/FY23-24 \$323,218,300/FY24-25 and Subsequent Years
Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 01/24/23 - Referred to House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Eliminates the business tax for tax periods that begin on or after January 1, 2024. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Section 7- 52-606; Section 38-1-201; Section 39-17-1806; Section 50-6-904; Section 58-2-205; Section 58-2- 204; Section 62-44-102 and Title 67, relative to business tax.

SB1710/HB1629 TAXES BUSINESS: Recordation tax - revenue distributed to counties for school debt and school capital projects.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Requires half of the unencumbered revenue from the recordation tax to be distributed to counties for school debt and school capital projects.
Fiscal Note: (Dated February 4, 2024) Decrease State Revenue \$105,012,000/Each Year FY24-25 through FY28-29 Increase Local Revenue \$105,012,000/Each Year FY24-25 through FY28-29
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Requires half of the unencumbered revenue from the recordation tax to be distributed to counties for school debt and school capital projects.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-4-409, relative to the recordation tax.

SB1780/HB1857 TAXES BUSINESS: Local government tax rates on tax collected on the occupancy of short-term rental units.

Sponsors: Sen. Swann, Art , Rep. Moon, Jerome
Summary: Requires the department of revenue to post on its website the rate information it receives from local governments regarding local tax collected on the occupancy of short-term rental units. Broadly captioned.
Fiscal Note: (Dated January 23, 2024) NOT SIGNIFICANT
Senate Status: 01/29/24 - Referred to Senate State & Local Government Committee.
House Status: 01/25/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires the department of revenue to post on its website the rate information it receives from local governments regarding local tax collected on the occupancy of short-term rental units. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

SB1824/HB2074 TAXES BUSINESS: Extension of time for filing or payment.

Sponsors: Sen. Watson, Bo , Rep. Hicks, Gary
Summary: Allows a request for an extension of time to file a business tax return and pay the tax to be signed by the taxpayer or the taxpayer's representative. Broadly captioned.
Fiscal Note: (Dated January 23, 2024) NOT SIGNIFICANT
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Allows a request for an extension of time to file a business tax return and pay the tax to be signed by the taxpayer or the taxpayer's representative. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

SB2103/HB1893 TAXES BUSINESS: Value of tangible property as minimum tax base.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Deletes the provision requiring that the measure of the franchise tax must not be less than the actual value of the real or tangible property owned or used by a taxpayer in this state. Authorizes the commissioner of revenue to issue refunds under certain conditions to taxpayers who properly file a claim for refund for taxes paid under that provision.
Amendment Summary: Senate amendment 2 (003515) makes the following changes to the bill: (1) Requires the tax subject to refund to have been reported to the department of revenue ("department") on a return filed on or after January 1, 2021, covering a tax period that ended on or after March 31, 2020, and the refund claim must be filed between May 1, 2024 and February 3, 2025, instead of requiring the refund to be claimed within three years from December 31 of the year in which the payment was made or within any period covered by an extension; (2) Requires all refunds paid pursuant to the bill to be paid from an appropriately designated fund established by the commissioner of finance and administration. Except as otherwise provided in this (2), any unexpended balance at the end of a fiscal year must not revert to the general fund but must be carried forward to be expended in the subsequent fiscal year. On or before June 30, 2025, the commissioner of finance and administration and the commissioner of revenue must jointly certify to the chairs of the finance, ways and means committees of the senate and the house of representatives the amount claimed pursuant to the bill. On July 1, 2025, any funds in excess of the certified amount must revert to the general fund. The fund specified in this (2) expires upon final payment of all refunds due pursuant to this section, and any remaining balance must revert to the general fund. It is the legislative intent that the beginning balance in the fund must be from funds appropriated by the general assembly in the general appropriations act for the purposes of the bill; and (3) On or before December 31, 2024, requires the department of revenue to report in writing to the chairs of the finance, ways and means committees of the senate and the house of representatives, and to the directors of the office of legislative budget analysis, the total number of refund claims filed and the total amount paid pursuant to the bill; this removes the requirement to report annually until December 31, 2027. House amendment 1 (017753) makes the following changes: (1) Revises the provision in the bill requiring the tax subject to refund to have been reported to the department of revenue ("department") on a return filed on or after January 1, 2021, covering a tax period that ended on or after March 31, 2020, and the refund claim must be filed between May 1, 2024 and February 3, 2025, by, instead, requiring the tax subject to refund must have been reported to the department on a return filed on or after January 1, 2023, covering a tax period that ended on or after March 31, 2022, and the refund claim must be filed pursuant to this section between May 1, 2024, and February 3, 2025; (2) Adds to the provision in the bill requiring the claim for refund, including information necessary to determine the proper amount due, to be filed on a form prescribed by the commissioner exclusively for the purpose of seeking a refund and must not include a claim for refund on any other basis by requiring the form to include a statement that upon acceptance of a refund, the taxpayer knowingly waives any claim by the taxpayer or the right to file suit alleging that the franchise tax in the Franchise Tax Law of 1999 is unconstitutional by failing the internal consistency test; (3) If a taxpayer is due a refund under this bill and the taxpayer is a party to an agreement with the department of economic and community development and, as a result of such agreement, has received or is entitled to a tax credit administered by the department of revenue, requires the tax credit must first be used to offset and reduce the amount of the refund due to the taxpayer (4) Requires the name of each taxpayer issued a refund and the amount of the refund issued to be published on the department's website; (5) Prohibits attorneys' fees from being added to the amount of refund due; (6) Requires the office of the attorney general to review and approve the department's process for reviewing refund claims under this bill before the department is authorized to review and approve such claims; (7) If the application of the Franchise Tax Law of 1999 to a tax period results in a lower tax base than the minimum tax base of the value of tangible property, as it existed prior to the effective date of this bill, and as it applied to tax periods ending before December 31, 2023, then this amendment authorizes a taxpayer to annually elect to use the minimum tax base of the value of tangible property as it applied to tax periods ending before December 31, 2023. However, the election must result in a higher tax levied for the tax period under the law relevant to the rate of tax under the Franchise Tax Law of 1999, and the taxpayer waives any claim that the minimum tax base of the value of tangible property is unconstitutional by failing the internal consistency test; (8) Adds to the present law providing that the commissioner of revenue, with the approval of the attorney general is empowered and directed to refund to taxpayers all taxes collected or administered by the commissioner that are, on the date of payment, paid in error or paid against any statute, rule, regulation or clause of the constitution of this state or of the United States. The commissioner is also authorized to automatically issue a credit or refund, without the necessity of the approval for the portion of estimated taxes paid in excess of the actual liability established by the initial and subsequently filed return for the tax period. The authority granted in this present law extends only to taxes for which a claim is filed, with the commissioner under penalties of perjury, within three years from December 31 of the year in which the payment was made. However, this amendment provides that with regard to the payment of a franchise tax levied under the Franchise Tax Law of 1999, the authority granted in the present law in (8) above extends only to taxes for which a claim is filed, with the commissioner under penalties of perjury, within one year from December 31 of the year in which the payment was made; and (9) Requires a suit that contains a claim or allegation that the franchise tax in the Franchise Tax Law of 1999, or any provision of that act is unconstitutional by failing the internal consistency test to be filed on or before February 3, 2025.
Fiscal Note: (Dated February 12, 2024) Increase State Revenue \$1,561,577,600/FY24-25/Franchise Tax Refund Fund Decrease State Revenue \$393,400,000/FY24-25/General Fund \$405,200,000/FY25-26 and Subsequent Years/General Fund Increase State Expenditures \$1,561,577,600/FY24-25/General Fund Other Fiscal Impact Should taxpayers amend estimated tax payments as a result of the proposed legislation in FY23-24, decreases in state franchise tax revenue will be realized prior to FY24-25. The amount of any decrease is dependent on multiple unknown factors and cannot be reasonably determined. An amount of up to \$1,561,577,600 will be expended from the Franchise Tax Refund Fund beginning in FY24-25 and ending in FY27-28. The Governors FY24-25 proposed budget includes a one-time appropriation of \$1,200,000,000 in FY23-24 and recognizes a decrease in recurring revenue of \$410,000,000, beginning in FY24-25.
Senate Status: 04/11/24 - Senate non-concurred in House amendment 1 (017753).
House Status: 04/08/24 - House passed with amendment 1 (017753).
Summary Or State Summary: Deletes the provision requiring that the measure of the franchise tax must not be less than the actual value of the real or tangible property owned or used by a taxpayer in this state. Authorizes the commissioner of revenue to issue refunds under certain conditions to taxpayers who properly file a claim for refund for taxes paid under that provision.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 1 and Title 67, Chapter 4, relative to franchise taxes.

SB2144/HB2295 TAXES BUSINESS: Tax revenue to be paid over to the county trustee for deposit under the County Powers Relief Act.

Sponsors: Sen. Reeves, Shane , Rep. Rudd, Tim
Summary: Changes, from 30 days to 30 business days, the amount of time permitted for tax revenue to be paid over to the county trustee for deposit under the County Powers Relief Act.
Fiscal Note: (Dated January 31, 2024) NOT SIGNIFICANT
Senate Status: 02/01/24 - Referred to Senate State & Local Government Committee.
House Status: 02/01/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Changes, from 30 days to 30 business days, the amount of time permitted for tax revenue to be paid over to the county trustee for deposit under the County Powers Relief Act.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 29, relative to the County Powers Relief Act.

SB2198/HB2745 TAXES BUSINESS: Reporting requirements for department of revenue.

Sponsors: Sen. Yarbrow, Jeff , Rep. Clemmons, John
Summary: Requires the department of revenue to submit, by January 1, 2026, a one-time report to the finance, ways and means committees of the house and the senate concerning the revenue effects of certain amendments made to the provision of the Franchise Tax Law of 1999 that determines the apportionment of a taxpayer's net worth.
Amendment Summary: Senate Finance Revenue Subcommittee amendment 1 (015050) establishes a franchise tax limitation credit in the amount of the difference between the Total National Franchise Tax (TNFT) and the Allowable National Franchise Tax (ANFT) to ensure that a taxpayer does not pay franchise taxes that subject the taxpayer to taxation on more than 100 percent of either the taxpayer's net worth or the taxpayer's real and tangible personal property. Establishes that if a taxpayer receives a final court decree determining the franchise tax established through the Franchise Tax Law of 1999, for a tax year ending prior to January 1, 2024, violates the Commerce Clause of the United States Constitution by subjecting the taxpayer to multiple taxation, the sole remedy for the taxpayer is the issuance of a tax limitation credit for that tax year.
Fiscal Note: (Dated January 30, 2024) NOT SIGNIFICANT
Senate Status: 03/19/24 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation after adopting amendment 1 (015050).
House Status: 03/13/24 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Requires the department of revenue to submit, by January 1, 2026, a one-time report to the finance, ways and means committees of the house and the senate concerning the revenue effects of certain amendments made to the provision of the Franchise Tax Law of 1999 that determines the apportionment of a taxpayer's net worth.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 21, relative to franchise tax.

SB2261/HB2426 TAXES BUSINESS: County Powers Relief Act - form acknowledging privilege taxes owed.

Sponsors: Sen. Reeves, Shane , Rep. Hicks, Tim
Summary: Reduces from 30 to 21 days, the period by which a local government building official must, after a building permit is issued, mail to the county tax collection official the form upon which the permit applicant acknowledges the privilege taxes owed under the County Powers Relief Act.

Amendment Summary: House amendment 1 (014531) rewrites the bill to, instead, make the changes described below to the County Powers Relief Act. Present law provides that engaging in the act of residential development within a county, except as excluded by the County Powers Relief Act, is declared to be a privilege upon which a county, by resolution or ordinance of its governing body, may levy a tax, subject to the conditions and limitations contained in that Act. The resolution or ordinance must be adopted by a two-thirds vote of the entire membership of the county legislative body at two consecutive, regularly scheduled meetings. This amendment revises the present law by providing that above privilege tax applies to act of development within a county, instead of limiting the tax to residential development. The amendment also adds to the present law by requiring the resolution or ordinance adopted at the first meeting to be identical to the resolution or ordinance voted upon at the second meeting. Present law prohibits a governing body from levying a tax pursuant to the County Powers Relief Act, unless the county meets one or more of the following criteria: (i) the county experienced a growth rate of 20 percent or more in total population from the 1990 federal census to the 2000 federal census, or the county experiences growth of 20 percent or more between any subsequent federal decennial censuses; or (ii) the county experienced a 9 percent or more increase in population over the period from the year 2000 to 2004, or over a subsequent four-year period, according to United States census bureau population estimates. This amendment deletes these provisions and, instead, does the following: (1) Prohibits a governing body from levying a tax pursuant to the County Powers Relief Act, unless the county experienced (i) a 20 percent or more increase in population from the 2010 federal census to the 2020 federal census, or the county experiences growth of 20 percent or more between any subsequent federal decennial censuses; or (ii) a 9 percent or more increase in population over the immediately preceding consecutive four-year period, according to a special census conducted pursuant to (3) below; (2) Prior to adopting a resolution or ordinance to levy this tax, requires the governing body to file a statement with the comptroller of the treasury that provides the population growth for the county that qualifies the county to levy the tax. The comptroller must verify the accuracy of the statement provided and notify the county whether it meets the requirements of the County Powers Relief Act; (3) Authorizes a county to, at the county's expense, conduct a special census for purposes of qualifying to levy the tax under the County Powers Relief Act; (4) To continue to levy this tax, requires a county to verify qualification with the comptroller every four years, using federal census data estimates, if basing qualification on a 9 percent growth rate under (1)(ii) above, or at the end of the final year of every ten-year census period, if basing qualification on federal census data under(1)(i) above. Present law authorizes, for the exercise of the privilege of development, a county to levy a tax based on the floor area of residential development. A county initially levying a tax may levy the tax at a rate not to exceed \$1 per square foot on residential property. This amendment revises the present law and, instead, authorizes a county to levy a tax based on the floor area of new development. A county initially levying a tax may levy the tax at a rate not to exceed \$1.50 per square foot on residential and commercial property. Present law requires any tax levied pursuant to the County Powers Relief Act must be collected in the following manner: (1) At the time of application for a building permit for residential development, the municipal or county official issuing the permit must compute the estimated tax liability for the county school facilities privilege tax, based upon the proposed square footage of the facility to be built and the current rate of the county's school facilities privilege tax. As a condition of receiving the permit, the applicant must sign a form indicating that the applicant recognizes the liability for the tax. The official must keep one copy of the form for the official's records and must provide a copy to the applicant. If the permit is issued by a municipal building official, the official must also forward a copy of the form within 30 days of the issuance of the building permit to the county official or employee who has been designated by the county legislative body to collect the tax. As an alternative, the county and any municipality within the county may provide by interlocal agreement for the municipal building official to be designated as a collector of the tax and provide for a commission to be paid to the municipality for such services; (2) The tax must not be due until the earlier of one year from the date of issuance of the building permit or 30 days after the first transfer of title to the property being developed after the building permit is issued. If, after one year from issuance of the building permit, the building or structure is not complete or title has not been transferred, the permit holder may, in lieu of paying the tax, request an extension for one year. The permit holder may request a maximum of two extensions. Extensions must not be denied, if the permit holder makes a showing to the official responsible for collecting the tax that the building or structure is not complete; (3) Notwithstanding (2) above, a governing body may pass a resolution or ordinance requiring 50 percent of the tax to be paid at the time of application for a building permit and the remaining 50 percent of the tax to be paid prior to the issuance of a certificate of occupancy; (4) Once it becomes due, the tax must be paid to the official or officials designated by the county governing body to collect the tax. At the time of payment, the official must review the tax liability to determine whether the square footage of the completed building or structure corresponds to the initial estimated square footage in the building permit. The tax must be computed using the actual square footage of the completed building or structure, but the rate of the tax must be based upon the rate applicable at the time the permit was issued; (5) The revenue from the tax must be paid over to the county trustee within 30 days for deposit. This amendment revises the present law by providing that the building permit referenced in (1) above is for all development, not sure residential development. This amendment also revises the present law by deleting (2) and (3) above. If the tax is not paid by a permit holder within 90 days of the due date, present law requires the official responsible for collection of the tax to report this delinquency to the county's delinquent tax attorney. The delinquent tax attorney must bring an action against the permit holder for the full amount of the tax, plus statutory interest and a penalty of 50 percent of the amount of tax owed. The compensation of the delinquent tax attorney for such services must be determined by agreement between the county trustee and the delinquent tax attorney. A permit holder who owes delinquent school facilities taxes is not eligible to receive a building permit for any other project in the county until such time as the delinquency, plus any penalties and interest, are paid in full. This amendment deletes these provisions and, instead, requires the tax to be paid upon completion of the building or structure, but prior to the issuance of the certificate of occupancy. If a county that has exercised its right to levy a tax under the County Powers Relief Act after the effective date of this amendment and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) the county may resume exercising the authority to levy and collect such development taxes under a private act in existence before the effective date of this amendment at the rate in effect at the time the county exercised its right to levy a tax; or (ii) the county may resume exercising the authority to levy and collect a privilege tax under County Powers Relief Act at the rate the privilege tax was levied by the county under that Act on January 1, 2024. A county levying the privilege tax pursuant to this provision must not increase the rate of the tax, unless the county is eligible under this amendment. House amendment 2 (017742) makes the following changes: (1) Revises the provision in the bill authorizing a county to levy the tax at a rate not to exceed \$1.50 per square foot on commercial property by, instead, authorizing a county to levy the tax at a rate not to exceed \$1.50 per square foot on up to 150,000 square feet of commercial property; and (2) Revises the provision in the bill providing that if a county that has exercised its right to levy a tax under the County Powers Relief Act after the effective date of this amendment and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) the county may resume exercising the authority to levy and collect such development taxes under a private act in existence before the effective date of this amendment at the rate in effect at the time the county exercised its right to levy a tax; or (ii) the county may resume exercising the authority to levy and collect a privilege tax under County Powers Relief Act at the rate the privilege tax was levied by the county under that Act on January 1, 2024. A county levying the privilege tax pursuant to this provision must not increase the rate of the tax, unless the county is eligible under this amendment by, instead, providing that if, after the effective date of the bill, a county that has exercised its right to levy a tax under the County Powers Relief Act prior to the effective date of the bill and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) or (ii) above is authorized. Senate Finance Committee amendment 1 (018107) authorizes a county to continue collecting tax under a private act in existence prior to this bill's effective date.

Fiscal Note:

(Dated February 16, 2024) NOT SIGNIFICANT

Senate Status:

04/10/24 - Senate Finance, Ways & Means Committee recommended with amendment 1 (018107). Sent to Senate Calendar Committee.

House Status:

04/11/24 - House passed with amendment 1 (014531) and amendment 2 (017742). House amendment 1 (014531) rewrites the bill to, instead, make the changes described below to the County Powers Relief Act. Present law provides that engaging in the act of residential development within a county, except as excluded by the County Powers Relief Act, is declared to be a privilege upon which a county, by resolution or ordinance of its governing body, may levy a tax, subject to the conditions and limitations contained in that Act. The resolution or ordinance must be adopted by a two-thirds vote of the entire membership of the county legislative body at two consecutive, regularly scheduled meetings. This amendment revises the present by providing that above privilege tax applies to act of development within a county, instead of limiting the tax to residential development. The amendment also adds to the present law by requiring the resolution or ordinance adopted at the first meeting to be identical to the resolution or ordinance voted upon at the second meeting. Present law prohibits a governing body from levying a tax pursuant to the County Powers Relief Act, unless the county meets one or more of the following criteria: (i) the county experienced a growth rate of 20 percent or more in total population from the 1990 federal census to the 2000 federal census, or the county experiences growth of 20 percent or more between any subsequent federal decennial censuses; or (ii) the county experienced a 9 percent or more increase in population over the period from the year 2000 to 2004, or over a subsequent four-year period, according to United States census bureau population estimates. This amendment deletes these provisions and, instead, does the following: (1) Prohibits a governing body from levying a tax pursuant to the County Powers Relief Act, unless the county experienced (i) a 20 percent or more increase in population from the 2010 federal census to the 2020 federal census, or the county experiences growth of 20 percent or more between any subsequent federal decennial censuses; or (ii) a 9 percent or more increase in population over the immediately preceding consecutive four-year period, according to a special census conducted pursuant to (3) below; (2) Prior to adopting a resolution or ordinance to levy this tax, requires the governing body to file a statement with the comptroller of the treasury that provides the population growth for the county that qualifies the county to levy the tax. The comptroller must verify the accuracy of the statement provided and notify the county whether it meets the requirements of the County Powers Relief Act; (3) Authorizes a county to, at the county's expense, conduct a special census for purposes of qualifying to levy the tax under the County Powers Relief Act; (4) To continue to levy this tax, requires a county to verify qualification with the comptroller every four years, using federal census data estimates, if basing qualification on a 9 percent growth rate under (1)(ii) above, or at the end of the final year of every ten-year census period, if basing qualification on federal census data under(1)(i) above. Present law authorizes, for the exercise of the privilege of development, a county to levy a tax based on the floor area of residential development. A county initially levying a tax may levy the tax at a rate not to exceed \$1 per square foot on residential property. This amendment revises the present law and, instead, authorizes a county to levy a tax based on the floor area of new development. A county initially levying a tax may levy the tax at a rate not to exceed \$1.50 per square foot on residential and commercial property. Present law requires any tax levied pursuant to the County Powers Relief Act must be collected in the following manner: (1) At the time of application for a building permit for residential development, the municipal or county official issuing the permit must compute the estimated tax liability for the county school facilities privilege tax, based upon the proposed square footage of the facility to be built and the current rate of the county's school facilities privilege tax. As a condition of receiving the permit, the applicant must sign a form indicating that the applicant recognizes the liability for the tax. The official must keep one copy of the form for the official's records and must provide a copy to the applicant. If the permit is issued by a municipal building official, the official must also forward a copy of the form within 30 days of the issuance of the building permit to the county official or employee who has been designated by the county legislative body to collect the tax. As an alternative, the county and any municipality within the county may provide by interlocal agreement for the municipal building official to be designated as a collector of the tax and provide for a commission to be paid to the municipality for such services; (2) The tax must not be due until the earlier of one year from the date of issuance of the building permit or 30 days after the first transfer of title to the property being developed after the building permit is issued. If, after one year from issuance of the building permit, the building or structure is not complete or title has not been transferred, the permit holder may, in lieu of paying the tax, request an extension for one year. The permit holder may request a maximum of two extensions. Extensions must not be denied, if the permit holder makes a showing to the official responsible for collecting the tax that the building or structure is not complete; (3) Notwithstanding (2) above, a governing body may pass a resolution or ordinance requiring 50 percent of the tax to be paid at the time of application for a building permit and the remaining 50 percent of the tax to be paid prior to the issuance of a certificate of occupancy; (4) Once it becomes due, the tax must be paid to the official or officials designated by the county governing body to collect the tax. At the time of payment, the official must verify the tax liability to determine whether the square footage of the completed building or structure corresponds to the initial estimated square footage in the building permit. The tax must be computed using the actual square footage of the completed building or structure, but the rate of the tax must be based upon the rate applicable at the time the permit was issued; (5) The revenue from the tax must be paid over to the county trustee within 30 days for deposit. This amendment revises the present law by providing that the building permit referenced in (1) above is for all development, not sure residential development. This amendment also revises the present law by deleting (2) and (3) above. If the tax is not paid by a permit holder within 90 days of the due date, present law requires the official responsible for collection of the tax to report this delinquency to the county's delinquent tax attorney. The delinquent tax attorney must bring an action against the permit holder for the full amount of the tax, plus statutory interest and a penalty of 50 percent of the amount of tax owed. The compensation of the delinquent tax attorney for such services must be determined by agreement between the county trustee and the delinquent tax attorney. A permit holder who owes delinquent school facilities taxes is not eligible to receive a building permit for any other project in the county until such time as the delinquency, plus any penalties and interest, are paid in full. This amendment deletes these provisions and, instead, requires the tax to be paid upon completion of the building or structure, but prior to the issuance of the certificate of occupancy. If a county that has exercised its right to levy a tax under the County Powers Relief Act after the effective date of this amendment and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) the county may resume exercising the authority to levy and collect such development taxes under a private act in existence before the effective date of this amendment at the rate in effect at the time the county exercised its right to levy a tax; or (ii) the county may resume exercising the authority to levy and collect a privilege tax under County Powers Relief Act at the rate the privilege tax was levied by the county under that Act on January 1, 2024. A county levying the privilege tax pursuant to this provision must not increase the rate of the tax, unless the county is eligible under this amendment. House amendment 2 (017742) makes the following changes: (1) Revises the provision in the bill authorizing a county to levy the tax at a rate not to exceed \$1.50 per square foot on commercial property by, instead, authorizing a county to levy the tax at a rate not to exceed \$1.50 per square foot on up to 150,000 square feet of commercial property; and (2) Revises the provision in the bill providing that if a county that has exercised its right to levy a tax under the County Powers Relief Act after the effective date of this amendment and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) the county may resume exercising the authority to levy and collect such development taxes under a private act in existence before the effective date of this amendment at the rate in effect at the time the county exercised its right to levy a tax; or (ii) the county may resume exercising the authority to levy and collect a privilege tax under County Powers Relief Act at the rate the privilege tax was levied by the county under that Act on January 1, 2024. A county levying the privilege tax pursuant to this provision must not increase the rate of the tax, unless the county is eligible under this amendment by, instead, providing that if, after the effective date of the bill, a county that has exercised its right to levy a tax under the County Powers Relief Act prior to the effective date of the bill and in a new qualifying period does not satisfy the criteria for levying the tax, then (i) or (ii) above is authorized.

Summary Or State

Summary: Reduces from 30 to 21 days, the period by which a local government building official must, after a building permit is issued, mail to the county tax collection official the form upon which the permit applicant acknowledges the privilege taxes owed under the County Powers Relief Act.

Caption:

AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 29, relative to the County Powers Relief Act.

SB2266/HB2442 TAXES BUSINESS: County Powers Relief Act - preemption on local governments enacting new development taxes.

Sponsors: Sen. Hensley, Joey , Rep. Capley, Kip
Summary: Clarifies that the preemption on local governments enacting new or additional development taxes after June 20, 2006, under the County Powers Relief Act applies only to residential development.

Fiscal Note: (Dated March 9, 2024) Other Fiscal Impact A precise, permissive increase in local revenue cannot be estimated with certainty.

Senate Status: 03/12/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 02/06/24 - Referred to House Property & Planning Subcommittee.

Summary Or State: Clarifies that the preemption on local governments enacting new or additional development taxes after June 20, 2006, under the County Powers Relief Act applies only to residential development.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 29, relative to the County Powers Relief Act.

SB2338/HB1926 TAXES BUSINESS: Changing of the due date of the taxpayer's business tax return.

Sponsors: Sen. Yager, Ken , Rep. Williams, Ryan
Summary: Changes the provision that the commissioner can change the tax return associated with a change in the tax period for the Business Tax Act from not less than two calendar months following the end of the tax period to not less than 60 days following the end of the tax period.

Fiscal Note: (Dated January 27, 2024) NOT SIGNIFICANT

Senate Status: 02/13/24 - Referred to Senate Finance Revenue Subcommittee.

House Status: 01/25/24 - Caption bill held on House clerk's desk.

Summary Or State: Changes the provision that the commissioner can change the tax return associated with a change in the tax period for the Business Tax Act from not less than two calendar months following the end of the tax period to not less than 60 days following the end of the tax period.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 7, relative to the Business Tax Act.

SB2711/HB2868 TAXES BUSINESS: Hotel/motel tax - municipality may change allocation of revenue.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin
Summary: Allows for a municipality to change the allocation of revenue, but not its designated use, of a privilege tax upon the privilege of occupancy in a hotel if the tax preexisted July 1, 2021.

Amendment Summary: Senate State & Local Government Committee amendment 1, House Local Government Committee amendment 1 (015586) prohibits a municipality with a population of greater than 600,000 according to the 2020 or subsequent federal census from changing the designated use of a preexisting privilege tax or authority. Allows for those municipalities to change the allocations of the revenue.

Fiscal Note: (Dated March 10, 2024) NOT SIGNIFICANT

Senate Status: 03/27/24 - Senate State & Local Government Committee recommended with amendment 1 (015586). Sent to Senate Calendar Committee.

House Status: 04/11/24 - Set for House Floor on 04/16/24.

Summary Or State

Allows for a municipality to change the allocation of revenue, but not its designated use, of a privilege tax upon the privilege of occupancy in a hotel if the tax preexisted July 1, 2021.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 14, relative to tax revenue.

SB2792/HB2924 TAXES BUSINESS: Report on total annual amount of industrial machinery franchise and excise tax credits.

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

Summary: Requires the commissioner of revenue to report on or before February 1, 2025, to the finance, ways and means committees of the senate and the house of representatives the total annual amount of industrial machinery franchise and excise tax credits provided under Section 67-4-2009(3), for fiscal years 2020-2024. Broadly captioned.

Fiscal Note: (Dated March 25, 2024) NOT SIGNIFICANT

Senate Status: 03/19/24 - Senate Finance Revenue Subcommittee returned to full committee with a negative recommendation.

House Status: 02/05/24 - Caption bill held on House clerk's desk.

Summary Or State

Requires the commissioner of revenue to report on or before February 1, 2025, to the finance, ways and means committees of the senate and the house of representatives the total annual amount of industrial machinery franchise and excise tax credits provided under Section 67-4-2009(3), for fiscal years 2020-2024. Broadly captioned.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to franchise and excise taxes.

SB2925/HB2949 TAXES BUSINESS: Joint report on findings and recommendations regarding tax credits available to certain businesses.

Sponsors: Sen. Bailey, Paul , Rep. Travis, Ron

Summary: Authorizes the commissioners of economic and community development and revenue to electronically submit their report of their findings and recommendations regarding franchise tax credits, excise tax credits, and sales and use tax credits available to certain businesses that is due every four years to the governor, the speakers of both houses, the finance, ways and means committees of both houses, and the office of legislative budget analysis. Broadly captioned.

Fiscal Note: (Dated February 2, 2024) NOT SIGNIFICANT

Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 02/05/24 - Caption bill held on House clerk's desk.

Summary Or State

Authorizes the commissioners of economic and community development and revenue to electronically submit their report of their findings and recommendations regarding franchise tax credits, excise tax credits, and sales and use tax credits available to certain businesses that is due every four years to the governor, the speakers of both houses, the finance, ways and means committees of both houses, and the office of legislative budget analysis. Broadly captioned.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 11; Title 12; Title 43 and Title 67, relative to tax credits.

TAXES GENERAL

SB1050/HB468 TAXES GENERAL: Time required to keep and preserve tax collection records.

Sponsors: Sen. Yarbrow, Jeff , Rep. Hemmer, Caleb

Summary: Extends from three years to five years, the amount of time that a metropolitan government tax collection official must keep and preserve tax collection records. Broadly captioned.

Amendment Summary: House Property & Planning Subcommittee amendment 1 (006293) allows the proceeds from a tax levied upon the occupancy of a short-term rental unit secured through a short-term rental unit marketplace that is distributed to the metropolitan government by the department of revenue, may be deposited into an account created by the metropolitan government pursuant to an ordinance and used exclusively for promoting affordable housing for residents of limited means within the county with the remaining proceeds must be used as otherwise provided by law. Senate State & Local Committee amendment 1 (006680) authorizes all or a portion of the proceeds from a tax upon the occupancy of a short-term rental unit secured through a short-term rental unit marketplace to be deposited into an account created by the metropolitan government and used exclusively for promoting affordable housing for residents of limited means.

Fiscal Note: (Dated January 27, 2023) NOT SIGNIFICANT

Senate Status: 03/29/23 - Senate State & Local Government Committee recommended with amendment 1 (006680). Sent to Senate Calendar Committee.

House Status: 04/11/23 - Taken off notice in House Local Government Committee.

Summary Or State

Extends from three years to five years, the amount of time that a metropolitan government tax collection official must keep and preserve tax collection records. Broadly captioned.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 4, relative to taxation.

SB1235/HB1422 TAXES GENERAL: Taxpayer reporting a debt owed to certain governmental claimants.

Sponsors: Sen. Yager, Ken , Rep. Hicks, Gary

Summary: In the case of a taxpayer who reports a debt owed to certain governmental claimants and who is owed a tax refund, specifies that the method of notification provided by the commissioner of revenue to the treasurer and each claimant must be by email or in writing. Broadly captioned.

Fiscal Note: (Dated March 9, 2023) NOT SIGNIFICANT

Senate Status: 03/14/23 - Taken off notice in Senate Finance Revenue Subcommittee.

House Status: 02/02/23 - Caption bill held on House clerk's desk.

Summary Or State

In the case of a taxpayer who reports a debt owed to certain governmental claimants and who is owed a tax refund, specifies that the method of notification provided by the commissioner of revenue to the treasurer and each claimant must be by email or in writing. Broadly captioned.

Summary:

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

TAXES PROPERTY

SB171/HB565 TAXES PROPERTY: Referendum to approve a property tax increase that exceeds specified thresholds.

Sponsors: Sen. Stevens, John , Rep. Todd, Chris

Summary: Requires a local governmental entity to hold a referendum to approve a property tax increase that would cause the local government to realize an increase in total revenue exceeding inflation plus two percent or would cause the local government to realize an increase in total revenue exceeding inflation plus six percent over the preceding three tax years.

Fiscal Note: (Dated March 24, 2023) Forgone Local Revenue Exceeds \$1,000,000/FY23-24 and Subsequent Years

Senate Status: 01/21/23 - Referred to Senate State & Local Government Committee.

House Status: 02/01/23 - Referred to House Property & Planning Subcommittee.

Summary Or State

Requires a local governmental entity to hold a referendum to approve a property tax increase that would cause the local government to realize an increase in total revenue exceeding inflation plus two percent or would cause the local government to realize an increase in total revenue exceeding inflation plus six percent over the preceding three tax years.

Summary:

Caption: AN ACT to amend Tennessee Code Annotated, Title 48 and Title 67, relative to real property taxes.

SB207/HB254 TAXES PROPERTY: Tax relief for elderly, low-income homeowners.

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Summary: Increases, from \$27,000 to \$50,000, the maximum market value on which property tax relief is calculated for elderly, low-income homeowners.

Amendment Summary: House amendment 1 (004659) increases the property value threshold for determining the extent of any property relief payments to low-income, elderly or disabled, taxpayers from \$27,000 of the full market value of the property to \$40,000 of the full market value of the property.

Fiscal Note: (Dated February 2, 2023) Increase State Expenditures \$7,720,000/FY24-25 and Subsequent Years Other Fiscal Impact The extent of any permissive increase on local government expenditures cannot reasonably be determined.

Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.

House Status: 04/21/23 - House passed with amendment 1 (004659).

Summary Or State Summary: Increases, from \$27,000 to \$50,000, the maximum market value on which property tax relief is calculated for elderly, low-income homeowners.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 7, relative to property tax relief.

SB793/HB1450 TAXES PROPERTY: Exemption - lots purchased for construction of single family residence for low-income household.

Sponsors: Sen. Stevens, John , Rep. Faison, Jeremy

Summary: Increases from 18 to 24 months the period of exemption from real property taxes to which a charitable organization is entitled for the first lot purchased or developed by the organization for the construction of a single family residence for a low-income household. Broadly captioned.

Amendment Summary: House Local Government Committee amendment 1 (011122) establish the process for assessment and valuation of low-income housing properties for property tax purposes. Applies to residential property and projects developed on or after January 1, 2025.

Fiscal Note: (Dated March 30, 2023) Other Fiscal Impact The extent and timing of any permissive decrease to local property tax revenue cannot be estimated.

Senate Status: 03/27/24 - Failed in Senate State & Local Government Committee after adopting amendment 1 (015573).

House Status: 03/28/24 - Taken off notice in House Calendar & Rules Committee.

Summary Or State Summary: Increases from 18 to 24 months the period of exemption from real property taxes to which a charitable organization is entitled for the first lot purchased or developed by the organization for the construction of a single family residence for a low-income household. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 7; Title 13; Title 48; Title 49; Title 67 and Title 68, relative to low-income housing.

SB1192/HB1209 TAXES PROPERTY: Time for eligible taxpayers to apply for refund or present a credit voucher for credit on taxes.

Sponsors: Sen. McNally, Randy , Rep. Sexton, Cameron

Summary: Extends the 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.

Amendment Summary: House Property & Planning Subcommittee amendment 1 (005794) creates a property tax study committee to study property tax rates; methods of valuing and appraising property for purposes of levying property taxes; and policies and methods regarding statutory limits on tax increases, including an evaluation of such policies and methods and any expected effects in the short-term and long-term with the committee consisting of ten (10) members. Requires the committee to study the current method of valuing and appraising property for purposes of levying residential property taxes in this state and similarly situated states and to study examples of states that have enacted limits on property tax increases, including, but not limited to, creating a statewide property tax rate, capping rate increases at a certain percent, or locking in property values to the purchase price or the market value at the time of transfer or material improvement to the property. Requires the committee to report its findings on or before February 1, 2024.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT

Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/28/23 - Taken off notice in House Local Government Committee.

Summary Or State Summary: Extends the 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.

Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 9; Title 28; Title 66 and Title 67, relative to real property.

SB1244/HB935 TAXES PROPERTY: Local property tax reimbursement for disabled veterans.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Expands property tax relief for disabled veterans by reimbursing veterans who have acquired a disability rating of 100 percent for a permanent and total service-connected disability for all of the local property taxes paid on property that the disabled veteran owned and used as the disabled veteran's residence.

Fiscal Note: (Dated March 30, 2023) Increase State Expenditures \$180,500/FY23-24 Exceeds \$12,706,100/FY24-25 and Subsequent Years Other Fiscal Impact Due to the lack of data concerning percentages of disability for veterans, a precise impact to state expenditures cannot be reasonably determined. Additionally, the extent of any permissive impact on local government expenditures cannot reasonably be estimated.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 02/07/23 - Referred to House Property & Planning Subcommittee.

Summary Or State Summary: Expands property tax relief for disabled veterans by reimbursing veterans who have acquired a disability rating of 100 percent for a permanent and total service-connected disability for all of the local property taxes paid on property that the disabled veteran owned and used as the disabled veteran's residence.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 7, relative to disabled veterans.

SB1277/HB969 TAXES PROPERTY: Redefines "industrial and commercial property."

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

Summary: Redefines "industrial and commercial property" for assessment and classification purposes to include real property that is used, or held for use, for dwelling purposes in which 50 or more single family, residential properties are owned by one individual, entity, or association, including, but not limited to, investor groups, within one county and used, or held for use, as rental property. Broadly captioned.

Fiscal Note: (Dated March 4, 2023) Increase Local Revenue Exceeds \$2,903,100/FY24-25 and Subsequent Years

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 02/07/24 - Taken off notice in House Property & Planning Subcommittee.

Summary Or State Summary: Redefines "industrial and commercial property" for assessment and classification purposes to include real property that is used, or held for use, for dwelling purposes in which 50 or more single family, residential properties are owned by one individual, entity, or association, including, but not limited to, investor groups, within one county and used, or held for use, as rental property. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property taxes.

SB1332/HB341 TAXES PROPERTY: Extension to property assessment notice publication.

Sponsors: Sen. Bailey, Paul , Rep. Reedy, Jay

Summary: Extends, from 20 days to 30 days after the date the division of property assessments publishes notice of the availability of the proposed use value schedule in a newspaper, the deadline by which a petition must be filed by owners of agricultural, forest, or open space land to convene a hearing of the state board of equalization.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 01/30/23 - Caption bill held on House clerk's desk.

Summary Or State Summary: Extends, from 20 days to 30 days after the date the division of property assessments publishes notice of the availability of the proposed use value schedule in a newspaper, the deadline by which a petition must be filed by owners of agricultural, forest, or open space land to convene a hearing of the state board of equalization.

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 10, relative to property classified as agricultural, forest, or open space land.

SB1340/HB1509 TAXES PROPERTY: Informal review of property assessment or county reappraisal.

Sponsors: Sen. Lamar, London , Rep. Dixie, Vincent

Summary: Shortens the timeline, from 10 days to 7 days, before a county of board of equalization adjourns before a property assessor may provide taxpayers with an informal review of a property assessment or reappraisal.

Fiscal Note: (Dated January 1, 2023) NOT SIGNIFICANT

Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/22/23 - Taken off notice in House Property & Planning Subcommittee.

Summary Or State Summary: Shortens the timeline, from 10 days to 7 days, before a county of board of equalization adjourns before a property assessor may provide taxpayers with an informal review of a property assessment or reappraisal.

Caption: AN ACT to amend Tennessee Code Annotated, Title 66 and Title 67, Chapter 5, relative to property taxes.

SB1367/HB1361 TAXES PROPERTY: Increase in the full market value of a disabled veteran's residence for calculation of property tax reimbursement.

Sponsors: Sen. Southerland, Steve , Rep. Farmer, Andrew
Summary: Increases the maximum full market value, from \$175,000 to \$210,000, of a disabled veteran's residence that is to be used in calculating reimbursement for property tax paid by the disabled veteran.
Fiscal Note: (Dated March 3, 2023) Increase State Expenditures Exceeds \$4,618,100/FY24-25 and Subsequent Years Other Fiscal Impact The extent of any permissive impact on local government expenditures cannot reasonably be determined.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Increases the maximum full market value, from \$175,000 to \$210,000, of a disabled veteran's residence that is to be used in calculating reimbursement for property tax paid by the disabled veteran.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-5-704, relative to property tax relief.

SB1399/HB1250 TAXES PROPERTY: Providing of estimates of annual income limit for eligibility in the property tax relief program.

Sponsors: Sen. Reeves, Shane , Rep. Martin, Brock
Summary: Adds the directors of the office of legislative budget analysis to the list of persons to whom the comptroller must provide the estimates of the annual income limit for eligibility in the property tax relief program that is likely to maintain the program at a constant level of expenditure.
Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Adds the directors of the office of legislative budget analysis to the list of persons to whom the comptroller must provide the estimates of the annual income limit for eligibility in the property tax relief program that is likely to maintain the program at a constant level of expenditure.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

SB1439/HB880 TAXES PROPERTY: Timeframe for county mayor to give notice regarding reappraisal program not being completed timely.

Sponsors: Sen. Roberts, Kerry , Rep. Martin, Greg
Summary: Changes from December 1 to November 15, the time by which the county mayor must notify in writing the executive secretary to the state board of equalization of the possibility that the reappraisal program may not be completed timely and the reasons therefor. Broadly captioned.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 03/14/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Changes from December 1 to November 15, the time by which the county mayor must notify in writing the executive secretary to the state board of equalization of the possibility that the reappraisal program may not be completed timely and the reasons therefor. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to property taxes.

SB1470/HB1265 TAXES PROPERTY: County board of equalization hearings.

Sponsors: Sen. Johnson, Jack , Rep. Warner, Todd
Summary: Changes who has the discretion to determine whether a hearing on a complaint before a county board of equalization will be held virtually from the board to the taxpayer or owner.
Fiscal Note: (Dated March 14, 2023) NOT SIGNIFICANT
Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/22/23 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Changes who has the discretion to determine whether a hearing on a complaint before a county board of equalization will be held virtually from the board to the taxpayer or owner.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to the county board of equalization.

SB1536/HB1535 TAXES PROPERTY: Coffee County - acquiring of property at tax sale.

Sponsors: Sen. Bowling, Janice , Rep. Bricken, Rush
Summary: Provides 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 the property retains such right. Further provides 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.
Amendment Summary: House amendment 1 (013374) provides that whenever Coffee County acquires property at a delinquent property tax sale, any non-governmental entity may enforce its contractual rights to such property only through the exercise of a lien. Requires Coffee County to pay contractual fees assessed against such property by the non-governmental entity if the county makes actual use of the property purchased at the tax sale.
Fiscal Note: (Dated April 5, 2023) NOT SIGNIFICANT
Senate Status: 03/25/24 - Senate passed.
House Status: 04/02/24 - Signed by House speaker.
Executive Status: 03/25/24 - Sent to the speakers for signatures.
Summary Or State Summary: Provides 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 the property retains such right. Further provides 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.
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.

SB1725/HB1813 TAXES PROPERTY: Property tax relief for disabled veterans.

Sponsors: Sen. Crowe, Rusty , Rep. Reedy, Jay
Summary: Expands eligibility for property tax relief to a veteran who acquired a service-connected disability that is determined by the United States Department of Veterans Affairs to be permanent and total due to individual unemployment.
Fiscal Note: (Dated March 3, 2024) Increase State Expenditures Up to \$10,368,700/FY24-25 Up to \$11,613,000/FY25-26 and Subsequent Years Other Fiscal Impact The extent of any permissive increase in local expenditures cannot reasonably be determined.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 03/20/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Expands eligibility for property tax relief to a veteran who acquired a service-connected disability that is determined by the United States Department of Veterans Affairs to be permanent and total due to individual unemployment.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-5-704, relative to property tax relief for disabled veterans.

SB1733/HB2021 TAXES PROPERTY: Tax exemptions for tree canopy cover.

Sponsors: Sen. Niceley, Frank , Rep. Marsh, Pat
Summary: Creates tax exemption for portions of property that provide tree canopy cover in certain counties, subject to the approval of the local governing body in such counties. Broadly captioned.
Fiscal Note: (Dated January 20, 2024) Other Fiscal Impact The fiscal impact of the proposed legislation is dependent upon whether a county elects to come under its provisions. If a county does elect to do so, there will be a one-time increase in state expenditures of \$10,000 for modifications to the online exemption application; any subsequent recurring increase to state or local revenue cannot be estimated. The proposed legislation would also result in a recurring decrease in local revenue and increase in local expenditures, both of which cannot be quantified but are considered permissive.

Senate Status: 01/29/24 - Referred to Senate State & Local Government Committee.
House Status: 01/30/24 - Referred to House Property & Planning Subcommittee.
Summary Or State Summary: Creates tax exemption for portions of property that provide tree canopy cover in certain counties, subject to the approval of the local governing body in such counties. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6 and Title 67, Chapter 5, relative to tree canopies.

SB1772/HB1941 TAXES PROPERTY: Property tax relief for disabled veteran homeowners.

Sponsors: Sen. Lundberg, Jon , Rep. Reedy, Jay
Summary: Changes the amount of reimbursement for property taxes for disabled veteran homeowners from payment on the first \$175,000 of full market value to the first \$300,000 of full market value.
Fiscal Note: (Dated February 14, 2024) Increase State Expenditures Exceeds \$13,318,600/FY24-25 and Subsequent Years Other Fiscal Impact The extent of any permissive impact on local government expenditures cannot reasonably be determined.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 02/28/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Changes the amount of reimbursement for property taxes for disabled veteran homeowners from payment on the first \$175,000 of full market value to the first \$300,000 of full market value.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 7, relative to property tax relief for veterans.

SB1777/HB1734 TAXES PROPERTY: Classification of agricultural land under the greenbelt law.

Sponsors: Sen. Swann, Art , Rep. Moon, Jerome
Summary: Revises the minimum size requirements for one of two noncontiguous tracts of property to qualify as agricultural land under the greenbelt law, from a size of at least 10 acres to less than 15 acres.
Fiscal Note: (Dated January 18, 2024) Other Fiscal Impact Due to the lack of available data regarding noncontiguous tracts of land, a mandatory recurring decrease in local revenue beginning in FY25-26 cannot be quantified.
Senate Status: 03/05/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/20/24 - Taken off notice in House Agriculture & Natural Resources Committee.
Summary Or State Summary: Revises the minimum size requirements for one of two noncontiguous tracts of property to qualify as agricultural land under the greenbelt law, from a size of at least 10 acres to less than 15 acres.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 10, relative to the classification of agricultural land.

SB1778/HB1646 TAXES PROPERTY: Minimum size requirements for property to qualify as agricultural land under the greenbelt law.

Sponsors: Sen. Swann, Art , Rep. Moon, Jerome
Summary: Reduces, from 15 acres to 12 acres, the minimum size requirements for property to qualify as agricultural land under the greenbelt law.
Fiscal Note: (Dated January 18, 2024) Other Fiscal Impact Due to multiple unknown variables, a precise mandatory recurring decrease in local government revenue beginning in FY25-26 cannot be reasonably determined.
Senate Status: 01/29/24 - Referred to Senate State & Local Government Committee.
House Status: 01/10/24 - Referred to House Agriculture & Natural Resources Committee.
Summary Or State Summary: Reduces, from 15 acres to 12 acres, the minimum size requirements for property to qualify as agricultural land under the greenbelt law.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 10, relative to the classification of agricultural land.

SB1857/HB2161 TAXES PROPERTY: Davidson County - partial payment of property taxes.

Sponsors: Sen. Haile, Ferrell , Rep. Moon, Jerome
Summary: Reduces, from \$25 to \$20, the minimum amount of a partial payment of property taxes that the Trustee for the Metropolitan Government of Nashville and Davidson County may accept. Broadly captioned.
Fiscal Note: (Dated February 13, 2024) NOT SIGNIFICANT
Senate Status: 01/31/24 - Referred to Senate State & Local Government Committee.
House Status: 01/31/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Reduces, from \$25 to \$20, the minimum amount of a partial payment of property taxes that the Trustee for the Metropolitan Government of Nashville and Davidson County may accept. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 9 and Title 67, relative to taxation.

SB1882/HB1980 TAXES PROPERTY: Exemption - charitable nonprofit corporation in Knox County.

Sponsors: Sen. Massey, Becky , Rep. Wright, Dave
Summary: Authorizes a charitable nonprofit corporation located in Knox County or within a municipality located within Knox County that acquires replacement property which is operated as a licensed residential home for the aged, to claim and file a property tax exemption as a religious, charitable, scientific, or nonprofit educational institution.
Amendment Summary: Senate State & Local Government Committee amendment 1, House Local Government Committee amendment 1 (014621) specifies that this subdivision applies to properties acquired before the effective date of this act, so that the properties are not subject to taxation under this chapter while owned by the qualifying corporation and used for one (1) or more of the exempt purposes for which the corporation was created or exists, and any property taxes, interest, fees, penalties, postage, expenses, and all other related costs paid on the property that were collected prior to the effective date of this act must be refunded.
Fiscal Note: (Dated March 8, 2024) Increase Local Expenditures \$422,500/FY23-24/City of Knoxville* \$360,900/FY23-24/Knox County*
Senate Status: 04/10/24 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Authorizes a charitable nonprofit corporation located in Knox County or within a municipality located within Knox County that acquires replacement property which is operated as a licensed residential home for the aged, to claim and file a property tax exemption as a religious, charitable, scientific, or nonprofit educational institution.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property taxes.

SB1900/HB1715 TAXES PROPERTY: Property tax relief for veterans with disabilities.

Sponsors: Sen. Oliver, Charlane , Rep. Freeman, Bob
Summary: Requires the state to reimburse veterans with permanent and total disabilities for 100% of the local property taxes paid on their residences. Removes the limitations that such reimbursement be a partial payment and that it be paid on the first \$175,000 of the full market value of the residence.
Fiscal Note: (Dated January 31, 2024) Increase State Expenditures \$20,454,000/FY24-25 Exceeds \$22,908,500/FY25-26 and Subsequent Years Other Fiscal Impact The extent of any permissive impact on local government expenditures cannot reasonably be estimated.
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/20/24 - House Property & Planning Subcommittee deferred to Summer Study.
Summary Or State Summary: Requires the state to reimburse veterans with permanent and total disabilities for 100% of the local property taxes paid on their residences. Removes the limitations that such reimbursement be a partial payment and that it be paid on the first \$175,000 of the full market value of the residence.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-5-704, relative to property tax relief for veterans with disabilities.

SB1946/HB2057 TAXES PROPERTY: Revises schedule of property reappraisals by county property assessors.

Sponsors: Sen. Walley, Page , Rep. Carr, Dale
Summary: Replaces the six-year reappraisal cycle with the requirement for counties to choose between a reappraisal program that requires reappraisal to occur once per year, once every two years, once every three years, or once every four years. Also details requirements for the reappraisal programs including the updates to reappraisal requirements and procedures, maximum costs to assess property within a city, and assessments of cemeteries.
Fiscal Note: (Dated February 6, 2024) Other Fiscal Impact The extent and timing of any increase in local property tax revenue cannot be reasonably estimated but will be significant. In tax year 2023, it is estimated at least \$100 million in property tax collections would have been realized under a more frequent reappraisal system.
Senate Status: 04/10/24 - Senate Finance, Ways & Means Committee recommended. Sent to Senate Calendar Committee.
House Status: 03/14/24 - Held on House clerk's desk.
Summary Or State Summary: Replaces the six-year reappraisal cycle with the requirement for counties to choose between a reappraisal program that requires reappraisal to occur once per year, once every two years, once every three years, or once every four years. Also details requirements for the reappraisal programs including the updates to reappraisal requirements and procedures, maximum costs to assess property within a city, and assessments of cemeteries.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-5-1005 and Title 67, Chapter 5, Part 16, relative to reappraisal.

SB2033/HB2162 **TAXES PROPERTY: Preemption on local governments enacting new or additional development taxes.**

Sponsors: Sen. Hensley, Joey , Rep. Capley, Kip
Summary: Clarifies that the preemption on local governments enacting new or additional development taxes after June 20, 2006, under the County Powers Relief Act applies only to residential development.
Fiscal Note: (Dated March 9, 2024) Other Fiscal Impact A precise, permissive increase in local revenue cannot be estimated with certainty.
Senate Status: 03/12/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 01/31/24 - Referred to House Property & Planning Subcommittee.
Summary Or State Summary: Clarifies that the preemption on local governments enacting new or additional development taxes after June 20, 2006, under the County Powers Relief Act applies only to residential development.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 29, relative to the County Powers Relief Act.

SB2111/HB2217 **TAXES PROPERTY: Tax formula for calculating tax relief on real property owned by disabled veterans.**

Sponsors: Sen. Lundberg, Jon , Rep. Crawford, John
Summary: Revises the formula for calculating tax relief on real property owned by eligible disabled veterans so that in determining the amount of relief to such a taxpayer, the assessed value on the first \$175,000 of full market value is to be multiplied by the ad valorem tax rate of the jurisdiction instead of by a rate that has been adjusted to reflect the relationship between appraised value and market value in that jurisdiction.
Fiscal Note: (Dated March 1, 2024) Increase State Expenditures Exceeds \$2,366,500/FY25-26 and Subsequent Years Other Fiscal Impact The extent of any permissive increase in local government expenditures cannot reasonably be determined.
Senate Status: 03/13/24 - Set for Senate State & Local Government Committee 03/19/24.
House Status: 03/20/24 - House Property & Planning Subcommittee deferred to Summer Study.
Summary Or State Summary: Revises the formula for calculating tax relief on real property owned by eligible disabled veterans so that in determining the amount of relief to such a taxpayer, the assessed value on the first \$175,000 of full market value is to be multiplied by the ad valorem tax rate of the jurisdiction instead of by a rate that has been adjusted to reflect the relationship between appraised value and market value in that jurisdiction.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 7, relative to property tax relief.

SB2172/HB2312 **TAXES PROPERTY: Acceptance of partial payments of delinquent property taxes.**

Sponsors: Sen. Hensley, Joey , Rep. Baum, Charlie
Summary: Authorizes municipal tax collectors and taxing entities to also accept partial payments of delinquent property taxes in the same manner as county trustees. Requires such officials to include in their plan for accepting partial payments a description of the accounting system technology or manual processes to be used to record partial payments of delinquent property taxes and a statement indicating that funds received as partial payments on delinquent property taxes will reduce the amount of delinquent property tax, interest, statutory fees, and court costs, by relative amounts on a pro-rata basis.
Amendment Summary: House amendment 1 (014462) clarifies that the bill does not authorize a clerk of a court in which a proceeding is pending to accept a partial payment of delinquent taxes, interest, or court costs, except pursuant to the law regarding waiver relevant to property taxes, payment of a personal judgment for delinquent personal property taxes in installments, or a payment distribution plan approved in a bankruptcy proceeding. Senate amendment 1 (017595) makes the following changes, in the context of partial payments of delinquent property taxes that must be applied on a pro-rata basis to the delinquent property tax, interest, statutory fees, and court costs due, as follows: (1) Requires that the application of payment of interest on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the interest due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (2) Requires that the application of payment of statutory fees on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the fees due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (3) Requires that the application of payment of court costs on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the court costs due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; and (4) Authorizes a rounding difference between the total of the individual applications of amounts due and the partial payment amount to be applied to any of the amounts due to make the total of the individual applications equal to the partial payment amount.
Fiscal Note: (Dated February 10, 2024) NOT SIGNIFICANT
Senate Status: 04/08/24 - Senate passed with amendment 1 (017595), which makes the following changes, in the context of partial payments of delinquent property taxes that must be applied on a pro-rata basis to the delinquent property tax, interest, statutory fees, and court costs due, as follows: (1) Requires that the application of payment of interest on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the interest due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (2) Requires that the application of payment of statutory fees on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the fees due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (3) Requires that the application of payment of court costs on a partial payment be calculated by the amount of the partial payment multiplied by the quotient of the court costs due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; and (4) Authorizes a rounding difference between the total of the individual applications of amounts due and the partial payment amount to be applied to any of the amounts due to make the total of the individual applications equal to the partial payment amount.
House Status: 03/25/24 - House passed with amendment 1 (014462).
Summary Or State Summary: Authorizes municipal tax collectors and taxing entities to also accept partial payments of delinquent property taxes in the same manner as county trustees. Requires such officials to include in their plan for accepting partial payments a description of the accounting system technology or manual processes to be used to record partial payments of delinquent property taxes and a statement indicating that funds received as partial payments on delinquent property taxes will reduce the amount of delinquent property tax, interest, statutory fees, and court costs, by relative amounts on a pro-rata basis.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-5-2001, relative to collection of delinquent taxes.

SB2174/HB2250 **TAXES PROPERTY: Changes to the County Powers Relief Act.**

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Changes the number of days a municipal or county official has to forward a copy of the form signed by a building permit applicant to the county official or employee who has been designated by the county legislative body to collect the tax when a building permit is issued under the County Powers Relief Act from 30 days to 30 business days.
Fiscal Note: (Dated January 31, 2024) NOT SIGNIFICANT
Senate Status: 03/20/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 02/01/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Changes the number of days a municipal or county official has to forward a copy of the form signed by a building permit applicant to the county official or employee who has been designated by the county legislative body to collect the tax when a building permit is issued under the County Powers Relief Act from 30 days to 30 business days.
Summary: Changes the number of days a municipal or county official has to forward a copy of the form signed by a building permit applicant to the county official or employee who has been designated by the county legislative body to collect the tax when a building permit is issued under the County Powers Relief Act from 30 days to 30 business days.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 29, relative to the County Powers Relief Act.

SB2208/HB2319 TAXES PROPERTY: Creates tax exemption for portions of property that provide tree canopy cover.

Sponsors: Sen. Niceley, Frank , Rep. Marsh, Pat
Summary: Creates tax exemption for portions of property that provide tree canopy cover in counties whose local governing bodies elect to create the exemption by two-thirds majority vote.
Fiscal Note: (Dated February 8, 2024) Other Fiscal Impact The fiscal impact of the proposed legislation is dependent upon whether a county elects to come under its provisions. If a county does elect to do so, there will be a one-time increase in state expenditures of \$10,000 for modifications to the online exemption application; any subsequent recurring increase to state or local revenue cannot be estimated. The proposed legislation would also result in a recurring decrease in local revenue and increase in local expenditures, both of which cannot be quantified but are considered permissive.
Senate Status: 02/01/24 - Referred to Senate State & Local Government Committee.
House Status: 02/28/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Creates tax exemption for portions of property that provide tree canopy cover in counties whose local governing bodies elect to create the exemption by two-thirds majority vote.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6 and Title 67, Chapter 5, relative to tree canopies.

SB2218/HB1902 TAXES PROPERTY: Payment of greenbelt rollback taxes.

Sponsors: Sen. Powers, Bill , Rep. Burkhardt, Jeff
Summary: Requires the payment of greenbelt rollback taxes in full at closing when greenbelt property is sold.
Amendment Summary: Amendment 1 (13990) clarifies that if the seller is paying the rollback tax, they must pay the rollback tax at the time of selling.
Fiscal Note: (Dated February 7, 2024) Other Fiscal Impact A mandatory increase in local revenue beginning in FY24-25 cannot be precisely quantified.
Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/06/24 - House Agriculture & Natural Resources Committee deferred to 03/20/24.
Summary Or State Summary: Requires the payment of greenbelt rollback taxes in full at closing when greenbelt property is sold.
Caption: AN ACT to amend Tennessee Code Annotated, Title 66; Section 67-4-409 and Title 67, Chapter 5, Part 10, relative to the Agricultural, Forest and Open Space Land Act of 1976.

SB2238/HB2467 TAXES PROPERTY: Classification of the property as zoning-exempt property.

Sponsors: Sen. Yarbro, Jeff , Rep. Stevens, Robert
Summary: Authorizes a county to create a program by which an owner of real property in the county may apply for a classification of the property as zoning-exempt property, which values the property based on the zoning classification that existed at the time the owner came into possession of the property and its current use.
Amendment Summary: House Property & Planning Subcommittee amendment 1 (014490) changes the classification from "zoning-exempt property" to "present use-exempt property."
Fiscal Note: (Dated March 1, 2024) Increase State Expenditures - \$92,500/FY24-25/Comptroller of the Treasury Other Fiscal Impact The proposed legislation will result in a recurring decrease in local revenue and increase in local expenditures, both of which cannot be quantified with reasonable certainty but are considered permissive.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/10/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Authorizes a county to create a program by which an owner of real property in the county may apply for a classification of the property as zoning-exempt property, which values the property based on the zoning classification that existed at the time the owner came into possession of the property and its current use.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property tax.

SB2248/HB1968 TAXES PROPERTY: Report filed on tax sale by court clerk.

Sponsors: Sen. Stevens, John , Rep. Williams, Ryan
Summary: Extends, from five business days to 10 calendar days after the conclusion of a tax sale, the deadline by which a court clerk must file a report of sale or other notice reflecting the results of the tax sale, prior to the confirmation of the sale by the court. Broadly captioned.
Fiscal Note: (Dated January 30, 2024) NOT SIGNIFICANT
Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/27/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Extends, from five business days to 10 calendar days after the conclusion of a tax sale, the deadline by which a court clerk must file a report of sale or other notice reflecting the results of the tax sale, prior to the confirmation of the sale by the court. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 49; Title 54; Title 55; Title 64; Title 67 and Title 68, relative to property taxes.

SB2289/HB2525 TAXES PROPERTY: Low-interest construction loans to low-income persons living in areas with a need for affordable housing.

Sponsors: Sen. Kyle, Sara , Rep. Thompson, Dwayne
Summary: Requires a county register to remit 20% of collected transfer and mortgage taxes to the agency for purposes of making low-interest and zero-interest construction loans to low-income persons who live in areas with a critical need for affordable housing.
Fiscal Note: (Dated April 4, 2024) Increase State Revenue \$80,184,000/FY24-25 and Subsequent Years/ Homebuyers Revolving Loan Fund Pool Decrease State Revenue \$80,184,000/FY24-25 and Subsequent Years/ General Fund Increase State Expenditures \$974,600/FY24-25 and Subsequent Years/ General Fund Other Fiscal Impact The precise timing and amount of any loans issued, loan repayments collected, and additional interest revenue to the Homebuyers Revolving Loan Fund Pool, if any, are dependent on multiple unknown factors cannot be reasonably determined.
Senate Status: 02/01/24 - Referred to Senate State & Local Government Committee.
House Status: 02/01/24 - Referred to House Property & Planning Subcommittee.
Summary Or State Summary: Requires a county register to remit 20% of collected transfer and mortgage taxes to the agency for purposes of making low-interest and zero-interest construction loans to low-income persons who live in areas with a critical need for affordable housing.
Caption: AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 23 and Title 67, Chapter 4, relative to affordable housing.

SB2417/HB2581 TAXES PROPERTY: Payment in lieu of tax agreements to be approved by a majority vote of the city or county legislative body.

Sponsors: Sen. Swann, Art , Rep. Russell, Lowell
Summary: Requires, in counties with a population of 60,000 or less, payment in lieu of tax agreements to be approved by a majority vote of the city or county legislative body of each affected taxing jurisdiction before an industrial development corporation, housing authority, or health, educational, and housing facility corporation negotiates the agreement. Broadly captioned.
Fiscal Note: (Dated March 5, 2024) NOT SIGNIFICANT
Senate Status: 02/01/24 - Referred to Senate State & Local Government Committee.
House Status: 02/05/24 - Held on House clerk's desk.
Summary Or State Summary: Requires, in counties with a population of 60,000 or less, payment in lieu of tax agreements to be approved by a majority vote of the city or county legislative body of each affected taxing jurisdiction before an industrial development corporation, housing authority, or health, educational, and housing facility corporation negotiates the agreement. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 53; Title 13, Chapter 20 and Title 48, relative to payments in lieu of ad valorem taxes.

SB2483/HB2481 TAXES PROPERTY: Filing an exception regarding the property tax assessment for a utility or carrier.

Sponsors: Sen. Kyle, Sara , Rep. Thompson, Dwayne
Summary: Changes, from 20 days to three weeks, the time in which a person or entity must file an exception regarding the property tax assessment for a utility or carrier before the person or entity is deemed to have waived any objection to the assessment. Broadly captioned.
Fiscal Note: (Dated March 14, 2024) NOT SIGNIFICANT
Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Changes, from 20 days to three weeks, the time in which a person or entity must file an exception regarding the property tax assessment for a utility or carrier before the person or entity is deemed to have waived any objection to the assessment. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-5-1327; Section 67-5-1328 and Section 67-5-303, relative to property taxes.

SB2490/HB2210 TAXES PROPERTY: End Hedge Fund Control of Tennessee Homes Act.

Sponsors: Sen. Lamar, London , Rep. Jones, Justin
Summary: Enacts the "End Hedge Fund Control of Tennessee Homes Act," which levies a privilege tax on real estate investors who own more than 100 homes in this state. Specifies that the privilege tax is \$20,000 per home that the investor owns in excess of 100 homes. Allocates revenues from the privilege tax to be deposited into a fund managed by the Tennessee Housing Development Agency (THDA). Specifies that THDA is to use the moneys in the fund to issue grants or provide financial assistance to individuals or families for purposes of making a down payment on the purchase of a home.
Fiscal Note: (Dated April 4, 2024) Increase State Revenue \$56,140,000/FY24-25/THDA Grant Fund \$18,720,000/FY25-26 and Subsequent Years/ THDA Grant Fund Increase State Expenditures 56,140,000/FY24-25/THDA Grant Fund \$18,720,000/FY25-26 and Subsequent Years/ THDA Grant Fund HB 2210 - SB 2490
Senate Status: 02/01/24 - Set for Senate Commerce & Labor Committee.
House Status: 01/31/24 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Enacts the "End Hedge Fund Control of Tennessee Homes Act," which levies a privilege tax on real estate investors who own more than 100 homes in this state. Specifies that the privilege tax is \$20,000 per home that the investor owns in excess of 100 homes. Allocates revenues from the privilege tax to be deposited into a fund managed by the Tennessee Housing Development Agency (THDA). Specifies that THDA is to use the moneys in the fund to issue grants or provide financial assistance to individuals or families for purposes of making a down payment on the purchase of a home.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 13; Title 47; Title 48; Title 62; Title 66 and Title 67, relative to single-family residential homes.

SB2550/HB2624 TAXES PROPERTY: Revises current law regarding property tax liens and delinquent property taxes.

Sponsors: Sen. Swann, Art , Rep. Carr, Dale
Summary: Grants first priority to property tax liens relative to receiver's liens and other liens established under the Neighborhood Preservation Act and the Tennessee Local Land Bank Program. Clarifies that various provisions governing judicial sales do not apply to property tax proceedings. Makes various revisions to laws governing property tax liens, delinquent property taxes, and property tax proceedings. (21pp.). Broadly captioned.
Amendment Summary: Senate State and Local Government Committee amendment 1, House Property & Planning Subcommittee amendment 1 (016386) makes changes regarding local banks and bids for the acquisition of real property. If a local bank submits a bid equal to or greater than the highest bidder within two business days from the close of the tax sale auction, then the local bank is the prevailing bidder. Cleans up the bill. Authorizes a negotiated sale if a second sale is not permissible for a real property.
Fiscal Note: (Dated March 16, 2024) Other Fiscal Impact A precise impact to local revenue and mandatory expenditures cannot be estimated with certainty. *
Senate Status: 03/19/24 - Senate State & Local Government Committee recommended with amendment 1 (016386). Sent to Senate Calendar Committee.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Grants first priority to property tax liens relative to receiver's liens and other liens established under the Neighborhood Preservation Act and the Tennessee Local Land Bank Program. Clarifies that various provisions governing judicial sales do not apply to property tax proceedings. Makes various revisions to laws governing property tax liens, delinquent property taxes, and property tax proceedings. (21pp.). Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 8; Title 13; Title 26 and Title 67, relative to delinquent property taxes.

SB2658/HB2608 TAXES PROPERTY: TACIR study of the County Powers Relief Act.

Sponsors: Sen. White, Dawn , Rep. Stevens, Robert
Summary: Requires TACIR to conduct a study of the County Powers Relief Act and report its findings to the state and local government committee of the senate and the local government committee of the house by January 30, 2025. Broadly captioned.
Fiscal Note: (Dated March 14, 2024) NOT SIGNIFICANT
Senate Status: 03/27/24 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/27/24 - Taken off notice in House Property & Planning Subcommittee.
Summary Or State Summary: Requires TACIR to conduct a study of the County Powers Relief Act and report its findings to the state and local government committee of the senate and the local government committee of the house by January 30, 2025. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 67, Chapter 4, Part 29, relative to revenue from development.

SB2769/HB2055 TAXES PROPERTY: Deletes reference to a repealed statute regarding actions by county board of equalization.

Sponsors: Sen. Bowling, Janice , Rep. Eldridge, Rick
Summary: Deletes a reference to a repealed statute from the present law governing the deadline by which an action by the county board of equalization during its regular session must be completed and notice of its decision and appeal procedure must be sent. Broadly captioned.
Amendment Summary: Senate amendment 1 (015673) rewrites the bill to, instead, do the following: (1) Require an assessor of property to notify the register of deeds as to which records required under this part meet the definition of "permanent records" as defined in state law; (2) Change the present law definition of a "movable structure" to include a mobile home or such other movable structure that is constructed as a trailer or semitrailer and designed to either be towed along the highways or to be parked off the highways, and that may be used, temporarily or permanently, as a residence, apartment, office, storehouse, warehouse, or for any other commercial or industrial purpose; and (3) Authorize the state board of equalization to approve a reappraisal plan specifying a schedule for continuous on-site review or photo review that is different than the standard schedule provided in state law relative to periodic reappraisal and equalization of property taxes, but that is no longer than four years.
Fiscal Note: (Dated January 30, 2024) NOT SIGNIFICANT
Senate Status: 04/04/24 - Senate passed with amendment 1 (015673).
House Status: 04/08/24 - House passed.
Executive Status: 04/08/24 - Sent to the speakers for signatures.
Summary Or State Summary: Deletes a reference to a repealed statute from the present law governing the deadline by which an action by the county board of equalization during its regular session must be completed and notice of its decision and appeal procedure must be sent. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to property taxes.

SB2778/HB2018 TAXES PROPERTY: Removal of repeal date for collection agent retention.

Sponsors: Sen. Bowling, Janice , Rep. Marsh, Pat
Summary: Removes the July 1, 2024, repeal date for the provision detailing the retention by a county trustee of an agent to collect tangible personal property taxes from a delinquent taxpayer.
Fiscal Note: (Dated February 16, 2024) Other Fiscal Impact A precise, permissive increase in local revenue and local expenditures in FY24-25 and subsequent years cannot be estimated with certainty.
Senate Status: 03/20/24 - Signed by Senate speaker.
House Status: 03/26/24 - Signed by House speaker.
Executive Status: 04/05/24 - Enacted as Public Chapter 0654 effective April 4, 2024.
Summary Or State Summary: Removes the July 1, 2024, repeal date for the provision detailing the retention by a county trustee of an agent to collect tangible personal property taxes from a delinquent taxpayer.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property taxes.

SJR158 TAXES PROPERTY: Constitutional Amendments - state tax on property.

Sponsors: Sen. Niceley, Frank ,
Summary: Proposes additional language in Article II, Section 28 to prohibit the general assembly from levying, authorizing, or otherwise permitting a state tax on property.
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
Summary Or State Summary: Proposes additional language in Article II, Section 28 to prohibit the general assembly from levying, authorizing, or otherwise permitting a state tax on property.

HJR81 TAXES PROPERTY: Constitutional amendment - state tax on property.

Sponsors: Rep. Darby, Tandy
Summary: Proposes an amendment to Article II, Section 28 of the Constitution of Tennessee, to prohibit taxation of property by the State.
Senate Status: 03/28/24 - Senate concurred.
House Status: 04/21/23 - House adopted on third reading.
Executive Status: 03/28/24 - Sent to the speakers for signatures.
Summary Or State Summary: Proposes an amendment to Article II, Section 28 of the Constitution of Tennessee, to prohibit taxation of property by the State.

TAXES SALES**SB462/HB1187 TAXES SALES: Sale tax distribution change.**

Sponsors: Sen. Briggs, Richard , Rep. Garrett, Johnny
Summary: Reduces from 29.0141 percent to 28.5262 percent, the share of state sales and use tax revenue deposited to the state general fund. Increases, from 4.6030 percent to 5.0909 percent, the share appropriated to municipalities.
Amendment Summary: House Finance Subcommittee amendment 1 (006663) requires that all revenue generated from the increase in the rate of sales and use tax from the tax levied at the rate of 2.75% on the amount in excess of \$1,600 but less than \$3,200 on the sale or use of any single article of personal property must be paid into the state general fund and allocated exclusively for general state purposes. Requires that revenue generated from the increases in the rate of sales and use tax from 6% to 7% must be apportioned, paid, and allocated in specific amounts over every fiscal year for the next six fiscal cycles. Requires all revenue generated from the 0.5% increases in the sales and use tax rate that became effective April 1, 1992, must be deposited in the state general fund and earmarked for education purposes in K-12 schools. Requires that revenue generated from the 0.5% must continue to be deposited in the state general fund and earmarked for education purposes in K-12 schools regardless of whether the tax rate is reduced below 6%.
Fiscal Note: (Dated March 9, 2023) Increase State Revenue \$551,400/FY22-23 and Subsequent Years /Municipal Technical Advisory Service Decrease State Revenue \$55,142,000/FY22-23 and Subsequent Years /General Fund Increase Local Revenue \$54,590,600/FY22-23 and Subsequent Years
Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 2 04/16/24.
Summary Or State Summary: Reduces from 29.0141 percent to 28.5262 percent, the share of state sales and use tax revenue deposited to the state general fund. Increases, from 4.6030 percent to 5.0909 percent, the share appropriated to municipalities.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-6-103, relative to distribution of revenues.

SB767/HB789 TAXES SALES: Share of state sales and use tax revenue appropriated to municipalities.

Sponsors: Sen. Lowe, Adam , Rep. Richey, Bryan
Summary: Increases, over a five-year period, from 4.6030 percent to 5.0909 percent, the share of state sales and use tax revenue appropriated to municipalities. Reduces, over a five-year period, from 29.0141 percent to 28.5262 percent, the share of state sales and use tax revenue deposited to the state general fund.
Fiscal Note: (Dated February 20, 2023) Increase State Revenue \$137,900/FY24-25/MTAS \$220,500/FY25-26/MTAS \$330,800/FY26-27/MTAS \$441,100/FY27-28/MTAS \$551,400/FY28-29 and Subsequent Years/MTAS Decrease State Revenue \$13,788,300/FY24-25/General Fund \$22,050,000/FY25-26/General Fund \$33,080,700/FY26-27/General Fund \$44,111,400/FY27-28/General Fund \$55,142,000/FY28-29 and Subsequent Years /General Fund Increase Local Revenue \$13,650,400/FY24-25 \$21,829,500/FY25-26 \$32,749,900/FY26-27 \$43,670,200/FY27-28 \$54,590,600/FY28-29 and Subsequent Years HB 789 - SB 767
Senate Status: 03/14/23 - Taken off notice in Senate Finance Revenue Subcommittee.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Summary Or State Summary: Increases, over a five-year period, from 4.6030 percent to 5.0909 percent, the share of state sales and use tax revenue appropriated to municipalities. Reduces, over a five-year period, from 29.0141 percent to 28.5262 percent, the share of state sales and use tax revenue deposited to the state general fund.
Caption: AN ACT to amend Tennessee Code Annotated, Section 67-6-103, relative to distribution of revenues.

SB1356/HB1424 TAXES SALES: Requirements for the retainment of records and invoices associated with filed sales and use tax return.

Sponsors: Sen. Powers, Bill , Rep. Hicks, Gary
Summary: Changes, from December 31 to December 15, the date from which a dealer must, for a period of three years, keep and preserve records and invoices that are associated with a filed sales and use tax return. Broadly captioned.
Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 03/14/23 - Taken off notice in Senate Finance Revenue Subcommittee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Changes, from December 31 to December 15, the date from which a dealer must, for a period of three years, keep and preserve records and invoices that are associated with a filed sales and use tax return. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.

SB1741/HB1835 TAXES SALES: Sales tax allocation.

Sponsors: Sen. Haile, Ferrell , Rep. Rudd, Tim
Summary: Allocates 2.83% of the sales and use tax collected in the 11 fastest-growing counties to such counties. Requires such counties to earmark such revenue for educational facility maintenance and construction and infrastructure.
Amendment Summary: Senate Finance Revenue Subcommittee amendment 1, House Finance Subcommittee amendment 1 (015145) allocates 1.4% of the sales and use tax collected in to counties who have experienced a 20% or more increase in population from the 2010 federal census to the 2020 federal census or the county experiences growth of 20% or more between any subsequent federal decennial censuses to the county. Specifies that such allocation also applies to counties who have experienced a nine percent or more growth in population over the immediate consecutive four-year period according to a special census conducted by the county. Requires such counties to earmark such revenue for educational facility maintenance and construction and infrastructure.
Fiscal Note: (Dated March 10, 2024) Decrease State Revenue \$137,282,800/Each Year FY24-25 through FY28-29 Increase Local Revenue \$137,282,800/Each Year FY24-25 through FY28-29
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.
Summary Or State Summary: Allocates 2.83% of the sales and use tax collected in the 11 fastest-growing counties to such counties. Requires such counties to earmark such revenue for educational facility maintenance and construction and infrastructure.
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, relative to the sales and use tax.

SB1934/HB2043 TAXES SALES: Eliminates sales tax on groceries.

Sponsors: Sen. Oliver, Charlane , Rep. Behn, Aftyn
Summary: Eliminates the 4% sales tax on the retail sale of food and food ingredients for human consumption. Enacts the Business Enterprise Tax Act which imposes a 0.75% tax upon the taxable enterprise value tax base of every business enterprise. Also enacts the Worldwide Combined Reporting Act which applies to the reporting of net earnings and the levying of taxes. (32 pp.)
Amendment Summary: House Finance Subcommittee amendment 1 (015661) eliminates the state and local sales tax on food and food ingredients and holds local governments harmless for lost state-shared allocations. Effective January 1, 2025.
Fiscal Note: (Dated March 3, 2024) Increase State Revenue Net Impact Exceeds \$39,559,700/FY24-25 Exceeds \$19,779,900/FY25-26 and Subsequent Years Increase State Expenditures \$2,000,000/FY24-25 Decrease Local Revenue Net Impact \$240,573,300/FY24-25 \$481,146,600/FY25-26 and Subsequent Years Other Fiscal Impact The extent in which adoption of Worldwide Combined Reporting may impact foreign direct investment and business activity in this state, and whatever impact it may or may not have on state revenue, is based upon multiple unknown variables that cannot be reasonably quantified or determined.
Senate Status: 04/11/24 - Set for Senate Finance, Ways & Means Committee 04/15/24.
House Status: 04/11/24 - Set for House Finance, Ways & Means Subcommittee 04/16/24.

Summary Or State Summary:

Eliminates the 4% sales tax on the retail sale of food and food ingredients for human consumption. Enacts the Business Enterprise Tax Act which imposes a 0.75% tax upon the taxable enterprise value tax base of every business enterprise. Also enacts the Worldwide Combined Reporting Act which applies to the reporting of net earnings and the levying of taxes. (32 pp.)

Caption: AN ACT to amend Tennessee Code Annotated, Title 57 and Title 67, relative to taxation.

SB2057/HB2185 **TAXES SALES: Political advertisements that are created by artificial intelligence to include certain disclaimers.**

Sponsors: Sen. Yarbro, Jeff , Rep. Hemmer, Caleb

Summary: Requires campaign advertisements to disclose if they were partially or wholly generated by artificial intelligence. Specifies that advertisements in print must feature a disclaimer in text similar to the rest of the communication. For audio communications, the disclaimer must last a minimum of three seconds. For video communications, the disclaimer must meet the requirements for audio and appear for four seconds in text similar to the majority of the advertisement's text. Additionally, requires non-political advertisements, including communications about an election, candidate, or ballot question, to disclose if they were generated in part or wholly by artificial intelligence. Prohibits a person, political campaign committee, or other entities from distributing deceptive material without a disclaimer, and violation of this is a Class C misdemeanor. Establishes the right to injunctive relief for violation.

Amendment Summary: Elections & Campaign Finance Subcommittee amendment 1 (013804) requires that any form of political advertisement must disclose if it was made with artificial intelligence. A person or organization may not distribute deceptive media. Defines advertisement as a representation disseminated by any means that relates to political campaigns. Defines artificial intelligence as a machine-based system that can make decisions, recommendations, or predictions. Defines materially deceptive media as depicting speech that did not happen, something that would convince a reasonable viewer, or media that was procured substantially relying on technology rather than a voice actor. Defines political advertisement as an advertisement involving a candidate, race, or ballot question that is on behalf of a candidate.

Fiscal Note: (Dated February 9, 2024) NOT SIGNIFICANT

Senate Status: 01/31/24 - Referred to Senate State & Local Government Committee.

House Status: 02/21/24 - Failed in House Elections & Campaign Finance Subcommittee.

Summary Or State Summary: Requires campaign advertisements to disclose if they were partially or wholly generated by artificial intelligence. Specifies that advertisements in print must feature a disclaimer in text similar to the rest of the communication. For audio communications, the disclaimer must last a minimum of three seconds. For video communications, the disclaimer must meet the requirements for audio and appear for four seconds in text similar to the majority of the advertisement's text. Additionally, requires non-political advertisements, including communications about an election, candidate, or ballot question, to disclose if they were generated in part or wholly by artificial intelligence. Prohibits a person, political campaign committee, or other entities from distributing deceptive material without a disclaimer, and violation of this is a Class C misdemeanor. Establishes the right to injunctive relief for violation.

Caption: AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 19, Part 1, relative to political campaigns.

TENNCARE

HJR134 **TENNCARE: Housing solutions for Tennesseans in need by TennCare.**

Sponsors: Rep. Dixie, Vincent

Summary: Urges the Bureau of TennCare to seek a Section 1115 waiver to provide housing solutions for Tennesseans in need.

House Status: 02/01/23 - Referred to House Health Subcommittee.

Summary Or State Summary: Urges the Bureau of TennCare to seek a Section 1115 waiver to provide housing solutions for Tennesseans in need.

TORT LIABILITY

SB2823/HB1898 **TORT LIABILITY: Period of time by which government entity may respond to claim under TN Governmental Tort Liability Act.**

Sponsors: Sen. Crowe, Rusty , Rep. Rudd, Tim

Summary: Reduces from 60 to 45 days the period by which a governmental entity or employee may answer or respond to a claim, action, or suit brought under the Tennessee Governmental Tort Liability Act. Reduces from 60 to 45 days the period by which such a claim, action, or suit is deemed denied if, at the end of such period, the governmental entity or its insurer fails to approve or deny the claim. Broadly captioned.

Fiscal Note: (Dated February 11, 2024) NOT SIGNIFICANT

Senate Status: 02/05/24 - Referred to Senate Judiciary Committee.

House Status: 01/25/24 - Held on House clerk's desk.

Summary Or State Summary: Reduces from 60 to 45 days the period by which a governmental entity or employee may answer or respond to a claim, action, or suit brought under the Tennessee Governmental Tort Liability Act. Reduces from 60 to 45 days the period by which such a claim, action, or suit is deemed denied if, at the end of such period, the governmental entity or its insurer fails to approve or deny the claim. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 9; Title 20; Title 28; Title 29 and Title 66, relative to liability.

TRANSPORTATION GENERAL

SB1096/HB684 **TRANSPORTATION GENERAL: Revises definition of "visible" in the Outdoor Advertising Control Act of 2020.**

Sponsors: Sen. Bowling, Janice , Rep. Carr, Dale

Summary: Changes the definition of "visible" in the Outdoor Advertising Control Act of 2020 to "capable of being seen and comprehended without visual aid by a person traveling the posted speed limit on the main traveled way of the highway." Authorizes the commissioner of transportation to issue vegetation control permits to owners of outdoor advertising device permits to remove, block cut, or trim vegetation located on the right-of-way, without regard to whether it is adjacent to the device, if the vegetation prevents clear visibility for a certain distance to occupants of vehicles using the main traveled ways of the controlled systems.

Fiscal Note: (Dated March 4, 2023) Other Fiscal Impact This legislation may result in a loss in highway funding from the Federal Highway Administration due to failure to comply with relevant federal laws and regulations. The exact amount of any possible decrease in such federal funding cannot be determined at this time.

Senate Status: 03/15/23 - Senate Transportation & Safety Committee deferred to the first calendar of 2024.

House Status: 03/15/23 - Taken off notice in House Transportation Subcommittee.

Summary Or State Summary: Changes the definition of "visible" in the Outdoor Advertising Control Act of 2020 to "capable of being seen and comprehended without visual aid by a person traveling the posted speed limit on the main traveled way of the highway." Authorizes the commissioner of transportation to issue vegetation control permits to owners of outdoor advertising device permits to remove, block cut, or trim vegetation located on the right-of-way, without regard to whether it is adjacent to the device, if the vegetation prevents clear visibility for a certain distance to occupants of vehicles using the main traveled ways of the controlled systems.

Caption: AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 21, relative to outdoor advertising.

SB1413/HB1353 **TRANSPORTATION GENERAL: Timeframe for enforcing rules to implement Outdoor Advertising Control Act of 2020.**

Sponsors: Sen. Swann, Art , Rep. Farmer, Andrew

Summary: Deletes an obsolete statutory provision regarding the date and time frame in which the commissioner of transportation was to begin promulgating and enforcing rules to implement the Outdoor Advertising Control Act of 2020.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT

Senate Status: 03/15/23 - Taken off notice in Senate Transportation & Safety Committee.

House Status: 03/15/23 - Taken off notice in House Transportation Subcommittee.

Summary Or State Summary: Deletes an obsolete statutory provision regarding the date and time frame in which the commissioner of transportation was to begin promulgating and enforcing rules to implement the Outdoor Advertising Control Act of 2020.

Caption: AN ACT to amend Tennessee Code Annotated, Title 54, Chapter 17 and Title 54, Chapter 21, relative to outdoor advertising.

SB1473/HB1218 TRANSPORTATION GENERAL: Reporting of operations by railroad companies.

Sponsors: Sen. McNally, Randy , Rep. Hazlewood, Patsy
Summary: Requires railroad companies to send to the department of transportation, on an annual basis, a report containing statements of the operations of the company, unless the railroad companies prepare such statements of operations on a monthly or quarterly basis. Broadly captioned.
Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT
Senate Status: 03/15/23 - Taken off notice in Senate Transportation & Safety Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires railroad companies to send to the department of transportation, on an annual basis, a report containing statements of the operations of the company, unless the railroad companies prepare such statements of operations on a monthly or quarterly basis. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 54; Title 55; Title 65; Title 66 and Title 67, relative to railroads.

SB2090/HB1690 TRANSPORTATION GENERAL: Notice for parties involved in lawsuit to secure an easement or right-of-way.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Requires the sheriff to give the parties involved in a lawsuit to secure an easement or right-of-way four days' notice of the time and place of the proceeding before a jury instead of three days' notice. Broadly captioned. Part of Administration Package.
Fiscal Note: (Dated January 11, 2024) NOT SIGNIFICANT
Senate Status: 02/01/24 - Referred to Senate Judiciary Committee.
House Status: 01/10/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires the sheriff to give the parties involved in a lawsuit to secure an easement or right-of-way four days' notice of the time and place of the proceeding before a jury instead of three days' notice. Broadly captioned. Part of Administration Package.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 12; Title 13; Title 29; Title 54; Title 62 and Title 64, relative to right-of-way acquisition.

TRANSPORTATION VEHICLES**SB175/HB162 TRANSPORTATION VEHICLES: Report on placards issued to transporters of manufactured homes.**

Sponsors: Sen. Massey, Becky , Rep. Moon, Jerome
Summary: Requires the department of transportation to submit a brief written summary to the transportation committee of the house of representatives and the transportation and safety committee of the senate no later than March 15 annually concerning placards issued to transporters of manufactured homes, including data on unsafe and erratic driving reported to the department using the telephone number that appears on the placards.
Fiscal Note: (Dated January 20, 2023) NOT SIGNIFICANT
Senate Status: 01/21/23 - Referred to Senate Transportation & Safety Committee.
House Status: 01/20/23 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires the department of transportation to submit a brief written summary to the transportation committee of the house of representatives and the transportation and safety committee of the senate no later than March 15 annually concerning placards issued to transporters of manufactured homes, including data on unsafe and erratic driving reported to the department using the telephone number that appears on the placards.
Caption: AN ACT to amend Tennessee Code Annotated, Title 55; Title 62; Title 67 and Title 68, relative to manufactured homes.

SB2434/HB2512 TRANSPORTATION VEHICLES: Parking of a vehicle on a road or street in a residential district.

Sponsors: Sen. Akbari, Raumesh , Rep. Harris, Torrey
Summary: Prohibits a person from parking a vehicle upon a road, street, or highway in a residential district in such a manner or under such conditions as to leave available less than 12 feet of an unobstructed width of the roadway opposite the parked vehicle for the free passage of other vehicles. Broadly captioned.
Fiscal Note: (Dated February 25, 2024) NOT SIGNIFICANT
Senate Status: 02/01/24 - Referred to Senate Transportation & Safety Committee.
House Status: 02/28/24 - Taken off notice in House Transportation Subcommittee.
Summary Or State Summary: Prohibits a person from parking a vehicle upon a road, street, or highway in a residential district in such a manner or under such conditions as to leave available less than 12 feet of an unobstructed width of the roadway opposite the parked vehicle for the free passage of other vehicles. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 55, relative to parking.

UTILITIES**SB129/HB526 UTILITIES: Removal of requirements for water treatment project fees and rates.**

Sponsors: Sen. Walley, Page , Rep. Haston, Kirk
Summary: Removes requirement for receipt of certain grants and loans for water and wastewater treatment infrastructure projects that a municipality includes depreciation in its calculation of fees or rates.
Amendment Summary: Senate State & Local Government Committee, House Local Government Committee amendment 1 (015997) establishes that the rate of depreciation of equipment purchased by a utility system does not apply to new equipment purchased by any such utility for one year from the date the equipment is installed and in operation, if such exception is approved by a majority vote of the governing body of a public utility at either the regular meeting or a specially-held meeting. Specifies that the rate of depreciation also does not apply to materials used in the installation and maintenance of water lines that are purchased with such grants.
Fiscal Note: (Dated March 3, 2023) Other Fiscal Impact Any increase in revenue and expenditures for the State Revolving Fund and local governments cannot be quantified with reasonable certainty. Any impact on local governments is considered permissive.
Senate Status: 03/27/24 - Senate State & Local Government Committee recommended with amendment 1 (015997). Sent to Senate Calendar Committee.
House Status: 04/10/24 - Set for House Government Operations Committee 04/15/24.
Summary Or State Summary: Removes requirement for receipt of certain grants and loans for water and wastewater treatment infrastructure projects that a municipality includes depreciation in its calculation of fees or rates.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 65; Title 67 and Title 68, relative to utilities.

SB347/HB1123 UTILITIES: Condemning of property outside service area of utility.

Sponsors: Sen. Campbell, Heidi , Rep. Thompson, Dwayne
Summary: Prohibits a utility district from condemning property outside the service area of the utility.
Fiscal Note: (Dated March 30, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Judiciary Committee.
House Status: 02/08/23 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Prohibits a utility district from condemning property outside the service area of the utility.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 82, relative to utility districts.

SB632/HB1063 UTILITIES: Waterworks construction loan agreement - failure of municipality to comply with payment schedule.

Sponsors: Sen. Taylor, Brent , Rep. Vaughan, Kevin
Summary: Increases, from five to ten, the number of days the commissioner of finance and administration has to send notice to a municipality regarding the municipality's failure to remit funds in accordance with the amortization schedule for the municipality's waterworks construction loan agreement. Broadly captioned.

Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate State & Local Government Committee.
House Status: 03/21/23 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Increases, from five to ten, the number of days the commissioner of finance and administration has to send notice to a municipality regarding the municipality's failure to remit funds in accordance with the amortization schedule for the municipality's waterworks construction loan agreement. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 9; Title 13; Title 65 and Title 68, relative to utilities.

SB1358/HB943 UTILITIES: Map indicating where provider offered broadband service.

Sponsors: Sen. Southerland, Steve , Rep. Alexander, Rebecca
Summary: Requires franchise holders, and certificated providers, that provide broadband service to file on or before July 1, 2023, and by July 1 of the two subsequent years thereafter, a map or other information with the appropriate regulatory entity indicating the specific locations where the provider offered broadband service that is capable of delivering download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.
Fiscal Note: (Dated March 9, 2023) NOT SIGNIFICANT
Senate Status: 03/20/23 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Requires franchise holders, and certificated providers, that provide broadband service to file on or before July 1, 2023, and by July 1 of the two subsequent years thereafter, a map or other information with the appropriate regulatory entity indicating the specific locations where the provider offered broadband service that is capable of delivering download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7 and Title 65, relative to broadband services.

SB1895/HB1879 UTILITIES: Termination of utilities - notice required.

Sponsors: Sen. Oliver, Charlane , Rep. Freeman, Bob
Summary: Requires utilities to send a written notice of termination to the customer on record as well as the owner of the property if they differ from the customer. Also describes how the comptroller of the treasury or the comptroller's designee must impose sanctions if a utility is reported to have violated this termination notice. Broadly captioned.
Fiscal Note: (Dated February 15, 2024) NOT SIGNIFICANT
Senate Status: 01/29/24 - Referred to Senate State & Local Government Committee.
House Status: 02/20/24 - Taken off notice in House Business & Utilities Subcommittee.
Summary Or State Summary: Requires utilities to send a written notice of termination to the customer on record as well as the owner of the property if they differ from the customer. Also describes how the comptroller of the treasury or the comptroller's designee must impose sanctions if a utility is reported to have violated this termination notice. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7; Title 65; Title 68 and Title 69, relative to termination of utilities.

SB1992/HB2270 UTILITIES: Notice regarding utility excavation or demolition.

Sponsors: Sen. Walley, Page , Rep. Boyd, Clark
Summary: Requires each person responsible for a utility excavation or demolition to serve an additional notice of intent to excavate or demolish if the excavation or demolition is not completed within 20 calendar days, instead of 15 calendar days, from the actual date specified to start excavation or demolition. Broadly captioned.
Fiscal Note: (Dated January 30, 2024) NOT SIGNIFICANT
Senate Status: 01/31/24 - Referred to Senate State & Local Government Committee.
House Status: 02/01/24 - Caption bill held on House clerk's desk.
Summary Or State Summary: Requires each person responsible for a utility excavation or demolition to serve an additional notice of intent to excavate or demolish if the excavation or demolition is not completed within 20 calendar days, instead of 15 calendar days, from the actual date specified to start excavation or demolition. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7 and Title 65, relative to utility excavations.

SB2232/HB2370 UTILITIES: Written consent required prior to installation of a smart meter.

Sponsors: Sen. Hensley, Joey , Rep. Barrett, Jody
Summary: Requires a utility to obtain written consent from the owner of residential or commercial property for which the utility provides services before the utility installs a smart meter for the property. Requires a utility to obtain written confirmation from the owner of the property that the owner consents to the continued presence and use of the smart meter if a smart meter is already present. Broadly captioned.
Fiscal Note: (Dated March 8, 2024) Other Fiscal Impact The proposed legislation will result in a significant mandatory increase in expenditures for utilities, the extent of which cannot be estimated with reasonable certainty. Utilities may increase rates, if needed, to offset such increase in expenditures to remain self-supporting.
Senate Status: 03/12/24 - Failed in Senate State & Local Government Committee.
House Status: 03/12/24 - House Business & Utilities Subcommittee deferred to 03/19/2024.
Summary Or State Summary: Requires a utility to obtain written consent from the owner of residential or commercial property for which the utility provides services before the utility installs a smart meter for the property. Requires a utility to obtain written confirmation from the owner of the property that the owner consents to the continued presence and use of the smart meter if a smart meter is already present. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 8; Title 65 and Title 68, relative to utility metering.

SB2693/HB2135 UTILITIES: Cable service includes internet access services.

Sponsors: Sen. Southerland, Steve , Rep. Eldridge, Rick
Summary: Broadens the scope of a cable service to include internet access services which includes giving users access to video programming, content, information, electronic mail, and streaming video content. Broadly captioned.
Fiscal Note: (Dated March 10, 2024) Other Fiscal Impact A mandatory increase in local government revenue cannot be precisely determined.
Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 01/31/24 - Referred to House Business & Utilities Subcommittee.
Summary Or State Summary: Broadens the scope of a cable service to include internet access services which includes giving users access to video programming, content, information, electronic mail, and streaming video content. Broadly captioned.
Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 59 and Title 65, Chapter 25, relative to services.

SB2834/HB2925 UTILITIES: Deletes obsolete provision requiring TPUC report on state-issued certificates of franchise authority.

Sponsors: Sen. Stevens, John , Rep. Sexton, Cameron
Summary: Deletes an obsolete provision requiring the public utility commission to report by 2011 to the speaker of the senate, the speaker of the house of representatives, the governor, the chair of the commerce and labor committee of the senate, and the chair of the commerce committee of the house of representatives regarding state-issued certificates of franchise authority under the Competitive Cable and Video Services Act. Broadly captioned.

Amendment Summary: Senate amendment 1 (017323) rewrites the bill to, instead, do the following: (1) Require that the state fire marshal, in promulgating rules establishing minimum statewide building construction safety standards, not prohibit less than six stories of Group R-2 occupancy, as defined in the building code adopted by the department of commerce and insurance, division of fire prevention, to be served by a single exit if: (A) The building has not more than six stories above grade plane; (B) The building does not contain more than four dwelling units on any floor; (C) An exterior stairway or interior exit stairway is provided; (D) A corridor separates each dwelling unit entry or exit door from the door to an interior exit stairway, including any related exit passageway on each floor, and the dwelling unit doors do not open directly into an interior exit stairway, but may open directly into an exterior stairway; (E) There is no more than 20 feet of travel to the exit stairway from the entry/exit door of any dwelling unit; (F) Travel distance measured in accordance with the building code adopted by the department of commerce and insurance, division of fire prevention, does not exceed 125 feet; (G) Other occupancies in the same building do not have access to the Group R-2 occupancy portion of the building or with the single-exit stairway. For purposes of this (1), parking garages and occupied roofs accessory to the Group R-2 occupancy may have access to the exit stairway; (H) The exit serving the Group R-2 occupancy does not discharge through any other occupancy, including an accessory parking garage; and (I) There are no openings within 10 feet of unprotected openings into the stairway other than required exit doors having a one-hour, fire-resistive rating; and (2) Authorize a local government to adopt the exception set out in (1) above by resolution or ordinance, and the exception becomes operative on the date of adoption of the resolution or ordinance; (3) When the owner of real property applies for utility service from a utility system for residential or commercial development on the owner's property and the utility has an existing utility line or system immediately adjacent to the real property, prohibit the utility system from requiring the owner to construct or pay for the construction of any offsite utility improvements as a condition for service or permit issuance; (4) If a utility system determines that offsite utility improvements must be constructed to provide the utility service requested and to maintain the utility's current level of service and capacity to serve its existing customers, require the utility system to require the owner to construct or pay for the construction of such offsite utility improvements; (5) Authorize the utility system to require the owner to upgrade the offsite utility improvements required pursuant to (4) above to increase the utility system's capacity to serve future customers, but only pursuant to a cost-sharing arrangement between the owner and the utility system; (6) Establish that a utility system has 60 days from the date on which a building permit is requested from the local government or state fire marshal to make the determinations in (4) and (5) above; (7) If the owner and the utility system are unable to agree upon the amount of the cost-sharing arrangement described in (5) above, authorize the owner to request the Tennessee board of utility regulation to determine the cost-sharing amount; (8) Define, for purposes of the bill, an "offsite utility improvement" as any utility improvement or utility extension beyond the boundary of the real property being developed by the owner; and (9) Authorize the Tennessee board of utility regulation to review and conduct informal hearings of cost-sharing amounts pursuant to the (3)-(9), above.

Fiscal Note: (Dated February 4, 2024) NOT SIGNIFICANT

Senate Status: 04/09/24 - Senate passed with amendment 1 (017323).

House Status: 04/11/24 - House passed.

Executive Status: 04/11/24 - Sent to the speakers for signatures.

Summary Or State Summary: Deletes an obsolete provision requiring the public utility commission to report by 2011 to the speaker of the senate, the speaker of the house of representatives, the governor, the chair of the commerce and labor committee of the senate, and the chair of the commerce committee of the house of representatives regarding state-issued certificates of franchise authority under the Competitive Cable and Video Services Act. Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Title 65 and Title 68, relative to government approval.

VETERANS & MILITARY AFFAIRS

SB376/HB446 VETERANS & MILITARY AFFAIRS: Veterans' Bill of Rights.

Sponsors: Sen. Campbell, Heidi , Rep. Glynn, Ronnie

Summary: Enacts the "Veterans' Bill of Rights," which helps veterans obtain a job through work programs and loans for starting a business, use their military experience to access degrees, certifications, and occupational licenses, ensure veterans' healthcare and mental healthcare is affordable and adequate, and find affordable and reliable housing for homeless veterans. Requires a report on findings and recommendations to be sent to the governor and the general assembly by February 1 of each year (10 pp). Broadly captioned.

Fiscal Note: (Dated February 26, 2023) Increase State Expenditures - \$1,879,100/FY23-24 \$1,312,300/FY24-25 and Subsequent Years Other Fiscal Impact This legislation would result in significant additional state and local expenditures to provide veterans with additional resources; however, due to multiple unknown factors, any such increase cannot be reasonably estimated.

Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/22/23 - Taken off notice in House Department & Agencies Subcommittee.

Summary Or State Summary: Enacts the "Veterans' Bill of Rights," which helps veterans obtain a job through work programs and loans for starting a business, use their military experience to access degrees, certifications, and occupational licenses, ensure veterans' healthcare and mental healthcare is affordable and adequate, and find affordable and reliable housing for homeless veterans. Requires a report on findings and recommendations to be sent to the governor and the general assembly by February 1 of each year (10 pp). Broadly captioned.

Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 49; Title 58, Chapter 3; Title 63; Title 68 and Title 71, relative to veterans' rights.

SB2082/HB1684 VETERANS & MILITARY AFFAIRS: Resilient Tennessee Revolving Loan Fund Act.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Creates the Resilient Tennessee Revolving Fund Act. Declares that disaster mitigation and resiliency are of the highest priority to the state. Ensures that Tennessee is ready and able to receive federal funds from the Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act. Requires the following money to be deposited into the fund: money received through FEMA and the STORM Act, money appropriated by the general assembly, investment and interest earnings, money received as repayment of loan principal and interest, and all money received by the fund. Requires money in the fund to be used to provide loans at an interest rate not exceeding 1% to eligible recipients. Allows money in the fund to be used to provide loans and financial assistance to recipients that mitigate the impacts of natural hazards. Requires TEMA to administer the fund and adopt rules and regulations for the fund's administration. Requires the agency to publish information about all projects receiving funding. Part of Administration Package.

Fiscal Note: (Dated February 10, 2024) Increase State Expenditures - \$384,900/FY24-25 and Subsequent Years The Governors proposed FY24-25 budget, on page A-35, recognizes a recurring increase in state expenditures of \$357,000 for five emergency management specialist-3 positions.

Senate Status: 03/04/24 - Senate passed.

House Status: 04/01/24 - House passed.

Executive Status: 04/01/24 - Sent to the speakers for signatures.

Summary Or State Summary: Creates the Resilient Tennessee Revolving Fund Act. Declares that disaster mitigation and resiliency are of the highest priority to the state. Ensures that Tennessee is ready and able to receive federal funds from the Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act. Requires the following money to be deposited into the fund: money received through FEMA and the STORM Act, money appropriated by the general assembly, investment and interest earnings, money received as repayment of loan principal and interest, and all money received by the fund. Requires money in the fund to be used to provide loans at an interest rate not exceeding 1% to eligible recipients. Allows money in the fund to be used to provide loans and financial assistance to recipients that mitigate the impacts of natural hazards. Requires TEMA to administer the fund and adopt rules and regulations for the fund's administration. Requires the agency to publish information about all projects receiving funding. Part of Administration Package.

Caption: AN ACT to amend Tennessee Code Annotated, Title 58, Chapter 2, relative to the establishment of the Resilient Tennessee Revolving Loan Act.

WELFARE

SB2457/HB2337 WELFARE: Standard monthly housing assistance payment amount.

Sponsors: Sen. Akbari, Raumesh , Rep. Pearson, Justin

Summary: Requires the agency to establish the payment standard amount for the monthly housing assistance payment under the federal housing choice voucher program to the maximum allowed by federal law.

Fiscal Note: (Dated March 9, 2024) Other Fiscal Impact The precise impact on the THDA voucher program is unknown and cannot be reasonably determined due to multiple unknown factors.

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/13/24 - Failed in House Property & Planning Subcommittee for lack of second.

Summary Or State Summary: Requires the agency to establish the payment standard amount for the monthly housing assistance payment under the federal housing choice voucher program to the maximum allowed by federal law.

Caption: AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 23, relative to affordable housing.