



RAMSEY FARRAR RUSSELL & SMITH
GOVERNMENT RELATIONS

TN Realtors Weekly Calendar 2024 Legislative Session

Mon 4/1/24 12:30pm - Senate Hearing Rm I, Senate Judiciary Committee

MEMBERS: CHAIR T. Gardenhire (R); VICE CHAIR D. White (R); 2ND VICE CHAIR P. Rose (R); S. Kyle (D); L. Lamar (D); J. Lundberg (R); K. Roberts (R); J. Stevens (R); B. Taylor (R)

15. **SB2783 ENVIRONMENT & NATURE: Entering onto private property by wildlife officer.** 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 **Caption:** AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 9 and Title 70, relative to powers of the wildlife resources agency.
HB1925 - B. Richey - 03/27/24 - Set for House Criminal Justice Subcommittee 04/02/24.

Mon 4/1/24 1:30pm - House Hearing Rm I, House Government Operations Committee

MEMBERS: CHAIR J. Ragan (R); VICE CHAIR J. Reedy (R); G. Bulso (R); K. Camper (D); D. Carr (R); J. Chism (D); J. Clemmons (D); J. Crawford (R); R. Eldridge (R); J. Faison (R); Y. Hakeem (D); C. Hemmer (D); J. Jones (D); K. Keisling (R); S. Kumar (R); J. Lafferty (R); W. Lamberth (R); M. Littleton (R); P. Marsh (R); G. Martin (R); J. McCalmon (R)

12. **HB2889 COMMERCIAL LAW: Authorizes registered agent of a foreign corporation to resign the agency appointment by filing info with the secretary of state.** 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 country 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 country 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 **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. **Subcommittee Amendments:** Public_Service_03.05.24.pdf

SB2863 - K. Roberts - 03/13/24 - Senate Commerce & Labor Committee recommended with amendment 1 (014226). Sent to Senate Finance.

Tue 4/2/24 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

MEMBERS: CHAIR B. Watson (R); VICE CHAIR J. Stevens (R); 2ND VICE CHAIR J. Hensley (R); F. Haile (R); J. Johnson (R); L. Lamar (D); B. Powers (R); P. Walley (R); D. White (R); K. Yager (R); J. Yarbrow (D)

12. **SB2182 LOCAL GOVERNMENT: Notice requirement for public meeting by an industrial development corporation.** 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 State & Local Government Committee amendment 1 (015080) rewrites the bill. Specifies that an industrial development corporation created by a housing opportunity county or by a municipality within the boundaries of a housing opportunity county has the power 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. Also gives such an industrial development corporation the power to accept loans and grants of money from the state, the United States, or from any agency or instrumentality of the state or United States for the purposes of carrying out the design, construction, installation, financing, or undertaking of public infrastructure. Also authorizes such industrial development corporations to make loans and grants 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. Specifies other requirements for loans or grants made to an industrial development corporation in a housing opportunity county. Defines "housing opportunity county" to mean 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 the 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. House Property & Planning Subcommittee 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 Property & Planning Subcommittee 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 **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.
HB2797 - B. Hulsey - 03/27/24 - Set for House Local Government Committee 04/02/24.

- 16. **SB2843** **PROPERTY & HOUSING: Agricultural and Critical Infrastructure Protection Act.** 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 **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."
Jackson E. HB2879 - C. Todd - 03/19/24 - Failed in House Local Government Committee.
- 18. **SB2968** **LOCAL GOVERNMENT: Davidson County - East Bank Development Authority.** 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.
Oliver C. HB2984 - B. Freeman - 03/14/24 - Re-referred to House Local Government Committee.

Tue 4/2/24 9:00am - House Hearing Rm I, House Commerce Committee

MEMBERS: CHAIR K. Vaughan (R); R. Alexander (R); J. Barrett (R); C. Boyd (R); J. Burkhart (R); K. Camper (D); J. Clemmons (D); J. Faison (R); B. Freeman (D); J. Garrett (R); M. Hale (R); G. Hardaway (D); K. Haston (R); P. Hazlewood (R); J. Holsclaw, Jr. (R); C. Johnson (R); S. Lynn (R); P. Marsh (R); J. Moon (R); D. Powers (R); M. Sparks (R); D. Thompson (D); J. Towns Jr. (D); G. Vital (R); R. Williams (R); J. Zachary (R)

- 7. **HB2910** **STATE GOVERNMENT: ECD report on unserved locations receiving broadband service.** 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 Commerce & Labor Committee amendment 1 (015556) requires providers of wireline broadband services who have received federal or state broadband grants or funding to submit a biannual report to the Department of Economic and Community Development (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 state or federal funding to expand broadband access that remain unserved as of the date of the report, a point of contact with the provider of each location concerning wireline broadband availability, and a date by which the provider plans to serve such locations. 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 **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. **Subcommittee Amendments:** Business_Sub_Amendments_03.19.24.pdf
Alexander R.
SB2907 - P. Bailey - 03/28/24 - Senate deferred to 04/01/24.
- 8. **HB1814** **PROPERTY & HOUSING: Disclosure of information to residential tenant by landlord.** 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 Commerce Committee amendment 1 (015957) 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. Applies to rental agreements entered into, amended, or renewed on or after January 1, 2025. 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 **Caption:** AN ACT to amend Tennessee Code Annotated, Title 66, relative to landlord obligations. **Subcommittee Amendments:** Business_Sub_Amendments_03.19.24.pdf
Thompson D.
SB1694 - J. Yarbro - 03/28/24 - Senate deferred to 04/04/24.

Tue 4/2/24 9:00am - Special Calendar - House Hearing Rm I, House Commerce Committee

MEMBERS: CHAIR K. Vaughan (R); R. Alexander (R); J. Barrett (R); C. Boyd (R); J. Burkhart (R); K. Camper (D); J. Clemmons (D); J. Faison (R); B. Freeman (D); J. Garrett (R); M. Hale (R); G. Hardaway (D); K. Haston (R); P. Hazlewood (R); J. Holsclaw, Jr. (R); C. Johnson (R); S. Lynn (R); P. Marsh (R); J. Moon (R); D. Powers (R); M. Sparks (R); D. Thompson (D); J. Towns Jr. (D); G. Vital (R); R. Williams (R); J. Zachary (R)

- 1. **HB1276** **PROPERTY & HOUSING: Circumstances under which a contractor can seek early release of a retainage.** 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 **Caption:** AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 15 and Title 66, relative to retainages. **Subcommittee Amendments:** Business_Sub_Amendments_03.21.23.pdf
Boyd C.
SB1201 - J. Johnson - 03/21/24 - Re-referred to Senate Calendar Committee.

Tue 4/2/24 11:00am - House Hearing Rm III, House Civil Justice Committee

MEMBERS: CHAIR A. Farmer (R); VICE CHAIR D. Jernigan (D); R. Bricken (R); G. Bulso (R); K. Capley (R); R. Eldridge (R); R. Gant (R); J. Garrett (R); R. Grills (R); T. Harris (D); W. Lamberth (R); M. Littleton (R); A. Parkinson (D); J. Powell (D); L. Russell (R); R. Stevens (R); C. Todd (R)

- 3. **HB2117** **CAMPAIGNS & LOBBYING: Written attestation with the political subdivision's annual audit.** 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 **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.
Powers D. SB2743 - F. Niceley - 03/20/24 - Senate State & Local Government Committee recommended. Sent to Senate Calendar Committee.

10. **HB1259** **PROPERTY & HOUSING: Transfer of a possibility of reverter or right of entry by a holder other than the original grantor.** 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, House Civil Justice Subcommittee 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. **Fiscal Note:** (Dated February 16, 2023) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 29 and Title 66, relative to real property.
SB795 - T. Gardenhire - 02/27/23 - Senate passed with amendment 1 (003741).
13. **HB1258** **ESTATES & TRUSTS: Serving copies of claims filed against an estate.** 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. **Fiscal Note:** (Dated February 17, 2023) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 30, relative to probate. **Subcommittee Amendments:** Children_and_Family_Affairs_Sub_03.19.2024.pdf
Children_and_Family_Affairs_Sub_03.26.2024.pdf
SB811 - T. Gardenhire - 03/02/23 - Senate passed.
- Tue 4/2/24 1:30pm - House Hearing Rm I, House Local Government Committee
- MEMBERS: CHAIR J. Crawford (R); VICE CHAIR D. Wright (R); R. Alexander (R); J. Burkhart (R); D. Carr (R); C. Doggett (R); M. Hale (R); E. Helton-Haynes (R); J. Holsclaw, Jr. (R); H. Love Jr. (D); G. Martin (R); S. McKenzie (D); L. Miller (D); J. Moon (R); K. Raper (R); J. Reedy (R); T. Rudd (R); J. Shaw (D); W. Slater (R); R. Stevens (R); D. Thompson (D); T. Warner (R)
3. **HB2624** **TAXES PROPERTY: Revises current law regarding property tax liens and delinquent property taxes.** 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. * **Caption:** AN ACT to amend Tennessee Code Annotated, Title 5; Title 8; Title 13; Title 26 and Title 67, relative to delinquent property taxes.
SB2550 - A. Swann - 03/19/24 - Senate State & Local Government Committee recommended with amendment 1 (016386). Sent to Senate Calendar Committee.
4. **HB2868** **TAXES BUSINESS: Hotel/motel tax - municipality may change allocation of revenue.** 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 Property & Planning Subcommittee 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 **Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 14, relative to tax revenue.
SB2711 - B. Taylor - 03/27/24 - Senate State & Local Government Committee recommended with amendment 1 (015586), which 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. Sent to Senate Calendar Committee.
5. **HB526** **UTILITIES: Removal of requirements for water treatment project fees and rates.** 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:** House Cities & Counties Subcommittee amendment 1 (015736) excludes new equipment purchased by a utility system for a period of one year from the date of purchase from the rate of depreciation of equipment purchased once approved by a simple majority vote of the governing body of a utility system at a regular or special meeting of the governing body. Takes effect July 1, 2024. Senate State & 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. **Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 65; Title 67 and Title 68, relative to utilities.
SB129 - P. Walley - 03/27/24 - Senate State & Local Government Committee recommended with amendment 1 (015997). Sent to Senate Calendar Committee.
6. **HB3001** **LOCAL GOVERNMENT: Oneida - powers of town.** 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.
SB2984 - K. Yager - 03/21/24 - Introduced in the Senate
7. **HB2797** **LOCAL GOVERNMENT: Notice requirement for public meeting by an industrial development corporation.** 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 State & Local Government Committee amendment 1 (015080) rewrites the bill. Specifies that an industrial development corporation created by a housing opportunity county or by a municipality within the boundaries of a housing opportunity county has the power 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. Also gives such an industrial development corporation the power to accept loans and grants of money from the state, the United States, or from any agency or instrumentality of the state or United States for the purposes of carrying out the design, construction, installation, financing, or undertaking of public infrastructure. Also authorizes such industrial development corporations to make loans and grants 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. Specifies other requirements for loans or grants made to an industrial development corporation in a housing opportunity county. Defines "housing opportunity county" to mean 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 the 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. House Property & Planning Subcommittee 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 Property & Planning Subcommittee 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 **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.
SB2182 - J. Lundberg - 03/26/24 - Set for Senate Finance, Ways & Means Committee 04/02/24.
12. **HB2467** **TAXES PROPERTY: Classification of the property as zoning-exempt property.** 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. **Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property tax.
SB2238 - J. Yarbro - 03/27/24 - Senate State & Local Government recommended with amendment 1 (017538). Sent to Senate Finance, Ways & Means.

15. **HB2215** **PROPERTY & HOUSING: Real Estate Fraud Reduction Act.** 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 Property & Planning Subcommittee 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 State & Local Government Committee amendment 1 (017172) enacts the Real Estate Fraud Reduction Act. Allows a register and requires a notary who records a document relating to a real estate transaction, including any type of deed or lien with respect to real property, to require an identification card to verify the identity of the person recording the document and make a physical or electronic copy to be recorded and maintained as a permanent record. Allows the register to record as a permanent record the name and address of the person recording the document and the type of category of identification card with the unique identifying code associated with it. Exempts real estate transactions for a state or local department or agency from providing identification to a register. Clarifies that this only affects counties with a population greater than 900,000 according to the 2020 or a subsequent federal census. Establishes the penalties for if a notary public fails to comply with the first and each subsequent violation requiring a \$500 fine to the secretary of state, the second violation requiring the notary public's commission to be revoked for one year, and the commission to be revoked permanently for a third violation. **Fiscal Note:** (Dated February 18, 2024) Increase Local Expenditures Exceeds \$99,100/FY24-25 and Subsequent Years* **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. SB2448 - R. Akbari - 03/27/24 - Senate State & Local Government Committee recommended with amendment 1 (017172). Sent to Senate Calendar Committee.
16. **HB1229** **PROPERTY & HOUSING: Notifications to THDA related to metro government that creates escrow account to provide funding for low income housing.** 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. **Fiscal Note:** (Dated February 1, 2023) NOT SIGNIFICANT **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. SB1137 - C. Oliver - 03/28/24 - Re-referred to Senate Calendar Committee.
- Tue 4/2/24 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee
- MEMBERS: CHAIR P. Hazlewood (R); VICE CHAIR C. Baum (R); J. Barrett (R); C. Boyd (R); K. Camper (D); M. Cochran (R); J. Crawford (R); J. Faison (R); B. Freeman (D); R. Gant (R); J. Garrett (R); D. Hawk (R); T. Hicks (R); G. Hicks (R); K. Keisling (R); W. Lamberth (R); H. Love Jr. (D); S. Lynn (R); S. McKenzie (D); L. Miller (D); J. Moon (R); A. Parkinson (D); J. Shaw (D); M. Sparks (R); S. Whitson (R); R. Williams (R); J. Zachary (R)
7. **HB2055** **TAXES PROPERTY: Deletes reference to a repealed statute regarding actions by county board of equalization.** 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 State & Local Government Committee amendment 1, House Local Government Committee amendment 1 (015673) requires the assessor of property to notify the register of deeds which records meet the definition of "permanent records" as defined in §10-7-301(5). Removes the exclusion of self-propelled vehicles, sleeping and camping facilities attached to a pick-up truck or automobile and that contains less than 300 sq. ft. of enclosed space from the definition of "movable structure." Allows for the board to approve a reappraisal plan for the continuous on-site review of photo review that is no longer than four years. **Fiscal Note:** (Dated January 30, 2024) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, relative to property taxes. SB2769 - J. Bowling - 03/20/24 - Senate State & Local Government Committee recommended with amendment 1 (015673). Sent to Senate Calendar Committee.
12. **HB1893** **TAXES BUSINESS: Value of tangible property as minimum tax base.** 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 Finance Subcommittee amendment 1 (017397) repeals the franchise tax minimum measure based on property owned in the state. Requires the Commissioner of Revenue to issue refunds to taxpayers in an amount of tax actually paid minus the amount of tax otherwise due in the absence of the minimum tax based on property ownership. Requires the tax subject to such refund to have been reported to the Department of Revenue (DOR) on a return filed on or after January 1, 2023, covering a tax period that ended on or after March 31, 2022. Requires the refund claim to be filed between May 1, 2024 and February 3, 2025. Requires a taxpayer seeking such refund to waive any claim or right to file suit alleging the franchise tax is unconstitutional as it existed prior to this legislation by failing the internal consistency test. Authorizes taxpayers to elect a lower tax base as it would have existed for tax periods ending before December 31, 2023 if the election results in a higher tax levied and the taxpayer waives any claim alleging the franchise tax is unconstitutional as it existed prior to this legislation by failing the internal consistency test. Requires taxpayers who have received, or are entitled to receive, a credit from the Department of Economic and Community Development (ECD) to first apply such credits to offset and reduce the refund amount. Requires refunds to be paid from a fund established by the Department of Finance and Administration. Requires the Office of the Attorney General and Reporter to review and approve DOR's process for reviewing refund claims before DOR may review and approve refund claims. Requires the fund expire upon final payment of all refunds and subsequently reverts the remaining balance to the General Fund on July 1, 2025. Requires the Commissioner of Finance and Administration and the Commissioner of Revenue to jointly report the amount of refunds claimed to the Chairs of the Finance, Ways and Means Committees of both the House of Representatives and the Senate. Requires any suit that contains a claim or allegation that the franchise tax that existed prior to the effective date of this legislation 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. **Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 1 and Title 67, Chapter 4, relative to franchise taxes. SB2103 - J. Johnson - 03/21/24 - Senate passed with amendment 2 (003515).
17. **HB2426** **TAXES BUSINESS: County Powers Relief Act - form acknowledging privilege taxes owed.** 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 Local Government Committee amendment 1 (014531) authorizes counties to levy a privilege tax on persons and entities engaged in the development of property in order to provide a county with funding to meet the needs of citizens of the county and population growth. Establishes new developments to be a locally taxable privilege upon which a county by resolution or ordinance may levy a tax. The resolution or ordinance must receive a two thirds majority vote. The governing body must not levy a tax unless the county experienced an increase in population described in the section. The county may levy a tax based on the floor area of a new development and cannot exceed \$1.50 per square foot on residential and commercial property and can raise the tax after four years. Additionally, the county may resume exercising the authority to levy and collect development taxes in a private act before the effective date of this act. **Fiscal Note:** (Dated February 16, 2024) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, Part 29, relative to the County Powers Relief Act. SB2261 - S. Reeves - 03/27/24 - Senate State & Local Government recommended with amendment. Sent to Senate Finance, Ways & Means.

Wed 4/3/24 9:00am - House Hearing Rm II, House Criminal Justice Subcommittee

MEMBERS: CHAIR C. Doggett (R); E. Davis (R); J. Gillespie (R); G. Hardaway (D); D. Howell (R); B. Hulse (R); G. Johnson (D); W. Lamberth (R); D. Moody (R); L. Russell (R); J. Towns Jr. (D)

55. **HB1925 ENVIRONMENT & NATURE: Entering onto private property by wildlife officer.** 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 **Caption:** AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 9 and Title 70, relative to powers of the wildlife resources agency.
SB2783 - J. Bowling - 03/27/24 - Set for Senate Judiciary Committee 04/01/24.

Wed 4/3/24 9:00am - House Hearing Rm III, House Finance, Ways & Means Subcommittee

MEMBERS: CHAIR G. Hicks (R); C. Baum (R); K. Camper (D); M. Cochran (R); J. Faison (R); J. Garrett (R); D. Hawk (R); P. Hazlewood (R); T. Hicks (R); H. Love Jr. (D); J. Moon (R); J. Shaw (D); S. Whitson (R); R. Williams (R)

2. **HB2368 LOCAL GOVERNMENT: Residential Infrastructure Development Act of 2024.** 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 State & Local Government Committee amendment 1, House Local Government Committee amendment 1 (015807) establishes the Residential Infrastructure Development Act of 2024. Authorizes municipalities, counties, and metropolitan governments (municipalities) to establish infrastructure development districts (IDD) within a municipality or across multiple municipalities for the purpose of establishing an alternative method to fund and finance capital infrastructure through the levy and collection of special assessments and the issuance of bonds. Provides that an IDD is subject to annual audit by the Comptroller of the Treasury (COT). **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. **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.
SB2315 - M. Pody - 03/20/24 - Senate State & Local Government Committee recommended with amendment 1 (015807). Sent to Senate Calendar Committee.
3. **HB2623 PROPERTY & HOUSING: Creation of a voluntary attainable housing incentive program by ordinance.** 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. **Caption:** AN ACT to amend Tennessee Code Annotated, Title 13 and Title 66, relative to attainable housing.
SB2496 - T. Gardenhire - 03/18/24 - Senate passed with amendment 1 (014534), which 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.
6. **HB1890 AGRICULTURE: Agricultural real estate interests.** 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. **Caption:** AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 1, Part 1, relative to agricultural real estate interests. **Subcommittee Amendments:** Agriculture_&_Natural_Resources_Subcommittee_Amendment_02.13.24.PDF Agriculture_&_Natural_Resources_Subcommittee_Amendment_02.27.24.PDF
SB2099 - J. Johnson - 03/06/24 - Taken off notice in Senate Energy, Agriculture & Natural Resources Committee.

18. **HB2553** **PROPERTY & HOUSING: Foreign-party controlled businesses prohibited from acquiring real property.** 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 PFPs 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. **Caption:** AN ACT to amend Tennessee Code Annotated, Title 43; Title 44; Title 47; Title 48 and Title 66, relative to property. SB2639 - F. Niceley - 03/27/24 - Senate Commerce & Labor Committee recommended with amendment 3 (015419) and amendment 4 (017433). Amendment 3 (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. 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 are 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. Sent to Senate Finance.
32. **HB2781** **PROFESSIONS & LICENSURE: Notification regarding change of address to state board of cosmetology and barber examiners.** 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 licensees 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 by moving 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; (ii) 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

revenue, donations, and grants of money, equipment, supplies, materials, and services. The commission may rely 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 licensee 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 for 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 law regarding students in the Tennessee Cosmetology Act of 1986. **Fiscal Note:** (Dated February 2, 2024) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 4; Title 49 and Title 62, relative to professions. **Subcommittee Amendments:** Business_Sub_Amendments_03.05.24.pdf

SB2732 - R. Akbari - 03/25/24 - Senate passed with amendment 1 (014816) and amendment 2 (015562). 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 by moving 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; (ii) 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

intended to address at these meetings. The 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 licensee 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 for 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 law regarding students in the Tennessee Cosmetology Act of 1986.

34. **HB1980 TAXES PROPERTY: Exemption - charitable nonprofit corporation in Knox County.** 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* **Caption:** AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, relative to property taxes. SB1882 - B. Massey - 03/12/24 - Senate State & Local Government Committee recommended with amendment 1 (014621). Sent to Senate Finance.

Wed 4/3/24 10:30am - House Hearing Rm I, House State Government Committee

MEMBERS: CHAIR K. Keisling (R); VICE CHAIR R. Eldridge (R); R. Alexander (R); R. Bricken (R); E. Butler (R); M. Carringer (R); J. Chism (D); V. Dixie (D); K. Haston (R); J. Holsclaw, Jr. (R); C. Hurt (R); D. Jernigan (D); C. Johnson (R); T. Leatherwood (R); M. Littleton (R); J. McCalmon (R); L. Miller (D); J. Pearson (D); J. Powell (D); D. Powers (R); I. Rudder (R); B. Terry (R)

10. **HB2618 LOCAL GOVERNMENT: Nonprofit organization that has entered into a contract with district attorney general.** 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 Public Service Subcommittee amendment 1 (015356) 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 the list of persons or entities that have donated to the nonprofit in the previous calendar year, upon written request issued jointly from the Speaker of the Senate and the Speaker of the House of Representatives. Restricts the list of donors to the lesser of the top five donors or the top five percent of donors. Specifies that the aggregate donation during the previous calendar year must be equal to or greater than \$25,000. Excludes charitable donations to certain educational organizations and their affiliates. **Fiscal Note:** (Dated February 14, 2024) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 8; Title 38; Title 39 and Title 40, relative to nonprofit organizations. **Subcommittee Amendments:** Public_Service_03.12.24.pdf

SB2561 - B. Taylor - 02/26/24 - Senate passed with amendment 1 (013951).

Wed 4/3/24 12:00pm - House Hearing Rm I, House Civil Justice Committee

MEMBERS: CHAIR A. Farmer (R); VICE CHAIR D. Jernigan (D); R. Bricken (R); G. Bulso (R); K. Capley (R); R. Eldridge (R); R. Gant (R); J. Garrett (R); R. Grills (R); T. Harris (D); W. Lamberth (R); M. Littleton (R); A. Parkinson (D); J. Powell (D); L. Russell (R); R. Stevens (R); C. Todd (R)

3. **HB2117 CAMPAIGNS & LOBBYING: Written attestation with the political subdivision's annual audit.** 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 **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. SB2743 - F. Niceley - 03/20/24 - Senate State & Local Government Committee recommended. Sent to Senate Calendar Committee.
10. **HB1259 PROPERTY & HOUSING: Transfer of a possibility of reverter or right of entry by a holder other than the original grantor.** 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, House Civil Justice Subcommittee 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. **Fiscal Note:** (Dated February 16, 2023) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 29 and Title 66, relative to real property. SB795 - T. Gardenhire - 02/27/23 - Senate passed with amendment 1 (003741).
13. **HB1258 ESTATES & TRUSTS: Serving copies of claims filed against an estate.** 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. **Fiscal Note:** (Dated February 17, 2023) NOT SIGNIFICANT **Caption:** AN ACT to amend Tennessee Code Annotated, Title 30, relative to probate. **Subcommittee Amendments:** Children_and_Family_Affairs_Sub_03.19.2024.pdf Children_and_Family_Affairs_Sub_03.26.2024.pdf

SB811 - T. Gardenhire - 03/02/23 - Senate passed.