Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

SUMMARY OF 2024 PUBLIC ACTS

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WARNING

Users of this publication are cautioned that much judgement is involved in determining which Public Acts to summarize and how to summarize them. Before taking action or giving advice based upon any Public Act summarized here, one should consult the Act itself and not rely on the summary.

SUMMARY OF PUBLIC ACTS 2024
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ALCOHOL

P.C. 670 (HB0594/SB1327) makes changes to the revocation or suspension of permits and licenses for intoxicating liquors. A local legislative body or subdivision created by the legislative body governing the sale of beer may not impose a fine or penalty based solely on report issued by another agency of local government except for law enforcement. The issuance of a citation must be after its own independent investigation. In determining the suspension or revocation of a license the local body shall consider repeated violations of any local ordinance or state law involving prohibited sexual contact on the premises of an adult-oriented establishment.

Effective April 11, 2024.

P.C. 865 (HB2613/SB2506) authorizes the sale of wine, alcoholic beverages, and beer on the premises of any restricted retail business to the patron of such business. A restricted retail business is defined as a barbershop, cosmetology shop, or cigar bar that provides food service, has no more than 20 seats for food service, and the sales of alcoholic beverages does not exceed 15% of the business's annual gross sales. These businesses cannot sell alcohol between the hours of 10 PM and 8 AM. An applicant for a on-premises consumption license under this act must pay a one-time $300 application fee and an annual $2,000 tax to the Alcohol Beverage Commission.

Effective July 1, 2024.

P.C. 889 (HB2280/SB2697) authorizes special occasion licenses to be issued in a jurisdiction wherein the sale of alcoholic beverages for consumption on the premises has not been approved. The applicant must first get written approval to hold an event that is signed by the executive officer or chair of the legislative body of such jurisdiction.

Effective May 1, 2024.

P.C. 926 (HB0867/SB0993) allows commercial bus companies to apply for permits to sell alcoholic beverages. A company that offers commercial passenger services in the state using buses that meet the qualifications set out in the act may sell alcohol while in transit. The act also lists the times the company may sell alcohol and that the open container law will not apply to a bus licensed under the act.

Effective May 6, 2024.

P.C. 940 (HB2607/SB2427) permits a retail licensee to sell hemp or hemp-derived cannabinoid products. The act adds any hemp or hemp-derived cannabinoid products to the list of products that a retail licensee of alcoholic beverages can sell.

Effective May 6, 2024.

CODES

P.C. 771 (HB1892/SB2100) authorizes the use of third-party inspectors in lieu of local or state inspectors for certain permitted processes and requirements. The act states that a person may engage a third-party inspector/examiner to examine plans and specifications prior to construction, in lieu of examination by the local jurisdiction. If a person chooses to engage a third-party examiner, they must submit the appropriate fee and all the information required under the act. No later than 10 business days after receipt, the local jurisdiction must approve the plans, provide a report of deficiencies, or request additional information necessary to ensure compliance with applicable codes. If the local jurisdiction fails to respond after 10 business days, then they must refund the application fees and the applicant may file a withdrawal of review and refile the application with the state fire marshal's office. If the reapplication is made, then the state fire marshal has 10 business days to respond. This same process also applies to locally required building construction inspections. If a person chooses to engage a third-party inspector, they must do so for all subsequent inspections for the structure.

A third-party inspector is defined as an individual registered with the state fire marshal to perform third-party inspections who is also: registered as an engineer in Tennessee, registered as an architect in Tennessee, or is certified under the laws governing the municipal and county fire prevention and building officials. A third-party examiner is defined as an individual registered with the state fire marshal to perform third-party plans examinations and who is registered as an engineer in Tennessee, registered as an architect in Tennessee, or is certified under the laws governing municipal and county fire prevention and building officials.

A third-party inspector or examiner may not conduct an inspection or examination if the individual has conflict of interest. A local jurisdiction or state fire marshal may reject an application if it determines the inspector/examiner has a conflict of interest. A conflict of interest is defined as (1) employment or other affiliation, or financial interest in, the individual, firm or corporation engaged in the construction of the project, or (2) a relationship with a family member or other individual involved in the project, examination of plans, or inspection that could create an appearance of impropriety.

If an applicant believes that the local jurisdiction has misinterpreted the building codes or rejected the application in error, then the applicant may seek determination by the local board of appeals or similar administrative process, provided that board of appeals or similar process provides a final decision to a court of competent jurisdiction. If there is no appeals board of similar process, then the applicant may file directly in a court of competent jurisdiction.

The above does not apply to state buildings, educational occupancies or any other occupancy requiring the inspection by the state fire marshal for initial licensure.

The act also creates the same process for third-party water resources engineers to prepare permit packages to install subsurface sewage disposal systems and to review engineering reports, plans and specifications to construct, install or modify a non-discharging treatment works or sewage system, including the collection system, treatment facility and land application components. In those cases the state department will have to meet the 10 business day requirements.

Effective October 1, 2024.

P.C. 820 (HB2925/SB2834) requires the state fire marshal to promulgate rules to allow a building of less than six stories of group R-2 occupancy to be served by a single exit and prevents a utility from requiring a property owner to construct or pay for any offsite utility improvements as a condition for service or permit issuance. A municipality wishing to allow this type of structure must pass a resolution or ordinance, and the exemption will become operative on the date of adoption of the resolution or ordinance. The act also states a property owner attempting to apply for utility service is not required to pay for any utility of site improvements if there is an existing utility line or system immediately adjacent to the property. A utility may require a property owner to pay for improvements to utility infrastructure if it must be constructed to provide service to the property or if it is required to maintain the utility's current level of service to existing customers.

Effective April 29, 2024.

P.C. 946 (HB2787/SB2635) allows local governments to amend their buildings codes to allow three and four family dwellings without sprinkler systems if they meet certain conditions. The state fire marshal shall not mandate automatic fire sprinkler systems for three and four family dwellings that are under 5,000 sq. ft. and less than three stories. The dwellings must also have two-hour fire-resistance-rating in the walls and ceilings. Local governments may adopt sprinkler requirements for these dwellings and may use the National Fire Protection Association standards.

Effective July 1, 2024.

CONSUMER PROTECTIONS

P.C. 746 (HB2100/SB2148) prevents financial institutions and insurers from denying services to a person based upon certain factors, including a person's political speech or opinions**.** The act applies to a financial institution that has more than 100 billion in assets, and does not apply to loan services. The act also does not apply to denials of services

based on fraud, criminal conduct, or another form of expression that is not protected by the state constitution.

Effective July 1, 2024.

CRIMINAL LAW / LAW ENFORCEMENT

P.C. 524 (HB1620/SB1645) allows the continued use of drones. The act removes the termination date for the authority for local law enforcement to use drones to search for and collect evidence or obtain information with the consent of a property owner, in the event of a natural emergency or to investigate a crime.

Effective March 1, 2024.

P.C. 530 (HB1688/SB2087) removes the ability for a municipality or county to permit a person charged with violating certain traffic ordinances or statutes to deposit the person's driver license with the court in lieu of bail.

Effective March 7, 2024.

P.C. 541 (HB1944/SB1913) outlaws squatted vehicles. The act makes it a class B misdemeanor to operate a passenger vehicle, if by alternation, the height of the vehicle's front fender is 4 or more inches higher than the rear fender. The punishment increases with the number of offenses.

Effective July 1, 2024.

P.C. 602 (HB1977/SB1864) allows all POST certified law enforcement officers to detain person based on a reasonable belief that the person's motor vehicle does not comply with state window tinting laws. Previously, only full-time, salaried police officers had this power.

Effective March 27, 2024.

P.C. 704 (HB2691/SB2478) states that a state or local department may not enter private property without probable cause to believe an animal cruelty criminal offense has occurred. This does not limit the ability to enter property with the consent of the owner. The act also states that a person must notify local law enforcement to enter property to feed or water an impounded animal.

Effective July 1, 2024.

P.C. 716 (HB2124/SB2576) requires, instead of authorizes, law enforcement officials to communicate with the appropriate federal official regarding the immigration status of any

individual, including reporting knowledge that a particular alien is not lawfully present in the United States or otherwise cooperate with the appropriate federal official in the identification, apprehension, detention, or removal of aliens not lawfully present in the United States.

Effective July 1, 2024.

P.C. 729 (HB1664/SB1715) allows local law enforcement to assign an officer to serve as a school resource officer at schools that do not have an MOU with school system. The chief law enforcement office must provide certain information to the director of schools and principal after assigning an officer to a school. That information includes but is not limited to policies that must be followed, procedures for communication with the LEA, and whether the officer will be carrying a firearm.

Effective July 1, 2024.

P.C.743 (HB1920/SB1859) extends the percentage of a misdemeanor sentence that a court may require to serve. Under previous law, a court must affix a percentage of a sentence to be served for misdemeanor convictions, and after that percentage is served the defendant is eligible for work release, furlough and rehabilitative programs. Previously, the court could not set a percent higher than 75 percent. This act extends that to 100 percent.

Effective April 22, 2024.

P.C. 774 (HB2429/SB2250) allows courts to authorize the use of alternative facilities for the incarceration of a DUI offender. That power was previously held by the chief administrative officer of a local jail or workhouse.

Effective April 23, 2024.

P.C. 794 (HB2395/SB222) establishes that is unlawful to intentionally initiate or circulate a report of a past, present, or impending active shooter and hostage situation, knowing the report is false. This is punishable by a Class C felony. This already applied to the false report of a bombing, fire or other emergency.

Effective July 1, 2024.

P.C. 797(HB2590/SB1887) makes bullying and cyber-bullying an offense subject to the same penalties as harassment. Bullying is defined as an act committed by a student that substantially interferes with another student's educational benefits, opportunities, or

performance; and: (1) if the act takes place on school grounds, at any school activity, on school provided equipment or transportation, or at a school bus stop and has the effect of physically harming the student or their property, or knowingly placing the student in reasonable fear of physical harm or damage to their property; or (2) if it takes place off school property or outside a school activity, but is directed specifically at another student and has the effect of creating a substantial disruption to the educational environment. Cyber-bullying is defined as bullying undertaken through the use of electronic devices. The act also requires that any law enforcement officer who has knowledge that a minor is being bullied/cyber-bullied to make an official report and provide notice to the minor's legal custodian. A violation can be punishable by a Class A misdemeanor and up to a Class E felony. It is considered a delinquent act if committed by a minor.

Effective July 1, 2024.

P.C. 805 (HB2611/SB1802) creates the District Attorney General Second Opinion Act**.** The act allows in cases involving human trafficking, organized crime, or an offense classified as a Class A or Class B felony, in which a district attorney declines to prosecute, a local law enforcement agency may report and submit evidence of the offense to the district attorney general for another district, in which jurisdiction and venue over the offense are proper, for consideration and action.

Effective April 29,2024.

P.C. 887 (HB2198/SB2263) raises the penalty for makes a threat of mass violence on school property or at a school related activity from a Class A misdemeanor to a Class E felony. The act also adds that this section does not apply to a person with an intellectual disability.

Effective July 1, 2024.

P.C. 892 (HB2386/SB2599) makes changes to the laws governing search warrants. The act authorizes law enforcement to execute a search warrant for medical records or a test to determine the alcohol or drug content, or both of a person's blood anywhere in the state. The act makes other changes related to the collection, admission and use of evidence related to blood alcohol and drugs.

The act also states that all magistrates have statewide jurisdiction to issue search warrants in any district, county or jurisdiction, if at least one element of the alleged crime on which the search warrant is based is committed within the jurisdiction of the magistrate. A magistrate is defined as the judges of the supreme, appellate, chancery,

circuit, general sessions and juvenile courts throughout the state, judicial commissioners and county mayors in those officers' respective counties, and the presiding officer of any municipal or city court within the limit of their respective corporations.

Effective May 1, 2024.

P.C. 948 (HB1623/SB2771) authorizes a municipality to hire employees or appoint volunteers to direct traffic within a marked school zone that is within the jurisdiction of the municipality. The direction must take place when warning flashers are in operation and only during the time that is necessary for convenience of dropping off or picking up students. The act states the individual directing traffic must have training, wear high-visibility apparel and use a stop paddle. This act does not apply to access-controlled roadways that are a part of the state system of highways and roadways. Violation of the direction of the municipal officer directing traffic is a Class C misdemeanor with a fine of $50.

Effective July 1,2024.

P.C. 957 (HB2301/SB2229) increases the penalty for a violation of laws governing the criminal offenses related to drugs if the violation results in the death of another person. A violation or conspiracy to violate the laws is punishable as second-degree murder if the substance involved is fentanyl, carfentanyl, or any analogue or derivative thereof, either alone or in combination with any substance scheduled as a controlled substance.

Effective July 1, 2024.

P.C. 1000 (HB2814/SB2710) increases the penalty for drag racing from a Class A misdemeanor to a Class E felony.

Effective July 1, 2024.

P.C. 1008 (HB1128/SB0757) requires that when a person is arrested, booked, or confined in the jail of a county or municipality, the arresting agency and the keeper of the jail will collaborate to verify the citizenship of the person. If that person is not lawfully present or their status cannot be determined, then the sheriff must report that information to the district attorneys general conference. The law also lists the types of documents that may be used to determine citizenship.

Effective July 1, 2024.

P.C. 1054 (HB2206/SB2559) authorizes the import or export of human remains by law enforcement agencies for the purpose of human remains detection training. The import and export must be done in accordance with best practices regarding the storage, use and proper disposal methods for human remains.

Effective May 28, 2024.

P.C. 1062 (HB2035/SB2763) preempts the field of extreme risk protection orders. This act preempts any extreme risk protection orders to the exclusion of all county, town, city, municipality, or metropolitan government ordinances, resolutions, enactments, or regulations. Local governments are also prohibited from accepting grants or other sources of funding for the purpose of enacting an extreme risk protection order. Under this act, an extreme risk protection order is defined as an order with the primary purpose of reducing the risk of firearm-related death or injury by doing one or more of the following: (1) prohibiting a named individual from having, controlling, owning, possessing or receiving a firearm, or (2) removing a firearm from or requiring the surrender of a firearm by a named individual. This definition does not apply to an order of protection issued under the state's domestic relations laws.

Effective May 28, 2024.

EDUCATION

P.C. 523 (HB1188/SB117) states beginning with the 2026-2027 school year, each LEA and public charter school shall require fifth grade students to complete one (1) semester of Tennessee history in the first semester of the students' fifth grade year.

Effective March 1, 2024.

P.C. 537 (HB1785/SB1959) replaces the uniform accounting policy manual for local school systems with an internal school funds manual. The manual will be prepared by the department of education. The act also removes the requirement that the commissioner of finance and administration approve the manual so that only the comptroller of the treasury's approval is required.

Effective March 6, 2024.

P.C. 548 (HB1700/SB1680) requires each LEA to post a conspicuous notice on all school buses in operation in the LEA notifying others that no person shall enter onto school buses except those authorized by law. The act also requires the training standards for school bus drivers established by the departments of education and safety to include procedures concerning persons improperly on school buses and requires student transportation management training for transportation supervisors appointed by local LEAs, charter schools, and charter management organizations to include procedures concerning persons improperly on school buses.

Effective July 1, 2024.

P.C. 563 (HB1644/SB1679) requires each LEA and public charter school to develop a procedure for determining the cause of a fire alarm activation, including the potential for an active shooter event. The procedure must be developed in consultation with local fire

department and law enforcement officials and must comply with applicable fire and building codes. The procedure must include response procedures for students and school staff, including substitute teachers and other part-time staff and school volunteers, after a determination is made regarding whether the emergency situation involves a fire, an active shooter, or other incident. Each LEA and public charter school shall annually train all school staff, including substitute teachers and other part-time staff and school volunteers, on the safety procedure.

Each LEA, and to the extent applicable, each public charter school, shall coordinate with its district-wide school safety team and building-level school safety team to incorporate the procedure in its district-wide school safety plan and building-level school safety plan. Each procedure must be implemented no later than January 1, 2025, and must be annually reviewed and updated, if necessary.

Effective March 12, 2024.

P.C. 571 (HB2687/SB2582) makes changes to the family life curriculum requirements. The act requires each LEA to report the following to the department of children's services:

- The contact information of each child abuse coordinator and alternative child abuse coordinator for the LEA or public charter school;
- The contact information of each LEA or public charter school employee, community partner, or trained professional providing instruction of a family life curriculum in accordance with § 49-6-1304(a)(13); and
- The curriculum selected by the LEA or public charter school to provide the instruction required in § 49-6-1304(a)(13).

Effective July 1, 2024.

P.C. 625 (HB2251/SB2175) creates the Smart Heart Act. The act requires that the automated external defibrillator (AED) maintained by the governing authority of each public and nonpublic school that serves grades 9-12 be placed and made available in an unlocked location on school property that allows for the AED to be used on individuals on site for school athletic activities within three minutes. The act also adds that CPR and use of the AED training must be a part of the training provided to all coaches. The act also requires instead of authorizes AEDs be placed within or on school grounds in accordance with guidelines in the cardiac emergency response plan set out in the act. LEAs are also required to develop CERPs in accordance with guidelines set out by the American Heart Association.

For the purpose of promulgating rules and policies, the act takes effect March 27, 2024. All other purposes take effect July 1, 2024, and apply to the 24/25 school year.

P.C. 629 (HB2311/SB2141) requires the principal of a school that maintains an opioid antagonist to do so in the way set out by the manufacturer. A school within an LEA or a nonpublic school shall not prohibit a student, employee, or visitor from possessing an opioid antagonist while the person is on school property or attending a school-sponsored activity held at a location that is not school property.

Effective March 27, 2024.

P.C. 639 (HB1697/SB1663) removes the requirement that LEAs administer a pretest to students participating in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp; deletes various reporting, funding, and accountability provisions regarding such pretests.

Effective April 4, 2024.

P.C. 658 (HB1861/SB1979) provides that if a public school established under the jurisdiction of an LEA offers students the opportunity to participate in interscholastic athletic competition without the school being a member of an organization or an association that regulates interscholastic athletic competition, then the LEA must permit participation in interscholastic athletics at such school by home school students who are zoned to attend the school, which does not prevent or interfere with the application and enforcement of eligibility requirements of an organization or association that regulates interscholastic athletic competition if the school at which the home school student desires to participate is a member of such an organization or association.

Effective April 4, 2024.

P.C. 681 (HB2480/SB1914) authorizes local boards of education to establish policies for its schools to offer students whole milk options through bulk milk dispensers. The milk must meet the definition of pasteurized dairy products.

Effective April 11, 2024.

P.C. 693 (HB2242/SB2214) specifies only students enrolled in the lowest grade level at a middle school are required to take a course in computer science.

Effective July 1, 2024.

P.C. 712 (HB2388/SB2764) authorizes LEAs to extend Career and Technical Education class sizes in grades 6-8, provided the class size does not exceed the maximum class size for general education classes in grades 7-12.

Effective July 1, 2024.

P.C. 735 (HB2464/SB2652) clarifies what LEAs policies on substitute teachers must contain. An LEA is required to adopt policies regarding the use of substitute teachers that include a minimum: (1) the required qualifications and training, including that substitutes must receive annual school safety training; (2) that substitutes are subject to background checks, and (3) a prohibition on any substitute whose records show a license or certificate in this state or any other currently in revoked status.

Effective April 19, 2024.

P.C. 752 (HB2177/SB2312) requires LEAs that provide electronic textbooks to provide reasonable access to printed versions to students. The student or their guardian must submit a written request to the principal of the school to access the printed version.

Effective July 1, 2024.

P.C. 795 (HB2435/SB2767) requires that any family life curriculum that addresses human growth, human development, or human sexuality must include a high-quality, computer-generated animation or high-definition ultrasound. The act is titled the "Baby Olivia Act," and it cites the "Meet Baby Olivia" video as an example of a video to use.

Effective April 23, 2024.

P.C. 800 (HB2882/SB2923) requires each LEA to provide its students with age appropriate and grade appropriate instruction on firearm safety. The department of education working with the department of safety will determine the earliest grade level appropriate for the instruction to begin. Each LEA will be required beginning in the 2025/26 school year to provide instruction that meets the requirements set out in the act, which include but are not limited to being viewpoint neutral, what to do when a firearm is discovered, safe storage of firearms, and not to include the use or presence of live firearms or ammunition. The departments of education and safety will develop or approve curriculum that LEAs will be required to use.

Effective April 23, 2024.

P.C. 801 (HB1202/SB1325) authorizes faculty or staff to carry a concealed handgun if certain requirements are met. For a faculty or staff member to carry a handgun on school grounds the following requirements must be met:

1. The individual must possess a valid handgun carry permit issued in Tennessee;
2. There must be joint written authorization from the LEA's director of schools, the principal of the school which the person is assigned, and the appropriate chief law enforcement officer;

3. The individual must not be prohibited from purchasing, possessing or carrying a handgun under the Tennessee law or federal law, as determined by a background check;
4. The individual must pass a psychiatric evaluation by a licensed Tennessee health care provider. The requirements of the evaluation are set out in the act; and
5. The individual must complete 40 hours of basic training in school policing that is approved by the POST commission each year.

The act also states that the LEA and the law enforcement agency are immune from claims for monetary damages that arise solely from, or that are related to a faculty or staff members use of, or failure to use, a handgun; provided, that the individual is authorized to carry the handgun pursuant to the act. The faculty or staff member may also not carry the weapon openly or in stadiums, gymnasiums, or auditoriums when school-sponsored events are in progress. The faculty or staff member also may not carry the weapon in meetings regarding disciplinary matters, tenure issues or in a hospital or clinic where medical or mental health services are provided.

Effective April 26, 2024.

P.C. 809 (HB2384/HB2188) prevents a government entity or local board of education from extending the immunity granted by state law relative to tort liability to independent school bus owners and operators or entities that by contract or agreement perform school-related transportation services. The act also requires contracts and agreements between local boards of education and independent school bus operators to compel sufficient limits for tort liability exposures related to performing school-related transportation services as evidenced by a certificate of insurance.

Effective April 29, 2024, and applies to contracts entered into or amended after that date.

P.C. 810 (SB2381/SB2202) requires each LEA to adopt a code of conduct for visitors to school in their jurisdiction. The code should address appropriate language, respect for the person and property of others, and establishing and maintaining safe, secure and peaceful educational setting. An LEA may adopt different codes for different classes of schools or different categories of visitor. Each LEA is also required for each school under its authority to: (1) post a copy of the code on the body's and school's website, (2) supply a copy of the code of conduct to visitors, teachers and staff, (3) post the code adopted prominently at each school, and (4) provide parents and guardians of students with a copy of the code. The LEA must also submit a proposed code to an attorney to review its legality and constitutionality before adopting it. The code must contain a statement from the board that the code was reviewed by an attorney as required and includes the name and PBR number of the attorney.

Effective April 29, 2024, and applies to the 2024/25 school year.

P.C. 839 (HB1812/SB1943) allows all public or public charter school employees to receive their full salary and benefits in the event they sustain a personal injury as the result of a physical assault or violent criminal act while they are acting in the course of their employment. Previously only teachers were eligible. The act requires an employee to file a claim for any workers compensation they may be eligible for. If the employee receives any such benefits then the LEA must pay the difference in those benefits and the employee's full salary. An LEA is not required to pay these benefits for more than one year, but the act does not supersede a policy, benefits package or contract that provides greater benefits or leave for the employee.

Effective July 1, 2024.

P.C. 841 (HB2008/SB1998) prevents any LEA from participating in a public-school athletic activity in which students cannot purchase a ticket to the event with cash.

Effective May 1, 2024.

P.C. 864 (HB2398/SB2406) adds local law enforcement to those to be appointed to the district-wide safety team.

Effective May 1, 2024.

P.C. 883 (HB2486/SB2932) requires directors of schools appointed by elected school boards to have a baccalaureate degree and meet any other qualifications established by the local board of education. Previously the law simply required the baccalaureate degree.

Effective May 1, 2024.

P.C. 908 (HB1936/SB1773) requires LEAs to provide each high school senior the opportunity to take a nationally recognized career readiness assessment if the assessment meets certain criteria. This was required by law for the 23/24 school year, and now is required in all subsequent school years.

Effective May 3, 2024.

P.C. 910 (HB2158/SB2703) changes the laws governing the use of TISA funds for school nurses. Present law allows LEAs to use TISA funds to pay for school nurses. The act states that if an LEA does not employ one school nurse for every 750 students, then the director of schools must submit a report to the department of education. The report must contain certain information including but not limited to how many school nurses the LEA employed

or contracted for, the type of certification the nurses possess, number of students in the LEA, and the reason for not employing or contracting for enough nurses.

Effective May 3, 2024.

P.C. 923 (HB1191/SB0135) makes changes to the Tennessee Public Charter School Act of 2002. The act requires that by May 1, 2025, and each subsequent year after, an LEA with one or more public charter schools must publish certain information on the LEA's website for each building owned by the LEA. Those LEAs must also submit a listing of all underutilized property or vacant property to the department of education and the comptroller of the treasury. A public charter school operating in the geographic boundaries of an LEA has the right of first refusal to: (1) purchase vacant property listed by the LEA at or below fair market value for educational purposes, (2) lease underutilized or vacant property at or below fair market value for educational purposes. If the public charter school closes or ceases to use the vacant or underutilized property, then the LEA has the right of first refusal to purchase the property back at or below fair market value for educational purposes.

Effective July 1, 2024.

P.C. 936 (HB2283/SB2215) authorizes LEAs to provide school mapping data for each school building to assist first responder agencies responding to emergencies on school grounds. The mapping data provided must (1) be viewable through software platforms used by public safety agencies that provide emergency services to the schools, (2) be verified by the entity that collected and assembled the data, (3) be oriented to true north, (4) include accurate floor plans and aerial imagery of the campus, (5) contain site specific labeling that matches the school building, (6) contain site specific labeling that matches the school roads and neighboring properties, and (7) be perpetually accessible. Grant funds from the school safety center can be used for these purposes.

Effective May 6, 2024.

P.C. 960 (HB2559/SB2593) authorizes local boards of education to contract with nonprofit or for-profit entities for the operation of an adult high school. The act sets out requirements for what the contract with the entity operating the school must contain.

Effective May 9, 2024.

P.C.989 (HB2326/SB2183) requires an LEA or public charter school to convene a conference that must be attended by student's guardian, the student's ELA teacher, and the school's principal if the student is promoted to fourth grade and does not show adequate growth to determine if the student should be promoted to fifth grade.

Effective May 21, 2024.

ELECTIONS

P.C. 560 (HB2294/SB1967) requires a voter to request an absentee ballot not later than 10 days before an election. Preciously the required date was seven days before the election. The act also requires those voters wishing to be put on the permanent absentee voting list to file a physician's statement and application no later than 10 days before an election.

Effecting November 6, 2024.

P.C. 573 (HB1649/SB1836) requires that a public school be closed on days of the presidential primary election if the school as a polling place**.**

Effective March 15, 2024.

P.C. 723 (HB2382/SB2245) changes the way a county administer of elections must notify a candidate that a due report has not been filed. The act changes the notice from personal service or return receipt mail to email or first-class mail.

Effective April 16, 2024.

P.C. 822 (HB0133/SB0145) changes from April to March when nominating petitions must be filed for certain elections. The act applies to independent and primary candidates for any office to be filled in the regular November election, municipal elections held in conjunction with the regular August election, and any candidate nominated by any political party by any method other than a primary or an office to be filled in a regular August election.

Effective November 6, 2024.

P.C. 900 (HB0835/SB1037) requires the coordinator of elections to compare the statewide voter registration database with the department of safety database to ensure non-United States citizens are not registered to vote. The coordinator has previously been authorized to do this but was not required.

Effective May 3, 2024.

EMPLOYMENT

P.C. 544 (HB2588/SB1995) allows elected officials to continue to receive retirement allowance while serving. An elected or appointed board member who was elected or appointed after January 1, 2012, who also holds another position with a different employer as a retirement system member may continue to receive retirement allowance, if otherwise eligible if and certain conditions are met.

Effective March 7, 2024.

P.C. 697 (HB1725/SB2331) makes changes to firefighter length of service awards. The act removes the requirement the length of service awards be awarded on a first come, first served basis. The act also states that the funds appropriated for the grant program in each fiscal year must be used to cover the costs of administering the program.

Effective April 11, 2024.

P.C. 918 (HB2682/SB2901) allows retired TCRS members to be employed as school resource officers and still collect retirement. Until June 2026, a retired TCRS member may be reemployed as a school resource officer and not lose their retirement benefits as long as certain criteria are met. One requirement is that the employee's employer must pay an amount to TCRS equal to the amount the employer would have contributed to the retirement system had the retired member been a contributing member during their reemployment. The employee must also wait 60 days before being reemployed as a resource officer. The employee may also not be employed under this act for more than 2 years.

Effective July 1, 2024.

P.C. 919 (HB2683/SB2902) makes change to law relative to hazardous duty supplemental benefit. TCRS members employed as public safety officers are eligible for hazardous duty supplement in addition to their retirement allowance if certain conditions are met. These conditions include but are not limited to an actuarial study and passing a resolution to authorize the supplement. The act also details how the supplemental benefit should be calculated.

Effective January 1, 2025.

FINANCE

P.C. 513 (HB0284/SB0379) standardizes the thresholds for competitive sealed bids for counties, municipalities, utility districts, local education agencies, and other local governmental entities. The act standardizes sealed bids for LGEs so that they conform with the provision of TCA 12-3-1212. That code section requires that:

- An LGE having centralized purchasing authority with a full-time purchasing agent may, by resolution or ordinance of the governing body, increase the threshold over which public advertisement and sealed competitive bids are required to an amount not to exceed $50,000 for nonemergency, nonproprietary purchases;
- An LGE having non-centralized purchasing authority may, by resolution or ordinance of the governing body, increase the threshold over which public advertisement and sealed competitive bids are required to an amount not to exceed $25,000 for nonemergency, nonproprietary purchases; and

- At least three written quotations are required, when possible for purchases costing less than the applicable bid threshold, and purchases of like items must be aggregated.

Effective March 1, 2024.

P.C. 538 (HB1787/SB1846) specifies that the ratings services that grade potential investments for idle funds of local governments be nationally recognized statistical rating organizations as identified by the United States securities and exchange commission. Previously, those investments were to be rated by at least two nationally recognized rating services. The act also authorizes municipalities to invest idle funds in nonconvertible debt securities that are rated equal to or higher than bonds, notes or treasury bills of the United States. Previously those securities had to be rated in the highest category.

Effective March 7, 2024.

P.C. 539 (HB1790/SB1744) modifies the course work required to receive a certified municipal finance officer (CMFO) designation; requires examinations, including test questions, administered by MTAS and CTAS to be designated as a municipal or county finance officer, respectively, to be confidential.

Effective March 7, 2024.

P.C. 661 (HB2547/SB2432) authorizes city, county utility districts, LEAs, or other local governmental entities to purchase gas or diesel on the open market without competitive bidding when purchasing in bulk that would exceed normal bid limits. Also authorizes purchases from department of general services contracts when available.

Effective April 9, 2024.

P.C. 686 (HB1684/SB2082) creates the Resilient Tennessee Revolving Loan Fund. Money from the fund is to be used to provide loans and assistance to local governments to fund projects or activities that mitigate the impacts of natural hazards. Creating this fund allows the state to receive federal dollars from the STORM Act (Safeguarding Tomorrow through Ongoing Risk Mitigation) to be placed in the fund. TEMA will administer the fund.

Effective July 1, 2024.

P.C. 690 (HB1880/SB2130) exempts any general obligation refunding bonds issued pursuant to TCA 9-21-911 from the reporting requirements to the comptroller, if the general obligation bonds will repay a public building authority loan and the building authority loan was used as interim financing for the general obligation refunding bonds.

Effective April 11, 2024.

GENERAL GOVERNMENT

P.C. 631 (HB1931/SB2572) states that a local governmental entity or official shall not adopt or enact a resolution, ordinance, or policy that prohibits or limits the ability of a law enforcement agency to conduct traffic stops based on observation of or reasonable suspicion that the operator or a passenger in a vehicle has violated a local ordinance or state or federal law. A resolution, ordinance, or policy that is adopted in violation of this section is null and void.

Effective March 28, 2024.

P.C. 641 (HB1919/SB1939) changes the definition of an occurrence as it relates to mutual aid. The definition is changed by removing the requirement that the bodily injury or property damage be substantial and to removing the requirement that the threat of an event, or an actual event and its aftermath, could lead to the declaration of a state of emergency.

Effective April 4, 2024.

P.C. 701 (HB2425/SB2422) requires notices relating to annexation or municipal zoning to be published, posted, or mailed 21 days, rather than 15 days, prior to the public hearing on the annexation or zoning. The act also requires the annexing municipality to provide notice of annexation to property owners whose property is within 200 feet of the territory being annexed and requires signs that inform viewers of the proposed annexation to be posted in and around the area being annexed. The size and location requirements for those signs are spelled out in the act.

Effective July 1, 2024.

P.C. 748 (HB2119/SB1983) makes changes to the laws governing eminent domain. The act establishes generally that when using eminent domain, a condemner bears the burden of proving by a preponderance of the evidence that (1) The land, real estate, premises, or other property the condemner seeks to acquire is required for a public use; (2) The condemner has a plan that reflects a reasonable schedule to complete the public use after the condemner takes ownership of the property; (3) The condemner has access to funding to complete the public use; and (4) The public use cannot be accomplished by using or acquiring other property within the vicinity of the condemned property with the consent of the owner of the other property without an unreasonable increase in cost, delay, or a reduction in the effectiveness of the property.

The act also establishes that, when a condemner approves the use of eminent domain, the property owner has a right to have a court of competent jurisdiction determine if the taking

is necessary to accomplish the public use. The act does not apply to condemnations for utility or transportation projects.

Effective April 22, 2024.

P.C. 763 (HB2937/SB2928) states that, upon approval of two thirds of the municipality's governing body, a member of the governing body of a municipality shall not simultaneously serve on the governing body of the county of any county in which the municipality is located during the individual's term. The act only applies to municipalities located within a county with a population of 200,000 based on the 2020 census.

Effective April 22, 2024.

P.C. 796 (HB2567/SB2591) makes changes to the Neighborhood Preservation Act. The act defines a "receiver's lien" as to be a first priority lien in favor of the receiver with regard to the subject parcel of land, which upon approval of the court secures any and all reasonable expenses and costs incurred by the receiver. The act also states that if a subject parcel is found to be a public nuisance, then the finding must take place after a hearing and the court must issue an order of compliance requiring the owner of the parcel to produce a plan for abatement of the nuisance. The act removes the requirement that a court must determine the precise amount of the receiver's lien at any time upon request of any owner, interested party or the receiver. The act requires that a stabilization plan submitted by a proposed receiver provide the following in writing: a budget for stabilizing the parcel, a timeline for the work, and the terms and conditions for any financing that is necessary. A court can determine that a plan submitted by receiver is sufficient and that the receiver can pay all outstanding municipal fines, penalties and expenditures including outstanding taxes.

Effective April 23, 2024.

P.C. 840 (HB2174/SB1945) prohibits a local government from adopting or enforcing a resolution, ordinance, policy or regulation that regulations, prohibits, or restricts the sale of food by an establishment excluded from the definition of a "food service establishment" under TCA 68-14-703(11)(E), including the location and hours of operation of the sale of food. The act amends the definition of "food service establishments" to not include any establishment whose primary business is other than food service, that may, incidentally, make infrequent casual sales of coffee or prepackaged foods, or both, for consumption on the premises or on the road and sidewalk in front of the establishment while an organized temporary event is being conducted less than one-quarter mile (1/4 mi.) from the establishment.

Effective July 1, 2023.

P.C. 851 (HB2369/SB2205) removes jurisdictional exceptions to prohibition on discrimination against first responders based upon residency with respect to employment. The act also prohibits all local governments in this state from discriminating against first responders with respect to employment based on residence.

Effective May 1, 2024.

P.C. 860 (HB2368/SB2315) establishes the "Residential Infrastructure Development Act of 2024." This act authorizes the governing body of a host municipality of the state to create, by resolution, one or more infrastructure development districts located in whole or in part within the boundaries of such municipality.

To initiate the creation of this type of district there must be a petition filed in the office of the clerk or other officer responsible for keeping records for the governing body of the municipality required to approve the district that is signed by the developer and the owners of each parcel of property to be included in the district. The petition must include the following: (1) name of the proposed district, (2) the host municipality, (3) description of the boundaries of the district with sufficient certainty to enable owners to know if their property lies within the district, (4) each parcel in the district identified with the parcel number and the address of the owner as shown on the county records, (5) a site development plan for the district, (6) name of the developer, (7) description of the required infrastructure, (8) estimate of the infrastructure costs and the estimated total cost of the development, (9) the proposed rate of special assessment to be imposed, (10) a statement the petition meets the legal requirements, and (11) a request the district be established pursuant to the act.

The act requires that upon filing of the petition that the governing body of the host municipality is to order a public hearing to determine if the district will be established. If the district requires more than one municipality to approve the district they may hold a joint public hearing. The hearing must be held not less than 30 days and not more than 45 days following the filing of the petition. Notice of the hearing must be posted where a member of the community may become aware of the notice as well as on a website maintained by the municipality.

The act provides that a host municipality has the authority and power to borrow money and issue bonds, notes, or other obligations for the purpose of paying infrastructure costs identified in the establishment resolution, reimbursing the developer for the prior payment of infrastructure costs, or refunding or refinancing such bonds, notes, or obligations, under and pursuant to all the procedures and requirements set forth in the Local Government Public Obligations Act of 1986.

The host municipality is authorized to levy special assessments against all properties located within that portion of the district located within the municipality. The assessment must be set out in the establishment resolution of the district. The proceeds of the assessment must be applied to the cost of all infrastructure costs and expenses of making public improvements in the district. Any excess in proceeds must be used to defeasance or prepay any bonds, notes or other obligations issued by the district. Any remaining proceeds may be retained by the municipality.

Effective May 1, 2024.

P.C. 877 (HB2117/SB2743) requires that as a part of a local government's audit the executive of the political subdivision must present a written attestation to the comptroller certifying that the political subdivision has not sought or received a grant in intentional pursuit of certain policies. Those policies are "Agenda 21" adopted by the United Nations, the 2030 Agenda for Sustainable Development, the United Nations proposal to reach net zero emissions by 2030, or another international law or ancillary plan of action that contravenes the constitution of the United States or the constitution of this state.

The act states that an individual who believes the political subdivision of the state has violated the act may bring a private cause of action in a court of competent jurisdiction. The remedies that may be awarded to a prevailing plaintiff include court costs and fees, attorney's fees, actual damages, and punitive damages.

Effective July 1, 2024.

P.C. 912 (HB2244/SB2112) makes three changes to the Local Tourism Development Zone Business Tax Act:

1. Expands the definition of "qualified public use facility" or "public use facility" to include a mixed-use development initially including a sports facility containing ten (10) or more sports fields and including any retail, office, hotel, apartment, condominium, and other commercial or residential uses that are located in a tourism development zone and requiring a capital investment of five hundred million dollars ($500,000,000) or more;
2. Authorizes a municipality to levy, modify, or repeal a privilege tax levied upon the privilege of engaging in any business or business activity in a qualified public use facility by amending the ordinance authorizing the privilege tax. A municipality may designate by ordinance classes of businesses or business activities and levy the privilege tax at different rates for each class, so long as the tax does not exceed 5 percent for any class; and
3. Requires that an ordinance authorizing, amending, or modifying the privilege tax be approved by a two-thirds vote of the municipal legislative body at two consecutive, regularly scheduled meetings. If the tax should be levied or cannot be decided by a

majority of qualified voters of the municipality voting in an election of whether or not the tax should be levied.

Effective May 3, 2024.

P.C. 956 (HB2797/SB2182) grants additional powers to industrial development corporations created by a municipality within the boundaries of a housing opportunity county or by any combination of a municipality and a housing opportunity county. The additional powers include:

1. To construct and install public infrastructure for qualified residential developments or contract with a private party to do such work;
2. Accept loans and grants of money from this state or federal government for the purpose of carrying out the design, construction, installation, financing or undertaking of public infrastructure; and
3. To make loans and grants of money to private entities constructing and installing public infrastructure for qualified residential developments within the housing opportunity county.

A housing opportunity county is defined as a county with acute need for additional housing to support the expected growth in population due to the undertaking of one or more economic development projects located in or within the surrounding area of the county, that are certified by the commissioner of economic development and are expected to result in the employment of more than 1,000 new employees.

Effective May 9, 2024

P.C. 668 (HB1228/SB1062) allows Dickson, Centerville and Hohenwald to join the South Central Tennessee Railroad Authority. Requires approval of 2/3s of their governing bodies.

Effective April 11, 2024.

P.C. 696 (HB2929/SB2311) removes the requirement that the number of water closets in a public facility be determined by the state building commission. This includes for football stadiums in Davidson County.

Effective April 11, 2024.

P.C. 702 (HB2532/SB2428) allows a county that has a written mutual aid agreement with each municipality within the county related to the provision of fire services to fund up to 50% of the cost to provide fire services to unincorporated portions of the county using county general funds.

Effective April 11, 2024.

P.C. 744 (HB2047/SB1646) adds former public officials to the list of officials who may contest liens on real property believed to lack any legal basis.

Effective April 22, 2024.

P.C. 930 (HB2584/SB1948) prevents the department of environment and conservation from charging a permit fee to a local government entity for a general aquatic resource permit for an emergency infrastructure repair, or a general aquatic resource alteration permit for maintenance activities necessary to replace or otherwise maintain a culvert.

Effective July 1, 2024.

P.C. 1009 (HB1259/SB0795) enacts anti-squatter laws. property owners or their authorized agents may request from the sheriff of the county in which the property is located to immediately remove any person unlawfully occupying a residential dwelling if certain conditions are met. Those conditions include but are not limited to the real property was not open to the public at the time of entry, the owner has directed the person to leave, the person is not a current or former tenant pursuant to a rental agreement, the person is not an immediate family member of the owner, and there is no pending litigation related to the property between the person and the owner. The requesting owner is required to submit a certified Compliant to Remove Person Unlawfully Occupying Residential Property to the sheriff. The sheriff must verify that the requesting party is the owner of record, then without delay serve notice to immediately vacate the property. Neither the sheriff nor the owner are liable to an unlawful occupant for the damage or loss of person property resulting from actions taken under this act.

Effective July 1, 2024.

P.C. 1017 (HB1731/SB1692) establishes the Modernization of Towing, Immobilization and Oversight Normalization ACT**.** Under this act, booting is generally prohibited, but a local government may pass an ordinance to allow booting if it meets the requirements of the act. If a local government opts into the act, then the local government may permit a licensed parking lot, or licensed parking lot attendant on the parking lot's behalf, to tow or boot vehicles in the licensed parking lot. An ordinance passed opting into this act must contain certain provisions, including but not limited to the following:

(1) Require the annual licensure of the commercial parking lot owner as a licensed parking lot and the issuance of a license number to the licensed parking lot;

(2) Specify in the annual licensure whether the licensure permits the licensed parking lot to boot, tow, or both boot and tow;

(3) Require the annual licensure of any employee authorized by the licensed parking lot to boot or tow from the lot as a licensed parking attendant and issue a license number and photo identification from the local government to the licensed parking attendant;

(4) Prohibit any person from booting or towing a motor vehicle on a licensed parking lot except by a licensed parking attendant licensed by the local government;

(5) Require a licensed parking lot to maintain a phone number that is monitored by a natural person 24 hours a day, 7 days a week;

(6) Requires specific signage at a licensed parking lot regarding the towing or boot policies; and

(7) Prohibits a licensed parking lot from charging a vehicle immobilization fee of greater than $75 or charging a fee to anyone who was improperly booted.

This act does not prohibit a local government from passing an ordinance with requirements that are stricter than the minimum requirements listed in the act. This act also does not prohibit local governments from booting a vehicle located on private property provided that a notice is placed on the driver's side window that states an immobilization device has been placed on the car, the name of the local government who booted the vehicle, the date it was booted, and the contact number to remove the boot.

The act also requires commercial parking lots to meet certain notice requirements to use license plate readers to enforce parking requirements. A commercial parking lot may also not charge a fee for non-payment unless they meet certain signage requirements and the amount of cost of parking goes unpaid for more than 72 hours.

Violations of the provisions of the act constitute a violation of the Tennessee Consumer Protections Act of 1977. Violations constituent an unfair or deceptive act and are subject to the penalties and remedies provided for the Consumer Protections Act in addition to any penalties established under this act. A person injured by a violation of the provisions related to booting and towing is entitled to a private right of action for injunctive relief and to recover actual damages, compensatory damages, punitive damages and reasonable attorney's fees.

The act also details what a police department that takes into custody an abandoned, immobile or unattended motor vehicle must do to provide notice to the owner and all lienholders. The act also allows a police department to send a pre-seizure notice by to the owner by an overnight delivery carrier to the last known address of the owner. If the pre-seizure notice is sent, then the police force does not have to comply with the notice requirements after taking the vehicle.

The act also sets out requirements for persons engaged in the business of towing vehicles. This includes requirements governing towing storage and fees and a prohibition on referral payments.

The department of Revenue is also required to create an electronic database by July 1, 2025, that allows a police department to input abandoned vehicle information for public notice to be made through the portal.

Effective July 1, 2024.

P.C. 1034 (HB2120/SB1984) removes recreational facilities, recreational purposes, or parks from the definition of "public use" as it relates to eminent domain. Local governments will no longer be able to use condemnation to acquire land for the above purposes.

Effective May 28, 2024.

OPEN RECORDS/MEETINGS

P.C. 710 (HB2741/SB2934) requires local legislative bodies make agendas available 48 hours in advance of their regular meetings. The act also adds state governing bodies to this requirement.

Effective April 11, 2024.

P.C. 818 (HB2373/SB2813) allows that local legislative body members can meet with General Assembly members without violating open meetings laws. The act allows one or more members of a local legislative body to meet with one or more members of the state legislative delegation that represents the local government without being considered a meeting under the open meetings laws. The meeting must be informative and not deliberative in nature, or the state legislative delegation conduct the meeting to discuss state matters.

Effective April 28, 2024.

P.C. 1030 (HB2176/SB1963) allows the payment of attorney's fees for violations of the open meetings laws. Courts are authorized to award reasonable court costs and attorney's fees to a petitioner for successfully proving that a governing body knowingly and willfully violated the public meetings laws. A court may consider guidance provided by the open records counsel as proof of willfulness.

Effective May 28, 2024.

TAXES

P.C. 781 (HB2769/HB2055) authorizes that, for the purpose of classification and assessment of property taxes, the state board of equalization to approve a reappraisal plan specifying a schedule for continuous on-site review or photo review that is different than the standard schedule provided that it is that it is no longer than four years**.** The act also requires the assessor to notify the register of deeds which records meet the definition of "permanent records."

Effective April 23, 2024.

P.C. 859 (HB2109/SB2307) adds Hydrogen Gas to the types of alternative fuels for the purpose of fuel taxes. It adds Hydrogen Gas to the gases under the compressed natural gas tax and exempts Hydrogen Gas from the sales and use tax.

Effective January 1, 2025.

P.C. 886 (HB2182/SB2583) expands the definition of "qualified data center" as it relates to the application of sale and use taxes. The definition now includes a data center that previously made the required capital investment of $100 million and previously created at least fifteen (15) net new full-time employee jobs and the data center is transferred to an affiliate.

Effective May 1, 2024.

P.C. 913 (HB2312/SB2172) changes the laws related to the collection of delinquent property taxes. The act allows municipal tax collectors or taxing entities to accept partial payment of delinquent property taxes. Before an entity can begin to accept partial payments, it must file a plan with the comptroller of the treasury. The act details what the plan must contain. The act requires that the partial payments be applied to delinquent taxes, statutory fees and court costs on a pro-rata basis detailed in the act. The comptroller must develop guidelines for the implementation of plans for the acceptance of partial payments.

For the creation of guidance, the act is effective May 3, 2024. The rest becomes effective January 1, 2026.

P.C. 917 (HB2641/SB2520) creates a municipal option to reduce sales tax on food. Any city or town located in a county that has not adopted the maximum sales tax rate may levy a tax on retail sale of food and food ingredients at a rate lower than the city tax levied for other privileges, good, and services. The city or town may also exempt food and food ingredients from their share of the sales tax. This change in tax rate must be done through ordinance and is not subject to approval of the voters.

Effective May 3, 2024.

P.C. 968 (HB0351/SB1260) allows for industrial development corporations to be established and operated solely to assist and benefit locally owned businesses and small businesses. The costs related to these corporations must be paid by the local government in which the corporation is created. Under this act a locally owned business is a commercial business formed or conducting a majority of business operations with the local government for the past 5 years. A small business is defined as 50 or fewer employees or five million or less in gross revenues. This act will be repealed on June 30, 2028.

Effective May 21, 2024.

P.C. 978 (HB2054/SB1659) increases the maximum amount of land allowed under the Agricultural, Forest and Open Space Land Act from 1,500 to 3,000 acres.

Effective January 1, 2025.

P.C. 1001 (HB2868/SB2711) prevents a municipality with a population over 600,000 with a preexisting occupancy tax or authority from changing the designated use but allows them to change the allocations of the revenue.

Effective May 21, 2024.

P.C. 1016 (HB2240/SB1676) requires municipalities levying a hotel-motel tax under general law to submit a report detailing the amount of revenue collected and how those revenues were spent on tourism or tourism development. If the Comptroller finds that a municipality has spent funds derived from a hotel-motel tax for purposes not related to the

promotion of tourism or tourism development, the municipality shall appropriate an equal amount of general funds to be spent on those purposes.

Effective May 28, 2024.

UTILITIES

P.C. 628 (HB2286/SB2260) makes changes to the Underground Utility Damage Prevention Act. The act changes the types of notice that are acceptable for intent to excavate or demolish from email notice to electronic notice. An excavator can also submit a notice of emergency excavation that provides for a response time longer than 2 hours but less than 72 hours. The act also removes the notice exemption for any person responsible for restoration of services or ameliorate an imminent danger to life, health or property. The act also make changes to the penalties under the act.

Effective July 1, 2024.

P.C. 662 (HB2300/SB2497) states that utilities do not have to repair more than 200% of surface area disturbed. This states that a city shall not require the repair of pavement or sidewalk in excess of 200% of the surface area disturbed during the inspection, installation, or connection to such pipes or natural gas mains or conductors.

Effective April 17, 2024.

P.C. 692 (HB1967/SB2162) allows local governing bodies to act as water authorities. The act allows a governing body who is performing the duties, powers, and responsibilities required of the board of a water authority, may carry out such duties, powers, and approve projects.

Effective April 11, 2024.

P.C. 814 (HB2541/SB2424) authorizes municipalities to enter into energy siting agreements. Municipalities may enter into an agreement with a developer of energy infrastructure improvements for one or more energy projects in the municipality if it is in the best interest of the municipality. This agreement may include reductions in setbacks, vegetative buffers, or other visual screening requirements that would otherwise be imposed. The agreement may also authorize the sitting of the project in areas zoned for agricultural purposes. A vested property right is established upon the approval of the sitting agreement. During vesting period of the property right the development standards that are in effect on the date of approval of the agreement, including any modifications remain in effect. The length of the vesting period depends on if a final development plan is required by the agreement with the maximum being 10 years.

Effective June 1, 2024.

P.C. 1004 (HB0526/SB0129) prevents the straight-line depreciation of an asset that was acquired or completed in the preceding 12 months from being calculated as a part of the comptroller's determination on if a utility system is financially distressed. The depreciation must be calculated in accordance with generally accepted accounting principles. The system's statements must still be completed in accordance with generally accepted principles. This act only applies if the governing body of the utility system approves it by a majority vote.

Effective July 1, 2024.

WORKERS COMPENSATIONS

P.C. 532 (HB1694/SB2094) makes multiple change to workers compensation laws**.** The act requires an employer to report an accident that results in a work-related death or person injury to the bureau of workers' compensation with 14 calendar days of being notified of the accident or having knowledge of the accident, whichever is earlier. Previously, the time of the required notification was based on the nature of the accident and how long it takes a employee to return to work. The act allows that if a person refuses to obey a subpoena for an administrative hearing or to produce evidence requested by the administrator or their designee may seek an order from chancery court requiring compliance. Failure to comply may also result in civil penalties and the act adds that the party refusing to comply with the subpoena must pay costs, including reasonable attorney's fees, court costs, and other costs incurred by the administrator to obtain the order enforcing the subpoena. The act also extends current provisions of the law that cover compliance investigations, subpoenas, distress warrants, fraudulent exemptions, and liability to injured employees that were set to expire on July 1, 2024, to July 1, 2029. The act makes various other changes to the workers compensation laws.

Effective July 1, 2024.

P.C. 666 (HB2306/2909) establishes the Tennessee Self-Insurers' Guaranty Association Act. The association is a nonprofit unincorporated legal entity meant to provide a mechanism for the payment of self-insured workers compensation claims to avoid excess delay in payments and avoid financial loss to claimants because of the insolvency of the employer. The association is given various responsibilities and abilities that include but are not limited to:

(1) Maintain cash, readily marketable securities, or other assets, or a line of credit, approved by the commissioner, sufficient to immediately continue the payment of the compensation obligations of an insolvent self-insurer pending assessment of the member self-insurers;

(2) Hold individual collateral for member self-insurers who do not participate in full in the risk-based security program;

(3) Pay the legitimate claims of insolvent self-insurers;

(4) (A) Seek tax exempt status from the internal revenue service under section 501 (c) of the Internal Revenue Code (26 U.S.C. § 501 (c)); and

(5) Not conduct any activities inconsistent with such status;

(6) Seek recoveries from insolvent self-insurers and third parties as appropriate.

(7) The association may borrow funds necessary to affect the purposes of this part in accordance with the plan of operation. In the event of a member default resulting in liabilities payable by the association in excess of its capacity to pay from assessments, the association, in its sole discretion, may by resolution request the Tennessee local development authority to issue bonds or notes pursuant to title 4, chapter 31, part 8, in such amounts as the association may determine necessary to provide funds for the payment of said liabilities.

Effective April 9, 2024.

P.C. 813 (HB2010/SB2378) requires the comptroller to conduct a study of all insurers, including insurance pools, that provide policies for workers' compensation to local governmental entities. The study shall include a review of each insurer's solvency, a comparative rate study, and an analysis of the process to bid out, procure, or otherwise obtain a policy. The comptroller shall report their findings to the speakers of the senate and the house no later than January 1, 2025.

Effective April 9,02024.