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Summary of 2015 Public Acts

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**Municipal Technical
Advisory Service**

**INSTITUTE FOR
PUBLIC SERVICE**

SUMMARY OF 2015 PUBLIC ACTS

Prepared by:

Elisha Hodge

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WARNING

Users of this publication are cautioned that much judgment 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 2015

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SUMMARY OF PUBLIC ACTS 2015

Alcoholic Beverages

Chapter No. 19 (HB0543/SB0426). Certain financial and ownership interests of wholesalers, brewers and manufactures of beer prohibited. Amends T.C.A. § 57-5-101 by prohibiting brewers and manufactures of beer from having a financial or ownership interest in the business of or a building containing a wholesale or retail licensee, subject to certain exceptions. Also prohibits a wholesaler from having a financial or ownership interest in the business of or a building containing a brewer, manufacturer or retail licensee, subject to certain exceptions. Prohibits a brewer or manufacturer of beer from holding a wholesale or retail license. Also prohibits a retail dealer of beer from purchasing beer from anyone other than a licensed wholesaler located in this State and prohibits a wholesale distributor of beer from purchasing beer from anyone other than a manufacturer, importer or other wholesaler with a legal permit.

Effective March 27, 2015

Chapter No. 29 (HB0145/SB0185). Citizenship/Residency requirement for a beer permit. Amends T.C.A. § 57-5-103(a) by prohibiting a city from issuing a beer permit to any applicant unless the applicant has been a citizen or lawful resident of the United States for at least one year immediately preceding the date of applying for the permit.

Effective July 1, 2015

Chapter No. 69 (HB0859/SB0376). Permit not required when making homemade beer. Amends Tennessee Code Annotated, Title 57, Chapter 5, Part 1 by adding a new section that allows an individual to make homemade beer without a permit under certain conditions. Also allows homemade beer to be entered into contests, competitions, demonstrations and tastings of homemade beer pursuant to certain requirements which can include a city regulating the contests, competitions, demonstrations and tastings.

Effective April 6, 2015

Chapter No. 70 (HB0247/SB0406). Dancing Bear Lodge authorized to sell alcoholic beverages for on-premise consumption. Amends T.C.A. § 57-4-102(26) by adding the Dancing Bear Lodge in Townsend, Tennessee to the list of places that are authorized to sell alcoholic beverages for consumption on premises.

Effective April 6, 2015

Chapter No. 116 (HB0312/SB0814). Commodore Hotel and Café authorized to sell alcoholic beverages for on-premise consumption. Amends T.C.A. § 57-4-102(20) by adding the Commodore Hotel and Cafe in Linden, Tennessee to the list of places that are authorized to sell alcoholic beverages for consumption on premises.

Effective April 10, 2015

Chapter No. 119 (HB0942/SB0930). Ivy Wild and Blue Chair Café & Tavern authorized to sell alcoholic beverages for on-premise consumption. Amends T.C.A. § 57-4-102(26) by adding the Ivy Wild and Blue Chair Café & Tavern in Sewanee, Tennessee to the list of places that are authorized to sell alcoholic beverages for consumption on premises.

Effective April 6, 2015

Chapter No. 176 (HB0639/SB0897). Manufacturer of beer allowed to operate as a retailer at the manufacture’s location or a site contiguous to it. Amends T.C.A. § 57-5-101 by authorizing a beer manufacturer to operate as a retailer at the manufacture’s location or a site contiguous thereto for sales up to a certain amount and to qualify for and hold a license as a restaurant, limited service restaurant or a hotel.

Effective April 16, 2015

Chapter No. 201 (HB0047/SB0124). Minor Hill authorized to conduct referendums on the retail sale of alcohol and the sale of alcohol for on-premise consumption within the municipality. Amends T.C.A. § 57-3-106 by authorizing Minor Hill, Tennessee to conduct a referendum on whether to allow the sale of alcoholic beverages at retail within the municipality. Also amends T.C.A. § 57-4-103 by authorizing Minor Hill to conduct a referendum on whether to allow the sale of alcoholic beverages for on-premise consumption within the municipality.

Effective April 20, 2015

Chapter No. 220 (HB0186/SB0990). Mixed Drink Tax Distribution. Amends T.C.A. § 57-4-306 by extending the provisions within current law relative to the distribution of the mixed drink tax proceeds.

Effective July 1, 2015

Chapter No. 269 (HB1125/SB1029). Alcohol Clean-Up Bill. Amends T.C.A. § 57-3-101 by changing the definition of “municipality” to include any city with 925 or more residents. Also amends T.C.A. § 57-3-208 by removing the requirement that the mayor of a municipality opine that an applicant for a retail license will not violate any of the laws governing establishments with the license. Amends T.C.A. § 57-3-602 by requiring any distillery, winery, broker, importer, manufacturer or person selling or distributing alcoholic beverages to a manufacturer licensed under T.C.A. § 57-3-202 to obtain a nonresident seller’s permit. Amends T.C.A. § 57-4-102(35) by defining “seasonal closing” for purposes of those restaurants

within a jurisdiction that has Tennessee River Resort District status. Also deletes Title 57, Chapters 7 and 8 that addressed alcohol sales by druggist and physicians and the sale of soft drinks that contain alcohol.

Effective April 24, 2015

Chapter No. 270 (HB0783/SB0916). Taxation of Wine. Amends T.C.A. § 57-3-207(t) by excluding from sales tax and taxes assessed in accordance with T.C.A. § 57-4-301, samples of wine provided for tasting for on-premise consumption or sealed containers of wine for consumption on premises, but not in the bonded areas of wineries or on the premises of a farm wine producer.

Effective April 24, 2015 and applies to sales made on or after May 24, 2015

Chapter No. 279 (HB0642/SB0388). Consumption of alcoholic beverages allowed on certain premises between a convention center, a convention center hotel and a museum attached to a convention center. Amends T.C.A. § 57-4-102(27) by authorizing the consumption of alcoholic beverages in the area located between the Music City Center, the County Music Hall of Fame and the Omni Hotel. Requires the Metropolitan Council of Nashville and Davidson County to approve, by resolution, the definition of “premises” included in the legislation in order for the provision to become effective.

Effective April 28, 2015

Chapter No. 285 (HB1011/SB0917). Delivery service delivering food and alcohol. Amends T.C.A. § 57-3-406 by authorizing a delivery service that delivers prepared food from restaurants as part of the delivery service’s business to also deliver to customers sealed packages of alcoholic beverages and beer or both sold by an entity with a retail liquor license as long as the amount of alcohol per delivery does not exceed one gallon per customer, at least 50% of the delivery services’ gross sales comes from prepared food or food products, the individual delivering the alcohol is 21 or older and has a delivery employee license, the delivery service has a delivery service license, the delivery service has a written agreement with a retailer to deliver the retailer’s alcoholic beverages or beer to customers, and the person making the delivery requires the customer to present a valid government issued photo identification that includes the customer’s date of birth, before the customer takes possession of the alcohol. Also adds Tenn. Code Ann. Sections 57-3-224 and 57-3-225 which establish the criteria for a delivery service license and delivery employee license.

Effective April 28, 2015

Chapter No. 336 (HB0131/SB0018). Sugar Hollow Marina, RedTail Mountain Resort and certain establishments in Eagleville authorized to sell alcoholic beverages for on-premise consumption. Amends Tennessee Code Annotated Title 57, Chapter 4, Part 1 by authorizing the sale of alcoholic beverages for on-premise consumption at Sugar Hollow Marina in LaFollette, Tennessee, any establishment in Eagleville, Tennessee that is licensed to serve beer and wine for on-premise

consumption and RedTail Mountain Resort in Mountain City, Tennessee. Classifies RedTail Mountain Resort as a premier type tourist resort.

Effective May 4, 2015

Chapter No. 366 (HB0761/SB0643). Winery and farm winery permit holder authorized to sell certain items at retail. Amends T.C.A. § 57-3-207 by authorizing a winery or farm winery permit holder to sell at retail certain items related to or incidental to the use, consumption, dispensing or storage of wine on the licensed premises. Prohibits distilled spirits, wine not manufactured or bottled on the licensed premises and beer from being sold. Authorizes a winery or farm winery permit holder that also holds a restaurant license or a beer permit to engage in the activities permitted pursuant to that license and/or permit.

Effective May 4, 2015

Chapter No. 367 (HB0845/SB0650). Restaurant licensee or limited service restaurant licensee serving alcohol in areas used for entertainment activities. Amends T.C.A. § 57-4-101 by authorizing a licensee who has a restaurant license or a limited service restaurant license to serve alcohol in any area of the premises designated on the application for licensure as being used for entertainment activities. Defines entertainment activities to include bowling, billiards, games or darts. Requires the areas to have either table service or be within observation distance from the service area of the establishment.

Effective May 4, 2015

Chapter No. 369 (HB0826/SB0710). Payments between wholesalers and retailers of alcoholic beverages for on-premise consumption. Amends T.C.A. § 57-4-203 by authorizing a wholesaler licensed under T.C.A. § 57-3-203 to extend credit to a retailer licensed under T.C.A. § 57-4-101 for a period of up to 10 days after the date of delivery of the product, as long as the payment is made by transferring funds electronically or through escrow prepayment. If a retailer licensed under T.C.A. § 57-4-101 fails to satisfy its obligations to a wholesaler, in accordance with the wholesalers' credit terms, twice within a 12 month period, a rebuttable presumption is created that the retailer is not financially responsible as required by T.C.A. § 57-3-104. The ABC is required to set a hearing as soon as practicable at its next available meeting to determine whether the retailer can rebut the presumption. If the ABC finds that the retailer is not financially responsible, the retailer's license can be suspended or revoked or the retailer can be fined.

Effective May 4, 2015

Chapter No. 428 (HB0542/SB0528). Retail sale of alcohol for off-premise consumption at certain restaurants, I.D. requirements amended, sale of alcohol at Tennessee State parks, and requirements for selling "Tennessee Moonshine". Amends T.C.A. § 57-3-204 by authorizing the restaurants at Belle Meade Plantation and the George Jones Museum to operate retail package stores for off-premise consumption within the same structure as the restaurants under certain conditions. Amends T.C.A. § 57-4-102(26) by adding to the definition of "premier type tourist resort" any entity that is permitted by the

Tennessee Department of Environment and Conservation to operate a restaurant or other food and beverage service on the premises of a state park. Amends T.C.A. § 57-3-406 by requiring only those individuals whose physical appearance does not appear to be over 50 years of age to present government issued photo identification with an age on it prior to purchasing alcohol. Amends T.C.A. § 57-3-808 by exempting from criminal punishment and adverse employment action, a retail food store wine license holder who sells wine for off-premise consumption to anyone who reasonably appears to be over 50 years old, without requiring that the individual present identification. Amends Tennessee Code Annotated Title 57, Chapter 2, Part 1 by prohibiting any intoxicating liquor from being advertised, described, labeled, named, sold or referred to as “Tennessee Moonshine” unless the intoxicating liquor is distilled in Tennessee. Violation of this provision could result in the suspension or revocation of a manufacturer’s license for not less than one (1) year.

Effective May 15, 2015

Chapter No. 446 (HB0866/SB0308). Cheekwood Botanical Garden and Museum of Art authorized to sell alcoholic beverages for on-premise consumption. Amends T.C.A. § 57-4-102(38) by authorizing Cheekwood Botanical Garden and Museum of Art in Nashville, Tennessee to sell alcoholic beverages for on-premise consumption.

Effective May 18, 2015

Chapter No. 451 (HB0760/SB0695). Winery and/or farm winery producer satellite facility permit. Amends T.C.A. § 57-3-207 by allowing certain licensed wineries and farm winery producers to qualify for a satellite permit that authorizes up to three wineries, farm wineries or a combination of the two to operate at a satellite facility.

Effective July 1, 2015

Chapter No. 458 (HB0936/SB0875). Loretta Lynn Ranch and Blue Moon Waterfront Grille authorized to sell alcoholic beverages for on-premise consumption, WillowBrook Golf Course authorized to grant a franchise and establishments in Cumberland Gap with beer permits authorized to sell alcohol and wine for on-premise consumption. Amends T.C.A. § 57-4-102(26) by authorizing WillowBrook Golf Course in Manchester, Tennessee to grant a franchise to its right to serve alcoholic beverages for on-premise consumption to any entity that owns or leases the facility or operates a restaurant pursuant to a written contract with the entity that owns or leases the facility. Authorizes Loretta Lynn Ranch in Hurricane Mills, Tennessee and Blue Moon Waterfront Grille in Nashville, Tennessee to sell alcoholic beverages for on-premise consumption as premier type tourist resorts. Also authorizes any establishment with a beer permit in Cumberland Gap, Tennessee to sell alcohol and wine for on-premise consumption.

Effective May 18, 2015

Animals

Chapter No. 73 (HB0455/SB0561). Provisions governing animals running at large revised. Amends T.C.A. Title 44, Chapter 8, Part 4 by deleting some of the provisions that govern how animals running at large are to be treated.

Effective April 6, 2015

Chapter No. 173 (HB0135/SB0205). Asserting self-defense and reporting requirements when seriously injuring or killing certain wild animals. Amends Tennessee Code Annotated Title 70, Chapter 4, Part 1 by providing that a person charged with taking, attempting to take or harming a wild animal in violation of Title 70, can assert the defense of self-defense if the wild animal caused the person to believe that the animal's action placed the person in imminent danger of death or serious bodily injury, the threat was real and the threat was founded upon reasonable grounds. The defense is not available if the person has the ability to safely retreat from certain places and does not or if the individual recklessly provokes or attracts the animal. Requires an individual who kills or seriously injures a big game animal to notify the TWRA within 24 hours, if the person is able to do so and prohibits the big game animal from being removed, repositioned, retained, sold or transferred without authorization. Creates a Class C misdemeanor for doing otherwise.

Effective July 1, 2015

Chapter No. 228 (HB1318/SB0204). Defending property against black vultures. Amends T.C.A. § 70-8-108 by making it legal to disturb the habitat of, alter, attempt to take, possess or transport a black vulture known as "Coragyps atratus". Prohibits the use of state funds or personnel or other state resources to enforce any prohibition against disturbing these vultures.

Effective April 21, 2015

Chapter No. 235 (HB1051/SB1097). Taking and killing foxes in Tennessee. Amends T.C.A. § 70-4-103(A) by granting the Tennessee Fish and Wildlife Commission the authority to regulate the taking and killing of foxes in Tennessee, despite language to the contrary in any private acts.

Effective April 20, 2015

Chapter No. 331 (HB1363/SB1273). Microchips in Class 1 carnivores. Amends Title 70, Chapter 4, Part 4 by requiring any person who obtains or possesses a Class 1 carnivore after July 1, 2015 to have a specified type of microchip permanently implanted in the animal.

Effective July 1, 2015

Chapter No. 370 (HB1185/SB0904). Restitution ordered by a court for killing certain animals. Amends T.C.A. § 70-4-116 by granting a court the authority to order any person convicted of killing a white-tailed deer, wild turkey, bear, or wild elk in violation of Title 70, to pay monetary restitution and for wild elk, to pay the cost of reintroduction of a wild elk. Authorizes the court to revoke any license issued to the individual under Title 70, until the restitution is paid in full.

Effective July 1, 2015

Chapter No. 413 (HB0147/SB1204). Animal Abuse Registry created. Amends Tennessee Code Annotated Title 40, Chapter 39 by creating a new section that establishes a registry of individuals convicted of an animal abuse offense that is to be maintained by the TBI on its website. Authorizes the TBI to promulgate rules related to the registry.

*Effective May 8, 2015 for promulgation of rules
and January 1, 2016 otherwise*

Annexation

Chapter No. 512 (HB0608/SB0755). Annexation clean-up bill. Amends Tennessee Code Annotated Title 6, Chapter 51, Part 1 by deleting all references to annexation by ordinance. Also amends the definition of “notice”. Makes clear that notice must be sent out and a public hearing held on the plan of services prior to passage of the annexation resolution. Also allows for non-contiguous annexation of property within a municipality’s urban growth boundaries if the property is to be used for a commercial or industrial purpose or future residential development or the property is owned by one or more governmental entities. Non-contiguous annexation is only permitted in certain counties.

Effective May 16, 2015

Authorities, Boards and Commissions

Chapter No. 13 (HB0390/SB0262). Sunset date of the West Fork Drakes Creek Dam and Reservoir Interstate Authority extended until June 30, 2020. Amends T.C.A. § 4-29-241(a) by extending the sunset date of the West Fork Drakes Creek Dam and Reservoir Interstate Authority until June 30, 2020.

Effective March 19, 2015

Chapter No. 146 (HB0360/SB0277). Sunset date of the Rail Service Authorities extended until 2020. Amends T.C.A. § 4-29-241(a) by extending the sunset date of the rail service authorities until June 30, 2020. Also requires representative from the Rail Service Authorities and other related rail authorities to appear before the Government Operations Joint Evaluation Committee on Commerce, Labor,

Transportation and Agriculture no later than November 1, 2015 to update the Committee on the status of the pending litigation related to the state's Short Line Equity Fund.

Effective April 16, 2015

Chapter No. 300 (HB1347/SB0281). Railroad Authorities ability to negotiate certain contracts.

Amends T.C.A. § 7-56-211 by authorizing railroad authorities to negotiate all labor related to rehabilitation projects on railroads.

Effective April 24, 2015

Business Regulation

Chapter No. 131 (HB0549/SB0629). "Made in Tennessee Act" extended. Amends T.C.A. § 4-3-738 by making the "Made in Tennessee Act" administered by the University of Tennessee Center for Industrial Services permanent.

Effective April 9, 2015

Chapter No. 291 (HB0071/SB0081). Notification of revocation or suspension of certificate of registration to local governments removed. Amends Tennessee Code Annotated Title 62, Chapters 2, 6, 19 and 20 by making various changes to the regulation of certain regulatory boards. Removes the language requiring the Board of Examiners for Architects and Engineers to notify municipalities when the certificate of registration for any architect, engineer, landscape architect or registered interior designer is suspended or revoked or reissued after suspension or registration.

Effective April 24, 2015

Civil Procedure

Chapter No. 275 (HB0137/SB0287). Statute of limitations on eminent domain claims. Amends T.C.A. § 29-16-124 by requiring an owner of land, whose land has been taken by another person or entity as the result of eminent domain and is being occupied for the purpose of internal improvements, to bring all actions that could be brought as the result of the taking, including those for trespass and nuisance, within 12 months of the taking and the commencement of the work on the improvements.

Effective April 28, 2015

Chapter No. 388 (HB0200/SB0463). Statute of limitations extended on tort claims when there is a related criminal action. Amends T.C.A. § 28-3-104(a) by extending the statute of limitations for personal tort actions to 2 years from when the action accrued when criminal charges are brought against any individual alleged to have caused or contributed to the injury, the action is the subject of a criminal prosecution brought within 1 year, and the civil action is filed by the person injured against the person being criminally prosecuted for the injury.

Effective July 1, 2015

Chapter No. 441 (HB0935/SB0180). Seizure and forfeiture of property related to a terrorist act. Amends Tennessee Code Annotated Title 39, Chapter 13, Part 8 by adding new sections that allow, in most circumstances, all property, real and personal, including money and vehicles to be seized and forfeited to the State, when the property is used or intended for use in the course of, derived from or realized through terrorist acts. The owner or interest holder must be convicted of terrorist acts and the property must be sold at public auction. The proceeds are to be distributed to any victims first and then to the investigating law enforcement agency and then to any law enforcement agency involved in the mitigation, seizure or forfeiture process. Any victim of the terrorist acts has the right to bring a civil lawsuit against the alleged perpetrator within 5 years of the act, even if the alleged perpetrator is not arrested or convicted.

Effective July 1, 2015

Chapter No. 472 (HB0979/SB1221). Seizure of clergy member's sermon or notes for a civil or administrative action prohibited. Amends T.C.A. § 4-1-407 by prohibiting all governmental entities, with the exception of a court, from subpoenaing a clergy member's sermons and related notes, for use in a civil or administrative action.

Effective May 18, 2015

Code Enforcement

Chapter No. 120 (HB0917/SB1036). Smoke alarm requirements in rental units, dwellings, hotels and apartment buildings. Amends Tennessee Code Annotated Title 68, Chapter 102, Part 1 and Title 68, Chapter 120, Part 1 by requiring smoke alarms installed in one-family and two family rental units and one-family and two-family dwellings to be installed in accordance with applicable building construction safety standards adopted pursuant to § 68-120-101 and manufacturer's instructions, unless the instructions conflict with the safety standards. Requires smoke alarms in one-family dwellings built by the family. Also requires all smoke alarms in hotels and apartment buildings built on or after January 1, 2016, to be installed and maintained in accordance with applicable building construction safety standards adopted pursuant to § 68-120-101 .

Effective January 1, 2016

Chapter No. 244 (HB0575/SB0565). Violation created for failure to vacate a structure declared unfit for human occupation. Amends Tennessee Code Annotated Title 13, Chapter 21, Part 1 by making violation of an order to vacate a building that has been declared unfit for human occupation or use a Class B misdemeanor. Also makes it a Class B misdemeanor for any owner, manager or person responsible for the structure, to authorize or facilitate the use of the structure.

Effective July 1, 2015

Chapter No. 318 (HB1308/SB0647). Carbon Monoxide alarms required in hotels and apartment buildings. Amends T.C.A. §§ 68-120-112 and 68-120-101 by making it illegal to own or operate a hotel with a fossil-fuel burning heater, appliance or other element that emits carbon monoxide as a byproduct of combustion without installing an approved carbon monoxide alarm within 10 feet of each room used for sleeping purposes and removing or tampering with any carbon monoxide alarm or a component thereof. Requires carbon monoxide alarms installed in hotels and apartment buildings existing before January 1, 2016, to be installed according to certain standards and allows the alarms to be wired directly to a building's power supply, powered by a self-monitoring battery or operated with a specific type of plug-in outlet. All hotels and apartment buildings built on or after January 1, 2016 are to be built in accordance with applicable building construction safety standards.

Effective January 1, 2016

Chapter No. 356 (HB0490/SB0505). Horizontal property and building code. Amends T.C.A. § 66-27-104 by removing language requiring horizontal property to adhere to the southern standard building code in certain situations. Replaces the reference to the southern standard building code with a reference to the international building code.

Effective May 4, 2015

Chapter No. 378 (HB0787/SB0474). Townhouses not required to have sprinkler systems. Amends T.C.A. § 68-120-101(a)(8) by requiring townhouses to be built according to local and statewide adopted building codes, but exempts townhouses from the requirement of having fire sprinkler systems. Allows local governments to pass ordinances requiring townhouses to have sprinkler systems.

Effective April 30, 2015

Chapter No. 381 (HB0069/SB0079). Possible action by the State Fire Marshal for violation of certain requirements. Amends Tennessee Code Annotated Title 62, Chapter 32, Parts 1 and 2 and Title 68, Chapter 135, Part 1 by authorizing the State Fire Marshal to refuse to issue, renew, suspend or revoke a certificate of registration, license or a permit or assess civil penalties when the fire protection sprinkler system applicant, licensee or permit holder has violated any of the provisions related to fire protection sprinkler systems, fire extinguishers and related equipment and liquefied petroleum gas.

Effective May 8, 2015

Chapter No. 526 (HB1323/SB1263). Sprinkler systems in dwellings providing hospitality services.

Amends T.C.A. § 68-120-101 by providing that if a local government adopts mandatory sprinkler requirements for one-family and two family dwellings that would also apply to dwellings used for hospitality services, then the mandatory sprinkler requirements are to be applied only to those dwelling constructed on or after the date the requirement took effect. “Hospitality services” is defined as offering sleeping accommodations to transients for less than 30 nights per stay.

Effective May 20, 2015

Contracts

Chapter No. 272 (HB0084/SB0095). Central Procurement Office and institutions of higher education working with local governments on cooperative purchasing agreements.

Amends Tennessee Code Annotated Title 12, Chapter 3, Part 5 and Tennessee Code Annotated Title 12, Chapter 3, Part 7 by authorizing the Central Procurement Office and public institutions of higher education to participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of goods and services with one or more local governments. The agreements are required to be awarded through full and open competition. Includes information on how a respondent may protest a solicitation, award or proposed award. Also authorizes the chief procurement officer to limit a contractor’s liability to the State.

Effective April 28, 2015

Chapter No. 403 (HB0823/SB0978). Construction and maintenance of public works without a registered architect, engineer or landscape architect.

Amends T.C.A. § 62-2-107 by authorizing the State, counties and municipalities to engage in the construction or maintenance of any public works involving architecture, engineering or landscape architecture, without having the plans, specifications and estimates prepared by a registered architect, engineer or landscape architect, when the total price of the project is expected to be \$50,000 or less.

Effective May 8, 2015

Courts

Chapter No. 113 (HB0445/SB0440). Surrender of parental rights and revocation of the surrender.

Amends T.C.A. §§ 36-1-111 and 36-1-112 by reducing the number of days that a parent has to revoke the surrender of his/her parental rights from 10 calendar days to 3 calendar days. Authorizes a court to revoke the surrender even after the 3 calendar day timeframe in certain situations.

Effective April 10, 2015

Chapter No. 167 (HB0554/SB01121). Individual convicted of certain crimes prohibited from having visitation rights or being able to inherit from child conceived as a result of the crime committed.

Amends Tennessee Code Annotated Title 36, Chapter 6, Part 1 by prohibiting any person who has been convicted of aggravated rape, rape or rape of a child from having custody or visitation rights or the right to inheritance, with respect to any child conceived as a result of the crime, unless the other parent agrees to the person having reasonable visitation rights. Requires the convicted individual to pay court ordered child support, unless the other parent waives the support and the person is contributing to support of the child.

Effective July 1, 2015

Chapter No. 200 (HB0090/SB0101). Settlement of child support arrearage balance. Amends T.C.A. § 36-5-101 by authorizing the obligor and obligee in a child support matter to compromise and settle on an arrearages amount that is to be paid to the obligee, with the court's permission. Prior to entering into any agreement, the obligee must be provided a written explanation of the settlement terms and must consent to the settlement in writing. Requires the obligor to pay the child support obligation in full for 12 consecutive months immediately preceding the settlement, in order to be eligible for this type of settlement. Requires the Department of Human Services or a contractor thereof to be a party to the action, in all Title IV-D cases. Requires the program to operate uniformly across the State and requires the needs of the child or children subject to the child support order and the obligor's ability to pay to be considered. Provides that the compromise and settlement is the only way to modify a child support obligation outside of a petition for modification being filed.

Effective July 1, 2015

Chapter No. 236 (HB0811/SB0681). Returning a child to the parents' custody after removal based upon the parents' drug abuse. Amends Tennessee Code Annotated Title 36, Chapter 6, Part 1 by authorizing a court, in a private custody case not involving the Department of Children's Services or a child-placing agency, that has removed a child from his/her parents' custody due primarily or solely to the parents' drug use, to return the child to his/her parents' custody only after the parents have not been the subject of criminal charges or an investigation for 90 days, resolved any former or pending investigations by child protective services to the satisfaction of the court and passed 2 consecutive monthly drug screens paid for by the parents.

Effective July 1, 2015

Chapter No. 237 (HB0308/SB0697). Initiating termination of parental rights based upon a child sex trafficking conviction. Amends T.C.A. § 36-1-113 by adding that the initiation of the termination of a parent's parental rights can be based upon the parent being convicted, on or after July 1, 2015, of sex trafficking of children by force or coercion under 18 U.S.C. § 1591 or a sex trafficking of children offense in another state that is similar to § 39-13-309.

Effective July 1, 2015

Chapter No. 238 (HB0218/SB1089). Custody and visitation of a parent who presents a substantial risk of harm to a child. Amends T.C.A. §§ 36-6-112 and 36-6-101 by adding that a parent is presumed to present a substantial risk of harm to a child if the parent is indicted for aggravated child abuse, child sexual abuse or severe child sexual abuse. Provides that a parent remains a risk during the pendency of the indictment and therefore the child cannot be placed in the parent's custody, but the court may grant supervised visitation. Also prohibits the court from awarding any form of custody to a parent that is under indictment for aggravated child abuse, child sexual abuse or severe child sexual abuse.

Effective July 1, 2015

Chapter No. 247 (HB0704/SB0684). Great grandparents petitioning the court for visitation rights. Amends T.C.A. § 36-6-306 by including a biological or adoptive great grandparent or the spouse thereof in the definition of grandparent, which allows the great grandparent or his/her spouse to petition the court for visitation with a great grandchild.

Effective April 24, 2015

Chapter No. 257 (HB0052/SB0019). Accepting lump-sum partial payments for fines, costs and litigations taxes outstanding after 5 years. Amends T.C.A. § 40-24-105 by authorizing a criminal court or general sessions court clerk, with the approval of a court, to accept a lump-sum partial payment to fully satisfy any outstanding amount owed for fines, costs or litigation taxes due on a case, after the amount owed has been in default for at least 5 years. The court may only approve a payment that is at least 50% of the combined outstanding balance owed on a case. The allocation formula for monies paid into the court is to be followed when the settlement is collected, except the percentage that is allowed to be retained by the clerk may be withheld.

Effective July 1, 2015

Chapter No. 320 (HB0808/SB0720). Admissibility of video recording of forensics interview with a child describing sex acts performed with or on the child. Amends T.C.A. § 24-7-123 by authorizing a video recording of a child under the age of 13 who is describing sex acts done with or to the child, to be admissible in court when the forensic interviewer was employed by a child advocacy center that is either not a nonprofit, but is accredited by a nationally recognized accrediting agency or employs an executive director that does not meet the criteria established in § 9-4-213(a)(2), but is supervised by a publicly elected official.

Effective April 28, 2015

Chapter No. 329 (HB0583/SB01265). Waiver of a preliminary hearing prohibited. Amends Tennessee Code Annotated Title 40, Chapter 10, by prohibiting a court from granting a defendant's request to waive his/her preliminary hearing, if the State makes a timely objection and can show good cause as to why the request for waiver should be denied.

Effective July 1, 2015

Crimes and Criminal Procedure

Chapter No. 43 (HB0258/SB0420). Reporting requirements related to drug education and treatment removed. Amends T.C.A. § 39-17-451 by deleting the requirement that the governing body of a law enforcement agency responsible for the investigation and arrest that results in a drug conviction submit a report to the Comptroller of the Treasury by August 1 of each year that details how funds collected and paid to the general fund were used on drug education and treatment.

Effective March 27, 2015

Chapter No. 59 (HB0100/SB0111). Limitations on the sale of methamphetamine precursors amended. Amends T.C.A. § 39-17-431 by prohibiting the sale of products that contain ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers, after an individual has purchased the amounts provided for in this provision, unless the individual has a valid prescription.

Effective April 6, 2015

Chapter No. 67 (HB0270/SB0305). Law enforcement officers to provide juveniles suspected of prostitution with the telephone number to the Tennessee Human Trafficking Resource Center Hotline. Amends T.C.A. § 39-13-513 by requiring law enforcement officers to provide juveniles suspected of prostitution with the telephone number to the Tennessee Human Trafficking Resource Center Hotline.

Effective July 1, 2015

Chapter No. 77 (HB0959/SB0924) Notifying officer of possession of hypodermic needles or other sharp objects. Amends Tennessee Code Annotated 40, Chapter 7, Part 1 by prohibiting an individual from being charged with possession of drug paraphernalia, if the individual is asked by a law enforcement officer if he/she has a hypodermic needle or other sharp object in his/her possession or in the vehicle being searched, and the individual responds affirmatively. Provides that an individual can still be charged with possession of drug paraphernalia for any other items found during a search.

Effective January 1, 2016

Chapter No. 82 (HB0039/SB0045). Identification required when purchasing products containing Dexomethorphan. Amends Tennessee Code Annotated Title 39, Chapter 17, Part 4 by creating the offense of selling products containing dexomethorphan (or DXM) to individuals under the age of 18, unless the individual is emancipated. Prohibits purchasing products containing DXM, when under 18 years and not emancipated, with the intent to use the product in a manner inconsistent with the recommended dosages. Requires employees of commercial entity selling the products containing DXM to manually obtain government issued photo identification that includes an age from any person purchasing products containing DXM, unless the person appears to be 30 years old or older. Requires any individual under 18 years old claiming to be emancipated, to provide proof of emancipation.

Provides that the first violation of this provision is punishable by a fine up to \$100 and each subsequent violation is punishable by a fine up to \$500. Also provides that this does not apply when an individual has a valid prescription or when certain health care providers dispense the medication.

Effective January 1, 2016

Chapter No. 89 (HB0321/SB0434). Conviction of lesser included offenses not eligible for expunction in certain situations. Amends T.C.A. § 40-32-101 by prohibiting expunction of records when the individual is convicted of a lesser included offense relating to the same criminal conduct upon which the original charge was based or is convicted of one or more charges in a multiple count indictment or an offense related to the charges in the indictment, including any lesser included offenses. This provision does not apply to moving and nonmoving traffic violations. Authorizes all of the public records, aside from the ones related to the charge that the individual was ultimately convicted of, to be expunged and the expunction to be entered into all of the appropriate state and federal databases.

Effective July 1, 2015

Chapter No. 126 (HB0099/SB0110). Language related to driving under the influence amended. Amends T.C.A. §§ 55-10-401 and 55-10-402 by adding “streets” and “alleys” and “while on the premises” of certain other places to the language prohibiting driving under the influence. Also provides the penalties for a first offense violation of T.C.A. § 55-10-401 by individuals with a blood alcohol concentration of 0.20% or higher.

Effective April 9, 2015

Chapter No. 137 (HB0923/SB0596). Aggressive panhandling offense created. Amends Tennessee Code Annotated Title 39, Chapter 17, Part 3 by creating the offense of aggressive panhandling which is a Class C misdemeanor for the first offense and a Class B misdemeanor for subsequent offenses.

Effective July 1, 2015

Chapter No. 138 (HB0618/SB0541). Affirmative defense for obstructing highway in Williamson and Maury counties authorized. Amends T.C.A. § 39-17-307 by removing the provision that prohibited the affirmative defense of solicitation and collection of charitable donations from being asserted to an obstructing a highway charge in Williamson and Maury counties.

Effective April 16, 2015

Chapter No. 183 (HB1245/SB0926). Offense of vandalism expanded. Amends T.C.A. § 39-14-408 by expanding the offense of vandalism to include knowingly destroying, polluting, harming or decreasing the value of merchandise offered for sale by a retail merchant in any manner or soliciting, directing, aiding or attempting to aid another individual to engage in these acts.

Effective April 16, 2015

Chapter No. 187 (HB0736/SB0147). Offense for financial exploitation or vulnerable individuals created. Amends Tennessee Code Annotated Title 39, Chapter 14, Part 1 by creating an offense for financially exploiting an individual who is elderly and unable to manage his/her day- to-day activities or an individual who is 18 years or older and mentally and/or physically disabled. Provides that the offense is a Class D felony. Authorizes the court to freeze the assets of an individual charged with such an offense in an amount of up to 150% of the amount allegedly taken, if the amount allegedly taken exceeds \$5000. Requires the D.A.'s office to petition the court in order for the assets to be frozen and authorizes the hearing on the matter to be held ex parte to prevent additional exploitation of the victim. Provides that the individual charged, or a person with an interest in the assets frozen, can petition the court within 30 days of being served with the order freezing the assets, to release the assets. Requires the assets to be released if the case is abandoned or indefinitely continued or the person is acquitted of the charge. Authorizes the exploited individual to pursue a civil case of action for exploitation.

Effective July 1, 2015

Chapter No. 231 (HB0672/SB0594). Using an interpreter to communicate with a hearing impaired child in domestic and child abuse cases. Amends T.C.A. § 39-13-513 by requiring a law enforcement officer to use an interpreter trained in sign language, instead of a child's family member, when the officer is investigating an alleged domestic abuse or child abuse case that may have involved or occurred in the presence of a hearing-impaired child. Authorizes the interpreter to interpret from a remote location or live, if necessary. Requires all law enforcement agencies to maintain a list of interpreters developed by the Tennessee Council for the Deaf, Deaf-Blind and Hard of Hearing.

Effective April 21, 2015

Chapter No. 240 (HB0153/SB0509). Knowing use of unmanned aircraft prohibited over certain areas. Amends T.C.A. §§ 39-13-903 by making it a Class C misdemeanor to knowingly using an unmanned aircraft to intentionally capture an individual or event at an open-air event venue where more than 100 individuals are gathered for a ticketed event or knowingly use an unmanned aircraft over a designated fireworks discharge site, fireworks display site or fireworks fallout area or a correctional facility.

Effective July 1, 2015

Chapter No. 264 (HB0865/SB0795). Transport of a juvenile suspected of prostitution to a shelter care facility. Amends T.C.A. § 39-13-513 by authorizing a law enforcement officer to transport a juvenile suspected of prostitution to a shelter care facility designated by the juvenile court judge to facilitate the release of the minor to the custody of a parent or legal guardian.

Effective April 24, 2015

Chapter No. 278 (HB0578/SB1377). Drug fraud offenses records and records related to multiple convictions arising from a single criminal episode eligible for expunction. Amends T.C.A. § 40-32-101 by authorizing an individual convicted of a drug fraud offense to petition a court to have his/her records expunged, if the individual was convicted and sentenced to imprisonment for a term of 4 years or less

for an offense committed on or after November 1, 1989, and 10 years have elapsed since the completion of the sentence imposed. Also authorizes an individual with multiple convictions arising from a single criminal episode to petition the court to have his/her records expunged, if all of the convictions are eligible for expunction. Provides that multiple convictions arising out of a single criminal episode are to be considered a single offense for certain purposes.

Effective April 28, 2015

Chapter No. 283 (HB0838/SB0833). Inmates required to pay restitution to officers they assault.

Amends T.C.A. § 39-13-102 by requiring inmates in correctional institutions, upon being convicted of aggravated assault, to pay restitution to any correctional officer, guard, jailer or other full-time employee of a prison, jail or workhouse, who was the victim of the assault. Provides that the offense had to have occurred while the victim was in the discharge of his/her official duties and within the scope of his/her employment. Requires the judge to order the warden, chief operating officer or workhouse administrator to deduct 50% of the restitution ordered from the inmate's commissary or any other account the inmate might have at the prison, jail or workhouse. Authorizes the judge to order the deduction of 100% of the restitution from such accounts.

Effective July 1, 2015

Chapter No. 295 (HB0496/SB0140). Timeframe for destruction of public records related to an expunged offense established.

Amends T.C.A. § 40-32-102 by requiring the chief administrative officer and the clerk of each court to remove and destroy all records covered by an expunction order 60 days from the date the expunction order is entered. Requires the TBI to remove such records and information from the person's criminal history within 60 days of receiving the expunction order.

Effective April 24, 2015

Chapter No. 302 (HB0287/SB0318). Controlled substance schedules revised. Amends Tennessee Code Annotated Title 39, Chapter 17, Part 4 by revising the controlled substance schedules.

Effective April 24, 2015

Chapter No. 306 (HB0217/SB0428). Offense of aggravated assault involving strangulation or attempted strangulation revised. Amends T.C.A. § 39-13-102 by removing language that required an intent to cause bodily injury in order to charge an individual with aggravated assault for strangling or attempting to strangle another person.

Effective July 1, 2015

Chapter No. 310 (HB0269/SB0373). Statute of limitation extended for offense of promoting prostitution involving a juvenile. Amends T.C.A. Section 40-2-101 by extending the statute of limitations for prosecuting, trying and punishing an individual charged with promoting prostitution involving a juvenile to no later than 25 years from the date that the juvenile becomes 18 years of age.

Effective July 1, 2015

Chapter No. 311 (HB0404/SB0374). Sell of powdered or crystalline alcohol prohibited. Amends Tennessee Code Annotated Title 57, Chapter 3, Part 4 by prohibiting the sell or offer for sale for human consumption powdered or crystalline alcohol.

Effective May 1, 2015

Chapter No. 316 (HB0534/SB0599). “Violent juvenile sexual offender” defined for purposes of registering on the sexual offender registry. Amends T.C.A. 40-39-202 by defining “violent juvenile sexual offender” as “a person who is an adjudicated delinquent in this state for any act that constitutes a violent juvenile sexual offense; provided, that the person is at least fourteen (14) years of age but less than eighteen (18) years of age at the time the act is committed” which requires registration on the sex offender registry.

Effective April 28, 2015

Chapter No. 319 (HB0494/SB0666). Curfew exception revised. Amends T.C.A. § 39-17-1702 by authorizing a juvenile to be on a public street or in a public establishment after curfew, if the juvenile is engaged in a lawful employment activity or is going directly to or returning directly from the juvenile’s home or lawful place of employment. Provides that a juvenile must carry proof of employment to be covered by the exception. Also authorizes a law enforcement officer to take a juvenile into custody and transport him/her to a designated curfew center when a juvenile violates the curfew provisions in T.C.A. § 39-17-1702.

Effective April 24, 2015

Chapter No. 335 (HB0057/SB0006). “Racial Profiling Prevention Act”. Amends Tennessee Code Annotated Title 38, Chapter 1 by adding a part 5 by enacting the “Racial Profiling Prevention Act” which requires each law enforcement agency, on or before January 1, 2016, to adopt a written policy that prohibits racial profiling by its employees.

Effective May 4, 2015

Chapter No. 352 (HB0197/SB0280). Definition of marijuana amended. Amends T.C.A. 39-17-402 by excluding from the definition of “marijuana” cannabis oil containing the substance cannabidiol, with less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol when the bottle is labeled appropriately and the person possessing the bottle has proof of the legal order or recommendation for use from the

issuing state and proof that the person or his/her immediate family member has been diagnosed with intractable seizures or epilepsy by a medical doctor or doctor of osteopathic medicine who is licensed in Tennessee.

Effective May 4, 2015

Chapter No. 365 (HB0843/SB0638). "Neighborhood Protection Act" created. Amends Tennessee Code Annotated by enacting the "Neighborhood Protection Act" which authorizes a neighborhood association, neighborhood watch or similar residential organization that is recognized by State or local law to seek an injunction or restraining order prohibiting an individual who has been convicted of 3 or more separate offenses for certain criminal conduct, from entering into the neighborhood.

Effective July 1, 2015

Chapter No. 375 (HB0041/SB0610). 12 hour hold on offenders arrested for certain offenses. Amends T.C.A. § 40-11-150 by prohibiting anyone who is arrested for stalking, aggravated stalking, especially aggravated stalking, any crime in which the victim is a domestic violence victim or physically abusing an individual who is 60 or older, from being released within 12 hours of the time of the arrest, if the judge finds the alleged offender to be a threat to the alleged victim. Requires the findings to be reduced to writing and attached to the warrant as a permanent part of the record. Requires the arresting officer to document the time of the arrest for purposes of calculating the 12 hours. Requires the official who releases an alleged offender prior to the conclusion of the 12 hours, to make reasonable efforts to contact the alleged victim and let him/her know that the alleged offender will be released prior to the conclusion of the 12 hours.

Effective May 8, 2015

Chapter No. 387 (HB0582/SB0457). Law enforcement authorized to seek an order requiring an elderly or special needs individual to be examined by a medical professional. Amends T.C.A. 71-6-103(l) by authorizing law enforcement agencies to seek an order from a court that requires an elderly or special needs individual to be examined by certain medical professionals, when during the course of an investigation, the law enforcement agency is unable to determine to its satisfaction, whether the individual is in imminent danger or lacks the capacity to consent to protective services.

Effective July 1, 2015

Chapter No. 396 (HB1036/SB0871). "Addiction Treatment Act of 2015" enacted. Amends various provisions in Tennessee Code Annotated Titles 53, 56, and 63. Provides that no individual will be arrested, charged or prosecuted or be subject to other penalties for seeking medical assistance for either himself/herself or another person who is experiencing a drug overdose. Prohibits the use of buprenorphine in certain situations and limits its use in other situations. Provides that only a physician licensed under Title 63, Chapters 6 or 9 may prescribe any buprenorphine product for any federal food

and drug administration approved use in recovery or medication-assisted treatment. Requires the Commissioner of Health to make available recommendations for training of first responders in the appropriate use of opioid antagonists.

Effective July 1, 2015

Chapter No. 406 (HB0962/SB01024). Offense created for knowingly causing a juvenile to attend an animal fight and provision related to possessing and keeping cocks clarified. Amends T.C.A. § 39-14-203 by making it a Class A misdemeanor to knowingly cause a person under the age of 18 years old to attend an animal fight. Clarifies that it is not an offense to possess and keep cocks for the sole purpose of selling or transporting them to a location where it is legal to possess or keep them as long as doing so does not violate any other State or federal law.

Effective July 1, 2015

Chapter No. 409 (HB1291/SB1114). “Aron’s Law” created. Amends T.C.A. § 39-14-205 by enacting “Aron’s Law” which makes it a Class E felony to knowingly kill a police dog, fire dog, search and rescue dog or a police horse.

Effective May 8, 2015

Chapter No. 433 (HB0045/SB0030). Minimum sentence requirements for convictions for aggravated vehicular homicide. Amends T.C.A. § 40-35-501(k) by requiring individuals convicted of aggravated vehicular homicide on or after July 1, 2015, to serve at least 60% of the time sentenced, less any sentence credits earned. Provides that no other provision or sentence reduction credits can bring the time to be served to below 45% of the time sentenced.

Effective July 1, 2015

Chapter No. 435 (HB0268/SB0043). Interception of wire, oral, or electronic communications related to sex trafficking. Amends T.C.A. § 40-6-305 by authorizing a district attorney general to apply for and receive an order permitting the interception of wire, oral, or electronic communications by an investigative or law enforcement officer investigating the commission of trafficking a person for a commercial sex act.

Effective July 1, 2015

Chapter No. 469 (HB0754/SB1160). Individuals convicted of aggravated prostitution authorized to petition the court for removal from the sex offender registry. Amends Tennessee Code Annotated Title 40, Chapter 39, Part 2 by authorizing an individual convicted of aggravated prostitution to petition the court for removal from the sex offender registry and the requirements thereof based upon the individual’s status as a victim of human trafficking, domestic abuse or other sexual offenses. Requires a hearing to be held on the petition, unless the individual has been convicted of a sexual offense or violent sexual offense since being required to register as a sex offender. Authorizes witnesses to be called if a hearing is held and prohibits an individual from filing another petition for 3 years, if the petition is

denied. Requires the individual filing the petition to file a request for termination of registration requirements with the TBI, if the petition is granted by the court. Requires the TBI to immediately remove an individual from the sex offender registry upon receipt of the order from the court requiring such.

Effective July 1, 2015

Chapter No. 477 (HB0120/SB1316). Offense of aggravated vehicular assault created. Amends Tennessee Code Annotated Title 39, Chapter 13, Part 1 by creating the offense of aggravated vehicular assault which occurs when a person commits vehicular assault due to alcohol or drug intoxication and has a previous conviction or convictions for certain driving offenses in Tennessee or any other state, district or territory in the U.S. within the last 20 years or had a .20 alcohol concentration at the time of the vehicular assault and has a prior conviction for certain driving offenses. Requires the indictment to set out the prior conviction(s) in a separate count. Requires the court to consider whether the individual has the required aggravating factors necessary to commit aggravated vehicular assault, if the individual is convicted of vehicular assault. Provides that conviction of this offense is a Class C felony that includes a fine of \$5,000-10,000 and the loss of driving privileges.

Effective July 1, 2015

Chapter No. 490 (HB0134/SB0456). Transdermal monitoring device required as a condition of bail when charged with certain offenses. Amends T.C.A. § 40-11-118 by providing that if a judge or magistrate determines that an individual charged with vehicular assault, vehicular homicide or aggravated vehicular homicide involving the use of an intoxicant has a prior alcohol-related conviction, the use of a transdermal monitoring device must be a condition of the individual's bail agreement. Requires the individual using the monitoring device to be responsible for all costs associated with the use and monitoring. Authorizes the judge to take action up to revoking bail if any condition of release is violated or the device is tampered with, removed or vandalized.

Effective July 1, 2015

Chapter No. 503 (HB0275/SB0016). Human trafficking training required. Amends Tennessee Code Annotated Title 38, Chapter 6, Part 1 by requiring the TBI to implement a course of instruction composed for law enforcement officers and other government officials who are directly involved with human trafficking. Requires law enforcement officers assigned to field and investigative duties to complete at least 2 hours of training related to handling human trafficking complaints by July 1, 2017 or within 6 months of being hired as a full-time law enforcement officer, whichever is later.

Effective July 1, 2015

Chapter No. 509 (HB0556/SB0651). Electronic Driver License System authorized. Amends Tennessee Code Annotated Title 55, Chapter 50, Part 3 by authorizing the Department of Safety to develop a secure and uniform system, to be known as the "electronic driver license system," for authorizing persons to present or submit evidence of a valid driver license in an optional electronic format, on a cellular

telephone or any other type of portable electronic device, in lieu of a physical driver license. Provides a person who participates in the system may present or submit evidence of possession of a valid driver license in an electronic format, in lieu of a physical driver license, which shall be accepted as such evidence for identification and other purposes, including upon the request of a law enforcement officer or a seller of alcoholic beverages. Requires the electronic driver license system to allow law enforcement officers to verify the authenticity of the driver license and further provides that a person who displays the evidence in an electronic format pursuant to this subsection, is not consenting for a law enforcement officer to access any other contents of the electronic device.

Effective May 20, 2015

Chapter No. 516 (HB0810/SB0679). Sexual offender and violent sexual offender provisions amended.

Amends Tennessee Code Annotated Title 40, Chapter 39, Part 2 by prohibiting any registered sex offender or registered violent sex offender from being alone with a minor in a private area where no one else is able to observe the offender and the minor, there is no one there willing to come to the aid of the minor or contact the proper authorities, or the other adult present is also an offender. Provides that an offender can submit certain information to the TBI through electronic means. Requires the offender to submit a complete listing of his/her electronic mail address information, including usernames, social medial accounts the offender uses or intends to use, instant message, other Internet communication platforms or devices, and the offender's screen name, or other method by which the offender accesses these accounts or web sites to the TBI.

Effective July 1, 2015

Economic Development

Chapter No. 71 (HB0259/SB0421). Tax increment agencies required to file reports with the Comptroller's office. Amends T.C.A. § 9-23-106 by requiring each tax increment agency to file copies of the required plan and resolutions with the Comptroller of the Treasury by October 1 of each year. Provides that the filings required in T.C.A. § 9-23-106 are the only filings required to be made by tax increment agencies subject to Title 9, Chapter 23.

Effective July 1, 2015

Chapter No. 84 (HB0076/SB0086). Tax credit incentives related to professional employer organizations. Amends T.C.A. § 62-43-105 by authorizing the client of a professional employer organization to count the employees hired by the professional employer organization as employees solely of the client for purposes of determining tax credits and other economic incentives that are provided by the State or local governments and based on employment.

Effective July 1, 2015

Chapter No. 410 (HB1174/SB1123). Property acquired during a delinquent tax sale being used for affordable or workforce housing. Amends T.C.A. § 7-3-314 by authorizing a county with a metropolitan form of government to grant property acquired by the metropolitan government during a delinquent tax sale, to a nonprofit for purposes of constructing affordable housing or workforce housing for residents of the community, after the redemption period for the property has lapsed.

Effective May 8, 2015

Chapter No. 521 (HB1026/SB0346). “Community Resurgence Job Tax Credit Act of 2015”. Amends T.C.A. § 67-4-2109 by enacting the “Community Resurgence Job Tax Credit Act of 2015,” which provides tax credits to businesses that create at least 10 “qualifying jobs” in high-poverty areas.

Effective July 1, 2015

Education

Chapter No. 132 (HB0772/SB1229). Local Board of Education required to report lobbying and association expenditures. Amends Tennessee Code Annotated Title 49, Chapter 2, Part 2 by requiring a local school board to include in its budget each fiscal year a line item for professional associations and lobbying expenditures that includes the total amount spent on lobbying expenditures during that fiscal year. Requires a form that contains the total amount expected to be spent on professional associations and lobbying expenditures, the names and total amounts expected to be spent on entities that will lobby for the board of education, the amount that is expected to be used to hire contract lobbyist for the fiscal year beginning in 2017 and the actual amounts spent on these items during the previous fiscal year to be submitted to the appropriate legislative body for approval with the budget.

Effective July 1, 2016

Chapter No. 142 (HB0398/SB0343). “Virtual Public Schools Act” extended. Amends T.C.A. § 49-16-216 by extending the date of repeal of the “Virtual Public Schools Act” from June 30, 2015 to June 30, 2019.

Effective April 16, 2015

Chapter No. 158 (HB0108/SB0119). “Tennessee Teaching Evaluation Enhancement Act” created. Amends Tennessee Code Annotated Title 49, Chapter 1, Part 3 and Title 49, Chapter 5, Part 5 by enacting the “Tennessee Teaching Evaluation Enhancement Act” which revises the criteria used and the weight given to certain test scores factored into the evaluations of teachers in public schools.

Effective April 16, 2015

Chapter No. 165 (HB0429/SB1105). Educator’s right to report inaccuracies, errors or potentially inflammatory material in textbooks. Amends Tennessee Code Annotated Title 49, Chapter 5, Part 2 by prohibiting a teacher or other educator from being discouraged or disciplined by any supervisor for reporting inaccuracies, errors, or potentially inflammatory material in textbooks and instructional materials or content to a supervisor, an elected official, or a parent or guardian of a student. Also prohibits a teacher or educator from being required to waive his/her right to report such information.

Effective July 1, 2015

Chapter No. 184 (HB0078/SB0088). Commissioner of Education to set schedule for the administration of the Tennessee Comprehensive Assessment Program tests. Amends T.C.A. § 49-6-6002 by requiring the Commissioner of Education to establish a schedule for the administration of the Tennessee comprehensive assessment program assessments. Also provides the Commissioner with the authority to adjust the schedule for reasons including, but not limited to, natural disaster, prolonged inclement weather, or serious outbreaks of contagious illness.

Effective April 22, 2015

Chapter No. 197 (HB1171/SB0063). Local Board of Education authorized to refuse federal funding for any educational program. Amends Tennessee Code Annotated Title 49, Chapter 3, Part 2 by authorizing a local board of education, by the adoption of a resolution, to refuse to accept federal funding for any education program without a penalty being assessed by the State, unless refusal of such funding would cause a loss of federal funding for all participating LEAs in the program. Requires a local board of education to notify the Tennessee Department of Education that it intends to refuse to accept federal funding before the local board refuses the funding.

Effective April 20, 2015

Chapter No. 214 (HB0683/SB0633). Teachers, administrators and other local board of education employees prohibited from requiring teachers, employees, students and parents to provide information on firearm ownership. Amends Tennessee Code Annotated Title 49, Chapter 2, Part 10 by prohibiting teachers, administrators and other local board of education employees from requiring teachers, employees, students or parents to provide information on firearm ownership. Also prohibits any such information that is provided voluntarily from being used as the basis of adverse disciplinary action against a student or adverse employment action against an employee, except that adverse employment action is authorized for violation of Title 39, Chapter 17, Part 13.

Effective April 20, 2015

Chapter No. 232 (HB1031/SB0893). Notice of dismissal or failure to reelect to be provided to teachers within 5 days after the last instructional day of the school year. Amends T.C.A. § 49-5-409 by requiring the local board of education or director of schools to provide notice, in writing, to any teacher that is being dismissed or who had failed to be reelected, within 5 days after the last instructional day of the school year.

Effective July 1, 2015

Chapter No. 233 (HB0904/SB1088). Instructional leadership licensure cannot be denied solely because an applicant completes an out of state preparation program. Amends T.C.A. § 49-5-108 by prohibiting the State Board of Education from denying instructional leadership licensure based solely upon the fact that the applicant completed a leadership preparation program outside of the State of Tennessee.

Effective July 1, 2015

Chapter No. 239 (HB0158/SB0183). Political activity by teachers prohibited in certain situations. Amends Tennessee Code Annotated Title 2, Chapter 19 by prohibiting teachers, principals and administrative staff from using school system equipment and vehicles while engaging in certain political activity on property owned by the school system. Also prohibits teachers, principals and administrative staff from participating in political activity during those hours of the day when the school system requires the staff members to be performing school duties.

Effective July 1, 2015

Chapter No. 255 (HB0006/SB0007). Fiscal capacity of each LEA for purposes of allocating BEP funding to be determined by May 1. Amends T.C.A. § 49-3-356 by requiring the fiscal capacity of each LEA, for purposes of allocating BEP funding during a school year, to be determined by May 1 preceding the school year. Provides that once the fiscal capacity of an LEA is determined for a school year, neither the Tennessee Department of Education nor the Tennessee Advisory Commission on Intergovernmental Relations can change or revise the fiscal capacity of the LEA for that school year.

Effective April 24, 2015

Chapter No. 256 (HB0036/SB0285). Excluding TCAP scores from students' final grades. Amends T.C.A. § 49-1-617 by authorizing an LEA to exclude its students' TCAP scores from the students' final grades in the subject areas of mathematics, English language arts, science, and social studies if the LEA does not receive its students' TCAP scores at least 5 instructional days before the end of the school year.

Effective April 24, 2015

Chapter No. 263 (HB0830/SB0667). Domestic violence awareness programs encouraged. Amends Tennessee Code Annotated Title 49, Chapter 6, Part 10 by strongly encouraging each LEA, in consultation with a local law enforcement agency, to institute domestic violence awareness education programs that are age and maturity level appropriate for middle and high school students.

Effective July 1, 2015

Chapter No. 265 (HB0874/SB0882). Time spent teaching at a public charter school to count towards tenure status in certain situations. Amends T.C.A. § 49-13-117 by requiring a local board of education to count the years of service that a teacher earns while on a leave of absence to teach at a public charter school for purposes of determining tenure status, provided that when the teacher returns to the traditional LEA, he/she receives 2 consecutive years of evaluations demonstrating an overall effectiveness level of “above expectations” or “significantly above expectations.”

Effective July 1, 2015

Chapter No. 303 (HB0112/SB0334). Permitted size of advertisements on school buses increased. Amends T.C.A. § 49-6-2109 by authorizing the size of advertisements on school buses to increase to 36 inches high and 90 inches long.

Effective April 24, 2015

Chapter No. 304 (HB0023/SB0341). State Board of Education authorized to make a policy related to revocation of licenses and certificates for misconduct. Amends T.C.A. § 49-1-302 by authorizing the State Board of Education to make policies concerning the revocation of licenses and certificates for misconduct.

Effective July 1, 2015

Chapter No. 312 (HB0260/SB0422). Process for purchasing Internet and Internet connectivity services amended. Amends T.C.A. § 49-3-368 by removing the requirement that all requests for proposals related to Internet or Internet connectivity services being paid for through State funding, be approved by the Comptroller of the Treasury prior to issuance.

Effective April 28, 2015

Chapter No. 321 (HB0659/SB0724). Self-administration of medication. Amends Tennessee Code Annotated Title 49 by authorizing a student diagnosed with pancreatic insufficiency or cystic fibrosis to self-administer prescribed pancreatic enzyme therapy in the manner directed and authorized by a licensed healthcare provider without additional assistance or direction from school staff. Provides that an individualized healthcare plan is to be developed for the student by the student, school staff, the student’s healthcare provider, family and a registered nurse. Also provides that an emergency care plan may be a component of the individualized healthcare plan.

Effective July 1, 2015

Chapter No. 361 (HB0735/SB0588). Commissioner of Education required to provide notification to school of priority school status before the school is publically identified as such. Amends T.C.A § 49-1-602 by requiring the Commissioner of Education to notify any school and its respective local board of education by October 1 of the year prior to public identification of priority schools, that the school is among the bottom 10% of schools in overall achievement as determined by the criteria set by the State Board of Education.

Effective July 1, 2015

Chapter No. 390 (HB0921/SB0758). Priority schools placement in the achievement school district prohibited in certain situations. Amends T.C.A. § 49-1-602 by prohibiting a priority school from being placed in the achievement school district if, after the school is identified as a priority school, but before the Commissioner of Education determines that the school should be assigned to the achievement school district, the school demonstrates student achievement growth at a level of "above expectations" or greater, as represented by the Tennessee Value-Added Assessment System (TV AAS) developed pursuant to this part.

Effective May 8, 2015

Chapter No. 423 (HB1035/SB01163). State Board of Education required to review and replace the Common Core standards. Amends Tennessee Code Annotated Title 49, Chapter 1, Part 3 by requiring the State Board of Education to implement a process to review the Common Core standards and replace them with new sets of standards adopted to fit the needs of Tennessee students by the 2017-2018 school year. Creates the Standards Recommendation Committee which will review and evaluate the recommendations of the two (2) standards review and development committees and post the recommendations to a web site for the purpose of gathering additional feedback from the public. Requires the Committee to make the final recommendations as to the new set of standards to the State Board of Education, which is required to adopt sets of standards in English language arts, mathematics, science and social studies that fit the needs of Tennessee students in kindergarten through grade twelve (K-12).

Effective May 11, 2015

Chapter No. 431 (HB0138/SB0027). "Individualized Education Act" created. Amends Tennessee Code Annotated Title 49, Chapter 10 by enacting the "Individualized Education Act" which allows a parent or guardian to request that his/her student who has an IEP be able to participate in the individualized education account program.

Effective May 18, 2015 for purposes of promulgating rules and January 1, 2016 otherwise

Chapter No. 489 (HB0946/SB0453). Duties of the Tennessee STEM Innovation Network revised.

Amends Tennessee Code Annotated Title 49, Chapter 6 by requiring the Tennessee STEM Innovation Network to establish STEM Innovation hubs in rural areas and in Northwest Tennessee. Also requires the Tennessee STEM Innovation Network to establish STEM leadership training in all the hubs, make available to all middle schools in the State, a curriculum to educate students on the variety and benefits of STEM careers and seek STEM partnership organizations to collaborate in STEM education programs and opportunities.

Effective May 20, 2015

Chapter No. 493 (HB0645/SB0604). “The Educator Protection Act of 2015” created. Amends Tennessee Code Annotated Title 9, Chapter 8 by enacting “The Educator Protection Act of 2015” which establishes the Tennessee Educator Liability Fund that will cover all full-time and part-time teachers and student teachers, at no cost, against damages for claims arising out of the performance of teachers' and student teachers' duties within the scope of their employment or assignment.

Effective May 20, 2015

Chapter No. 499 (HB0010/SB0010). Civics test requirement. Amends Tennessee Code Annotated Title 49, Chapter 6, Part 4 by requiring all high school students to take and pass, with at least 70% proficiency, a civics test made up of 25 to 50 of the questions that are given to individuals seeking to become citizens of the United States by the United States Citizenship and Immigration Services.

Effective January 1, 2017

Elections

Chapter No. 252 (HB1213/SB1284). Nonresident property owners can vote in the Town of Ethridge municipal elections. Amends T.C.A. § 6-20-106 by authorizing nonresident property owners in Ethridge to vote in municipal elections, upon approval of this act by 2/3 vote of the Board of Commissioners. No more than 2 owners will be eligible to vote per property.

Effective April 24, 2015

Chapter No. 280 (HB0707/SB0687). Lobbyist prohibited from making campaign contributions to or on behalf of judges or candidates for certain judicial offices. Amends T.C.A. § 3-6-304(j) by adding judges and candidates for certain judicial offices to the list of individuals to and on behalf of whom lobbyist cannot make campaign contributions.

Effective April 28, 2015

Chapter No. 315 (HB0988/SB0597). Mobile electronic or communication devices allowed at polling places for informational purposes. Amends Tennessee Code Annotated Title 2, Chapter 7, Part 1 by requiring county election commissions to allow voters to use mobile electronic or communication devices at polling places only for informational purposes to assist in making election decisions. The election commission can require that the device be silenced while in use at the polling place. Prohibits the devices being used for telephone conversations, recording or taking photographs or videos while inside the polling place.

Effective January 1, 2016

Environment

Chapter No. 292 (HB0081/SB0092). Provisions regulating underground storage tanks revised. Amends Tennessee Code Annotated Title 68, Chapters 211, 212, and 215 by adding new requirements for reporting and operating petroleum underground storage tanks, new language establishing how fines, fees and civil penalties collected pursuant to Chapter 215 are to be used and new language establishing how the Underground Storage Tanks and Solid Waste Disposal Control Board is to operate and conduct meetings. Also authorizes a tank owner to petition the Commissioner of Environment and Conservation for a reduction in penalties assessed or a refund of the annual fee paid, under certain circumstances.

Effective April 24, 2015

Chapter No. 525 (HB1321/SB1343). “Tire Environmental Act”. Amends Tennessee Code Annotated Title 68, Chapter 211 by enacting the “Tire Environmental Act” which imposes a fee between \$5.00 and \$15.00 on all new motor vehicles purchased that are to be titled and registered in Tennessee. The Tennessee Department of Environment and Conservation is to create a tire environmental program with the funds collected from the fee.

Effective October 1, 2015

Finance

Chapter No. 41 (HB0189/SB0414). Closing financial accounting records no later than 2 months after close of the fiscal year. Amends T.C.A. § 9-2-102 by making it the duty of all municipalities that are subject to the auditing requirements of the Comptroller of the Treasury and that handle public funds, to have the official accounting records of the municipality closed and available for audit no later than 2 months after the close of the fiscal year.

Effective July 1, 2015

Chapter No. 91 (HB00773/SB00678). Health, educational and housing facility corporation authorized to finance or undertake certain projects. Amends T.C.A. § 48-101-308 by authorizing any health, educational and housing facility corporation to finance or undertake any projects that are located in the state, but outside of the corporate limits of the municipality creating the corporation, when the corporation approves the financing or undertaking through a resolution or the municipality in which the project may be located approves the financing or undertaking through a resolution. A project located outside of the State if the hospital institution or institution of higher education for which the project is financed or undertaken maintains its principal place of business in the State prior to issuance of the debt and throughout the life of the debt.

Effective April 9, 2015

Chapter No. 112 (HB0187/SB0413). Local governments required to establish internal controls. Amends T.C.A. § 9-18-102 by requiring local governments to establish internal controls that provide reasonable assurance that obligations and cost comply with the law, funds, property and other assets are safeguarded against waste, loss, unauthorized use and misappropriation and revenues and expenditures are properly recorded and accounted for to allow for the preparation of accurate and reliable financial and statistical reports and to maintain accountability over assets.

Effective June 30, 2016

Chapter No. 207 (HB0161/SB0304). Private utility eligible for loans from the Drinking Water Revolving Loan Fund. Amends T.C.A. § 68-221-1206 by authorizing a privately owned for-profit water system to apply for and receive loans from the Drinking Water Revolving Loan Fund under certain conditions.

Effective April 20, 2015

Chapter No. 208 (HB0188/SB0352). Reduction in distribution of sales tax revenues for failure to employ a CMFO. Amends T.C.A. § 6-56-407 by reducing a municipalities distribution of sales tax revenue from the State by up to 15% of the total amount due to the municipality when the municipality fails to employ at least one certified municipal finance officer or “CMFO”. Provides that once the municipality complies with the requirement and employs a CMFO, the amount withheld will be disbursed to the municipality upon approval of the Comptroller of the Treasury.

Effective April 20, 2015

Chapter No. 210 (HB0190/SB0415). Volunteer fire departments required to file annual financial reports with the Comptroller of the Treasury. Amends Tennessee Code Annotated Title 68, Chapter 102, Part 3 by requiring each recognized volunteer fire department that receives appropriations from the federal or state government or from a municipality, to file an annual financial report with the Comptroller of the Treasury and any municipality from which it receives appropriations. The report is to be in a form prescribed by the Comptroller and filed within six months of the close of the fiscal year ending June 30.

Effective April 20, 2015

Firearms

Chapter No. 80 (HB0994/SB1058). Cause of action created when employee is terminated or an adverse employment action taken against employee with valid handgun carry permit for storing or transporting a firearm or firearm ammunition in employer's parking lot. Amends Tennessee Code Annotated Title 50, Chapter 1, Part 3 by prohibiting an employer from discharging or taking any adverse employment action against an employee solely for transporting or storing a firearm or firearm ammunition in an employer parking area under certain circumstances. Provides that an employee disciplined or discharged solely for this reason will have a cause of action against the employer to enjoin future acts in violation of this section and to recover economic damages plus reasonable attorney fees and costs. Provides the employee with one (1) year from the date of termination of employment, or the date of the adverse employment action, to file an action pursuant to this section.

Effective July 1, 2015

Chapter No. 234 (HB1255/SB1215). Chief law enforcement officer providing certification required for the making or transferring of a firearm. Amends T.C.A. § 39-17-1361 by requiring the chief law enforcement officer of an agency to provide any certification required by federal law or regulation for the making or transfer of a firearm, within 15 days of receiving the request for certification, when the applicant is not prohibited from receiving or possessing the firearm and is not the subject of a proceeding that could result in the applicant being prohibited by law from possessing the firearm. Authorizes an officer to conduct a criminal background check and require the applicant to provide only that information necessary to identify the applicant for purposes of determining the disposition of an arrest. Prohibits an officer from requiring access to or inspection of any private residential premise as a condition of making the certification. Requires an officer to provide written notification of any denial of certification that includes the reason for the determination. Authorizes the applicant to appeal a denial to circuit or chancery court. Provides immunity to any officer acting in good faith is immune from civil liability related to such certification.

Effective April 20, 2015

Chapter No. 250 (HB0995/SB1171). Handgun carry permit holders allowed to bring handguns into parks, except in certain situations. Amends T.C.A. §§ 39-17-1309 and 39-17-1311 by authorizing a handgun carry permit holder to carry or possess a handgun while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway, or other similar public place that is owned or operated by the state or a local government, except when in the immediate vicinity of property that is, at the time of possession, in use by any board of education, school, college or university board of trustees, regents, or directors for the administration of any public or private educational institution for the purpose of conducting an athletic event or other school-related activity on an athletic field, permanent or temporary, including but not limited to, a football or soccer field, tennis court, basketball court, track, running trail, Frisbee field, or similar multi-use field. Implies that once a handgun

carry permit holder is informed or becomes aware that a school is having an athletic event or any other school related activity on the property, reasonable steps should be taken to leave the area where the event is being held and failure to do so is a violation of the law.

Also authorizes handgun carry permit holders to possess or carry a handgun within public parks, natural areas, historic parks, nature trails, campgrounds, forests, greenways, waterways or other similar public places owned or operated by a public or private educational institution, only if the handgun carry permit holder is also an active or reserve member of the armed forces acting in his/her official capacity with orders to carry a handgun, a civil officer of the U.S. acting in his/her official capacity, an officer or soldier of the national guard called into actual service, a state or local law enforcement officer acting in his/her official capacity, a ROTC student required to carry a handgun while acting in his/her official capacity, a private police officer employed by a higher educational institution or a registered security guard, acting in his/her official capacity. Prohibits a handgun carry permit holder from carrying or possessing a handgun in the immediate vicinity of any of the areas mentioned above when the areas are being used by a public or private school conducting an athletic event or other school related activity and the individual knows or should have known that a school athletic event or other school related activity is taking place in the immediate vicinity of the property or the property is owned or operated by a public or private school. Again, implies that once a handgun carry permit holder is informed or becomes aware that a school is having an athletic event or any other school related activity in the immediate vicinity of the property or that the property is owned or operated by the school, reasonable steps should be taken to leave the area where the event is being held or the property owned or operated by the school and failure to do so is a violation of the law.

Deletes all provisions that authorized local governments to place signs in the parks and recreational areas related to the possession of a handgun.

Effective April 24, 2015

Chapter No. 380 (HB1341/SB1110). Prohibition on use of public funds and personnel to implement or enforce federal provisions regulating the ownership, use or possession of firearms, ammunition or firearm accessories. Amends Tennessee Code Annotated Title 38, Chapter 3 by prohibiting, on or after July 1, 2015, the State and any local government from expending public funds or using personnel or property of the State or a local government from implementing or enforcing any federal law, rule, regulation or executive order regulating the ownership, use or possession of firearms, ammunition or firearm accessories when doing so would result in the violation of a Tennessee statute, common law or the Tennessee Constitution.

Effective April 30, 2015

Chapter No. 408 (HB1046/SB1103). Disposition of weapons considered contraband that are in the possession of a law enforcement agency. Amends T.C.A. §. 39-17-1317 rewriting the provision relative to the disposition of weapons considered contraband that are in the possession of the State or a local government law enforcement agency.

Effective May 8, 2015 for purposes of promulgating rules and July 1, 2015 otherwise

Chapter No. 459 (HB1304/SB0886). Relief from firearms disability imposed due to an adjudication as mentally defective or after judicial commitment to a mental institution. Amends various provisions in Tennessee Code Annotated Title 16 and Title 39 by adding language that authorizes an individual to petition the court for relief from the firearms disabilities imposed due to an adjudication as mentally defective or after judicial commitment to a mental institution and appeal any unfavorable decision. Also requires the TBI to take certain action after being forwarded an order from the court granting relief from a firearm disability. Requires the court clerk to forward the order to TBI as soon as practicable, but no later than 30 days after the order is issued.

Effective July 1, 2015

General Government

Chapter No. 76 (HB1033/SB0888). Fees charged by a notary public and recordation requirements. Amends T.C.A. § 8-21-1201 by authorizing a notary public or his/her employer to demand and receive a reasonable fee for the notary's services. Requires the notary to keep a record of his/her acts, attestations, protestations and other instruments of publication in either electronic format or a well-bound book, if a fee is charged for the notary's services. If no fee is charged, or multiple services are performed and the notary's service is not charged separately, no recordation is required.

Effective April 6, 2015

Chapter No. 115 (HB0414/SB0540). Municipalities with city manager-commission charters authorized to pass ordinances through a consent calendar. Amends T.C.A. § 6-20-215 by authorizing municipalities incorporated under a city manager-commission charter to pass ordinances through a consent calendar after the governing body passes an ordinance approving the use of consent calendars. Includes the requirements for use of a consent calendar.

Effective April 10, 2015

Chapter No. 243 (HB0523/SB0979). Municipalities with city manager-commission charters authorized to term limit the mayor and board of commissioners. Amends Tennessee Code Annotated Title 6, Chapter 20, Part 1 by authorizing a municipality incorporated under a city manager-commission charter to establish term limits for the mayor and the members of the board of commissioners, upon passage of an ordinance by 2/3 votes at 2 separate meetings and upon approval through a referendum.

Effective April 24, 2015

Chapter No. 262 (HB0796/SB0717). Seller required to disclose in writing the presence of any known sinkholes before selling property. Amends T.C.A. § 66-5-212 by requiring the seller of any real property to disclose to the buyer in writing, prior to entering into any contract, the known presence of any sinkhole on the property. Requires the buyer to acknowledge receipt of the written disclosure.

Effective July 1, 2015

Chapter No. 425 (HB01376/SB1401). State funds prohibited from being used by a local government to pay attorney's fees, court costs and other expenses in a lawsuit the local government files against the State. Amends T.C.A. 9-4-5115 by prohibiting state funds received by a local government from being used to pay attorney's fees, court costs, or other expenses attributable to a lawsuit filed against the state, a state agency, or a state official in which the local government unit is named as a plaintiff. Provides that if the state, agency, or official prevails in the lawsuit, then the department of finance and administration shall deduct from the local government unit's allocation of state-shared taxes, in the case of a city or county, or allocation of funds based on the Basic Education Program (BEP) formula, in the case of an LEA, such sum or part of such sum to recover attorney's fees, court costs, and other expenses attributable to defending the state in the lawsuit.

Effective May 15, 2015

Chapter No. 470 (HB0999/SB1162). "The Achieving a Better Life Experience Act" (ABLE) enacted. Amends the Tennessee Code by authorizing the State Treasurer to establish a qualified ABLE program that is to be used to assist individuals and families with saving private funds for the purpose of supporting individuals with disabilities. Provides that all assets, income and distributions of qualified ABLE programs are exempt from state, county and municipal tax and are not subject to execution, attachment or garnishment. Requires the personal information obtained about individuals in connection with an ABLE account to be maintained as confidential, except in certain situations.

Effective July 1, 2015

Chapter No. 505 (HB0311/SB0532). Notice to government officials when application is filed for a nonresidential substitution-based treatment center for opiate addiction. Amends T.C.A. § 68-11-1607 by requiring an applicant who has filed an application for a certificate of need for a nonresidential substitution-based treatment center for opiate addiction to notify the city and county mayors and the General Assembly members representing the district where the proposed facility will be located, through certified mail, return receipt requested, within 10 days of filing the application. Provides that

when an application involves a healthcare facility in which the county or municipality is the lessor of the facility or real property on which it sits, notice must be provided to the city or county executive, through certified mail, return receipt requested, within 10 days of the application being filed.

Effective May 20, 2015

Insurance

Chapter No. 156 (HB0070/SB0080). **Captive insurance company provisions revised.** Amends Tennessee Code Annotated Title 56, by rewriting various procedures for the organization and regulation of captive insurance companies.

Effective April 16, 2015 except for the language related to the aggregate tax liability for a protective cell captive insurance company which becomes effective January 1, 2016

Chapter No. 162 (HB0253/SB0291). **Sinkhole insurance coverage expanded.** Amends T.C.A. § 56-7-130 by expanding those structures that can be covered by sinkhole insurance to include residential structures and the personal property contained within the dwelling.

Effective July 1, 2015

Chapter No. 227 (HB0531/SB0172). **Limitation on insurance requirement for real property securing a loan.** Amends T.C.A. § 56-8-106 by prohibiting a person or bank that is lending money or extending credit secured by real property to require the borrower to obtain insurance for the protection of the property for an amount that exceeds the replacement cost of the structures existing on the secured property at the time of the loan or extension of credit or if the loan is for construction or improvements, the value that the structures are expected to have upon completion.

Effective April 21, 2015

Labor

Chapter No. 23 (HB0092/SB0103). **Certain employees covered by the Occupational Safety and Health Act of 1972.** Amends T.C.A. § 50-3-104 by authorizing employees covered by the Longshoreman's and Harbor Workers' Compensation Act to be covered by the Occupational Safety and Health Act of 1972.

Effective July 1, 2015

Chapter No. 68 (HB0226/SB0330). Prevailing Wage Act applicability. Amends T.C.A. § 12-4-402 by clarifying that the Prevailing Wage Act only applies to state highway construction projects on public highways.

Effective April 6, 2015

Chapter No. 95 (HB0091/SB0102). Unemployment Benefit information sent and received electronically. Amends Tennessee Code Annotated Title 50, Chapter 7, Parts 1, 3, 4, 5, and 7 by authorizing any notification, notices, decisions and correspondence prescribed by the Commissioner of Labor and Workforce development to be sent and received by the Commissioner electronically, if the entity or individual agrees to have the information sent or received through electronic means. Requires all employers with at least 10 employees or agents making reports for such employers to file the portion of the wage and premium report related to wages electronically in the format prescribed by the Commissioner beginning January 1, 2016, subject to certain exceptions. Authorizes a \$50.00 fine per month if that portion of the report is not filed electronically. Also authorizes the Department of Labor and Workforce development to offset any covered unemployment compensation owed to the department against any federal income tax refund to the debtor. Creates the “Unemployment Compensation Special Administrative Fund.”

Effective July 1, 2015

Law Enforcement

Chapter No. 498 (HB0765/SB1012). Law enforcement agencies authorized to hire permanent legal residents who are honorably discharged from the United States military. Amends T.C.A. § 38-8-105 by allowing a local government to hire a law enforcement officer who is a permanent legal resident of the United States and an honorably discharged veteran of the United States armed forces; provided that the officer applies for or obtains United States citizenship within 6 years of his/her employment start date with the law enforcement agency.

Effective May 20, 2015

Motor Vehicles and Traffic

Chapter No. 25 (HB0019/SB0120). Certain employees exempt from wearing seat belts. Amends T.C.A. § 55-9-603 by exempting utility workers and water, gas and electric meter readers from wearing seat belts when emerging from and reentering a vehicle at frequent stops and operating the vehicle at speeds not exceeding 40 miles per hour.

Effective July 1, 2015

Chapter No. 79 (HB1016/SB1046). Yielding to the right-of way of vehicles approaching on the highway. Amends Title 55, Chapter 8, Part 1 by requiring all vehicles about to enter or cross a highway, drive, private road or private driveway to yield to the right-of-way of all vehicles approaching on the highway.

Effective July 1, 2015

Chapter No. 216 (HB0396/SB0729). Reciprocal driving privileges. Amends T.C.A. § 55-50-322 by authorizing the Department of Safety and Homeland Security to enter into a memorandum of understanding with a foreign country that grants like driving privileges to new residents operating motor vehicles in this State or the foreign country. Waives the knowledge and skills test required upon application for a driver's license.

Effective July 1, 2015

Chapter No. 296 (HB0179/SB0177). Fines increased for safety belt violations. Amends T.C.A. § 55-9-603 by increasing the fine for a first time safety belt violation to \$25.00, in lieu of making a court appearance and \$50.00 for all subsequent violations. Also earmarks a portion of the fines for use by the Division of Vocational Rehabilitation.

Effective January 1, 2016

Chapter No. 307 (HB0616/SB0598). Local governments prohibited from banning the use of motor vehicles equipped with autonomous technology. Amends Tennessee Code Title 55, Chapter 8 by prohibiting a local government from banning the use of motor vehicles equipped with autonomous technology when the vehicle otherwise complies with all other safety regulations of the local government.

Effective April 24, 2015

Chapter No. 322 (HB0730/SB0789). Motor vehicle dealer operating an additional business at the dealer's place of business. Amends Tennessee Code Annotated Title 55, Chapter 17, Part 1 by authorizing a motor vehicle dealer licensed to sell motor vehicles to operate an additional business at the dealer's established place of business as long as at least 66% of the place of business is used for the sale, service or both of motor vehicles and the income derived from the additional business is less than 33% of the gross income of the dealership. Authorizes signs advertising the additional business to be installed.

Effective April 28, 2015

Chapter No. 344 (HB0132/SB0126). Regulations on the practice of curbstoning. Amends various provisions in Title 55 by adding provisions that address "curbstoning" or the practice of selling, advertising or soliciting for sale a motor vehicle without a properly endorsed certificate of title and

without being licensed as a motor vehicle dealer. Provides procedures for a local law enforcement agency to seize and forfeit motor vehicles used in curbstoning.

Effective July 1, 2015

Chapter No. 368 (HB0818/SB0655). Stationary solid waste vehicle treated the same as stationary recovery or highway maintenance vehicle. Amends T.C.A. § 55-8-132 by requiring a driver who approaches a stationary solid waste vehicle to treat the vehicle in the same manner as when approaching a stationary recovery or highway maintenance vehicle.

Effective July 1, 2015

Chapter No. 429 (HB0148/SB0011). Off-highway motor vehicles authorized to operate on certain state highways in the Town of Huntsville. Amends T.C.A. § 55-8-185 by authorizing off-highway motor vehicles to operate on certain state highways in the Town of Huntsville. Requires the drivers to obey the rules of the road and wear a crash helmet.

Effective May 18, 2015

Chapter No. 463 (HB0720/SB0986). Seizure and forfeiture of motor vehicles after conviction of a DUI. Amends T.C.A. § 55-10-414 by authorizing the seizure and forfeiture of motor vehicles after a DUI conviction instead of violation.

Effective May 18, 2015

Chapter No. 466 (HB1043/SB1098). Provisions regulating the operations and record keeping of motor vehicle dismantlers and recyclers and scrap metal processors. Amends T.C.A. § 55-3-202 by making a number of changes to the provisions that govern the way motor vehicle dismantlers and recyclers and scrap metal processors operate. Requires motor vehicle dismantlers and recyclers and scrap metal processors to verify that the vehicle being sold is not stolen by requiring the seller to provide the certificate of title in certain situations. Also requires reports to be submitted to the Commissioner of Revenue. Requires a biennial fee be paid to the Tennessee Motor Vehicle Commission in order to engage in this type of business.

Effective July 1, 2015 for purposes of paying the fee and July 1, 2016 otherwise

Chapter No. 468 (HB1372/SB1128). “Tennessee Freedom from Traffic Cameras Act” created. Amends T.C.A. § 55-8-198 by enacting the “Tennessee Freedom from Traffic Cameras Act” which prohibits unmanned traffic enforcement cameras from being used to monitor speed and issue citations to any driver for speeding on any public road or highway, except within the designated distance of a marked school zone or on any S-curve of a public road or highway.

Effective July 1, 2015

Chapter No. 492 (HB0395/SB0469). Exemption from wearing crash helmet in certain situations.

Amends T.C.A. § 55-9-302 by exempting riders and passengers on motorcycles, motorized bicycles and motor-driven-cycles in funeral processions and memorial rides under a police escort or body escort details from wearing a helmet when the driver is not traveling at speeds over 30 miles per hour, the driver or passenger is 21 years of age or older and the distance traveled does not exceed 50 miles.

Effective July 1, 2015

Chapter No. 511 (HB0606/SB0648). The “James Lee Atwood Jr. Law” created. Amends Tennessee Code Annotated Title 55, Chapter 12 by enacting the “James Lee Atwood Jr. Law” which requires the Commissioner of Revenue to develop, implement and administer an insurance verification program that electronically verifies whether an individual has met certain financial responsibility requirements related to having valid motor vehicle liability insurance. Exempts the information obtained pursuant to this Law from the public records act and discovery. Authorizes the Department of Revenue to assess penalties against anyone attempting to register an automobile that cannot provide proof of liability insurance. Requires the electronic insurance verification system to be operational on or before January 1, 2017 and for the Commissioner of Revenue to certify the program at that time. Authorizes law enforcement officers to use the program to check for violations of the requirement to have motor vehicle liability insurance, upon certification. Authorizes drivers that cannot show proof of insurance to be fined \$300.00 and have his/her car towed under certain circumstances. Also creates the "Uninsured Motorist Identification Restricted Fund."

Effective May 20, 2015 for purposes of developing the program and contracting with vendors, July 1, 2015 for purposes of assessing the \$300.00 fine for failure to show proof of liability insurance and July 1, 2016 for the remainder

Chapter No. 520 (HB0992/SB0907). The “Transportation Network Company Services Act” created.

Amends Tennessee Code Annotated Title 55, Chapter 12, Title 57, Chapter 7, and Title 65, Chapter 15 by enacting the “Transportation Network Company Services Act” which establishes the threshold amount of liability insurance that must be held by either the transportation network company driver or the transportation network company. Also defines various terms related to transportation network companies. Requires the driver to always carry proof of coverage that complies with the thresholds while driving for the transportation company and requires the company to disclose the thresholds and the fact that the driver’s personal automobile insurance might not provide coverage while the driver is driving for the transportation network company. Authorizes insurers that write automobile insurance to exclude coverage to any driver while the driver is driving for a transportation network company. Provides that local governments cannot pass regulations regulating these companies, nor are they subject to regulation by the Department of Safety relative to commercial driver’s licenses and commercial vehicles. Authorizes commercial service airports to adopt rules, regulations and fees related to transportation network companies operating on airport property. Requires transportation network

companies operating in Tennessee to provide passengers certain information and requires the companies to employ drivers that meet certain qualifications. Prohibits transportation network company drivers from accepting cash and accepting street hails.

Effective May 20, 2015

Personnel – Benefits

Chapter No. 118 (HB1166/SB0898). “Optional Retirement Program for Employees of Public Institutions of Higher Education” created. Amends Tennessee Code Annotated Title 8, Chapter 25 by adding a new part which creates the “Optional Retirement Program for Employees of Public Institutions of Higher Education” operated by the board of regents and the board of trustees of the University of Tennessee. Establishes the qualifying criteria for the program and how it is to be administered.

Effective April 10, 2015

Chapter No. 421 (HB0513/SB1355). Administration and operation of the Tennessee Consolidated Retirement System revised. Amends various provisions in Tennessee Code Annotated Title 8 related to the operation and administration of and membership in the Tennessee Consolidated Retirement System.

Effective May 8, 2015

Chapter No. 426 (HB0648/SB0607). State, local and education insurance committees revised. Amends Tennessee Code Annotated Title 8, Chapter 27, Parts 2, 3, 7 and 8 relative to the composition, authority and duties of the State Insurance Committee, the Local Education Insurance Committee and the Local Government Insurance Committee.

Effective May 18, 2015

Chapter No. 440 (HB0249/SB0153). Certain local governments required to recognize qualified domestic relations orders. Amends T.C.A. § 26-2-105 by requiring local governments that do not participate in the Tennessee Consolidated Retirement System, to recognize qualified domestic relations orders that require the local government to allocate a portion of the member employee’s pension or retirement benefits to the former spouse as part of a marital property settlement.

Effective July 1, 2015

Planning and Zoning

Chapter No. 209 (HB0177/SB0382). Tentative plat approval authorized. Amends Tennessee Code Annotated Title 13, Chapter 3, Part 4 and Title 13, Chapter 4, Part 3 by authorizing a regional planning commission and municipal planning commission to have regulations that contain certain infrastructure improvement requirements as a condition precedent to final approval of a plat. Authorizes the regulations to allow for preliminary plat approval before the infrastructure improvements, but prohibits preliminary approval from being entered on the plat. Authorizes the regional and municipal planning commissions to grant final plat approval subject to the submittal and acceptance of a bond in form, amount and with conditions satisfactory to the regional or municipal planning commission, in lieu of completing the infrastructure improvements before the final approval of the subdivision plat. Prohibits the owner or agent of an owner of any land from falsely representing to a perspective buyer that roads and streets will be constructed by the local government or transferring, selling, agreeing to sell or negotiating to sell any land by use of subdivision plan without first submitting a final subdivision plat to the regional or municipal planning commission, receiving approval and having the plat recorded in the register of deed's office. Authorizes the owner or the owner's agent to sell, transfer or agree to sell any lot or lots on the plat after receiving approval and having the plat recorded, even if the infrastructure improvements are not completed or accepted by the appropriate entities.

Effective April 20, 2015

Chapter No. 224 (HB0454/SB01185). City of Kingsport allowed to participate in the Local Land Bank Program. Amends T.C.A. § 13-30-103(4) by authorizing the City of Kingsport to participate in the Local Land Bank Program.

Effective April 20, 2015

Chapter No. 474 (HB0846/SB1232). Continued use of land after land use restrictions imposed and off-site signs. Amends T.C.A. § 13-7-208 by stating that any industrial, commercial or other business establishment in operation and legally permitted to operate prior to the initial adoption of land use restrictions or amendments imposed pursuant to a redevelopment plan is authorized to continue operations and be permitted, as long as no change in the use of the land is undertaken. Authorizes, under certain circumstances, an industrial, commercial or other business establishment to replace or relocate facilities necessary for operation of the business, when the facilities have been acquired or require relocation due to a governmental entity exercising the power of eminent domain or the threat of eminent domain. Also prohibits the denial of operation, rebuilding or expansion of any off-site sign that has been in existence for 10 years based solely upon the fact that the original permit does not exist to prove that the use of the sign was legal when constructed.

Effective July 1, 2015

Chapter No. 479 (HB1275/SB1326). Membership and voting requirements for the policy board of a metropolitan planning organization. Amends Tennessee Code Annotated Title 64, Chapter 8 by defining "local government official" and "metropolitan planning organization" or MPO and requiring

that the policy board of a MPO include one member who resides within the MPO's boundaries who is chosen by the Tennessee County Highway Officials Association. Also requires that the number of votes for each local government official be equally weighted.

Effective May 18, 2015

Chapter No. 496 (HB0574/SB0634). Validity of written agreement granting right to use municipal property for agricultural purposes. Amends Tennessee Code Annotated Title 12, Chapter 1, Part 1 by stating that any written agreement entered into for use of real property owned by the local government by adjoining property owners for agricultural purposes when the land was quitclaimed to the local government, shall remain valid if the land is sold or transferred to another local government or the State of Tennessee. Requires the effected property owners to be provided written notice by the local government 30 days before a sale or transfer of the property. Requires a State agency to assist the property owner in finding and securing grant funding for fencing and watering livestock, if the private property owner is required to cease agricultural use of the property because it is sold to a State agency.

Effective May 20, 2015

Public Safety

Chapter No. 56 (HB0080/SB0091). Pipe and plumbing fittings and fixtures required to be lead free. Amends Tennessee Code Annotated Title 68, Chapter 221, Part 7 by redefining "lead free." Requires pipe and plumbing fittings and fixtures used in the installation or repair of any public water system or any plumbing in a residential or nonresidential facility be lead free. Includes specific exclusions to this requirement.

Effective July 1, 2015

Chapter No. 154 (HB0087/SB0098). Commissioner of Health authorized to access medical records when there is an immediate threat to public health. Amends T.C.A. § 63-1-117 and T.C.A. § 68-11-304 by requiring any facility, entity or individual licensed under Title 63 or Title 68 to provide the Commissioner of Health or his/her designee, upon request, access to any medical records maintained by the facility, entity or individual in the most efficient and expedient way possible when there is an immediate threat to the public health, welfare or general good.

Effective April 16, 2015

Chapter No. 289 (HB0020/SB0020). Emergency rescue worker presumed to have contracted Hepatitis C in the line of duty. Amends T.C.A. § 7-51-209 by adding Hepatitis C to the list of infectious diseases that an emergency rescue worker will be presumed to have acquired in the line of duty, unless it is proven otherwise by a preponderance of the evidence. Includes that on or after July 1, 2012, an emergency rescue worker may be required to undergo a pre-employment physical examination that

tests for HIV and the test must be negative in order to be entitled to the presumption that the virus was acquired in the line of duty. The same language is included related to testing for Hepatitis C, on or after July 1, 2015.

Effective July 1, 2015

Chapter No. 325 (HB0032/SB0985). “Sudden Cardiac Arrest Prevention Act” created. Amends Tennessee Code Annotated Title 68 by enacting the “Sudden Cardiac Arrest Prevention Act” which requires all public and nonpublic schools (K-12), working through guidance provided by the Tennessee Department of Health or TDOH that is communicated through the Tennessee Department of Education, to at a minimum, adopt guidelines and forms approved by the TDOH to inform and educate coaches, school administrators, youth athletes and their parents and guardians about sudden cardiac arrest, when a majority of the youth athletes are under 18 years of age. Requires annual completion of a cardiac arrest education program developed by the TDOH, by coaches, paid or volunteer, and the school athletic director. Also requires coaches and athletic directors to complete a form each year before initiating practice or competition for the year. Requires a form to be signed each year by the student athlete and his/her parent or guardian. Requires the form to be maintained for 3 years. Also establishes penalties for coaches that do not comply. Includes a provision that protects those acting in good faith and also requires the removal for any student athlete that passes out or faints due to chest pain or related symptoms. Requires a policy to be established allowing the athlete to come back after being evaluated by a licensed healthcare provider and receiving written authorization to return to practice or play. Makes this Act applicable to non-profit groups and city, county and business organizations when a majority of the participants are under 18 years of age.

Effective January 1, 2016

Purchasing

Chapter No. 457 (HB0702/SB0831). Threshold for public advertisements and competitive sealed bids increased. Amends Tennessee Title 12, Chapter 3, by authorizing any municipality with centralized purchasing authority and a full-time purchasing agent, to increase, by ordinance, the threshold over which public advertisement and competitive sealed bids or proposals are required to an amount not to exceed \$25,000 for non-emergency proprietary purchases, regardless of language in a charter or private act to the contrary. For purchases costing less than the threshold but more than 40% of the threshold or some lower amount set by the governing body, three written quotations are to be obtained if possible. Purchases of like items are to be aggregated.

Effective May 18, 2015

Records

Chapter No. 47 (HB0474/SB0727). Medical records received and maintained by the Tennessee Claims Commission and the Division of Claims Administration confidential. Amends Tennessee Code Annotated Title 9, Chapter 8, Parts 3 and 4 by making medical records received and maintained by the Tennessee Claims Commission and the Division of Claims Administration within the Department of Treasury confidential.

Effective March 27, 2015

Chapter No. 50 (HB0469/SB1356). Bank and credit card account information confidential. Amends T.C.A. § 10-7-504 by making bank account numbers, transit routing numbers, debit card numbers and related PINs received or maintained by a State agency confidential. Also makes credit card account numbers and PINs in the possession of a state or local government agency confidential.

Effective March 27, 2015

Chapter No. 169 (HB1158/SB1276). Certain public employees' job performance evaluations made confidential. Amends T.C.A. § 10-7-504 by making the job performance evaluations for employees of the constitutional officers and public institutions of higher education confidential.

Effective April 16, 2015

Chapter No. 217 (HB0747/SB0762). Consumer-specific water usage data made confidential. Amends T.C.A. § 10-7-504 by adding consumer-specific water use data to the list of information maintained by utilities that is confidential.

Effective April 20, 2015

Chapter No. 225 (HB0530/SB01218). Public disclosure of social security numbers by local governments. Amends T.C.A. § 4-4-125 by prohibiting local governments from publicly disclosing security numbers. Certain uses and disclosures authorized.

Effective April 20, 2015

Chapter No. 415 (HB1077/SB1225). Certain records in the possession of volunteer associations that regulate interscholastic sports competitions for secondary schools made confidential. Amends T.C.A. § 10-7-504 by making records or information relating to academic performance, financial status of a student or the student's parent or guardian, medical or psychological treatment or testing, and personal family information in the possession of a volunteer association that regulates interscholastic sports competitions for secondary schools confidential.

Effective May 8, 2015

State Government

Chapter No. 364 (HB0647/SB0606). Longevity pay for State employees. Amends T.C.A. § 8-23-206 by making employees of the executive branch in state service who are hired after June 30, 2015, ineligible for longevity pay.

Effective July 1, 2015

Chapter No. 385 (HB0368/SB0238). Information Systems Council extended and reconfigured. Amends Tennessee Code Annotated Title 4, Chapter 29, Part 2 and Title 4, Chapter 3, Part 55 by extending the sunset date of the Information Systems Council and vacating and reconfiguring the entire membership of the Council.

Effective May 8, 2015, except the new membership becomes effective July 1, 2015

Taxes – Hall Income

Chapter No. 434 (HB0048/SB0032). Income increased for purposes of eligibility for the Hall income tax exemption. Amends T.C.A. § 67-2-104(b) by increasing the income of a senior citizen exempted from the Hall income tax to thirty-seven thousand dollars (\$37,000) for individuals and sixty-eight thousand dollars (\$68,000) for joint filers. Applies to tax years beginning January 1, 2015 and thereafter.

Effective May 18, 2015

Taxes – Hotel/Motel

Chapter No. 384 (HB0169/SB0186). Fayetteville authorized to levy occupancy tax. Amends T.C.A. § 67-4-1425 by authorizing the City of Fayetteville to, via an ordinance adopted by a two-thirds (2/3) vote of the governing body, levy an occupancy tax not to exceed 5% of the consideration charged for the room. Requires that the public be provided notice of the proposed levy, that a public hearing be held and that the public have 30 days to comment on the proposal after receiving the notice and before the public hearing. Requires all proceeds from the tax to be used for tourism development purposes.

Effective May 8, 2015

Chapter No. 395 (HB0951/SB0850). “Person” defined and TACIR to study occupancy tax. Amends T.C.A. § 67-4-1401 by redefining person for purposes of levying the occupancy tax in municipalities with home rule charters. Also requires TACIR to study the impact of the occupancy tax, how the rates in Tennessee compare to those in other states and methods of requiring public input prior to the adoption of the tax.

Effective May 8, 2015

Chapter No. 412 (HB0981/SB1184). Johnson City authorized to increase its occupancy tax. Amends T.C.A. § 67-4-1425 by authorizing Johnson City to increase its occupancy tax rate by up to 2%. The proceeds are to be used solely for tourism.

Effective May 18, 2015

Chapter No. 432 (HB0017/SB0028). Columbia authorized to levy occupancy tax. Amends T.C.A. § 67-4-1425 by authorizing the City of Columbia to, via an ordinance adopted by a two-thirds (2/3) vote of the governing body, levy an occupancy tax not to exceed 5% of the consideration charged for the room. Requires that the public be provided notice of the proposed levy, that a public hearing be held and that the public have 30 days to comment on the proposal after receiving the notice and before the public hearing. Requires all proceeds from the tax to be used for tourism development purposes.

Effective May 18, 2015

Taxes – Payment in Lieu of Tax (PILOT)

Chapter No. 222 (HB0732/SB1118). Payments in lieu of taxes related to a tax-credit housing project authorized in Metro Nashville. Amends T.C.A. § 13-20-104 by authorizing the Metropolitan Government of Nashville and Davidson County to delegate its public housing authority the power to negotiate and accept payments in lieu of taxes from lessees that operate publicly owned low-income tax credit property.

Effective July 1, 2015

Chapter No. 519 (HB0914/SB0987). Certain corporations accepting payments in lieu of taxes from lessees. Amends T.C.A. § 48-101-312 and T.C.A. § 7-53-305 by authorizing industrial development corporations and health, educational, and housing facility corporations to negotiate and receive payments in lieu of taxes or PILOTs from any lessee of the corporation on tax-credit housing projects under certain conditions, unless a municipality passes an ordinance or resolution requiring any agreement regarding PILOTs be approved by the municipality.

Effective July 1, 2015

Taxes – Property

Chapter No. 44 (HB0264/SB0424). **State property tax references removed.** Amends T.C.A. §§ 67-5-102 and 67-5-103 by deleting obsolete references to state property taxes in the sections addressing local government property taxes.

Effective March 27, 2015

Chapter No. 136 (HB0263/SB0690). **Evidence introduced during a proceeding before the State Board of Equalization public record.** Amends T.C.A. § 67-5-303 by clarifying that all evidence introduced at a proceeding before the State Board of Equalization is public record, unless subject to a protective order.

Effective April 16, 2015

Chapter No. 215 (HB0191/SB0691). **Notice of proposed change in individual assessment by State Board of Equalization or the Assessment Appeals Commission required on or before September 1.** Amends T.C.A. § 67-5-1510 by requiring the State Board of Equalization or the Assessment Appeals Commission to commence any action related to a proposed change in individual assessments on or before September 1 of the year following the year to which the notice relates.

Effective April 20, 2015

Chapter No. 226 (HB1198/SB1338). **Property tax relief providing per taxing jurisdiction.** Amends T.C.A. § 67-5-701 by clarifying that property tax relief will only be provided to one recipient per property per tax year per taxing jurisdiction.

Effective April 20, 2015

Chapter No. 414 (HB1254/SB1216). **Delinquent property taxes and tax sale provisions revised.** Amends various provisions within Tennessee Code Annotated Titles 35 and 67 relative to delinquent property taxes and tax sales.

Effective May 8, 2015

Chapter No. 455 (HB0822/SB0741). **Property taxes on land leased for 50 years or more.** Amends T.C.A. § 67-5-203 by requiring real property that is owned by any political subdivision of the State that is leased to a person, corporation, or business to be assessed as if the lessee is the owner, if the lease is for a period of 50 years or longer or the lease allows the lessee to acquire the property for a nominal amount at or before the end of the lease. Provides that if a lease is for less than 50 years, but is extended for a period beyond 50 years or if a new lease is entered into for a term of greater than 50 years, the lessee will be assessed as the owner beginning in the 51st year. Provides that this language does not apply to any airport authority or public entity created by or subject to Title 42, in Shelby County.

Effective May 18, 2015

Chapter No. 456 (HB0708/SB0759). Certain nonprofit economic or charitable development organizations eligible for property tax exemption. Amends Tennessee Code Annotated Title 67, Chapter 5, Part 2 by making property owned and used by nonprofit economic or charitable development organizations eligible for property tax exemption as a charitable use of property when certain requirements are met.

Effective May 18, 2015

Chapter No. 471 (HB1153/SB1173). Present use valuation of property extended for widow and county board of equalization authorized to appoint hearing officers to hear complaints. Amends T.C.A. § 67-5-601 by authorizing the unmarried spouse of a deceased owner, occupying the dwelling house as a surviving joint tenant or tenant by the entireties, to continue to reside in the dwelling house without disqualifying the property from the present use valuation when the property has been zoned commercial. Also amends T.C.A. § 67-5-1406 by authorizing a county board of equalization to appoint 1 or more hearing officers, with approval by simple majority vote of the county commission on a resolution, to conduct preliminary hearings and to make investigations regarding complaints before the board.

Effective May 18, 2015 and applies to tax years beginning January 1, 2015

Chapter No. 481 (HB1197/SB1336). “Save the Tax Relief Act” created. Amends Tennessee Code Annotated Title 67, Chapter 5, Part 7 by revising some of the provisions relative to annual income limitations used when determining property tax relief.

Effective May 18, 2015

Chapter No. 486 (HB0214/SB0381). Reduction in redemption periods on certain delinquent property ordered to be sold. Amends T.C.A. § 67-5-2701 by establishing a redemption period of 1 year from entry of order confirming the sale of all delinquent property, except where the court finds that a shorter redemption period should be ordered. Allows a court to reduce the redemption period from 1 year from the entry of the order confirming the sale to 180, 90 and 30 days in certain situations.

Effective May 20, 2015

Chapter No. 524 (HB1290/SB0770). Court clerk making filings and reports related to the outcome of delinquent property tax sales. Amends T.C.A. § 67-5-2501 by requiring the clerk of the court to file in the case file and report to the register of deeds the result of any delinquent property tax sale within 5 days of the sale and prior to confirmation by the court. Also amends T.C.A. § 66-26-101 by authorizing these reports to be registered.

Effective January 1, 2016

Taxes – Sales

Chapter No. 81 (HB0928/SB1344). Certain machinery used by a water and wastewater treatment authority exempt from taxation. Amends T.C.A. § 67-6-102 by exempting from sales and use taxation certain machinery purchased and used by a water and wastewater treatment authority.

Effective July 1, 2015

Chapter No. 273 (HB095/SB0106). Extension of the effective date of the streamlined sales and use tax agreement legislation. Amends T.C.A. § 67-6-396 by extending the effective date of the streamlined sales and use tax agreement legislation until July 1, 2017. Also makes certain maintenance and service contracts subject to sales and use tax.

Effective April 28, 2015 except for the provisions related to the contracts which are effective October 1, 2015

Chapter No. 274 (HB0122/SB0033). Diabetic testing supplies exempt from taxation. Amends T.C.A. § 67-6-314 by exempting from sales and use taxation syringes used to dispense insulin and diabetic testing supplies for human use.

Effective July 1, 2015

Chapter No. 405 (HB1039/SB0998). “Border Region Retail Tourism Development District Act” revised. Amends Tennessee Code Annotated Title 7, Chapter 40, Part 1 by revising certain provisions of the Border Region Retail Tourism Development Act. Also amends T.C.A. § 67-1-1707 by allowing the Commissioner of Revenue to disclose tax information to local governments for purposes of effectuating distributions of tax revenues under this Act. Local governments are prohibited from further disclosing the information.

Effective May 8, 2015

Tobacco

Chapter No. 353 (HB0309/SB0411). “Prevention of Youth Access to Tobacco and Vapor Products Act” created. Amends Tennessee Code Annotated Title 39, Chapter 17, Part 15 by enacting the “Prevention of Youth Access to Tobacco and Vapor Products Act” which makes it an offense for anyone under the age of 18 to possess, purchase or accept a vapor product or offer identification with a false age or offer someone else’s identification when purchasing vapor products. Requires liquid nicotine containers to satisfy certain child restraint effectiveness standards. Urges the Tennessee Department of Agriculture to study the effects of sale and distribution of vapor products to persons under the age of 18 and make

recommendations to the General Assembly on how to reduce such sale and distribution. Requires the Tennessee Department of Health to develop and implement comprehensive tobacco prevention programs for the State.

Effective July 1, 2015 except for the section related to liquid nicotine containers which is effective January 1, 2016

Tort Liability

Chapter No. 53 (HB0246/SB0068). **Additional activities added to provision governing duty of care to individuals using land for certain recreational activities.** Amends T.C.A. §§ 70-7-102, 70-7-103, and 70-7-105 by adding "sporting clays, shooting sports, and target shooting, including archery and shooting range activities" to the list of recreational activities that a landowner can allow to occur on the property for which the landowner may or may not owe the person using the land a duty of care.

Effective April 6, 2015

Chapter No. 152 (HB0106/SB0117). **"Protection of Volunteer-Insured Drivers of the Elderly (PROVIDE) Act" created.** Amends Tennessee Code Annotated Title 29, Chapter 34, Part 2 by enacting the "Protection of Volunteer-Insured Drivers of the Elderly (PROVIDE) Act" which limits the liability of any volunteer driver who provides volunteer transportation for senior citizens through a charitable organization or human services agency, to any amount collectable from any policy of insurance that would be obligated to make payment on behalf of the volunteer or the entity vicariously liable for the volunteer's actions; provided that the volunteer was acting in good faith and within his/her scope of duties and the charitable organization or human services agency is liable and maintains liability insurance coverage at least equal to the minimum limits set in the GTLA.

Effective July 1, 2015

Chapter No. 166 (HB0537/SB0616). **Immunity from civil liability for any damage caused by breaking into a motor vehicle to remove a child or animal.** Amends T.C.A. § 29-34-209 by granting immunity from civil liability to individuals who break into motor vehicles and cause damage to the vehicle in order to remove a child or animal, when the individual's conduct comports with certain requirements.

Effective April 16, 2015

Chapter No. 487 (HB0568/SB0332). **Certain non-profit and charitable entities added to the definition of "Governmental entity" for purposes of GTLA.** Amends T.C.A. § 29-20-102(3)(A) by adding to the definition of "governmental entity" that is found in the GTLA, a non-profit public benefit corporation or charitable entity that is appointed by statute, ordinance, resolution, contract or other governmental

directives to develop, maintain, manage and provide services and activities at government owned public parks and the facilities located on the park property.

Effective May 20, 2015

Utilities

Chapter No. 140 (HB0195/SB0417). Various provisions related to Utility Districts revised. Amends Tennessee Code Annotated Title 7, Chapter 82 by defining “genuine signatures” for purposes of initiation of a customer petition of utility district rates. Establishes that the Comptroller of the Treasury’s designee will serve as chair of the Utility Management Review Board. Also establishes a process for the Utility Management Review Board to hold informal hearings and provides to whom audit reports are to be disseminated. Requires a gas system to be able to demonstrate a positive change in net position before money can be borrowed and negotiable notes issued in anticipation of revenues.

Effective April 16, 2015

Chapter No. 179 (HB0256/SB0418). Provisions creating a utility district revised and certain information required to be filed with the Utility Management Review Board at the same time as being filed with the mayor. Amends T.C.A. § 7-82-202 by altering the way a utility district is created by requiring county legislative approval of the order finding the utility district economically sound and desirable. Requires petitions for merger or consolidation of utility districts or consolidation of utility district with a municipality or county or petitions for re-creation of a utility district, to be filed with the Utility Management Review Board simultaneous with the filing of the petition with the county mayor. Provides that the petitions are not subject to approval or disapproval by the Utility Management Review Board or the County legislative bodies.

Effective July 1, 2015

Chapter No. 332 (HB1360/SB1274). Utility Districts and the Occupational Safety and Health Act. Amends T.C.A. § 50-3-910 by requiring each utility district created by private act to decide, on or before July 1, 2016, whether to be treated as a private employer or create its own program of compliance for purposes of the Occupational Safety and Health Act.

Effective April 28, 2015

Chapter No. 452 (HB0788/SB0703). Additional members added to certain multi-county utility districts. Amends T.C.A. § 7-82-602 by adding additional members to certain multi-county utility districts.

Effective May 18, 2015

Chapter No. 488 (HB1337/SB0379). Revisions to the Underground Utility Damage Prevention Act.

Amends Tennessee Code Annotated Title 65, Chapter 31 by adding new definitions and requiring all underground utilities owned by an operator and installed after January 1, 2017 to be installed in a manner that will allow the utilities to be located using a generally accepted locating method. Requires certain operators to join One-Call Service by a specific date. Authorizes the repair or replacement of an existing traffic control device at its existing location and existing depth to be completed by a local government without adhering to certain notice requirements. Establishes penalties for violation of the Underground Utility Damage Prevention Act. Also creates within Tennessee Regulatory Authority (TRA) an Underground Utility Damage Enforcement Board. The Board will consist of 16 specified members and administrative and investigative duties of the Board will be supported by TRA staff. Establishes the powers and duties of the Board. Requires the Board to establish an executive committee.

Effective May 20, 2015

Workers Compensation

Chapter No. 188 (HB0558/SB0171). Charging a premium for independent contractors prohibited and additional information required to be reported to the Commissioner.

Amends Tennessee Code Annotated Title 50, Chapter 6 and Title 56, Chapter 5 by prohibiting an insurance company from charging a premium for individuals determined to be independent contractors. Also requires defense costs and loss adjustment expenses to be reported to the Commissioner of Commerce and Insurance.

Effective April 22, 2015

Chapter No. 341 (HB0094/SB0105). Certain workers' compensation provisions revised.

Amends various provisions related to workers' compensation cases by establishing a workers' compensation appeals board, enumerating the manner in which a workers' compensation judge will conduct cases and the authority that the judge has when doing so. Also prohibits any party from settling a claim for permanent disability benefits unless the agreement has been approved by the workers' compensation judge. Voids any agreement that is not approved by the workers' compensation judge. Deletes all references to the "division" of worker's compensation and inserts "bureau." Also extends the statute of limitations for filing a workers' compensation benefits claim by two years from the date of the last payment, when an employer has paid permanent partial disability benefits to an employee in an attempt to settle a workers' compensation claim, but the parties have not entered into a settlement agreement approved by a workers' compensation judge.

Effective May 4, 2015

Chapter No. 345 (HB0178/SB0174). Certain workers' compensation information public record.

Amends T.C.A. § 50-6-421 by making the workers' compensation insurance policy number, policy effective date, policy expiration date, policy cancellation date and policy reinstatement date information that is accessible to the public as a public record.

Effective May 4, 2015