

TALKING POINTS FOR 2018 LEGISLATIVE SESSION

OPIOID / DRUG ABUSE

Budget -- \$16 million was added to the budget to fight the state's opioid epidemic, including \$10 million for treatment and recovery.

TN Together: Law enforcement & Treatment – Three-pronged plan to combat the opioid epidemic: Law enforcement, treatment and prevention. In the law enforcement and treatment portion, the legislation updates identifications of drugs categorized in Schedules I-V, including the drugs' analogues and derivatives. • Allows law enforcement to better track, monitor, and penalize the use and unlawful distribution of dangerous and addictive drugs, including substances that mimic the effects of fentanyl. Fentanyl is often mixed with other drugs where the user is not aware of its potency, leading to many overdose deaths. The conference committee amendment makes it an offense for a person to distribute, sell, or offer Kratom to a person under the age of 21. It requires that those who sale Kratom put a warning label on it and sell it in its natural form. • It provides incentives for offenders to complete intensive substance use treatment programs while incarcerated. • Reduces recidivism, saving taxpayer dollars. • Have to fix the drug problem while incarcerated, or else they will be repeat offenders. • At least 3 people a day die in Tennessee from an opioid-related overdose, more than the number of daily traffic fatalities. • Since 1990, the number of opioid-related deaths nationwide has quadrupled.

[*Senate Bill 2258*](#) / by Norris, Yager, Haile / Status: Transmitted to Governor 5/10 / Effective Date: July 1, 2018

TN Together: Prevention – In the Prevention component of the TN Together plan, the legislation makes various changes to the requirements for prescribing, dispensing, and reporting of opioids. • Requires practitioners to check the database prior to prescribing opioids to many patients, and once every six months after prescribing an opioid. • Requires non-opioid pain relief treatments be attempted before prescribing opioids. • It puts more speed bumps on the road that leads to addiction between healthcare practitioners and patients to prevent Tennesseans from misusing or abusing prescription pain medicine. • Calls for evaluation in prescribing in 3-day, 10-day, 20-day and 30-day intervals. • Requires informed consent. • Makes exceptions for individuals undergoing extreme pain for illnesses like cancer or sickle cell anemia, or patients with severe burns, or palliative care.

[*Senate Bill 2257*](#) / by Norris, Haile, Yager, Massey / Status: Transmitted to Governor 5/10 / Effective Date: For rulemaking purposes upon becoming law, for all other purposes July 1, 2018

Partial Fill of Prescriptions – Authorizes pharmacists to dispense less than the full prescription for opioids and other Schedule II drugs. • Opiate abuse often results from unused prescriptions

remaining in the household medicine cabinet by a patient who does not take the full amount prescribed. • Under current law, pharmacists are not allowed to partially dispense a Schedule II prescription. • This bill allows a pharmacist to partially fill a prescription if requested by the patient or directed by the physician. • The legislation does not require the patient to go back to the doctor for the remainder of that prescription. • The physician would be notified that a partial fill has taken place and only the portion filled is reported in the database.

[Senate Bill 2025](#) / by Haile / Status: Transmitted to Governor 5/9 / Effective Date: Upon becoming law

Retail Theft / Linked to Opioids – • Aims to cut off the flow of funds used in the purchase of illegal drugs. • It addresses the use of gift cards obtained through retail theft linked to the purchase of opiates. The gift cards are sold at various pawn shops or online gift card retailers where they can be sold at a discount. • Tennessee loses over \$14 million in sales tax dollars and retailers lose over \$200 million each year related to return fraud. • Nationwide, the loss is \$12-15 billion, with almost all being related to the illicit drug trade. • From April to June of 2017, 98 overdose cases resulting in death or hospitalization were linked to retail theft. • This bill gives local law enforcement the tools needed to ensure businesses comply. • It enhances penalties for those convicted of organized retail crime and for businesses that don't report retail theft. • Local law enforcement would be empowered to decide how the data collection would occur. • The database will let retailers cancel cards as soon as alerted and help the state identify stolen sales tax dollars. Also, it sends real time notifications to law enforcement about suspicious transactions.

[Senate Bill 1717](#) / by Briggs, Massey, Bowling, Swann / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018

Opioids / Toll Free Abuse Hotline -- Requires the Department of health to set up a toll-free telephone and web-based hotline to hear reports of opioid abuse or diversion. • It calls for entities that prescribe, dispense, or handle opioids to display a sign or to notify employees in writing about the hotline.

[Senate Bill 2022](#) / by Haile, Bailey / Status: [Public Chapter 675](#) / Effective Date: January 1, 2019

Newborns / NAS – Calls for physicians who prescribe more than a five-day supply of opioids to women of child-bearing age to inform the patient about the risks it could have to a newborn, as well as cost-effective and appropriate forms of birth control. • It aims to reduce the number of newborns with Neonatal Abstinence Syndrome (NAS). • The number of babies nationwide born drug dependent has increased 500 percent since 2000. • It costs approximately \$62,000 per baby to treat this condition, with a total cost of \$1 billion to Tennessee taxpayers annually.

[Senate Bill 2674](#) / by Bailey / Status: [Public Chapter 901](#) / Effective Date: July 1, 2018

Opiate Abuse / TennCare Enrollees / Prior Authorization -- Directs TennCare to promulgate permanent rules to promote safe and responsible pharmacy benefits coverage for enrollees of the program to curb opiate abuse. • The rules, at a minimum, must address prior authorization requirements to reduce the development of opioid dependency and addiction. • The more basic purpose is to curb opiate abuse among women of child-bearing age and reduce the number of newborn with Neonatal Abstinence Syndrome. • This bill requires the provider to check on the patient's pregnancy status and contraceptive use, and to provide counseling on the risks of becoming pregnant with using opioid medication.

[Senate Bill 1227](#) / by Massey, Crowe, Yarbrow / Status: [Public Chapter 864](#) / Effective Date: Upon becoming law on May 3, 2018

Opiate Abuse / TennCare Enrollees / Episodes of Care -- Ensures providers are not penalized for the increase in health care costs associated with opioid-prescribing restrictions as it pertains to TennCare payment reform, more commonly referred to as "episodes of care." • The legislation provides a pathway to address and appeal the episodes of care's risk-sharing payment that may be assessed if a provider uses a more costly non-opioid modality like physical therapy or chiropractic services. • The current system provides a disincentive to use other treatment options to help curb opiate addiction.

[Senate Bill 2155](#) / by Bell, Bowling, Briggs, Hensley / Status: [Public Chapter 843](#) / Effective Date: July 1, 2018

Prescription Abuse / E-Prescribing -- Moves toward electronic prescriptions (e-prescribing) in order to cut down on illicit drug abuse. The law would be enacted in 2020, giving prescribers the chance to adjust. There are exceptions if a prescriber needs a waiver due to Internet or financial issues. It is estimated to cut down on 7 to 9 percent of misused paper prescriptions.

[Senate Bill 2191](#) by Lundberg / Status: [Public Chapter 883](#) / Effective Date: For rulemaking purposes upon becoming law, for all other purposes January 1, 2019

Fentanyl / Second Degree Murder -- Includes the unlawful distribution, delivery or dispensation of fentanyl, carfentanil, or a combination of any controlled substance and fentanyl as second degree murder in instances in which it was the proximate cause of death.

[Senate Bill 1787](#) / by Lundberg / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018

Henry's Law – Stiffens penalties against drug dealers when a minor dies as a result of an overdose on Schedule I or II drugs distributed by them. Named after Knoxville teenager, Henry Granju, who died to a lethal opiate overdose. • Changes the classification for a Class A felon Range I to Range II. • The penalty is increased from 15-25 years with a 30 percent requirement

(4.5-7.5 years) to 25-40 years with a 35 percent requirement (8.8-14 years). • Schedule I drugs: heroin and psychedelics. Schedule II drugs: opiates, cocaine, methadone, methamphetamines, and amphetamines. 70-80 juveniles die each year in Tennessee due to opioid overdose. • Drug dealers prey on adolescents because of their vulnerability and poor decision-making in order to cultivate new customers.

[Senate Bill 1875](#) / by Massey, McNally, Jackson / Status: Transmitted to the Governor on 5/7 / Effective Date: July 1, 2018

Controlled Substances / Medication Assisted Treatment – Updates Tennessee law to keep up with changing pharmacology regarding treatment options for patients with substance abuse disorders. • Two medications are generally used treat substance abuse disorders: the mono-product, buprenorphine, and the combination product, buprenorphine and naloxone. • Current law provides that only in specific circumstances can patients be prescribed the mono-product to treat substance abuse disorders due to its desirability on the street and potential for abuse. • This bill allows for a new injectable mono-product to be used for people with substance abuse disorder which cannot be abused as easily.

[Senate Bill 2099](#) / by Dickerson, Haile, Crowe, Yarbrow, Bowling, Gardenhire / Status: [Public Chapter 674](#) / Effective Date: Upon becoming law on April 12, 2018

Opiate Treatment Facilities / Curbing Abuse -- • Requires the Commissioner of the Department of Mental Health and Substance Abuse Services to revise rules for nonresidential office-based opiate treatment facilities to be consistent with federal law and to review them every two years. • It would apply to facilities prescribing buprenorphine, or products containing any other controlled substance designed to treat opiate addiction to 50 percent or more of its patients or 150 or more patients. • It calls for establishing protocols for initiating periodic prescriber-initiated and led discussions with patients regarding tapering down or off the opioids employed in treatment. • It requires practitioners to report the dispensing of buprenorphine to the Control Substance Database. • It requires the development of a list of the top 20 prescribers to the Department of Health to justify their prescribing practices. • It requires each board to report disciplinary action it may have taken toward the provider. • It requires the Comptroller to study the incidence of abnormal prescription patterns by prescribers and the disciplinary response by boards. It establishes a task force to set minimum standards for those who deviate from sound medical judgment in treating patterns of prescribing opiates.

[Senate Bill 777](#) / by Jackson, Yager / Status: Transmitted to Governor 5/9 / Effective Date: For rulemaking, upon becoming law, for other purposes July 1, 2018

SAFE Act -- The Stopping Addiction & Fostering Excellence (SAFE) Act ensures that patients who utilize recovery houses receive high quality care that empowers them to overcome their battles with addiction. • It enables providers at these facilities to focus their efforts on

implementing more customized and targeted treatment plans for patients. • The legislation streamlines operational guidelines while strengthening partnerships between the facility and its local municipality.

[*Senate Bill 2214*](#) / by Swann / Status: [*Public Chapter 879*](#) / Effective date: July 1, 2018

Education / Recovery Schools – Gives students who suffer alcohol/drug dependency an opportunity to succeed. • Authorizes LEAs to open recovery schools for people with Substance Use Disorder and Major Depressive Episode. • School staff would be teachers, substance abuse counselors, and mental health professionals. • Introduction into a recovery school is voluntary. • Students graduating from these schools will receive diplomas from their previously attended high school so to prevent stigma. • Students who go back to their normal high school after treatment have a 70% chance of relapse. • The number of relapses drops to 30% for those who attend recovery schools.

[*Senate Bill 1626*](#) / by Gresham, Bowling, Massey / Status: [*Public Chapter 569*](#) / Effective Date: Upon becoming law on March 16, 2018 (Also listed under ***Education***)

HEALTH

Rural Hospital Transformation Act -- Supports the financial viability of the state's rural hospitals. • Helps struggling hospitals develop business plans to ensure they are financially viable and continue to provide needed healthcare services. • It is a three-year pilot program with \$1 million provided for each year for this purpose. The legislation requires the Department of Economic and Community Development (ECD) to establish and manage a rural hospital transformation program to assess viability, identify new delivery models, develop strategic partnerships, and implement operational changes. • It also requires ECD to identify contractors to provide consultations to "target hospitals" for the creation of transformation plans. • A transformation plan is a strategic plan developed by contractors in close collaboration with target hospitals and community stakeholders to provide recommendations and actionable steps for preserving healthcare services. • There are 66 acute-care, rural hospitals in Tennessee. • It is estimated that 20 of these would qualify for a consultation with a contractor from ECD in order to develop a transformation plan.

[*Senate Bill 2646*](#) / by Watson, Crowe, Massey Jackson / Transmitted to Governor on 5/10 / Effective Date: July 1, 2018

Heart Attack / STEMI System of Care – Establishes a statewide ST-Elevation Myocardial Infarction (STEMI) system of care in Tennessee. • In order to treat a STEMI, it is vital that the patient get to the hospital quickly so a stent can be placed so blood flow can be restored. • Requires the Department of Health to recognize applicable hospitals as Accredited Receiving

Centers and Accredited Referring Centers so emergency services/ambulances can develop pre-hospital protocols for transporting STEMI patients to the nearest one of these hospitals. • The goal is to get the patient transported as rapidly as possible to save heart muscle to save lives.

[Senate Bill 2071](#) / by Briggs, Bowling, Hensley, Jackson, Massey / Status: [Public Chapter 626](#) / Effective Date: April 2, 2018

EMS stroke protocols – This bill is designed to get stroke patients in Tennessee to the best hospital with the best treatment capabilities to foster better outcomes for stroke patients. • Requires the Tennessee Emergency Medical Services (EMS) Board to create protocol guidelines from which local Emergency Medical Authorities will establish protocol plans for pre-hospital assessment, triage, and transport of stroke patients. • Strokes are the fifth leading cause of death in Tennessee. • Time is of the essence to save brain cells in stroke patients. • This is the next step forward in creating a comprehensive stroke system of care throughout the state. This was recommended by the Tennessee Stroke Task Force. • The Department of Health will recognize approved hospitals on their website so there can be better coordination between EMS, health professionals, and treatment facilities to ensure stroke patients get to medical centers as quickly as possible.

[Senate Bill 2513](#) / by Ketron, Crowe / Status: [Public Chapter 722](#) / Effective Date: July 1, 2018

Proton Therapy -- Allows state employees diagnosed with cancer to receive hypofractionated proton therapy if their radiation oncologist believes that it would be more beneficial to their treatment plan. It would equate the cost of the proton therapy to that of traditional radiation (IMRT) when it is the paid-for method.

[Senate Bill 367](#) / by Green, Massey, Swann, Bowling, Crowe, Ketron / vetoed by Governor 5/3 / Effective Date: Upon becoming law

Episodes of Care – Requires the Division of TennCare to exclude anxiety episodes and non-emergent depression episodes from the initiative when developing or implementing any payment reform initiative involving the use of episodes of care. Under present law, in developing or implementing any payment reform initiative involving the use of episodes of care with respect to medical assistance provided by the bureau of TennCare, the bureau must report on the use of technical assistance groups of healthcare providers in developing any episode of care.

[Senate Bill 2364](#) / by Crowe / Status: Transmitted to Governor 5/9 / Effective Date: Upon becoming law

Mental Health Parity -- Ensures that state and federal laws are followed in Tennessee when insurers pay for mental health services. • This bill seeks to ensure behavioral and drug treatment benefits are being designed and applied fairly and that insurance carriers are accountable to consumers and small business owners. It provides insurance carriers and the Tennessee Department of Commerce and Insurance with guidance as to how they can demonstrate

compliance with federal and state standards. • In 2008, President George Bush signed the Mental Health Parity and Addiction Equity Act (which does not require health insurers to cover mental health and addiction services, but if carriers do offer this coverage they must design their cost benefits comparable to other medical and surgical benefits).

[Senate Bill 2165](#) / by Briggs, Yarbrow / Status: Transmitted to Governor 5/9 / Effective Date: January 1, 2019

Cannabidiol Oil -- Removes a sunset provision on a law passed last year that allows epilepsy patients and their families to purchase cannabidiol (CBD Oil) from other states as prescribed by their doctor.

[Senate Bill 1915](#) / by Niceley, Massey, Bowling / Transmitted to Governor 5/10 / Effective Date: July 1, 2018

Palliative Care – Establishes the State Palliative Care and Quality of Life Council to advise the Executive Director of the Tennessee Commission on Aging and Disability (TCAD) regarding issues experienced by patients, including barriers to care.

[Senate Bill 2561](#) by Hensley, Massey, Briggs, Crowe, Yager / Status: Transmitted to the Governor on 5/7 / Effective Date: Upon becoming law

Ambulances -- Continues the Ambulance Service Provider Assessment Act, a law passed last year that allows the state to receive additional Medicaid funds to be redistributed to the local private and public ambulance services for transporting patients covered by the program. • It is expected to bring in approximately \$19.7 million in federal funds for ambulance services through the state's TennCare Program. • The legislation is modeled after the successful Hospital Assessment Act which has prevented catastrophic TennCare cuts over the last seven years and is especially important in rural communities which have a high number of TennCare patients.

[Senate Bill 1823](#) / by Yager, Bailey, Bowling / [Public Chapter 874](#) / Effective Date: July 1, 2018

Suicide Prevention Act – Establishes a Tennessee Suicide Mortality Data Review and Prevention Team in the Department of Health to address the growing number of adult suicides in Tennessee. • Calls for the team to gather suicide data identifying causes and factors in order to direct limited prevention resources in the most effective way possible. • In Tennessee, almost twice as many people die by suicide than by homicide. • Each day, three people in Tennessee die by suicide, and that rate is increasing. There were 1,110 suicide deaths in 2016, which is the highest number recorded in Tennessee in over 35 years of record-keeping. This is compared to 945 deaths in 2014 and 1,065 deaths in 2015. • The group would make recommendations for changes to any state law or policy that would promote the prevention of suicide deaths or improvements to the way suicides are investigated and/or reported.

[Senate Bill 1949](#) / by Crowe, Massey, Swann, Jackson, Watson, Briggs / Status: Transmitted to Governor 5/9 / Effective Date: January 1, 2019

Tanning Beds / Youth – Seeks to protect the health of young persons who utilize tanning beds. Currently, teenagers over 14 can go to a tanning bed without permission from their parents. • It requires 16-18 year olds be accompanied by a parent or legal guardian to use a tanning bed for the first time. • Everyone under 16 years old would be prohibited from using a tanning bed. • Melanoma is the second most prevalent kind of cancer in females ages 15 to 29. In 2009, the World Health Organization classified a tanning bed as a carcinogen in the same category as cigarettes.

[Senate Bill 1495](#) / by Haile, Dickerson, Briggs, Hensley / Status: [Public Chapter 608](#) / Effective Date: Upon becoming law on April 2, 2018

SIDS Education – Requires the Commissioner of Health to develop educational literature to inform the public of the risks and prevalence of sleep-related deaths and Sudden Infant Death Syndrome (SIDS). • The literature and any findings will be made available on the Department of Health's website. • More children die of SIDS in a year than all children who die of cancer, heart disease, pneumonia, child abuse, AIDS, cystic fibrosis, and muscular dystrophy combined.

[Senate Bill 2673](#) / by Bailey / Status: [Public Chapter 667](#) / Effective Date: Upon becoming law on April 12, 2018

Pharmacy Prescriptions for Refugees of Disasters – Authorizes a pharmacist in Tennessee, in good faith, to dispense prescription medication for up to 20 days to a patient who is displaced by a declared disaster. • Allows prescription information to be obtained from a prescription label, verbal medical order, verbal prescription order, or any other means determined to be legitimate by the pharmacist. • It would not apply to narcotics. • This would immensely simplify the process when we do have refugees of a natural disaster, like we did after Hurricane Katrina.

[Senate Bill 1670](#) / by Green, Briggs / Status: [Public Chapter 615](#) / Effective Date: July 1, 2018

Health Care Consumers / Notification of Dense Breast Tissue -- Calls for more effective notification when a mammogram detects extremely dense breast tissue. • This bill enhances the current law requiring notification of their mammogram by alerting patients that additional screening may be warranted in consultation with their physician. • Although this condition is common, it can hide cancer findings or could be associated with breast cancer. • Approximately 12.3 percent to 15 percent of women with dense breast tissue are prone to have cancer.

[Senate Bill 2704](#) / by Bowling, Massey / Status: [Public Chapter 750](#) / Effective Date: July 1, 2018

Transparency in Medical Charges -- Calls for transparency in medical charges by hospitals. It requires a hospital to provide an estimate to patients regarding out-of-network charges.

[Senate Bill 1869](#) / by Lundberg / Status: Transmitted to Governor for action / Effective Date: July 1, 2018

Medical Charges / Bartering -- Authorizes physicians to accept goods or services in exchange for healthcare services not covered by health insurance or other means of payment in a direct exchange of barter.

[Senate Bill 2363](#) by Crowe / Status: Transmitted to Governor on 5/10 / Effective Date: July 1, 2018

ABORTION

Family Planning Funds – Makes permanent the current practice for disbursing federal family planning funds by the Department of Health. Codifies the existing practice for future administrations that county and district health centers are to be fully funded relative to providing these services before any excess funds can be distributed.

[Senate Bill 2494](#) / by Johnson, Hensley, Bell, Green, Haile / Status: [Public Chapter 660](#) / Effective Date: Upon becoming law on April 9, 2018

TennCare Abortion Waiver - Directs TennCare officials to seek a Medicaid waiver to exclude facilities in Tennessee that perform elective abortions from receiving Tennessee taxpayer money.

- The money would be redirected from elective abortion clinics to other health care providers so women will continue to receive care.
- All of Tennessee's 95 counties have identified community health centers and other providers, aside from those who perform elective abortions, who meet criteria to receive taxpayer funding for other women's health services.
- Disallows taxpayer dollars to go to abortion clinics, even though they supposedly are not used directly for abortions, helps pay for their operational costs.
- Other states have already begun to seek waivers.
- The funds for other women's health services, such as breast exams, cancer screenings and birth control, would not be affected by the proposal.

[Senate Bill 2148](#) / by Bell, Gardenhire, Bowling, Hensley, Haile, Bailey, Southerland, Jackson, Pody, Niceley, Yager, Ketron, Stevens, Swann, Watson, Gresham, Crowe, Green, Johnson, Roberts, Lundberg, Massey / Status: [Public Chapter 682](#) / Effective Date: Upon becoming law on April 12, 2018

Ultrasound / Heartbeat – Says that if an ultrasound is performed as part of an examination prior to an abortion, the person who performs the ultrasound must offer the woman the opportunity to learn the results of the ultrasound.

- If the woman elects to learn the results of the ultrasound, the person who performs it or a qualified healthcare provider in the facility performing the ultrasound must, in addition to any other information provided, inform the woman of the presence or absence of a fetal heartbeat.

[Senate Bill 244](#) by Pody, Jackson, Bowling, Hensley / Status: [Public Chapter 862](#) / Effective Date: January 1, 2019

Monument as a Reminder of Unborn Children – Calls for a monument to be erected on the Capitol’s campus as a reminder of unborn children.

[Senate Bill 2227](#) by Southerland, Bowling / Status: Transmitted to Governor 5/10 / Effective Date: Upon becoming law

K-12 EDUCATION

Budget – Continues Tennessee’s strong commitment to education by providing an additional \$247 million to fund K-12 education in Tennessee, including \$105 million for teachers and \$66.8 million for enrollment growth. It also provides \$30.2 million for school safety and \$13.3 million for the Response for Intervention Program which identifies the needs of struggling students to get them the help they need to succeed. The General Assembly has provided \$1.5 billion in new funding over the last eight years for K-12 education, including \$500 million more for increased teacher salaries.

School Security Officers – Enacts the School Safety Act of 2018, which authorizes school districts to hire off-duty law enforcement officers as armed school security officers during regular school hours or during school-sponsored events conducted on the school’s premises. • Reducing the armed response time of law enforcement officers for report of armed intruders on school premises is vital to ensuring the safety of children teachers and school personnel • Increasing the presence of properly trained, armed and certified officials on school premises will aid in protecting children, teachers and school personnel • Allows for grants established within the Tennessee School Safety Center to be used for funding armed school security officers.

[Senate Bill 2059](#) / by Green, Crowe, Bailey, Hensley / Status: Transmitted to Governor on 5/9 / Effective Date: Upon becoming law

Education / Recovery Schools – Gives students who suffer alcohol/drug dependency opportunity to succeed. Authorizes LEAs to open recovery schools for people with Substance Use Disorder and Major Depressive Episode. School staff would be teachers, substance abuse counselors, and mental health professionals. Introduction into a recovery school is voluntary. Students graduating from these schools will receive diplomas from their previously attended high school so to prevent stigma. Students who go back to their normal high school after treatment have a 70% chance of relapse. The number of relapses drops to 30% for those who attend recovery schools.

[Senate Bill 1626](#) / by Gresham, Bowling, Massey / Status: [Public Chapter 569](#) / Effective Date: Upon becoming law on March 16, 2018 and shall apply to the 2018-2019 school year and each year thereafter (**ALSO FILED UNDER OPIATE ABUSE**)

Work Based Learning – Supports students who are involved in work-based learning apprenticeships. • Provides work-based learning grants for employers to hire eligible secondary education students in work-based learning programs capped at \$5,000. It grants employers immunity from liability for actions relating to the students unless the employer acted willfully or with gross negligence. • Under this legislation, employers may elect to provide worker's compensation insurance, and the student's local education agency would be required to maintain liability insurance to compensate the student for any injury not covered by the employer. Effective work-based learning programs create a strong path for students to get a head start and complete their degrees in a TCAT, community college or university and ultimately into the workplace.

[Senate Bill 1649](#) / by Norris, Massey, Stevens / Status: Transmitted to Governor 5/9 / Effective Date: upon becoming a law and shall apply to tax years beginning on or after January 1, 2018.

Standards Review Process – Makes permanent Tennessee's law for adopting K-12 education standards that created the nation's most comprehensive and inclusive standards review process. • That law was passed to replace the controversial Common Core education standards with a new set of standards crafted by Tennesseans. • The people of Tennessee have become accustomed to a greater degree of transparency and influence on the academic standards in Tennessee schools. • The feedback from both participants and observers of the process was extremely positive, and so now we truly have 'Tennessee' standards. • The standards will be reviewed on a six year rotating schedule. The bill further provides dedicated funding for this purpose that will be used specifically for the comprehensive standards review process.

[Senate Bill 574](#) / by Gresham / Status: [Public Chapter 697](#) / Effective Date: Upon becoming law on April 12, 2018

K-8 Scholar's Summer Guide / High School Scholar's Prep Guide – Calls for students in grades K-8 to receive a "Scholar's Summer Guide" prior to the last day of the school year. • This bill is designed to assist parents and students to better prepare for the next school year by providing them with a list of skills and materials that could be reviewed over the summer break. • The student's incoming and outgoing teachers would collaborate on requirements in formulating the guide so it is customized for each child. • It would also allow teachers to customize this guide for students that they feel need work in specific areas prior to entering the following grade. • The High School Scholar's Prep Guide, under separate legislation, calls for a prep guide upon a student registering for a course, to help them prepare for the next step in their studies.

[Senate Bill 730](#) by Gresham / Status: [Public Chapter 553](#) / Effective Date: July 1, 2018 and shall apply to the 2018-2019 school year and each year thereafter / [Senate Bill 2039](#) by Gresham / Status: [Public Chapter 882](#) / Effective Date: July 1, 2019 and shall apply to the 2019-2020 school year and each year thereafter

Parent-Teacher Conferencing – Seeks to foster parent teacher engagement in the earliest grades of a child’s education. • Proposes a three-year, voluntary pilot program under the Tennessee Department of Education to test the best practices models for parent-teacher conferencing in two schools across the state within K-2nd grade classrooms. • The Tennessee Department of Education will set up an application process for schools that are interested in participating in the pilot program and will decide which models to use. • Fostering engagement will help parents understand the skills their children should be mastering and how to help at home.

[Senate Bill 2571](#) / by Hensley / Status: Transmitted to Governor on 5/7 / Effective Date: Upon becoming law.

Teacher Preparation Programs / Remediation -- Requires state-approved educator preparation programs to report the number of recent graduates who receive a score of below expectations or significantly below expectations on their overall evaluation in their first year.

[Senate Bill 1629](#) by Gresham / Status: Transmitted to Governor 5/10 / Effective Date: January 1, 2019

Teacher Licensing – Addresses regulatory hurdles faced by high performing teachers licensed in other states who want to teach here. • Although Tennessee has reciprocity with numerous states, out-of-state licensees face additional administrative burdens which can be discouraging to many of these qualified educators. • This bill removes an assessment requirement for those who hold a license in a reciprocal state as long as they have received evaluations of above expectations or significantly above expectations in each of their first two years in Tennessee. • The legislation aims to address teacher shortages and encourage the recruitment of high quality teachers.

[Senate Bill 1804](#) / by Ketron, Jackson, Kelsey / Status: [Public Chapter 573](#) / Effective Date: July 1, 2018

Local School Boards / TN Ready Scores – Revises the Course Access Program Act, allowing local school boards flexibility in setting the percentage weight of TN ready scores that factor into students’ grades. • The bill gives local school boards more flexibility in grading. • It expands the entities that may be course providers to also include LEAs, charter schools or charter management organizations, institutions of higher educations, or state agencies, in addition to nonprofit entities. • Once a provider is approved, the provider may offer courses for review by a host LEA under the LEAs local course review and approval process, as detailed in this bill. • Courses that meet the requirements of the local review process may be submitted to the department for recommendation to the state board for its approval and inclusion in the course catalog. • This bill allows host LEAs to partner with approved course providers to offer course access program courses.

[Senate Bill 1896](#) / by Gresham / Status: [Public Chapter 784](#) / Effective Date: Upon becoming law on April 20, 2018

Holds Teachers and Students Harmless in 2017-18 TNReady Assessments – Holds teachers and students harmless in the TNReady testing assessments conducted for the 2017-2018 school year. • It also prevents student performance and student growth data from the TNReady assessments from being used to identify a school as a priority school or to assign a school to an Achievement School District (ASD). • It further provides that the assessments administered this school year cannot be used to assign a letter grade to a school.

[Senate Bill 1623](#) / by Gresham, Bowling, Massey, Pody / Status: [Public Chapter 881](#) / Effective Date: Upon becoming law on May 3, 2018 / [Senate Bill 578](#) by Gresham, Pody / Status: Transmitted to Governor 5/10 / Effective Date: Upon becoming law

Moratorium on Additional Statewide Testing – Puts a two-year moratorium on any additional statewide testing in Tennessee’s K-12 schools. • This legislation prevents any additional assessments from being implemented until the current system is operating correctly. • Ensures stability in the state tests because nothing new will be added. • Prohibits the Department of Education and the State Board of Education from mandating new statewide assessments for grades and subjects beyond those assessments required as of the 2016-2017 school year until the 2020-2021 school year. • This is a two-year moratorium to stop and take a breath and let teachers, parents and students get used to the tests they are currently taking, rather than constantly having new ones added to an already rigorous testing schedule. • The bill also requires the Tennessee Department of Education to report the actions and procedures that have been implemented to ensure all data associated with the assessments is accurate and timely.

[Senate Bill 1806](#) / by Ketron, Haile / Status: [Public Chapter 672](#) / Effective Date: Upon becoming law on April 12, 2018

Alternative Growth Model – Helps to ensure that the work done by teachers in non-graded subjects is evaluated fairly. • Currently, these teachers must accept a school-wide grade for which they have little or no control. • Requires Local Education Agencies (LEAs) to adopt at least one alternative appropriate growth model approved by the State Board of Education by the 2019-20 academic school years in order to provide individual growth scores for evaluation of teachers in non-tested grade subjects. • An example alternative growth model would be a portfolio in an art class that a teacher would create for each student in order to show the development of that child in whatever art principles were being taught. • This seeks to provide fairness to these teachers by allowing them to show the work that they have done individually that demonstrates their students’ growth.

[Senate Bill 250](#) / by Gresham, Tate / Status: [Public Chapter 552](#) / Effective Date: Upon becoming law on March 14, 2018

Pre-K Growth Portfolio Assessment Model – Addresses concerns in the Department of Education’s new Pre-K Growth Portfolio Model. • The model was put into place during the

current school year to measure yearly academic growth for Pre-K and kindergarten students; however, the program experienced several early implementation problems. • These problems included a lack of appropriate training for teachers, computer system issues and difficulties with the way the portfolio's standards were clustered together. • This legislation directs the Department of Education to increase training and to reevaluate the program with significant input from teachers to make needed improvements. • Under the bill, the Pre-K Growth Portfolio essentially would become a pilot program, meaning the results could not be used against a teacher in employment evaluations.

[Senate Bill 1854](#) / Massey, Gardenhire / Status: [Public Chapter 751](#) / Effective Date: Upon becoming law on April 18, 2018

Schools Serving Special Needs Students -- Ensures equitable access to the state's special education excess cost reimbursement program. • These students have significant learning needs and cost the schools that educate them far more than a student in a general education setting. • This bill requires school districts and special education services associations to include all excess-costs students within their jurisdiction when they apply for reimbursement funds. • It also allows public charter schools to join or form special education services associations in order to increase capacity so they are equipped to serve these special needs children. • It is a part of the General Assembly's ongoing efforts to ensure all students are able to receive a quality education, have their needs met, and be treated with dignity and respect.

[Senate Bill 1901](#) / by Gresham / Status: [Public Chapter 767](#) / Effective Date: July 1, 2018

Tom Cronan Physical Education Act – Ensures that elementary students are receiving adequate physical activity. • The Tom Cronan Physical Education Act requires each student in elementary school participate in a physical education class (PE) at least twice a week for a combined total of no less than 60 minutes. • The PE class must be taught by a teacher with a physical education endorsement and must meet the needs of students. • The legislation also requires local education agencies (LEAs) to verify compliance with the act annually. • The bill is named for the late Dr. Thomas Cronan, who was Professor Emeritus of Exercise Physiology at Carson-Newman College and a lifelong promoter of wellness. • He was the husband of former University of Tennessee Women's Athletics Director Joan Cronan, who with Coach Pat Summitt, led the Lady Vols to multiple national basketball championships. • Obesity is one of the most pressing health concerns in the state. • Tennessee ranks as the worst state in the nation for childhood obesity and sixth worst for adult obesity.

[Senate Bill 558](#) by Ketron, Massey, Crowe, Tracy, Watson / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2019

Parental Notice / Student Mental Health Screenings – Requires Local Education Agencies (LEAs) to notify parents or legal guardians prior to any student participation in mental health screenings. • The legislation requires notice to the parents regarding the “who, what, when and why” of such an evaluation so the student’s parents are fully informed.

[Senate Bill 2029](#) by Green, Gresham, Gardenhire / Status: [Public Chapter 910](#) / Effective Date: July 1, 2018

Teacher Misconduct / Background Checks – Ensures that background checks are conducted to identify sexual predators before a teacher license is issued and that reports are done on an ongoing basis for those who work with children. • Presently, school districts require an initial background check before hiring. • There was a comprehensive report from Tennessee Comptroller Justin Wilson which revealed deficiencies in hiring practices for school personnel that could allow predators to slip through the cracks. • There was a case that came before the State Board of Education regarding a teacher who had been convicted of statutory rape and who wanted his professional license back. The State Board of Education denied the licensure, but was overturned by a Chancery Court in Davidson County based on ambiguity in the board’s rules.

[Senate Bill 2014](#) / by Gresham, Hensley, Gardenhire, Haile, Tate, Kelsey, Crowe, Dickerson, Lundberg / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018

Teacher Misconduct / Previous Employment Information – Prohibits a Local Education Agency (LEA) from entering into a non-disclosure agreement with a teacher that would prevent other school districts from knowing about sexual misconduct. • It also allows districts to access information about the previous employment of a teacher with another school district.

[Senate Bill 2015](#) / by Gresham, Lundberg, Gardenhire, Haile, Hensley, Tate, Crowe, Dickerson, Kelsey / Status: Transmitted to the Governor on 5/7 / Effective Date: July 1, 2018

Teacher Misconduct / Alcohol and Drugs - Updates the state’s Teacher Code of Ethics regarding inappropriate teacher-student relationships, including engaging in sexual behavior with students or furnishing them alcohol or drugs.

[Senate Bill 2013](#) / by Gresham, Gardenhire, Haile, Hensley, Tate, Crowe, Dickerson, Kelsey, Lundberg, Ketron, Massey, Yager/ Status: Transmitted to the Governor on 5/7 / Effective Date: July 1, 2018

Teacher Misconduct / Reporting Misconduct - Grants the State Board of Education authority to reprimand school directors for not reporting instances of misconduct and clarifies the board’s authority to reprimand educators for violating the Teacher Code of Ethics. • The reporting requirements enhance information sharing, both in Tennessee and with other states, so that no predators can fall through the cracks.

[Senate Bill 2011](#) / by Gresham, Haile, Gardenhire, Hensley, Tate, Crowe, Dickerson, Kelsey, Lundberg, Ketron / Status: Transmitted to the Governor on 5/7 / Effective Date: July 1, 2018

Teacher Misconduct / Teacher Discipline Made Public - Calls for the State Board of Education to post all final teacher disciplinary action on its website to allow school districts, as well as out-of-state entities responsible for the licensing and hiring of Tennessee educators, to access information regarding the final disciplinary action of an individual's license case. • It also requires final licensure action be reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) database for the same purpose.

[Senate Bill 2012](#) / by Gresham, Tate, Gardenhire, Haile, Hensley, Crowe, Dickerson, Kelsey, Lundberg / Status: Transmitted to the Governor 5/7 / Effective Date: July 1, 2018

In God We Trust – Seeks to place the nation's motto, "In God We Trust," in all Tennessee schools. • Calls for the motto to be displayed in a prominent location. • The establishment of this motto was signed into law in 1956 by President Eisenhower, but was imprinted on U.S. coins and currency long before that time.

[Senate Bill 2661](#) / by Bailey / Status: [Public Chapter 640](#) / Effective Date: Upon becoming law on April 2, 2018 and will apply to the 2018-2019 school year and each school year thereafter

HIGHER EDUCATION

UT Board / FOCUS Act – Empowers the University of Tennessee (UT) Board of Trustees to operate more efficiently and effectively like the state's other four-year universities. • Reconstitutes the board from 27 members to 12 who would serve staggered terms. • The board members would be appointed by the governor and confirmed by the General Assembly. • Calls for at least five of the members to be UT alumni and that the governor should strive to appoint those members from different University of Tennessee institutions. • Creates seven-member advisory boards at the University of Tennessee, Knoxville, University of Tennessee at Martin, University of Tennessee at Chattanooga, and UT Health Science Center. • The advisory boards would submit recommendations regarding operating budgets, tuition and fees, strategic plans, campus life, academic programs and other matters related to the institution.

[Senate Bill 2260](#) / by Norris, Gresham / Status: [Public Chapter 657](#) / Effective Date: Upon becoming law on April 6, 2018

Tuition Transparency and Accountability Act – Provides more transparency and accountability when it comes to tuition and fee hikes at the state's colleges and universities. • Seeks to slow down tuition increases, which have risen by 125 percent over the past decade, by putting constant pressure on the process. Education is the roadway to the American dream, and one of our solemn responsibilities is to make sure that Tennessee students graduate from college

prepared to take on the world and do so with as little debt as possible. • Approximately 50 percent of graduates from colleges in Tennessee have debt that averages around \$25,000. • Under the bill, governing boards must give public notice 15 days prior to a meeting to adopt an increase in tuition and mandatory fees in order to allow for public comment and awareness. • Any tuition increase must be substantiated by stating the amount of increase, the reason for the increase, and any steps that may have been taken to control it. • The legislation also requires each university to provide in a student's acceptance letter a "predictive cost estimate," projecting how much tuition and fees will cost for a four-year period. It calls for the governing boards of each university to submit a report to be distributed to the General Assembly with information on how the tuition increases were spent during the previous year.

[*Senate Bill 1665*](#) / by Dickerson, Gresham, Yarbro / Status: [*Public Chapter 614*](#) / Effective Date: July 1, 2018

Student Debt – Allows our community colleges and technical schools to work with students who owe a debt to get them back in the classroom while they pay it off. • It exempts debt of less than \$100 from the reasons that state institutions may withhold diplomas, certificates of credit, or grade reports if the student has an outstanding debt. • The bill authorizes colleges in the college system of Tennessee to issue a certificate of credit or official transcript for a student seeking admission to any college in that system if the student has entered a written agreement to satisfy the outstanding debt or obligation owed to the college issuing the certificate of credit or official transcript.

[*Senate Bill 2174*](#) / by Gardenhire / Status: [*Public Chapter 739*](#) / Effective Date: Upon becoming law on April 18, 2018

AUTOMOBILES

Ending Emissions Testing – Ends mandatory emissions tests for vehicles in Tennessee. • Applies Hamilton, Davidson, Rutherford, Sumner, Williamson or Wilson Counties where the test is still required prior to vehicle registration or renewal. • The 1990 Federal Clean Air Act required the State of Tennessee to develop more restrictive regulations to control air pollution from mobile sources in counties which were not meeting the Federal Standards for air quality. • In August, the Tennessee Department of Environment and Conservation announced that the entire State of Tennessee meets federal air quality health standards.

[*Senate Bill 2656*](#) / by Watson, Gardenhire, Ketron, Haile, Pody, Johnson, Kelsey, Stevens / Status: Transmitted to the Governor on 5/7 / Effective Date: Upon becoming law.

Driver Convenience / Vehicle Registration – Authorizes drivers in Tennessee to display evidence of motor vehicle registration in electronic format. • Allows for the convenience of providing that information on the driver's phone or another electronic device if pulled over by

law enforcement. • Tennessee law already allows drivers to use electronic devices to show proof of insurance.

[*Senate Bill 727*](#) / by Kelsey, Stevens / Status: [*Public Chapter 606*](#) / Effective Date: July 1, 2018

National Guard License Plates – • Allows a surviving spouse of a National Guard member to be issued a National Guard license plate until he or she remarries. • The bill is the latest in a series of initiatives designed to ensure that those who defend our state and our country are not forgotten.

[*Senate Bill 1900*](#) / by Gresham, Yarbrow / Status: [*Public Chapter 691*](#) / Effective Date: Upon becoming law on April 9, 2018 / **(ALSO FILED UNDER VETERANS)**

Deaf Persons / Traffic Stops – Allows a person who is deaf or hard of hearing to request a notation be made in the Vehicle Title and Registration System (VTRS) to denote this condition to assist law enforcement in communicating with the driver. • Requires law enforcement receive instruction on identifying deaf and hard of hearing individuals, through the VTRS system, as part of their in-service training. • Law enforcement officers will have access to this information when a vehicle's registration status is checked.

[*Senate Bill 2023*](#) / by Haile, Harris / Status: [*Public Chapter 735*](#) / Effective Date: July 1, 2018

Identify LYFT/Uber Drivers with Display – Allows transportation network company drivers to display one interior trade dress device, in any color except red or blue or a combination of those colors, issued by the company for the purpose of assisting riders with identifying and communicating with the driver of the transportation network company. The device cannot exceed (5) candlepower.

[*Senate Bill 2351*](#) / by Swann / Status: [*Public Chapter 645*](#) / Effective Date: Upon becoming law on April 2, 2018

COMMERCE / BUSINESS / JOB GROWTH / FINANCIAL INSTITUTIONS / BROADBAND

Small Cells / 5G Technology – Accelerates investment in mobile broadband infrastructure and prepare Tennessee for the next wave of economic development in the digital economy via 5G technology. • Creates a uniform, statewide and predictable application and deployment process for small cell wireless broadband providers no matter what community is being served. • Once implemented, it will enhance existing networks and encourage wireless broadband providers to invest in the latest small cell technology. • This is an important bill to the six million business and residential wireless broadband consumers in Tennessee who expect robust connection to their wireless Internet devices to manage travel, communications, shopping, banking, health care,

education and a host of other needs. • When installed, these small cells will increase the capacity to handle the huge amounts of data that we're all driving to wireless networks, and do so with speeds 10 to 100 times faster than the current 4G networks. • The bill creates a predictable “how to manual” for providers and local governments to work together to manage the right-of-ways and to get investment deployed as soon as possible. • While the legislation calls for a statewide application process to reduce local hurdles, it affirms that local governments retain their nondiscriminatory authority in many ways. • Studies show that deployment of 5G alone will create more than 16,000 new jobs in Tennessee. • It would also lead to more than \$1 billion in investment and grow the state GDP by nearly \$3 billion.

[Senate Bill 2504](#) / by Ketron, Johnson, Gresham, Lundberg, Green, Yager, Niceley, Swann, Tate / Status: [Public Chapter 819](#) / Effective Date: Upon becoming law (except for the review periods established in Sec. 1) on April 24, 2018

Blockchain Technology / Legal Authority – Recognizes the legal authority of “distributed ledger technology,” which includes “blockchain technology” used in smart contracts. • Blockchain is a growing list of records, called blocks, which are linked and secured using cryptography. • Originally developed as the accounting method for the virtual currency Bitcoins, the technology is now appearing in a variety of commercial applications. • The bill gives any signature, record, or rights of ownership accomplished through distributed ledger technology full legal effect, validity and enforceability. • Seeks to make Tennessee more attractive for this technology.

[Senate Bill 1662](#) / by Dickerson, Briggs, Harris, Yarbrow / Status: [Public Chapter 591](#) / Effective Date: Upon becoming law on March 22, 2018

Visual Content Act Expansion – Expands the Visual Content Act to capitalize on the state’s competitive advantages and be a national leader for creative technology jobs. • Includes support for interactive digital media jobs and stand-alone scoring productions for scoring that will be used as background music for various entertainment platforms like film, TV, and videogames. Currently, the act mostly provides protection for traditional TV and film. • The Interactive Digital Media cluster is the fastest-growing cluster of jobs in the entertainment industry. • These high quality jobs on average have salaries of \$109,000 which is well over twice the median household income in Tennessee.

[Senate Bill 2236](#) / by Norris, Watson, Dickerson, Bowling, Stevens, Yarbrow / Status: [Public Chapter 919](#) / Effective Date: July 1, 2018

Marketplace Contractors – Provides clarity in Tennessee law that independent marketplace contractors who enter into an agreement with a marketplace platform are not the platform’s employees. • A marketplace contractor is an individual that enters into an agreement with a marketplace platform, like Handy or TAKL, to use the platform’s online application or website

to be given an assignment or be connected with individuals seeking their services. Such platform services have been called the “want ads” of the Internet. Tennessee has been a leader in the support of innovative technology within business. Keeps state law up to date with the growth of the “gigabyte economy.”

[Senate Bill 1967](#) / by Watson, Green, Gresham, Stevens, Briggs, Johnson / Status: [Public Chapter 648](#) / Effective Date: July 1, 2018

Electric Co-Op Right-of-Ways – Authorizes electric cooperatives (co-ops) to access existing property, right-of-ways or easements to supply broadband Internet services. • The purpose is to make it clear that co-ops can use the property and easements they currently have for electric service to provide broadband Internet infrastructure in those same rights-of-ways. • The proposal also clarifies that if an electric co-op enters into an agreement with a third party to provide telecommunications or broadband, they could only contract with parties that are otherwise permitted by law to provide those services. • In 2016, a [study](#) addressing broadband in Tennessee found that 13 percent of Tennessee residents do not have access to broadband at federally recognized standards. • While only two percent of the state’s urban citizens lack access, 34 percent of rural residents are without coverage at recognized minimum standards due to low population density and challenging geography. • The Broadband Accessibility Act passed last year also called for \$45 million over three years in grants and tax credits for service providers to assist in making broadband available to unserved homes and businesses.

[Senate Bill 1646](#) / by Yager, Bell / Status: [Public Chapter 570](#) / Effective Date: Upon becoming law on March 16, 2018

Short-Term Rental Unit Act – The intent is to protect the property rights of individuals who were operating lawfully. Following are three scenarios enumerating provisions of the Short-Term Rental Unit Act. • First, in cities that have an ordinance enacted prior to the bill’s effective date, only permitted property owners can claim the continuing use. • Secondly, For cities that have an ordinance enacted post-May 1, 2017 but before the bill’s enactment date, there are two possibilities for claiming the continuing use status: 1.) The property was used as a short-term rental (which is proven by demonstrating the property owner paid sales tax to the state for six months within the 12-month period prior to the effective date of the act); and 2.) The city granted lawful status (either a permit or application as required by the local ordinance). The property owner has 30 months from the effective date of the ordinance to come into compliance with the ordinance before the continuing use protection ends. Also, the property cannot be used as a short-term rental until being granted lawful status (via permit or application as required by local law.) Third, the two provisions apply to cities that pass an ordinance allowing short-term rentals after the effective date of the act except the measuring date for the property was used as a short-term rental is six months within a 12-month period prior to the effective date of the local ordinance. The property owner who can prove they paid their taxes has 30 months to claim the

continuing use. • Finally, for all three of these scenarios, the legislation provides that the continuing use status is lost if the property is sold, transferred, ceases to be used as a short-term rental for a 30-continuous-month period, or upon a violation of a generally applicable local law three or more times.

[*Senate Bill 1086*](#) / by Stevens / Status: Transmitted to the Governor on 5/7 / Effective Date: Upon becoming law

Go Build Tennessee Program – Encourages and promotes career opportunities in the construction industry. • Extends the program until 2024 and clarifies that funds diverted from the contractor’s license for this purpose must be used solely for the implementation, administration and management of the non-profit program. • The lack of people choosing construction careers is a real concern and borderline crisis with the number of people leaving the construction industry. • The goal is to encourage and promote career opportunities in Tennessee’s secondary schools, postsecondary schools, colleges of applied technology and community colleges. • These occupations include carpenters, welders, road builders, electricians, masons, equipment operators, plumbers, and pipe fitters and more. The average age in the construction industry is 43.

[*Senate Bill 1922*](#) / by Johnson, Bowling, Ketron, Yarbrow / Status: [*Public Chapter 786*](#) / Effective Date: Upon becoming law on April 20, 2018

Financial Institutions – Amends Tennessee’s Financial Institution and Conversion Act to allow an out-of-state or federally chartered financial institution to apply to the Commissioner of Financial Institutions to convert to a Tennessee chartered financial institution. • Makes available a more direct and streamlined process for an out-of-state financial institution to move its headquarters and operations to Tennessee. • The legislation continues to foster a vibrant, growing economy in Tennessee by attracting banks to expand here. • Because of the economic climate in the State of Tennessee, our regulatory environment, and our low tax system, Tennessee is a great place to do business. • We should make Tennessee hospitable to financial institutions looking to relocate their principal headquarters here.

[*Senate Bill 2243*](#) / by Norris, Watson, Johnson / Status: [*Public Chapter 741*](#) / Effective Date: Upon becoming law on April 18, 2018

TAXES

Budget -- On tax relief, the appropriations bill continues the General Assembly’s ongoing efforts to provide widespread tax relief to Tennesseans, including funds for the next step to phase out the Hall Income Tax (lowers to three percent for the tax year beginning January 1, 2018 to December 31, 2018 and to 2 percent for the tax year beginning January 1, 2019 to December 31, 2019 for tangible income). Over the past eight years, the legislature has cut \$400 million in

taxes, with those reductions amounting to \$572 million in the 2018-19 budget year. Tennessee has reduced the sales tax on food by nearly 30 percent; implemented a complete phase out of the Hall tax; eliminated the gift tax; cut business taxes on manufacturing; and phased out the inheritance tax. Tennessee has the lowest taxes in the nation as a percentage of personal income.

Taxes on Financial Asset Management Companies – Allows publicly-traded financial asset management companies to use the single sales factor apportionment formula for Tennessee Franchise and Excise (F&E) taxes. • Helps to keep Tennessee competitive with states offering similar accounting formulas. Manufacturers were afforded a similar tax option under the Tax Reduction Act of 2017 (IMPROVE Act) passed last year. • In order to choose the single sales tax factor of apportionment, the asset management company must be subject to reporting requirements of a publicly-traded company or be owned by a publicly-traded partnership.

[Senate Bill 2256](#) / by Norris, Harper, Gardenhire / Status: [Public Chapter 656](#) / Effective Date: April 9, 2018 and applies to tax years beginning on or after January 1, 2018 (**ALSO FILED UNDER COMMERCE**)

Veterans Property Tax Relief – Ensures that disabled veterans can continue to qualify for property tax relief if they are hospitalized or temporarily placed in a nursing home. • Essentially, when veterans went into a nursing home for a couple of months, post-hip surgery and rehabilitation, they lost their property tax advantage upon returning home. The purpose of this bill is to fix that injustice. • It also applies to elderly homeowners who qualify for the property tax relief and who are temporarily out of their home as well.

[Senate Bill 1675](#) / by Green, Roberts, Bowling, Yager, Bailey, Briggs, Crowe, Gresham, Jackson, Lundberg, Pody / Status: [Public Chapter 710](#) / Effective Date: Upon becoming law on April 12, 2018 / **ALSO FILED UNDER VETERANS**

Exempts Disabled Veterans from Sales Tax on VA Vehicle – Exempts disabled veterans who receive a modified vehicle from the Veteran’s Administration (VA) due to a severe disability from having to pay sales tax or a registration fee on such a vehicle. • Disabled veterans shouldn’t have to pay sales tax or a fee on a modified vehicle gifted to them under the Disabled Veterans’ and Servicemen’s Automobile Assistance Act of 1970.

[Senate Bill 10](#) / by Green, Crowe, Bailey, Bowling, Gresham, Harris, Jackson, Lundberg, Niceley, Norris, Pody / Status: [Public Chapter 541](#) / Effective Date: Upon becoming law on March 5, 2018 / **ALSO FILED UNDER VETERANS**

Hall Tax Credit / Angel Investors – Enables Tennessee to promote the “Angel Tax” credit to a wider group of investors.

[Senate Bill 2647](#) by Watson, Yarbro / Status: [Public Chapter 892](#) / Effective Date: Upon becoming law on May 3, 2018 and shall apply to tax years beginning on or after January 1, 2017

Decoupling -- Addresses unintended consequences that arose out of the adoption of the federal tax reform act passed by Congress last year by decoupling Tennessee's franchise and excise taxes from being matched to that law. It also ensures the Economic and Community Development grants provided by Tennessee to businesses are not taxed by the state due to it being tied to the federal tax reform law. • Tennessee's franchise and excise taxes are matched to federal law. As the new federal tax reform law passed by Congress in December lowered the rates and broadened the base, it eliminated some tax benefits to businesses that existed under Tennessee law. • A recent study concluded that not decoupling from the federal base expansion could result in an average corporate base tax increase of 12 percent over the next 10 years due to the automatic conforming to the Internal Revenue Code. • This legislation decouples Tennessee law from provisions of the new federal tax law and replaces portions of it with provisions of Section 163 J the IRS code of 1986 as it existed and was applied prior to its enactment.

[*Senate Bill 2119*](#) by Stevens, Ketron, Watson / Status: Transmitted to Governor 5/9 / Effective Date:

New Federal Tax Law / Master Development Plan Recognition Act – Under the Tax Reform Act passed in Congress, tax credits given to companies in Tennessee would be counted as taxable income. This legislation removes that and will allow the Department of Economic and Community Development to use those tax credits and it would not be counted as taxable income.

[*Senate Bill 157*](#) by Watson / Status: [*Public Chapter 852*](#) / Effective Date: Upon becoming law on May 3, 2018 and applies to contributions made by a governmental entity on or after December 22, 2017.

WELFARE REFORM

Welfare Reform – Strengthens the integrity of Tennessee's temporary assistance programs for needy families by reducing fraud and abuse, incentivizing work, and encouraging self-sufficiency. • It calls for Tennessee to join a multi-state cooperative to identify dual recipient participation in the state's programs. • Strengthens investigations of multiple Electronic Benefit Transfer (EBT) card replacements, as well as providing other tools which will help the state investigate fraud and abuse. • Allows Tennessee to improve fraud investigation, including the trafficking of EBT cards which has been a problem. It creates some flags so if someone requests too many replacements, that gets analyzed. • It also allows us to crosscheck our rolls with other states to ensure that recipients are not receiving dual benefits in multiple states. • Encourages family stabilization by linking the Temporary Assistance for Needy Families (TANF) maximum benefit to the current standard of need in Tennessee. • Reduces the fiscal cliff for families meeting the TANF or Families First work requirements by providing a work incentive transitional benefit. • Offers transitional benefits in order to provide an incentive to get them back to work.

[Senate Bill 2247](#) / by Norris, Watson, Roberts, Bowling, Green, Stevens / Status: [Public Chapter 789](#) / For rulemaking it is effective April 20, 2018 for all other purposes it is effective Date: December 1, 2018

TennCare Waiver / Work Requirements -- Seeks to encourage self-sufficiency for those receiving TennCare. • The legislation directs TennCare to apply for a Medicaid waiver from the federal government to require enrollees who are able-bodied adults between the ages of 18 and 64 and don't have children under the age of 6 to work, volunteer, or further their education. • The bill does not set policy; rather it directs TennCare to negotiate with the federal government. • The waiver request must meet the Center for Medicare and Medicaid Services guidelines, which means that per CMS policy, it would not apply to individuals with disabilities, elderly beneficiaries, children and pregnant women, as well as those who are caregivers or are undergoing job training or education, among other categories. • The Trump administration has shown openness to allowing states' autonomy to innovate their Medicaid programs. So far three states – Arkansas, Kentucky, and Indiana – have received approval from the administration to require able-bodied adults receiving Medicaid to work, and at least twelve other states have waivers pending approval. • In fiscal year 2017-2018, almost 27 percent of Tennessee taxpayer dollars went towards funding TennCare.

[Senate Bill 1728](#) by Roberts, Bell, Green, Stevens, Bowling, Pody / Status: [Public Chapter 869](#) / Effective Date: May 3, 2018

Encouraging Self Sufficiency / Removing Barriers to Licensing -- Encourages self-sufficiency for low-income individuals, including those on various forms of public assistance, by waiving the initial license fee for trade professions which can be a barrier for entry. • It does not waive subsequent license fees, only the initial fee. • Low income is defined as someone who is enrolled in a state or federal public assistance program, including but not limited to Temporary Assistance for Needy Families, Medicaid or the Supplemental Nutrition Assistance Program. • Burdensome licensing requirements on blue collar jobs harm workers who are looking to earn an honest living.

[Senate Bill 2474](#) by Roberts, Yager / Status: Transmitted to Governor 5/7 / Effective Date: January 1, 2019

GOVERNMENT ACCOUNTABILITY / OPEN RECORDS

Clarifies Uniform Administrative Procedures Act – More clearly defines “policy” and “rule” with regards to the Uniform Administrative Procedures Act. Clarifies what exactly needs to go through the rulemaking process and what does not. Aims to provide more transparency to the process, and make sure that the General Assembly is properly providing legislative oversight to executive branches. There have been instances where agencies have issued policies beyond internal operations. This circumvents process. This bill prohibits an agency from promulgating

rules or policies that infringe on an agency member's freedom of speech rights. An agencies appointing authority has the sole authority to remove a member.

[*Senate Bill 1572*](#) / by Bell, Stevens, Kelsey / Status: Transmitted to Governor 5/7 / Effective Date: July 1, 2018

Oversight Costs on Formal Contract Monitoring – The Contract Accountability and Responsible Employment (CARE) Act brings more accountability to the state contracting process. • Lack of oversight opens the door for contractors to over-charge, skimp on service, or even flat out fail to deliver on contractual obligations, ultimately leaving the public on the hook. • Incorporates oversight costs in any decision to outsource, establish formal contract monitoring, and gives legislators a different view on how contracts impact their district. • The bill requires state agencies to release an economic impact statement to the Fiscal Review committee for oversight on all contracts above \$2.5 million that result in the furlough of one or more state employees.

[*Senate Bill 1047*](#) / by Bowling, Briggs, Harris / Status: [*Public Chapter 544*](#) / Effective Date: Upon becoming law on March 9, 2018

Balloon Indebtedness – Promotes better financial and debt management by local governments. •Amends the state's "Anti-Kicking the Can Act" by clarifying the definition of "balloon indebtedness." The Anti-Kicking the Can Act ensured that debts were paid in a timely manner. • Often times, local governments will refinance a bill, and sometimes there's somewhat of a loophole where they can refinance and then begin again. • This bill says that if a local government does refinance, it goes back to the original date of the indebtedness and they aren't able to move that additionally down the road. • Previously, local governments could change the timetable of their debt repayment by refinancing.

[*Senate Bill 1493*](#) / by Haile / Status: [*Public Chapter 498*](#) / Effective Date: Upon becoming law on February 22, 2018

Open Records Requirement Municipalities – Ensures legislative oversight of the state's open records policies or rules. • Keeps in place a 2016 law that required county and municipal government entities to establish public record policies. However, it requires state government entities to place their open record policies in rules, as was the practice before the 2016 law was passed. • The legislation comes after Lt. Gov. Randy McNally and House Speaker Beth Harwell called for a review of the state's policy on exceptions to open records laws revealing 538 exemptions. • Lt. Gov. McNally has appointed the Senate State and Local Government Committee and the Senate Government Operations Committee to carefully review the report and make recommendations on how the state's records can be as transparent as possible.

[*Senate Bill 1724*](#) / by Bell, Yager / Status: [*Public Chapter 712*](#) / Effective Date: Upon becoming law on April 12, 2018

Boards and Commissions / Freedom of Speech – Prohibits boards or commissions from issuing policies, codes, or statements that infringe on a member's First Amendment rights to freedom of speech, including any member's right to express an opinion regarding matters pertaining to the

government entity. • Counters the problem of a board or commission which attempts to prevent its members from commenting on matters concerning issues affecting it or its operations. It comes after an incident last year when a board issued an internal policy prohibiting its members from speaking to the media without approval of the board.

[*Senate Bill 1929*](#) / by Jackson, Stevens / Status: [*Public Chapter 754*](#) / Effective Date: Upon becoming law on April 18, 2018

REDUCTION OF GOVERNMENT REGULATIONS

Occupational Licensing Prisoners – Ensures Tennessee’s occupational licensing does not keep offenders who have served their time in prison from obtaining employment and getting a fresh start in life. • The [*Fresh Start Act*](#) reduces barriers to entering a profession by only allowing a state licensing board to deny licenses for past crimes that are directly related to the job sought, excluding certain felonies. • The state requires a license for about 110 different jobs, many of which impact “blue collar” workers. • Most of the state’s licensing boards can deny a license to do a job based on a past criminal record, including low level misdemeanor crimes. • The legislation requires that before a licensing board denies a license to an applicant for a past crime, they must consider the nature and the seriousness of the crime, the passage of time since the crime was committed, and the relationship between the crime and the license sought. • It also calls for an appeal process for an applicant who is denied a license to ensure their right to earn a living is not unfairly restricted. • It allows the license applicant to petition a state licensing board in advance to determine if a past crime would disqualify them. This clarity is important before the applicant spends money on a profession in which they will not be licensed.

[*Senate Bill 2465*](#) / by Roberts, Harris, Haile, Kelsey, Stevens, Bowling, Jackson, Norris, Green / Status: [*Public Chapter 793*](#) / Effective Date: July 1, 2018 / (***ALSO FILED UNDER CRIMINAL JUSTICE REFORM***)

Occupational Licenses / Animal Massage Therapists -- Repeals a license requirement for those engaged in animal massage. • It addresses a rising tide of government licensing requirements. In 1950, just one in 20 American workers were required to have a license or certificate in order to obtain a job, as compared to 30 percent who need it to earn a living today. • The legislation comes after the Tennessee Board of Veterinary Medical Examiners passed a regulation that defined animal massage as a form of veterinary medicine. • The bill permanently eliminates the veterinary board’s rule and allows Tennesseans looking to enter the profession to practice with minimal regulations and without a government license after posting or obtaining a \$25,000 insurance policy. • It also creates a voluntary certification program for those who choose to complete at least 50 hours of training, 50 hours of supervised in-class hands-on work and who pass an examination by the National Board of Certification for Animal Acupressure and Massage.

[*Senate Bill 2466*](#) / by Roberts, Stevens / Status: [*Public Chapter 679*](#) / Effective Date: July 1, 2018

Deregulation of Beauty Pageants – Deletes all present law provisions concerning beauty pageants, including: registration of operators; cancellations and refunds; penalties; and remedies under the Tennessee Consumer Protection Act for violations. • Under current law, every operator of a beauty pageant must register and pay a \$50 registration fee to the Board of Beauty Pageants

[*Senate Bill 1732*](#) / by Bell / Status: [*Public Chapter 834*](#) / Effective Date: Upon becoming law on April 27, 2018

Apprenticeship Programs – Establishes apprenticeship programs for professions regulated by the Division of Regulatory Boards of the Department of Commerce and Insurance. • Requires licensing authorities to issue licenses to those who complete apprenticeship programs. • It makes certain exceptions and sets forth certain guidelines and requirements in the promulgation of rules. • Both the employer and the employee benefit from this job creation legislation which makes it easier for the employee to obtain “hands-on” learning” to get their licenses.

[*Senate Bill 2458*](#) / by Roberts / Status: [*Public Chapter 848*](#) / Effective Date: For rulemaking upon becoming law on April 26, 2018, for all other purposes it is effective on January 1, 2019

CONSUMERS

Seven-day sales of alcohol – Permits retail food stores to sell wine and retail package stores to sell alcoholic beverages seven days a week. • Forty states allow for seven-day sales by retailers, including five which border Tennessee. • The bill puts retailers on par with restaurants, hotels, convention centers, tourist resorts and other businesses in Tennessee which are already allowed to sell wine and spirits any day of the week under state law. • It allows Sunday sales to take place between the hours of 10:00 a.m. to 11:00 p.m. • The bill prohibits sales on Christmas, Easter and Thanksgiving. • The bill will become effective for liquor sales upon the governor’s signature, and for grocery stores, it will take effect on January 1, 2019.

[*Senate Bill 2518*](#) / by Ketron / Status: [*Public Chapter 783*](#) / Effective Date: Section 4 of this act shall take effect January 1, 2019, the public welfare requiring it, and all other sections of this act shall take effect upon becoming a law, the public welfare requiring it. Section 3 of this act shall be repealed on January 1, 2019, the public welfare requiring it.

Price Gouging – Makes various changes regarding price gouging under the Consumer Protection Act of 1977 and the Tennessee Price-Gouging Act of 2002. • Aims to protect citizens from unjustified increases in prices during or shortly after an abnormal economic disruption from goods and services. • Authorizes the Governor to declare abnormal economic disruptions wherein grossly excessive price increases are unlawful, unless they meet criteria for certain exceptions.

[*Senate Bill 1995*](#) / by Johnson / Status: [*Public Chapter 624*](#) / Effective Date: April 2, 2018

Deceptive Practices / Entertainment Tickets – Addresses the growing problem of websites that use deceptive names and trademarks, posing as places of entertainment and entertainers, in order to confuse consumers into buying tickets at a considerably higher price than it could be purchased through the legitimate source. • Classifies this behavior as a Class B misdemeanor and a deceptive business practice under the criminal code. It gives the Tennessee Attorney General the authority to prosecute violators. • This bill is part of a continuing effort on behalf of the General Assembly to protect consumers in the entertainment industry. • In past years, the General Assembly approved a bill addressing the issue of automated bots purchasing tickets en masse in order to turn around and sell them at a higher price.

[*Senate Bill 1640*](#) / by Yager / Status: Transmitted to Governor on 5/7 / Effective Date: Upon becoming law

VETERANS

Budget – The appropriations bill provided \$5.4 million in additional funds for veterans, including \$600,000 for the land purchase for a new veterans' cemetery in the Upper Cumberland, \$3 million for the Cleveland Veterans Home, \$100,000 for the East Tennessee Veterans' Cemetery Fuel Dispensing Station and \$700,000 for Centerstone Military Services for professional counseling for PTSD. In addition the budget provides \$50,000 for the Johnson City / Washington County Veterans Memorial, \$250,000 for the Coolidge Medal of Honor Museum in Chattanooga and \$100,000 for the Dyersburg Army Air Base Memorial Foundation.

Veterans Property Tax Relief – Ensures that disabled veterans can continue to qualify for property tax relief if they are hospitalized or temporarily placed in a nursing home. • Essentially, when veterans went into a nursing home for a couple of months, post-hip surgery and rehabilitation, they lost their property tax advantage upon returning home. The purpose of this bill is to fix that injustice. • It also applies to elderly homeowners who qualify for the property tax relief and who are temporarily out of their home as well.

[*Senate Bill 1675*](#) / by Green, Roberts, Bowling, Yager, Bailey, Briggs, Crowe, Gresham, Jackson, Lundberg, Pody / Status: [*Public Chapter 710*](#) / Effective Date: Upon becoming law on April 12, 2018 (***ALSO FILED UNDER TAXES***)

Exempts Disabled Veterans from Sales Tax on VA Vehicle – Exempts disabled veterans who receive a modified vehicle from the Veteran's Administration (VA) due to a severe disability from having to pay sales tax or a registration fee on such a vehicle. • Disabled veterans shouldn't have to pay sales tax or a fee on a modified vehicle gifted to them under the Disabled Veterans' and Servicemen's Automobile Assistance Act of 1970.

[Senate Bill 10](#) / by Green, Crowe, Bailey, Bowling, Gresham, Harris, Jackson, Lundberg, Niceley, Norris, Pody / Status: [Public Chapter 541](#) / Effective Date: Upon becoming law on March 5, 2018 /

Appoint Veterans to TN Universities Boards - Calls on the governor to appoint veterans to Tennessee's university and community college systems. • Tennessee law currently asks the governor to strive to select board members who are diverse in gender, race, perspective and experience. • This adds a person who is an honorable discharged military veteran in order to ensure that the approximately 500,000 veterans are being served as effectively as possible. • The state has numerous veteran programs including the Tennessee Veterans Education Transition Support (VETS) Program which allocates resources for veterans' successful transition from military service to college enrollment.

[Senate Bill 2036](#) / by Gresham, Roberts / Status: [Public Chapter 841](#) / Effective Date: Upon becoming law on April 26, 2018

Stolen Valor Act – Safeguards the identities of Tennessee veterans who serve the state and nation by cracking down on instances of theft and fraud involving those who attempt to imitate them. It creates a Class A misdemeanor, punishable by up to 11 months and 29 days in jail, as well as a fine of up to \$2,500, for anyone who impersonates a veteran or individuals who fraudulently represent their service with the intent of obtaining money, property, services, or any other tangible benefits.

[Senate Bill 2030](#) by Green, Southerland, Briggs, Crowe, Gresham, Hensley, Ketron, Lundberg / Status: [Public Chapter 914](#) / Effective Date: July 1, 2018

Veteran Appointed to Dept. of Intellectual Disabilities - Ensures that at least one military veteran is placed on the Department of Intellectual and Developmental Disabilities' Statewide Planning and Policy Council which provides some treatment services to veterans. • Veterans benefit from a variety of services delivered by the department. The council is currently made up of mental health and substance abuse service providers, consumers and family members. • Veterans in Tennessee are more than twice as likely to commit suicide as a non-veteran according to data collected by the U.S. Department of Veterans Affairs.

[Senate Bill 1927](#) / by Briggs, Roberts, Yager, Crowe / Status: [Public Chapter 732](#) / Effective Date: Upon becoming law on April 18, 2018

Veterans Running For Elected Office – Prohibits political parties from disqualifying an honorably discharged veteran or active duty guardsman in good standing as a candidate for any elected office based on the number of times he or she voted preceding the election. • Many have difficulties meeting qualifications of voting in consecutive election due to service overseas. •

Veterans who have served their country have earned this right and should be allowed on the ballot.

[*Senate Bill 1688*](#) / by Briggs, Bailey, Gresham, Harris / Status: Transmitted to Governor on 5/9 / Effective date: Upon becoming law

Council Members / Active Duty Veterans – Allows a veteran who has been called up for active military service during their elected term of office on a city council, to continue as a council member for up to 13 months. • Applies as long as the council agrees by a two-thirds vote. • This bill would allow the active service members to attend and vote in sessions via a two-way electronic audio-video communication.

[*Senate Bill 1959*](#) / by Pody, Briggs, Crowe / Status: [*Public Chapter 604*](#) / Effective Date: Upon becoming law on March 23, 2018

POW / MIAs – Requires a POW/MIA Chair of Honor Memorial to be placed on Tennessee's Capitol campus at a suitable location if the costs are provided by private funds. • A Chair of Honor is a very simple yet powerful memorial. • Generally, they include a single back chair with the POW/MIA logo on it which is then flanked by the American Flag and the POW/MIA Flag. • Over 91,000 servicemen nationwide remain unaccounted for since World War II.

[*Senate Bill 2159*](#) / by Bell, Stevens, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Swann, Tate, Watson, Yager, Yarbrow, McNally / Status: [*Public Chapter 918*](#) / Effective Date: Upon becoming law

Military Leave / Teachers – Increases the amount of sick leave that may be used (after paid leave is exhausted) by an educator who is a reserve member of the United States armed forces when called into active duty from five days to bridge any gap in pay that might occur.

[*Senate Bill 2052*](#) by Crowe, Pody / Status: [*Public Chapter 886*](#) / Effective Date: Upon becoming law on May 3, 2018

National Guard License Plates – Allows a surviving spouse of a National Guard member to be issued a National Guard license plate until he or she remarries. • The bill is the latest in a series of initiatives designed to ensure that those who defend our state and our country are not forgotten.

[*Senate Bill 1900*](#) / by Gresham, Yarbrow / Status: [*Public Chapter 691*](#) / Effective Date: Upon becoming law on April 9, 2018

Knox County / Veterans Memorial Mile Signs – Directs TDOT to erect signs, within the guidelines of the Manual on Uniform Traffic Control Devices, acknowledging each branch of the

United States armed forces along State Route 62 as “Veterans Memorial Mile” in Knox County.

- Allows members of the branches of the armed forces to work with TDOT to donate money, trees, shrubs, flowers, etc. for beautification purposes.

[*Senate Bill 1882*](#) / by Briggs, Massey, McNally / Status: Transmitted to Governor 5/9 / Effective Date: Upon becoming law

Charles Coolidge Medal of Honor Heritage Center – Aids the Charles H. Coolidge Medal of Honor Heritage Center in Chattanooga by exempting certain property taxes. • The center teaches about the six character traits all Medal of Honor recipients share, which are courage, commitment, sacrifice, patriotism, integrity, and citizenship. • The museum plans to open in February of 2020.

[*Senate Bill 2346*](#) / Gardenhire / Status: [*Public Chapter 820*](#) / Effective Date: Upon becoming law on April 24, 2018

AGRICULTURE

Electronic Logging Device – Prohibits state funding from being expended to enforce federal Electronic Logging Device (ELD) regulations against any motor vehicle transporting nonhazardous materials for farm purposes that does not travel outside the boundaries of the state. • ELD regulations limit for how long and how far truckers can drive, and requires truckers to purchase and install a device costing approximately \$1,500. • This regulation is of particular concern to farmers and transporters of livestock, whose cargo is more sensitive and requires flexibility. • The hours of service in the ELD mandate were not written with consideration for all the different types of livestock transportation like cattle, pigs, poultry, fish, horse, pets, and wildlife.

[*Senate Bill 1936*](#) / by Niceley, Bowling, Crowe, Gresham / Status: [*Public Chapter 733*](#) / Effective Date: Upon becoming law April 18, 2018

Concentrated Animal Feeding Operations – Creates a permitting system for the state’s Concentrated Animal Feeding Operations (CAFOs) in a compromise that takes into account the needs of animal feeding operations while protecting the waters of Tennessee. • This was collaboration between the dairy producers, the poultry producers, the Farm Bureau, TDEC, the Department of Agriculture, and the Tennessee Cattlemen’s Association. • The definition of a CAFO includes the farms that have 700 animals or more. • The bill does not add any requirements to dairy farmers but gets rid of 85% of the CAFO permits in the state by eliminating the permit requirement for poultry farmers. • Medium concentrated feeding operations are exempt from the permit requirement but are allowed to get a permit if they choose to do so. • There is currently only one hog operation and 36-48 dairy operations in the state that

would be subject to a mandatory permit. • The mandatory permit requirement aims to help small dairy farms with less than 700 cows by eliminating the permit requirement for them.

[*Senate Bill 2217*](#) / by Bell, Stevens / Status: [*Public Chapter 523*](#) / Effective Date: Upon becoming law on February 28, 2018

Corn Checkoff Program - Allows a checkoff program for corn producers, similar to programs for beef, soybeans, eggs, and pork. • This bill allows corn growers to apply for a referendum that allows all registered producers to vote on whether they would like to participate in a checkoff program. • If so, each producer would pay one cent per bushel when they sell corn, and the money collected will be reserved for research and marketing development to increase the consumption of corn.

[*Senate Bill 1709*](#) by Jackson, Stevens, Gresham / Status: *Public Chapter 870* / Effective Date: Upon becoming law on May 3, 2018

CRIME / DOMESTIC VIOLENCE

Legislation was approved by the General Assembly this year to address domestic violence. The Tennessee Bureau of Investigation reports that in 2016 more than 78,000 domestic violence crimes were reported to the police. Ninety-one Tennesseans were murdered in domestic violence situations during that same time. These cases account for more than 51 percent of all crimes against individuals reported.

Parental Rights / Surviving Parent of Spousal Attempted Murder – Expands the grounds for termination of parental or guardianship rights to include a parent’s conviction of attempted murder or being found civilly liable for attempting to cause the intentional and wrongful death of the child’s other parent or guardian. • Current law only affords for the termination of parental rights when the offending parent actually ends the life of the victim. • Permits the victim to file a petition to terminate the offender’s parental or guardianship rights when the offender fails to end the life of the victim.

[*Senate Bill 1608*](#) / by Kelsey, Haile / Status: [*Public Chapter 560*](#) / Effective Date: March 14, 2018

Victims / Phone Records – Strengthens protections for victims of domestic violence by helping survivors maintain access to life-saving resources and their support network. • Allows victims of domestic abuse to petition the court to keep the wireless telephone used primarily by them or their children. • Current law provides no mechanism for victims of domestic violence to alter a shared family plan wireless telephone contract when the abuser is the primary account holder and refuses to release the number. • As the account holder, the abuser then has access to the survivor’s cell phone records and may be able to use the victim’s device to track his or her

whereabouts. • This legislation will make it easier for survivors to fully remove themselves from these dangerous situations.

[Senate Bill 1796](#) / by Ketron, Roberts, Harris, Jackson, Kelsey / Status: [Public Chapter 729](#) / Effective Date: Upon becoming law on April 18, 2018

Safe at Home – Helps survivors of domestic violence, rape, human trafficking, stalking and other crimes who have relocated or are about to relocate, in their effort to keep their abusers from finding them. • Allows victims to take back their lives by preventing an abuser from locating them through public records searches and inflicting additional harm. • The Safe at Home program will offer victims of domestic abuse a path to escape their abusers and start a new life. • Provides victims with a government-managed substitute address for both themselves and their children, which can then be used to obtain a driver's license, register to vote and complete most other government forms without disclosing the participant's home address. • Participants may also request that other non-governmental entities, like employers or private businesses, use this address as well. • The Secretary of State's office will receive all mail sent to the substitute address and then forward that mail to the participant. Establishes a Class A misdemeanor for any person knowingly disclosing or obtaining a program participant's confidential address.

[Senate Bill 1935](#) / by Kelsey, Ketron, Bailey, Dickerson, Haile, Watson, Yager / Status: Transmitted to Governor 5/9 / Effective Date: Upon becoming law for promulgation of rules, but March 1, 2019 for all other purposes

Increase Victim Safety (No Contact Order) – Provides two ways to increase victim safety when a court finds there is probable cause to believe an alleged abuser either caused serious bodily injury to a victim of domestic abuse or used or displayed a deadly weapon. • Deletes the present requirement that a temporary order of protection be issued at the respondent's initial appearance, even if another protection is already in place. • It amends the current bond conditions statute to require the court or magistrate in these circumstances to impose the twelve-hour hold, provide victim notification, and issue a no contact order as a condition of bail. • When a hearing takes place, it will not require a victim to be present and come back and have to testify against a person with whom they may have a very close relationship, which can be a difficult thing for these victims to do. • This bill simply gives judges the discretion to make those no contact orders part of the conditions for release on bond.

[Senate Bill 1735](#) / by Kelsey / Status: [Public Chapter 586](#) / Effective Date: July 1, 2018

Domestic Violence Victims / Firearms Notification – Clarifies firearms notification and dispossession for offenders convicted of a misdemeanor domestic assault pursuant to federal and state law, further strengthening last year's law on this matter for the protection of victims.

[Senate Bill 1643](#) by Massey, Yarbro, Swann / Status: [Public Chapter 596](#) / Effective Date: Upon becoming law on March 23, 2018

CRIME / VICTIMS

Victims' Rights/ Electronic Notification of Parole – Gives crime victims a choice to receive notifications electronically. Tennessee's Victims' Bill of Rights declares that victims and witnesses have the right to be notified by the Department of Correction of an offender's parole hearing date and when that offender will be eligible for parole. • It permits victims or their victim representative to be notified by electronic means, provided they have registered with the state's electronic notification service. • It also allows for cancellation of this notification service electronically.

[*Senate Bill 2235*](#) / by Norris, Watson, Swann / Status: [*Public Chapter 598*](#) / Effective Date: July 1, 2018

Civil Rights Research Center - Creates the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center within the Legislature's Office of Minority Affairs to serve as a civil rights crimes remembrance and reconciliation repository. • The center will design and distribute a statewide survey of both solved and unsolved civil rights crimes in Tennessee. • Also, they will transfer pertinent information to law enforcement and coordinate activities surrounding unsolved civil rights crimes.

[*Senate Bill 2631*](#) by Norris, Crowe, Gresham, Harper, Jackson, Massey, Tate, Yarbrow / Status: Transmitted to the Governor on 5/7 / Effective Date: Upon becoming law

CRIME / HUMAN TRAFFICKING

The General Assembly approved legislation this year that builds on a series of laws passed over the past seven years addressing the problem of human trafficking. These efforts came after a 2011 Tennessee Bureau of Investigation (TBI) report showed 73 of the state's 95 counties have reported the crime within their borders. Legislative efforts have earned Tennessee Shared Hope International's ranking as first in the nation for fighting human trafficking. The group's 2017 report card gave Tennessee a 96.5 rating.

Prostitution Punishable as Trafficking (Intellectual Disability) – Makes promoting prostitution punishable as trafficking for a commercial sex act when the victim has an intellectual disability. • This allows prosecutors to charge a defendant with a Class D, instead of a Class E, felony, stiffening penalties for the crime. • The legislation follows a Department of Justice study which showed the rate of serious violent crime, including rape and sexual assault, for persons with disabilities was more than three times the rate of other victims.

[Senate Bill 2517](#) / by Ketron, Roberts, Crowe, Massey / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018

Human Trafficking Service Providers Confidential Records – Protects the records of trafficking victims who seek treatment from service providers during their recovery process. • Provides human trafficking service providers to this list to aid recovery efforts for victims. Human trafficking victims have pronounced interests in privacy as do the organizations and task forces that serve them. • The need for confidentiality is important to their recovery and safety from future exploitation.

[Senate Bill 1656](#) / by Stevens, Harris / Status: [Public Chapter 613](#) / Effective Date: July 1, 2018

Aggravated Prostitution Eligibility for Expunction – Creates a path for juvenile victims of human trafficking to have their records expunged. • Expands the list of offenses eligible for expunction to include convictions for prostitution and aggravated prostitution, if the judge finds by clear and convincing evidence that the conduct occurred as a result of the person being a victim of human trafficking. • Gives juvenile victims of human trafficking an opportunity to clear their record and move forward with their lives as productive citizens.

[Senate Bill 2505](#) / by Ketron, Roberts / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018

CRIME / SEXUAL OFFENSES

Maintenance of Evidence about Sexual Exploitation of Minors – Ratifies amendments to the Tennessee Rules of Criminal Procedure containing a key provision regarding how evidence related to the sexual exploitation of minors is maintained and inspected as part of a criminal proceeding. • The measure follows legislation discussed last year designed to protect victims of child pornography from being victimized again through duplication of photos or videos, or a viewing of them by the defendant. • It mirrors the Federal Rules of Criminal Procedure adopted as a result of the Adam Walsh Act. • The rules provide that those documents that are objects discoverable under the Rules of Criminal Procedures must be kept with the state at a state facility, and the court may, in its discretion, permit other individuals to have access to the documents or objects if necessary to protect the rights of the defendant.

[Senate Resolution 166](#) / by Kelsey, Ketron / Status: Signed by Senate Speaker on March 1, 2018

Child Sexual Abuse Statements as Evidence – Creates an exception to the hearsay rule in criminal proceedings regarding statements made by young children relative to sexual and physical abuse. • Applies to non-testimonial statements made by children under the age of 12. • Under the legislation, the admissibility of a non-testimonial statement must be made by the judge in a separate hearing outside the presence of the jury. • The bill also sets the stipulations to guide

the judge in making the decision as to whether the out-of-court statement is trustworthy. For example, the judge would consider spontaneity or consistency of the statement, the mental state of the child, the motive or lack thereof, and the terminology used, before deciding whether the statement could be used in court. • The bill is modeled after an Ohio law which was upheld by the U.S. Supreme Court.

[*Senate Bill 1593*](#) / by Yager, Briggs, Haile, Jackson, Massey / Status: [*Public Chapter 708*](#) / Effective Date: July 1, 2018 and shall apply to offenses committed on or after that date

Child Sex Offenders / Continuous Sexual Abuse – Ensures sex offenders convicted of continuous sexual abuse of a child are listed on the state’s Sex Offender Registry. • In 2014, the General Assembly passed a bill creating the offense of continuous sexual abuse of a child. The statute allows prosecutors to try several counts of sexual offenses committed against a child victim in one trial and this prevents the child from having to testify about their victimization multiple times to several juries. However, when the law was passed, this new crime was not added to the state’s Sex Offender Registry. • This legislation adds the offense of continuous sexual abuse of a child to the Sex Offender Registry as a violent offender.

[*Senate Bill 1944*](#) / by Bowling, Ketron / Status: [*Public Chapter 719*](#) / Effective Date: July 1, 2018

Child Sex Offenders / Playgrounds – Protects children on HOA or not-for-profit playgrounds from sex offenders. Under current law, a registered sex offender cannot live within 1,000 feet of a playground. • Concerns were raised that the law could be interpreted to only apply to publicly-owned playgrounds. • Many neighborhoods have Home Owner Association (HOA) or not-for-profit playgrounds which are privately owned. This bill includes recreational facilities owned by the state or a local government and playgrounds owned by a non-profit or an HOA for the purposes of sexual offender restrictions to ensure protection of children in these neighborhoods.

[*Senate Bill 1920*](#) / by Johnson / Status: [*Public Chapter 643*](#) / Effective Date: July 1, 2018

Child Sex Offenders / Erin’s Law -- Requires family life education to include age-appropriate instruction on the detection, intervention, prevention and treatment of child sexual abuse fully further implementing Erin’s law. • Erin’s Law is named after [*Erin Merryn*](#), an Illinois native who was sexually abused as a child. • The bill clarifies Tennessee’s intention to educate children about child sex abuse prevention. • It also allows educators who provide instruction related to child sex abuse to teach without fear of being sued. • According to the U.S. Bureau of Justice, 93 percent of juvenile sexual assault victims know their perpetrator, with 34 percent of the offenders being family members.

[*Senate Bill 1510*](#) by Massey, Dickerson, Tate, Johnson, Ketron / Status: [*Public Chapter 609*](#) / Upon becoming law on April 2, 2018 and will apply beginning in the 2018-2019 school year

Child Sex Offenders / Statute of Limitations – Instructs the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study and report back next year on the effectiveness of the state’s statutes of limitations, including crimes involving sexual offenses against children. • According to the National Center for Victims Rights, most states have a basic suspension of the statute of limitations for civil actions while a person is a minor. • Many states have also adopted additional extensions, specifically for cases involving sexual abuse of children and a handful of states have removed the statute of limitation completely for child sex crimes. • Child victims frequently do not discover the relationship of their psychological injuries to the abuse until well into adulthood and the emotional damage can often last a lifetime. • For many victims, the statute of limitations has run out and they are without a venue for justice. The study will give legislators a better idea of what offenses warrant having or not having a statute of limitation on prosecution.

[*Senate Bill 2538*](#) / by Ketron / Status: [*Public Chapter 849*](#) / Effective Date: Upon becoming law on April 26, 2018

Incest – Prohibits a person charged with incest from participating in judicial diversion.

[*Senate Bill 280*](#) by Lundberg / Status: Transmitted to Governor on 5/7 / Effective Date: July 1, 2018

CRIME / OTHER

Aggravated Stalking – Creates a new class C felony offense for especially aggravated stalking where the defendant is 18 years of age or older and the victim is 12 years of age or less. Data from the Tennessee Bureau of Investigation’s Tennessee Incident Based Reporting System indicates there were 16 incidents of stalking in which the victim was 12 years of age or less. The average time served for a class C felony offense is 3.51 years.

[*Senate Bill 200*](#) / by Swann, Haile, Yarbrow / Status: Transmitted to Governor 5/9 / Effective Date: Upon becoming law

Uniform Assault Penalties – Establishes a uniform maximum fine of \$15,000 for assaults with bodily injury, rather than a higher fine for assaults committed against certain individuals.

[*Senate Bill 949*](#) / by Kelsey / Status: Transmitted to the Governor on 5/7 / Effective Date: July 1, 2018

DUI Offenders / Interlock Devices – Revises current law on ignition interlock device (IID) requirements. • It establishes stay periods for individuals who have an IID installed in their vehicle, but are unable to drive their vehicle for their monthly calibration due to a crash or other situation out of their control. • Currently, the Office of Criminal Justice Programs administers grant funds obtained from ignition interlock device collections to assist law enforcement

agencies enforce DUI laws across Tennessee. Through this legislation, the grant program would be moved to THSO.

[Senate Bill 2253](#) / by Norris, Watson, Lundberg, Bowling / Status: [Public Chapter 577](#) / Sections 1 and 2 are effective July 1, 2018 and Section 3 is effective January 1, 2019

ILLEGAL IMMIGRATION

Illegal Aliens & Driver Licenses – Requires any applicant presenting a driver’s license from a state that issues them to illegal aliens, to establish proof of United States citizenship or legal residency when applying for one in Tennessee. • Affects applicants from twelve states which issue a driver’s license to illegal aliens, including California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, New Mexico, Nevada, Utah, Vermont, and Washington.

[Senate Bill 272](#) / by Pody, Bowling, Green, Stevens / Status: [Public Chapter 665](#) / Effective Date: For rules upon becoming law on April 12, 2018 but for all other purposes on July 1, 2018

Banning Sanctuary Cities – Ensures that state and local government entities are prohibited from adopting or enacting sanctuary policies, whether they are in written form or not, which shield illegal aliens from state and federal immigration laws. • It addresses a gap in previous law and puts teeth in it. • The legislation expands the definition of what a sanctuary city is beyond a written policy in order to ensure cooperation with federal authorities and to ensure no city ordinances hamper these efforts • It also creates a reporting mechanism for residents to make a complaint. • In addition, the proposal puts teeth in the law by cutting off economic and community grant money to any Tennessee city that adopts policies which are in violation. • It states no law enforcement officer shall consider an individual’s race, color or national origin in complying with requirements of this act.

[Senate Bill 2332](#) / by Green, Bell, Ketron, Roberts, Pody, Southerland, Bowling, Jackson, Gresham, Reeves, Hensley, Lundberg / Status: Transmitted to Governor on 5/10 / Effective Date:

ID Cards – Prohibits local governments from issuing identification (ID) cards which can, in turn, be used as a government ID card. • This is a preemptive measure to ensure that abuses seen in other cities in the U.S. to issue government identification cards to illegal aliens are not implemented in Tennessee.

[Senate Bill 2333](#) / by Green, Bell, Hensley / Status: Transmitted to Governor 5/10 / Effective Date: Upon becoming law

Resolution Urging Action on President Trump’s Proposed Border Wall -- Urges the U.S. Congress to immediately take action to fund the construction of a secure border wall across the nation’s southern border as proposed by President Donald Trump. • It states “the members of this

General Assembly have consistently taken steps to address illegal immigration within the borders of our great state and now wish to urge the United States Congress to address illegal immigration by supporting President Trump's border wall proposal.”

[*House Joint Resolution 741*](#) / by Green / Status: Signed by Governor on May 3, 2018

Voter Integrity – Aims to ensure only eligible Tennessee voters participate in Tennessee elections. Under this bill, local election commissions will receive lists of people who are disqualified from jury duty because they have moved, are noncitizens, been convicted of a felony or have passed away. • Election officials would then use this information to determine if the person should still be an active, registered voter in that county.

[*Senate Bill 1808*](#) / by Ketron / Status: [*Public Chapter 837*](#) / Effective Date: Upon becoming law on April 27, 2018

PRISONS / COURTS / JUSTICE REFORM

Cell Phones in Prison – Seeks to address the public safety threat posed by contraband cell phone use by prison inmates. • Asks the Federal Communications Commission (FCC), major cellular providers, and the Federal Bureau of Investigation (FBI) “to take a proactive and collaborative approach, in conjunction with correctional officials nationwide, to effectively disrupt the use of contraband wireless communication devices obtained by inmates.” • There were over 1,500 incidents with cell phones in Tennessee prisons in 2017.

[*Senate Joint Resolution 492*](#) / by Yager, Jackson, Bailey, Kelsey, Bowling, Watson / Status: Signed by Governor on April 9, 2018

Reentry Program – Calls for an innovative pilot program to provide grants to local county sheriffs or probation departments that are successful in reducing recidivism. It provides \$2 million in grants to fund a three-year successful reentry program in four Tennessee counties. Each year, about 5,000 Tennesseans leave our prisons after serving for crimes they have committed. We can either help them become productive, taxpaying citizens, or we can risk them turning back to a life of crime and create a never-ending cycle. This pilot program will help identify and formulate better policies that can be scaled throughout the state. The result will be a more effective corrections system that will reduce recidivism, make our communities safer, and help save taxpayer money. Under the proposal, applicants must apply to the Department of Correction stating program objectives, goals and metrics. Once selected, they can receive a portion of the money upfront to start or expand a re-entry program, but the remaining funds will not be awarded unless specific benchmarks reducing recidivism or probation revocations are met. Governor Bill Haslam’s Task Force on Sentencing and Recidivism found that 46 percent of people released from prison or jail in Tennessee were incarcerated again within three years. Tennessee’s felon inmate population has grown by 11.7 percent over the past five years.

[Senate Bill 1865](#) / by Jackson, Bowling, Norris, Massey, Stevens / Status: Transmitted to Governor on 5/10 / Effective Date: July 1, 2018

Prisoner Sterilization – Prohibits Tennessee judges from offering defendants reduced jail time in exchange for sterilization. • Prohibits a sentencing court from making a sentencing determination or a court accepting a plea agreement based on the defendant’s consent to or refusal of any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant’s consent is voluntarily given. The bill is in response to a White County judge offering reduced jail time to defendants who volunteered for sterilization.

[Senate Bill 2133](#) / by Kelsey, Harris, Yarbrow / Status: [Public Chapter 917](#) / Effective Date: Upon becoming law on May 1, 2018

Occupational Licensing Prisoners – Helps ensure Tennessee’s occupational licensing does not keep offenders who have served their time in jail from obtaining employment and getting a fresh start in life. Reduces barriers to entering a profession by only allowing state licensing boards to deny licenses for past crimes that are directly related to the job sought excluding certain felonies. It provides that if a licensing board denies someone a license for a past crime, the board must consider the nature and seriousness of the crime, the passage of time since the crime was committed, and the relationship between the crime and the license sought, among other factors. It also allows applicants for licenses to petition a state licensing board upfront to determine whether a past crime will disqualify them from obtaining a license. Tennessee requires a license for 110 different jobs, many impacting blue collar jobs. Almost every state licensing board can deny a license to do a job based off a past criminal record, including low-level misdemeanor crimes.

[Senate Bill 2465](#) / by Roberts, Harris, Haile, Kelsey, Stevens, Bowling, Jackson, Norris, Green / Status: [Public Chapter 793](#) / Effective Date: July 1, 2018 / (ALSO FILED UNDER GOVERNMENT REGULATIONS)

Indigent Defendant Court Costs – Allows other counties in Tennessee to opt in to a successful Knox County program which gives indigent defendants an alternate method of paying back their court costs and litigation taxes in favor of community service. • The defendant must apply to be a participant of the program, prove that they are indigent and be approved by the judge. • If the defendant completes the program, the clerk submits documentation to the judge who can then clear the fees. • If at any point in the program they have failed the requirements, the judge may rescind the defendant’s participation in the program. • The number of applicants accepted and the duration and continuation of the program will be at the discretion of the clerks. This program has been very successful in Knox County. • It has required the indigent defendant who otherwise wouldn’t pay, to go out and perform community service which has been very helpful to the county.

[Senate Bill 1504](#) / by Briggs, Bowling, Yarbrow / Status: [Public Chapter 542](#) / Effective Date: Upon becoming law on March 9, 2018

Juvenile Justice Reform – This begins needed reforms to strengthen families and communities in Tennessee, while promoting public safety and ensuring responsible and more effective use of the state’s limited resources. • It enacts the Juvenile Justice Reform Act of 2018, which will serve as a starting point for further reform, with \$4.5 million allocated in the budget for implementation. • It balances judicial discretion with new guardrails on placing children in out-of-home custody, brings needed investment in treatment and other services, and ensures individualized case planning, among other improvements. • This legislation addresses the problem of longer incarceration periods for juveniles. • Studies show and experiences in surrounding states reveal that longer incarceration does not yield a better result, and often yield a worse result. • This legislation sets a presumptive maximum length of stay in the Department of Children Services custody of six months. • It makes exceptions for when a juvenile needs more time to complete treatment or if they commit a new offense. • Studies have shown that taking these juveniles out of their homes for minor offenses increases their risk for recidivism and the likelihood that they will enter into the adult criminal justice system. Studies show shorter, more intensive custody reduces reoffending. • Also, this legislation gives juvenile courts more authority on criminal court transfers for violent offenses of aggravated burglary, especially aggravated burglary and carjacking when the juvenile is 14 years old or older. • This legislation moves the state towards more evidence-based treatment. • The system now doles out justice by geography as there are inequalities based on where a child might live. Courts may not have much choice in what to do with an unruly youth, particularly due to a lack of community-based services in rural areas in the state. This gives rural courts more tools to deal with these complex problems. • Many youth in Tennessee are being confined for minor offenses or conduct that would not be crimes for adults. Misdemeanor offenses, unruly offenses and technical violations make up nearly half of youth in costly out-of-home placements. Minor violations of supervision conditions have resulted in youth returning to the juvenile justice system.

[Senate Bill 2261](#) / by Norris, Kelsey, Jackson, Stevens / Status: Transmitted to Governor 5/10 / Effective Date: Staggered enactment dates but for rulemaking purposes, upon becoming law

Safekeeping – Addresses local jails sending prisoners being held for safekeeping to state custody when they think they do not have adequate facilities to house them. It calls for judicial review every 30 days for juveniles, beginning immediately upon passage, and adults, beginning January 1. It makes clear that if a facility is not adequate for a juvenile, they can be transferred to the nearest juvenile detention facility, but they cannot be removed to the state penitentiary or any branch prison for safekeeping.

[Senate Bill 1575](#) / by Norris, Yager, Jackson, Bailey, Harper / Status: Transmitted to Governor 5/10 / Effective Date: Upon becoming law

Court-Ordered Learning Centers / BEP Dollars – Allows Basic Education Program (BEP) funds to “follow the child” to a learning center when a youth has been ordered by a juvenile court to attend a non-public school. • Allows BEP dollars to follow youth who are court ordered to attend a Tennessee Department of Education-approved non-public school in order to prevent children from entering state custody. All youth served in the four currently authorized centers come through their respective county juvenile court orders and have a variety of status and juvenile offenses that put them at serious risk of entering state custody. The vast majority of youth served by these prevention and early intervention programs has either been removed from their local school system due to zero-tolerance offenses or have chronic truancy issues. Approximately 90 percent of students discharged from the centers remain out of juvenile court.

[*Senate Bill 1803*](#) / by Ketron, Green, Jackson / Status: [*Public Chapter 810*](#) / Effective Date: Upon becoming law on April 24, 2018

Cause of Action against Govt. Action – Allows a cause of action for any affected person who seeks declaratory and injunctive relief in any action brought regarding the legality or constitutionality of a governmental action.

[*Senate Bill 1870*](#) / by Lundberg, Bowling, Stevens / Status: [*Public Chapter 621*](#) / Effective Date: April 2, 2018

Child Support / Age of Marriage – Requires the interest rate on unpaid child support in private cases to be six percent per year unless the court deems it appropriate to lower the rate. • It prohibits interest from accruing on unpaid child support in public cases unless the court deems it appropriate, at which point an interest rate of up to six percent per year may be imposed. • Prohibits county clerks from issuing marriage licenses to any person under the age of 16. • Requires parental consent for marriages between individuals age 16 and 17. Authorizes emancipated individuals to be married without parental consent. • Removes the ability of a judge or county mayor to waive age limits for receiving a marriage license.

[*Senate Bill 2268*](#) / by Yager / Status: Transmitted to Governor 5/10 / Effective Date: Upon becoming law

Child Custody / Parental Relocation – Shifts the focus of a parent’s relocation to the best interest of the child. • This legislation requires a parent seeking to relocate to provide notice to the non-relocating parent before doing so. • If an objection has been made by the non-relocating parent within 30 days of notice, this requires the court to determine whether relocation is in the best interest of the child using eight factors, including the nature of the relationship with the parents, the needs of the child, the feasibility of preserving the relationship with the non-relocating parent, the child’s preference, and more. • Also, it requires the court to create a new permanent parenting plan if the court finds it is not in the best interest of the child to relocate with the relocating parent, and the relocating parent still elects to relocate.

[Senate Bill 1651](#) by Stevens, Gardenhire, Gresham, Haile / Status: [Public Chapter 853](#) / Effective Date: July 1, 2018

ELDERLY

Budget – The 2018-19 budget adds \$400,000 in grants to the state’s eight certified Senior Centers at \$50,000 each, an \$85,000 grant for dental services to low-income elderly and disabled Tennesseans, \$345,900 to fund the TennCare CHOICES aging caregivers legislation and \$332,300 for the Elderly and Vulnerable Adult Protection Act. It also allocates \$1 million for the Options Program which provides home and community based care services to elderly or disabled Tennesseans who are not eligible for TennCare.

Aging Caregivers – Requires an eligible person with a developmental disability who is on the referral list for services and whose older custodial parent, or custodial caregiver, attains 80 years of age to be enrolled in the Employment and Community First (ECF) Choices Group 5 or a similarly capped home and community based services (HCBS) program within six months of the person’s parent or caregiver attaining 80 years of age. • After a lifetime of providing continuous support at no cost to the state, these elderly custodial parents and custodial caregivers deserve the comfort of knowing their family member will have needed services.

[Senate Bill 1494](#) / by Haile, Massey / Status: Transmitted to Governor 5/9 / Effective Date: Upon becoming law

Adult Family Caregivers – Allows religious organizations or institutions to provide limited respite services for primary in-home caregivers of elderly or vulnerable adult family members. The programs for these caregivers are similar to “mother’s day out” programs for young children. • Research has shown that caregivers need these breaks for a variety of reasons. It also provides socialization and different activities for those elderly or vulnerable adults participating. Limits the program to no more than six hours per day or 12 hours per week. • It also calls for registration of the program with the Department of Human Services. • It is estimated that Tennessee will go from 970,000 elderly citizens to over 1.4 million in the next 15 years.

[Senate Bill 1487](#) / by Haile / Status: [Public Chapter 607](#) / Effective Date: Upon becoming law on April 2, 2018

Map of Elderly Resources – Requires the Tennessee Commission on Aging and Disability to design and maintain a resource mapping of all federal, state, and nongovernmental resources that support the health, safety, and welfare of adults who are 60 years of age or older. • The mapping will include an inventory of all federal and state funding sources that support older adults in this state; an inventory of all state, federal, or government subsidized services and programs offered to older adults in this state, set out in groupings to assist the general assembly in determining whether there are overlapping programs and any administrative inefficiencies; a description of how the funds are being used within the agencies or organizations, the performance measures in place to assess the use of such funding, and the intended outcomes of the programs and services;

any government mandates for the use of the funds; and an inventory of the funds for which the state may be eligible, but is currently not receiving or using, and the reasons why the funds are not being used.

[*Senate Bill 1777*](#) / by Crowe, Jackson, Massey / Status: [*Public Chapter 548*](#) / Effective Date: March 9, 2018

Conservatorship – Helps persons with disabilities have as much independence in their decision-making as possible when a court is considering conservatorships or other actions to protect their best interest. • Defines “least restrictive alternatives,” a term which is already in Tennessee law, as “techniques and processes that preserve as many decision-making rights as possible for the person with a disability.” • Research supports that when people are empowered to make their own decisions, to the maximum extent possible, they are better able to recognize abusive situations and surround themselves with healthy relationships. • The courts are committed to working with the disability community to provide training for judges on how least restrictive alternatives can be employed to maximize independence for people with disabilities, while minimizing the risk of abuse, neglect, and exploitation.

[*Senate Bill 264*](#) / by Massey, Jackson, Bailey, Yager / Status: [*Public Chapter 605*](#) / Effective Date: Upon becoming law on April 2, 2018

Elderly and Vulnerable Adult Protection Act of 2018 – Modernizes Tennessee’s laws pertaining elder abuse to make it easier for law enforcement to recognize and prosecute; draws a distinction for aggravated elderly abuse with increased penalties for the offense; and increases fines for those who commit elder neglect which will go into a special fund that may be used to help victims. It is part of the legislature’s ongoing efforts to address crimes against the elderly with major legislation approved during the past two General Assemblies.

[*Senate Bill 2621*](#) / by Norris, Bowling, Crowe, Haile / Status: Transmitted to Governor 5/10 / Effective Date: July 1, 2018

FIREARM SAFETY / MENTAL HEALTH REPORTING

Hospitals Reporting Involuntary Commitments – Requires acute care hospitals to report involuntary commitments in their psychiatric units to law enforcement so that they can be a part of the record used in the verification process for the purchase of firearms. • Closes the gap in current law, which already requires mental health hospitals to report these commitments. • While Tennessee’s mental health hospitals are required to report commitments to law enforcement, the acute care hospitals are not required to report. • This legislation ensures all health care facilities make this report. • We must ensure our existing gun laws are properly enforced. The verification process established by this legislation will close a major gap in how we protect our schools and all Tennesseans.

[*Senate Bill 2362*](#) / by Crowe, Green, Massey, Haile, Reeves, Bailey, Bowling, Briggs / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018

Mental Health / Firearm Purchases – Creates greater cooperation between the Tennessee Bureau of Investigation (TBI) and local authorities in order to prevent those with mental health issues from purchasing firearms. • Requires the TBI to notify local law enforcement within 24 hours when they properly identify that an individual identified as having a mental disorder in the NICS ‘Mental Defectives’ Database has attempted to purchase a firearm. • The bill also adds new identifying information to the reporting requirements of sheriffs, court clerks, and hospitals to ensure individuals who are adjudicated mentally defective are readily identified.

[*Senate Bill 834*](#) / by Haile, Dickerson, Norris, Harris, Crowe, Jackson, Massey, Niceley, Stevens, Yarbrow / Status: [*Public Chapter 799*](#) / Effective Date: July 1, 2018

OTHER

Religious Freedom – Commemorates Religious Freedom Day. • Resolves to protect the fabric of religious faith in God in this great nation and to pray for our leaders. Resolves to seek laws and public policies that will honor our founders and seeks God’s continued grace, protection, guidance, and favor in hopes that America will overcome disunity.

[*Senate Joint Resolution 472*](#) / by Pody / Status: Signed by Governor on March 1, 2018

Display of the U.S. Flag -- Prohibits local governments from adopting or enforcing regulations that ban or restrict the display of a flag on a property owner's property except when necessary to promote public health and safety. This also includes the Tennessee flag or a flag of any branch of the U.S. Armed Forces and the POW/MIA flag.

[*Senate Bill 2117*](#) by Niceley, Bailey / Status: [*Public Chapter 857*](#) / Effective Date: Upon becoming law on May 3, 2018

Clergy Intimidation – Aims to prevent harassment and intimidation of the clergy in Tennessee. • In 2015, the General Assembly passed a law prohibiting any government entity, other than a court, from seeking a subpoena for obtaining a clergy member’s sermon, including notes made in preparation of a sermon after a Houston mayor subpoenaed them. This bill adds audio or video to that statute as a preventative measure to guard against other means of intimidation.

[*Senate Bill 2679*](#) / by Bailey / Status: [*Public Chapter 663*](#) / Effective Date: Upon becoming law on April 9, 2018

Charitable Gaming Events – Aims to help charitable organizations meet up-front costs of events that fall under the state’s Charitable Gaming Act. Lowers the fee required at the time of application to \$50, with the remainder due within 90 days of the event’s conclusion. • Current

law requires nonprofit organizations which are applying for an annual charitable gaming event to submit an application fee ranging from \$150 to \$600 based on the gross revenue to be collected. This causes hardships for charitable organizations that cannot afford to pay the fee in advance of the event.

[Senate Bill 1509](#) / by Bailey / Status: [Public Chapter 584](#) / Effective Date: Upon becoming law on March 20, 2018

James K. Polk / Tomb Relocation -- Supports the relocation of President James K. Polk's tomb from the State Capitol grounds to the President James K. Polk Home and Museum State Historic Site in Columbia. • Aims to bring better recognition to the 11th President of the U.S. who was one of only three Tennesseans ever to hold the nation's highest office. • The resolution is part of a multi-step process, before relocation can occur with the next steps being approval by the Tennessee's Historical Commission and Capitol Commission, before going to Chancery Court where Polk's descendants would have an opportunity to weigh in on the matter.

[Senate Joint Resolution 141](#) / Hensley, Ketron, Bowling, Yager, Roberts / Returned by Governor without signature on 4/18

Wind Energy Industry / Landowners Rights -- Protects landowners by allowing local governments to regulate the wind energy industry in Tennessee. • Comes after legislation was passed last year requiring a study be conducted regarding wind turbines and their impact on Tennessee communities and surrounding property owners. • It protects the property rights of non-participating landowners, while setting uniform minimum requirements for the construction, operation, or redevelopment of wind energy facilities in the state. • The bill was developed with input from the wind energy industry, the Cumberland Mountain Preservation Coalition, and other key stakeholders." It allows for the public to weigh in.

[Senate Bill 1793](#) / by Bailey / Status: [Public Chapter 825](#) / Effective Date: Upon becoming law on April 24, 2018

Primacy and Reclamation Act -- Authorizes the state, under appropriate federal legislation, to reclaim the prerogative to control the surface coal mining industry through the issuance of permits. • Currently, the Office of Surface Mining, Reclamation, and Enforcement (OSM) within the U.S. Department of the Interior regulate surface coal mining and reclamation activities in the state. • Tennessee is the only coal mining state in the nation that does not exercise control over its own coal mining. • The bill addresses this inequity which has put the industry of the state at a competitive disadvantage. • The Primacy and Reclamation Act of Tennessee maintains stringent environmental control over coal mining, while providing an opportunity for the state to control its own destiny, stimulate investment and create jobs.

[Senate Bill 686](#) / by Yager / Status: [Public Chapter 839](#) / Effective Date: Upon becoming law on April 25, 2018 and for the purposes of rulemaking, and SECTIONS 3-41, this act shall take effect upon the deposit of federal funds in

the Coal Mining Protection Fund, the public welfare requiring it. All other provisions of this act shall take effect eight (8) months immediately following the receipt of notification from the secretary of the interior that this state has been approved to exercise primacy over the regulation of surface coal mining and reclamation operations within its territorial boundaries

State Forest / Downed Trees -- Creates a “free-use area” in state forests where Tennessee residents are allowed to remove downed and dead timber without cost. The free-use would only apply if the wood is used for the resident’s personal use, such as firewood, home heating and cooking. It would not apply to those who remove it and offer it for sale. The state forester must designate these areas and publish them on the department’s website.

[Senate Bill 1914](#) / by Niceley, Bowling, Gresham / Status: [Public Chapter 730](#) / Effective Date: For rules, upon becoming law on April 18, 2018, for other purposes it is effective July 1, 2018

Food Deserts / Low-Income and Underserved Tennesseans -- Directs the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study examining the overall effects of creating a grant or loan program for food relief enterprises who sell fresh food in low-income and underserved areas of Tennessee. • It calls for TACIR to weigh the benefits of creating the Fresh Food Financing Fund within the Department of Economic and Community Development in order to assist these efforts.

[Senate Bill 2634](#) / Norris, Gardenhire, Harper, Yarbrow / Status: [Public Chapter 795](#) / Effective Date: Upon becoming law on April 20, 2018

Volunteer Firefighters / Vehicle Registration Fees – Exempts volunteer firefighters or rescue squad members from having to pay the regular registration fee for their license plate.

[Senate Bill 270](#) / Pody, Watson, Bailey, Bowling, Haile, Ketron, Yager / Transmitted to Governor 5/7 / Effective Date: July 1, 2018

Firefighters / PTSD – Provides any EMS or professional firefighter with no less than 10 visits or sessions with a mental health service provider for treating PTSD through the employee’s health benefits.

[Senate Bill 1797](#) by Ketron, Briggs, Massey, Bell, Crowe, Kyle, Harris, Jackson, Kelsey, Gardenhire, Green, Dickerson, Haile, Hensley, Pody, Tate, Yarbrow / Status: Transmitted to Governor 5/9 / Effective Date: July 1, 2018