

# **INDEX OF ACTS RELATED TO COUNTY GOVERNMENT**

**2015 EDITION**



**County Technical Assistance Service**  
**INSTITUTE FOR PUBLIC SERVICE**  
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Prepared by  
CTAS Legal Staff

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This publication contains summaries of acts passed by the General Assembly in 2014 that may be of interest to county governments. These summaries are intended for information only and should not be relied upon for implementation purposes. The full text of all acts summarized in this publication can be viewed on the Secretary of State's website: <http://www.tennessee.gov/sos/acts/index.htm>.

## Table of Contents

<b>ALCOHOLIC BEVERAGES</b>	<b>1</b>
Public Chapter 19 Beer Manufacturers	1
Public Chapter 29 Beer Permits	1
Public Chapter 69 Homemade Beer	1
Public Chapter 176 Brew Pubs/Microbreweries	2
Public Chapter 269 Alcoholic Beverages	2
Public Chapter 270 Wine – Privilege Taxes	2
Public Chapter 285 Alcohol and Beer Delivery Service	3
Public Chapter 366 Grape and Wine Law	3
Public Chapter 391 Consumption of Alcoholic Beverages on Premises	3
Public Chapter 428 Consumption of Alcoholic Beverages on Premises	3
Public Chapter 451 Wineries	4
Public Chapter 458 Consumption of Alcoholic Beverages on Premises	4
<b>COUNTY CLERKS</b>	<b>5</b>
Public Chapter 76 Notary Public Fees	5
Public Chapter 159 Gratuities for Performing Marriage Ceremonies	5
Public Chapter 216 Driver Licenses	5
Public Chapter 294 Titling & Registration	5
Public Chapter 330 Driver Licenses	6
Public Chapter 348 Driver Licenses	6
Public Chapter 383 Special License Plates	6
Public Chapter 417 Hunting Licenses	6
Public Chapter 466 Motor Vehicle Dismantling/Scrapping	6
Public Chapter 511 Financial Responsibility Law	7
<b>COUNTY GOVERNMENT</b>	<b>7</b>
Public Chapter 38 Oaths of Office	7
Public Chapter 41 Accounting Records	8
Public Chapter 73 Animals Running at Large	8
Public Chapter 112 Internal Controls for Local Governments	8
Public Chapter 170 Continuation Budgets	8
Public Chapter 275 Eminent Domain	9
Public Chapter 307 Regulation of Autonomous Vehicles	9
Public Chapter 313 Deputy Sheriffs -- Correctional Security Positions	9
Public Chapter 331 Regulation of Exotic Animals	9
Public Chapter 354 Motor Vehicle Racing	9
Public Chapter 360 Nursing Home Assessments	10
Public Chapter 377 Affordable Housing	10
Public Chapter 378 Sprinkler Systems	10
Public Chapter 425 Expenditure of State Funds/Payment of Attorney Fees	10
Public Chapter 427 Appropriations for FY2015-2016	10
Public Chapter 462 Airport Revenue	11
Public Chapter 472 Religious Speech	11
Public Chapter 496 Transfer of Property Used By Private Parties for Agriculture	12
Public Chapter 500 Go Build Tennessee Act	12
Public Chapter 505 Nonresidential Opiate Addiction Treatment Facilities	12
Public Chapter 512 Annexation	12
Public Chapter 520 Transportation Network Company Services Act (Uber)	13
Public Chapter 526 Sprinkler Requirements for Certain Dwellings	13
<b>COURTS &amp; COURT CLERKS</b>	<b>13</b>
Public Chapter 89 Partial Expungements	13
Public Chapter 117 Mechanics' and Materialmen's Liens	14

Public Chapter 200	Child Support Arrearage Settlements .....	14
Public Chapter 257	Settlement of Old Fines, Costs or Litigation Taxes .....	14
Public Chapter 278	Drug Fraud Expungement .....	14
Public Chapter 295	Expungement Orders.....	14
Public Chapter 296	Seat Belt Fines .....	15
Public Chapter 320	Forensic Interviews Conducted at Child Advocacy Centers.....	15
Public Chapter 375	Twelve-Hour Hold .....	15
Public Chapter 413	Animal Abuser Registration Act .....	16
Public Chapter 416	Bail Bondsman and Sureties.....	16
Public Chapter 453	Veterans Treatment Courts .....	17
Public Chapter 490	Bail.....	17
Public Chapter 524	Delinquent Tax Sales .....	17
<b>ECONOMIC DEVELOPMENT</b> .....		<b>18</b>
Public Chapter 71	Tax Increment Financing .....	18
Public Chapter 84	Tax Incentives .....	18
Public Chapter 519	PILOTs for Low-Income Housing Projects .....	18
Public Chapter 521	High-Poverty Area Job Tax Credits .....	18
<b>EDUCATION</b> .....		<b>19</b>
Public Chapter 132	Lobbying Expenditures .....	19
Public Chapter 142	Virtual Public Schools.....	19
Public Chapter 165	Teachers .....	19
Public Chapter 171	Charter School Closures .....	19
Public Chapter 197	Refusal of Federal Funds.....	19
Public Chapter 214	Information about Firearms Ownership .....	20
Public Chapter 255	Fiscal Capacity .....	20
Public Chapter 265	Tenure Status.....	20
Public Chapter 303	Advertising on School Buses .....	20
Public Chapter 304	State Board Policies .....	20
Public Chapter 312	Purchases with Internet Connectivity Funds .....	20
Public Chapter 321	Self-Administration of Medicine .....	20
Public Chapter 325	Sudden Cardiac Arrest Prevention .....	21
Public Chapter 346	Charter Schools .....	21
Public Chapter 361	Priority Schools .....	21
Public Chapter 390	Achievement School District .....	21
Public Chapter 431	Individualized Education Act .....	21
Public Chapter 493	Educator Protection Act.....	22
Public Chapter 499	Civics Education .....	22
<b>ELECTIONS</b> .....		<b>22</b>
Public Chapter 20	Delegate Nominating Petitions.....	22
Public Chapter 177	Internet Based Electronic Filing Process .....	22
Public Chapter 239	Prohibited Political Activity by Teachers.....	22
Public Chapter 315	Smart Phone Use While Voting .....	23
Public Chapter 379	Digital Currency .....	23
Public Chapter 484	General Assembly Replacement Candidates.....	23
<b>EMERGENCY SERVICES</b> .....		<b>23</b>
Public Chapter 210	Volunteer Fire Departments .....	23
Public Chapter 289	Infectious Diseases .....	24
Public Chapter 350	State Emergency Communications Board.....	24
<b>ENVIRONMENT</b> .....		<b>24</b>
Public Chapter 292	Underground Storage Tank and Solid Waste Board.....	24
Public Chapter 368	Solid Waste Vehicles.....	25
Public Chapter 478	TACIR Report on Carbon Dioxide Emission Plan.....	25
Public Chapter 525	Tire Environmental Act.....	26

<b>FIREARMS</b>		<b>26</b>
Public Chapter 80	Firearms in Parking Lots	26
Public Chapter 250	Guns in Parks	26
Public Chapter 281	Lifetime Handgun Carry Permits	27
Public Chapter 380	Use of Public Funds Prohibited	27
<b>HIGHWAYS</b>		<b>28</b>
Public Chapter 68	Prevailing Wage on State Highway Projects	28
Public Chapter 195	County Road Relief Act of 2015	28
Public Chapter 488	Underground Utilities Damage Prevention Act	28
Public Chapter 393	Weight Limits	28
Public Chapter 479	Metropolitan Planning Organizations	29
<b>JAILS</b>		<b>29</b>
Public Chapter 125	Mandatory Minimum Sentences – Probation Eligibility	29
Public Chapter 240	Unmanned Aircraft	29
Public Chapter 283	Aggravated Assault against a Correctional Officer	29
Public Chapter 433	Mandatory Minimum Sentences – Probation Eligibility	29
<b>LAW ENFORCEMENT</b>		<b>29</b>
Public Chapter 43	Report of Drug Funds Collected and Spent	29
Public Chapter 59	Immediate Methamphetamine Precursor	30
Public Chapter 67	Prostitution	30
Public Chapter 77	Search Procedures -- Immunity from Prosecution	30
Public Chapter 82	Dextromethorphan	30
Public Chapter 126	Driving Under the Influence	30
Public Chapter 160	Forcible Entry and Detainer -- Constables	31
Public Chapter 180	Procedure for Judicial Forfeiture of Property	31
Public Chapter 231	Mandatory Child Abuse Reports	31
Public Chapter 234	Firearms -- Execution of Documents by Sheriff	31
Public Chapter 245	Bail	31
Public Chapter 253	Sexual Assault Cases	32
Public Chapter 263	Domestic Violence	32
Public Chapter 264	Prostitution	32
Public Chapter 284	Sex Offenders	32
Public Chapter 302	Controlled Substances their Analogues and Derivatives	32
Public Chapter 311	Powdered or Crystalline Alcohol	33
Public Chapter 316	Sex Offender Registration	33
Public Chapter 319	Violations of Curfew	33
Public Chapter 335	Racial Profiling Prevention Act	33
Public Chapter 344	Unlicensed Motor Vehicle Transactions -- Curbstoning	33
Public Chapter 352	Cannabis Oil	34
Public Chapter 365	Neighborhood Protection Act	34
Public Chapter 387	Elder Abuse Investigation	34
Public Chapter 389	Opioid Abuse Reduction Act	34
Public Chapter 396	Addiction Treatment Act of 2015	35
Public Chapter 401	Synthetic Cannabinoids	35
Public Chapter 406	Animal Fighting	35
Public Chapter 408	Disposition of Confiscated Firearms	36
Public Chapter 409	Aron's Law – Killing of Police Dog	37
Public Chapter 435	Communication Intercepts	37
Public Chapter 441	Seizure of Property Used to Commit Acts of Terrorism	37
Public Chapter 463	Seizure and Forfeiture of Vehicles	38
Public Chapter 468	Unmanned Traffic Enforcement Cameras	38
Public Chapter 492	Helmet Law Exemption	38
Public Chapter 498	Qualifications of Police Officers	38

Public Chapter 503	Human Trafficking --- Courses of Instruction .....	38
Public Chapter 508	Sheriff's Qualifications .....	39
Public Chapter 509	Electronic Driver License System .....	39
Public Chapter 510	Human Trafficking Advisory Council .....	39
Public Chapter 511	Insurance Verification Program .....	40
Public Chapter 516	Sexual Offenders and Violent Sexual Offenders .....	41
<b>PERSONNEL</b> .....		<b>41</b>
Public Chapter 95	Unemployment Compensation .....	41
Public Chapter 364	Longevity Pay for State Employees .....	42
Public Chapter 426	State Group Insurance Plans .....	42
<b>PLANNING/ZONING</b> .....		<b>42</b>
Public Chapter 192	Zoning Regulation of Agricultural Uses in Floodplain .....	42
Public Chapter 209	Subdivision Plats .....	42
Public Chapter 474	Nonconforming Uses .....	43
<b>PURCHASING</b> .....		<b>43</b>
Public Chapter 403	Licensed Architects and Engineers .....	43
Public Chapter 457	Increase Bid Limits .....	43
<b>RECORDS</b> .....		<b>43</b>
Public Chapter 45	Redaction of Social Security Numbers by Register of Deeds .....	43
Public Chapter 50	Credit Card Information .....	44
Public Chapter 136	Assessment Information Introduced in Court .....	44
Public Chapter 154	Commissioner of Health .....	44
Public Chapter 211	Assessment Certification and Education Program .....	44
Public Chapter 217	Water Usage Data .....	44
Public Chapter 225	Social Security Numbers .....	44
Public Chapter 374	Personal Information Collected by Trustees .....	45
Public Chapter 415	Interscholastic Sports Associations .....	45
<b>RETIREMENT</b> .....		<b>46</b>
Public Chapter 421	Administration of TCRS .....	46
Public Chapter 440	Qualified Domestic Relations Orders .....	46
<b>TAXATION</b> .....		<b>47</b>
Public Chapter 220	Mixed Drink Tax Distribution .....	47
Public Chapter 470	ABLE Act .....	47
Public Chapter 395	Hotel/Motel Tax .....	47
Public Chapter 504	Tax Incentives .....	47
Public Chapter 514	Revenue Modernization Act .....	48
<b>TAXATION --- PROPERTY</b> .....		<b>48</b>
Public Chapter 44	Taxation by County .....	48
Public Chapter 193	Correction of Assessments .....	48
Public Chapter 215	Assessment Review --- State Board of Equalization .....	48
Public Chapter 226	Tax Relief .....	48
Public Chapter 414	Delinquent Property Taxes .....	48
Public Chapter 455	Exemptions - Government Property .....	52
Public Chapter 471	Delinquent Tax Property --- Sale of Land .....	52
Public Chapter 481	Tax Relief Programs --- Save the Tax Relief Act .....	52
Public Chapter 486	Redemption .....	53
Public Chapter 524	Delinquent Tax Sales .....	53
<b>TAXATION --- SALES</b> .....		<b>54</b>
Public Chapter 48	Helicopters and Airplanes .....	54
Public Chapter 52	Sales by Community Foundations .....	54
Public Chapter 81	Water and Wastewater Treatment Authorities .....	54
Public Chapter 249	Programmable Firearms .....	54
Public Chapter 273	Streamlines Sales Tax and Service Contracts .....	55

Public Chapter 274	Diabetic Testing Supplies.....	55
Public Chapter 506	Aircraft Service Facilities.....	55
Public Chapter 515	Major Procurement Contracts.....	56
<b>TORT LIABILITY</b> .....		<b>56</b>
Public Chapter 152	Volunteer Drivers for the Elderly.....	56
Public Chapter 487	Governmental Tort Liability Act.....	56
<b>UTILITIES</b> .....		<b>56</b>
Public Chapter 140	Rates and Hearings.....	56
Public Chapter 179	Commission Approval of New Utility Districts.....	57
Public Chapter 332	Private Act Utility Districts.....	57
Public Chapter 452	Multi-County Utility Districts.....	57
<b>WORKER'S COMPENSATION</b> .....		<b>58</b>
Public Chapter 188	No Premium for Independent Contractor.....	58
Public Chapter 341	Workers' Compensation.....	58
<b>ANDERSON</b> .....		<b>59</b>
Public Chapter 429	Off-highway Motor Vehicles.....	59
<b>BLOUNT</b> .....		<b>59</b>
Public Chapter 70	Consumption of Alcoholic Beverages on Premises.....	59
<b>CAMPBELL</b> .....		<b>59</b>
Public Chapter 336	Consumption of Alcoholic Beverages on Premises.....	59
Public Chapter 458	Consumption of Alcoholic Beverages on Premises.....	59
<b>CLAIBORNE</b> .....		<b>60</b>
Public Chapter 458	Consumption of Alcoholic Beverages on Premises.....	60
<b>COFFEE</b> .....		<b>60</b>
Public Chapter 458	Consumption of Alcoholic Beverages on Premises.....	60
<b>DAVIDSON</b> .....		<b>60</b>
Public Chapter 130	Regulation of Private Sex Clubs.....	60
Public Chapter 222	PILOTs for Low-Income Housing Tax Credit Property.....	61
Public Chapter 223	General Sessions Litigation Tax.....	61
Public Chapter 279	Consumption of Alcoholic Beverages on Premises.....	61
Public Chapter 410	Delinquent Tax Property -- Sale of Land.....	61
Public Chapter 428	Consumption of Alcoholic Beverages on Premises.....	61
Public Chapter 446	Consumption of Alcoholic Beverages on Premises.....	61
Public Chapter 458	Consumption of Alcoholic Beverages on Premises.....	62
<b>FRANKLIN</b> .....		<b>62</b>
Public Chapter 119	Consumption of Alcoholic Beverages on Premises.....	62
<b>GRUNDY</b> .....		<b>62</b>
Public Chapter 400	Hotel/Motel Tax.....	62
<b>GILES</b> .....		<b>62</b>
Public Chapter 201	Alcoholic Beverages.....	62
<b>HENDERSON</b> .....		<b>62</b>
Public Chapter 258	Regulation of Dilapidated Property.....	62
<b>KNOX</b> .....		<b>63</b>
Public Chapter 327	Litigation Taxes.....	63
<b>LAWRENCE</b> .....		<b>63</b>
Public Chapter 248	Water Utility District.....	63
<b>LOUDON</b> .....		<b>63</b>
Public Chapter 420	Industrial Machinery.....	63
<b>MAURY</b> .....		<b>64</b>
Public Chapter 138	Obstructing Highways.....	64
<b>MONTGOMERY</b> .....		<b>64</b>
Public Chapter 93	Delinquent Tax Attorney Compensation.....	64
Public Chapter 437	Additional Circuit Court Judge.....	64

<b>PERRY</b>		<b>64</b>
Public Chapter 116	Consumption of Alcoholic Beverages on Premises	64
<b>ROBERTSON</b>		<b>64</b>
Public Chapter 437	Additional Circuit Court Judge	64
<b>SCOTT</b>		<b>65</b>
Public Chapter 429	Off-highway Motor Vehicles	65
<b>SHELBY</b>		<b>65</b>
Public Chapter 455	Exemptions – Government Property	65
Public Chapter 456	Property Tax Exemptions	65
<b>SUMNER</b>		<b>66</b>
Public Chapter 391	Consumption of Alcoholic Beverages on Premises	66
<b>WASHINGTON</b>		<b>66</b>
Public Chapter 235	Prohibition against Killing Foxes	66
<b>WILLIAMSON</b>		<b>66</b>
Public Chapter 138	Obstructing Highways	66
<b>ANDERSON</b>		<b>67</b>
Private Chapter 12	County Clerk and Trustee	67
<b>CHEATHAM</b>		<b>67</b>
Private Chapter 2	Wheel Tax	67
<b>GIBSON</b>		<b>67</b>
Private Chapter 3	Gibson County Special School District	67
Private Chapter 4	Trenton Special School District	67
Private Chapter 5	Bradford Special School District	67
<b>HENRY</b>		<b>68</b>
Private Chapter 7	Henry County Medical Center	68
<b>LEWIS</b>		<b>68</b>
Private Chapter 14	Hotel/Motel Tax	68
<b>LOUDON</b>		<b>68</b>
Private Chapter 21	General Sessions Court	68
<b>MADISON</b>		<b>68</b>
Private Chapter 6	Sheriff’s Civil Service	68
<b>SHELBY</b>		<b>68</b>
Private Chapter 17	Zoning	68
<b>WASHINGTON</b>		<b>69</b>
Private Chapter 15	County Attorney	69
Private Chapter 16	County Zoning Administrator	69
<b>WILSON</b>		<b>69</b>
Private Chapter 10	Tenth Special School District	69





## **PART I --- PUBLIC ACTS OF GENERAL APPLICATION**

### **ALCOHOLIC BEVERAGES**

#### **Public Chapter 19**

SB 426 – HB 543

##### **Beer Manufacturers**

Amends Title 57, Chapters 5 and 6, to prohibit a brewer or manufacturer from having a direct or indirect financial or ownership interest in the business of or a building containing a wholesale or retail beer licensee, and prohibit a wholesaler from having a direct or indirect financial or ownership interest in the business of or a building containing a brewer, manufacturer, or retail beer licensee, with the following exception: a manufacturer of beer may have a financial interest in a licensed wholesaler's business for up to five years if: (1) wholesaler is selling its distribution rights of the manufacturer's brand and the manufacturer seeks to assist the transfer by taking a financial interest in the purchasing wholesaler; (2) a wholesaler with distribution rights for the manufacturer's brand(s) is unable to service the designated sales territory; or (3) a distribution agreement between the manufacturer and a wholesaler is not renewed or is otherwise terminated, cancelled, or discontinued. A wholesaler that has continuously held a valid wholesale distribution permit for at least six months prior to the effective date of this Act, and has held a direct or indirect interest in a brewer or manufacturer during that time, and holds a trademark or marketing rights to a brand or brands of beer, may continue to hold and expand such interest. Requires that all beer purchases by beer retailers from beer wholesalers, and beer wholesalers from beer manufacturers, be delivered to the retailer and wholesaler, respectively.

Effective March 27, 2015.

#### **Public Chapter 29**

SB 185 – HB 145

##### **Beer Permits**

Amends 57-5-103(a) to prohibit a city or county from issuing a beer permit to an applicant for a beer permit unless the applicant has been a citizen or lawful resident of the United States for not less than one year immediately preceding the date of the application.

Effective July 1, 2015.

#### **Public Chapter 69**

SB 376 – HB 859

##### **Homemade Beer**

Enacts 57-5-1\_\_ to authorize the making of "homemade beer" (beer made by a person's own efforts and not for a commercial purpose, but not necessarily in the person's home) without a license. The person making the beer can receive no compensation, the beer cannot be sold, and no more than 100 gallons may be made in a year per one--

person household or more than 200 gallons per 2+ person households. The beer must be clearly labeled when being transported. The beer may be consumed at any private residence or other private location where possession and consumption of beer is permissible. Allows exhibitions, judgments, tastings, and samplings as part of a contest or competition to be held at a private residence or on a licensed premises. No fee may be charged for consumption of the beer, but an entrance fee may be charged for the event.

Effective April 6, 2015.

**Public Chapter 176**  
SB 897 – HB 639

**Brew Pubs/Microbreweries**

Repeals 57-5-101(c)(3) to allow a beer manufacturer in any county to operate as a retailer at or contiguous to the manufacturer's location for the sale of not more than 25,000 barrels of beer annually for consumption on or off the premises, as long as the appropriate licensing requirements are met.

Effective April 16, 2015.

**Public Chapter 269**  
SB 1029 – HB 1125

**Alcoholic Beverages**

Amends 57-3-101(a)(14). Changes the required population from 1,000 or more to 925 or more to be considered a municipality regarding the provisions regulating alcoholic beverages.

Amends 57-3-208(b)(1). With respect to retail sales, removes the provision from the certificate of compliance requiring the mayor to state an opinion that the applicant will not violate any alcoholic beverage related laws.

Amends 57-4-102(35). Removes from the provisions regarding on-premises consumption in a Tennessee river resort a restaurant located within such district that has an indoor seating capacity of at least 40 and an outdoor seating capacity of at least 75.

Repeals Title 57, Chapter 7 and 8, obsolete provisions regarding sales of alcoholic beverages by druggists and physicians and regarding soft drinks containing alcohol.

Effective April 24, 2015.

**Public Chapter 270**  
SB 916 – HB 783

**Wine – Privilege Taxes**

Amends 57-3-207(t). Clarifies that samples of wine are not subject to the privilege tax levied on the sale of alcoholic beverages for on-premise consumption at the winery or on the farm winery producer's premises. Clarifies that wine sold in sealed containers is not subject to such tax at the winery or on the farm winery producer's premises.

Effective April 24, 2015.

**Public Chapter 285**  
SB 917 – HB 1011

**Alcohol and Beer Delivery Service**

Enacts 57-3-224 to create, effective July 1, 2015, a delivery service license issued by the state Alcoholic Beverage Commission (ABC) to authorize delivery of beer and alcoholic beverages by delivery services that deliver prepared food from restaurants. The packages of beer and alcohol must be sealed, the amount delivered per customer cannot exceed 1 gallon per delivery, at least 50% of the delivery service's gross sales must come from food delivery, delivery employees must be 21 or older and licensed under 57-3-225, the delivery service must have a written delivery agreement with the beer and alcohol retailer, and the customer must show a government-issued photo ID. Enacts 57-3-225 to create, effective July 1, 2015, a delivery employee license issued by the state ABC.

Effective April 28, 2015.

**Public Chapter 366**  
SB 643 – HB 761

**Grape and Wine Law**

Amends 57-3-207. Provides that a winery or farm winery permit holder may sell at retail, in addition to its own wine, items related to or incidental to the use, consumption, dispensing, or storage of wine.

Effective May 4, 2015.

**Public Chapter 391**  
SB 769 – HB 452

**Consumption of Alcoholic Beverages on Premises**

Amends 57-4-201. Authorizes the alcohol beverage commission to issue temporary licenses for consumption of alcoholic beverages on the premises, subject to payment of a \$50.00 licensing fee.

Amends 57-4-102(8)(F)(ii). Adds Sumner County to the list of counties where private golf clubs may qualify to sell wine, other alcoholic beverages, and beer for on-premises consumption.

Effective May 8, 2015.

**Public Chapter 428**  
SB 528 – HB 542

**Consumption of Alcoholic Beverages on Premises**

Amends 57-3-204. Authorizes Belle Meade Plantation and George Jones Museum to obtain licenses to sell alcoholic beverages and wine at retail for off-premises consumption from the same premises where those entities are licensed to sell such beverages for on-premises consumption under a restaurant license.

Amends 57-4-102(26). Adds to the definition of “premier type tourist resort” an entity that is authorized by the department of environment and conservation to operate a restaurant or other food and beverage service on the premises of a state park, which will allow alcohol sales for on-premises consumption at such a place.

Amends 57-3-406(d)(1). Requires a person whose physical appearance does not reasonably demonstrate an age of 50 years or

older to show proof of age before purchasing an alcoholic beverage.

Amends 57-3-808(a). Provides that there will be no penalty for a retail food store wine license holder who sells wine to an adult consumer who is or reasonably appears to be over 50 years of age and who failed to present identification.

Amends Title 57, Chapter 2, Part 1. Provides that, beginning July 1, 2016, an intoxicating liquor may not be advertised, described, labeled, named, sold, or referred to for marketing or sales purposes as "Tennessee Moonshine" unless the intoxicating liquor is distilled in Tennessee. Provides that any manufacturer who violates this section will be subject to suspension or revocation of its license for a period of not less than one year.

Effective May 15, 2015.

#### **Public Chapter 451**

SB 695 - HB 760

#### **Wineries**

Amends 57-3-207(r)(3). Authorizes any licensed winery with a total annual wine production of 50,000 gallons or less or any licensed farm wine producer to qualify for a satellite permit to authorize no more than three such wineries, farm wine producers, or any combination thereof, to conduct business at one satellite facility.

Effective July 1, 2015.

#### **Public Chapter 458**

SB 875 - HB 936

#### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(26)(QQ). Provides that the owner, lessee, or contracted restaurant operator of Willow Brook golf course in Coffee County may hold rights to providing alcoholic beverages at such facility.

Amends 57-4-102(26). Provides that any facility in Cumberland Gap, Claiborne County that is licensed to serve beer will also be authorized to serve alcoholic beverages and wine.

Amends 57-4-102(26). Authorizes a facility located in Davidson County that is on flotation devices on the Cumberland River in close proximity to a marina to the definition of restaurant for purposes of selling wine, alcoholic beverages, and beer for consumption on the premises.

Repeals 57-4-102(26)(QQQ). Removes Ride Royal Blue in Campbell County from the list of premier type tourist resorts for purposes of selling wine, alcoholic beverages, and beer for consumption on the premises.

Amends 57-4-102(26). Adds to the list of premier type tourist resorts for purposes of selling wine, alcoholic beverages, and beer for

consumption on the premises, a recreational facility on at least 2,500 acres, with 12 or more cabins and 350 or more campsites, has trails for motor cross and horseback riding, has a restaurant that seats at least 100 people, has an amphitheater that seats approximately 2,500 people, and has five hotels or motels located near the facility.

Effective May 18, 2015.

## **COUNTY CLERKS**

### **Public Chapter 76**

SB 888 – HB 1033

#### **Notary Public Fees**

Amends 8-21-1201 relative to fees charged by notaries, to provide that: (1) a notary or the notary's employer may charge reasonable fees and compensation for the notary's services; (2) if a fee is charged, the notary must keep a record either electronically or in a well-bound book of each action; (3) if a separate fee is not charged for the notary's services, the notary is not required to keep a record of the action.

Effective April 16, 2015.

### **Public Chapter 159**

SB 335 – HB 113

#### **Gratuities for Performing Marriage Ceremonies**

Amends 36-3-301 to authorize county commissioners to retain any gratuity they may receive for performing marriage ceremonies.

Effective April 16, 2015.

### **Public Chapter 216**

SB 729 – HB 396

#### **Driver Licenses**

Amends 55-50-322 to authorize the department of safety to enter into a memorandum of understanding with a foreign country to grant like driving privileges to new residents operating vehicles in this state or the foreign country.

Effective July 1, 2015.

### **Public Chapter 294**

SB 108 – HB 97

#### **Titling & Registration**

Amends 55-4-101 to allow nonresidents who establish residency in Tennessee to operate their regularly licensed private passenger vehicle for 30 days from the date residency is established. Amends 55-6-101(a) to raise the state's fee for noting new liens or transferring liens on a title with no change of ownership from \$5.50 to \$11.00 and to raise the fee for noting the extension of any mortgage on a title from \$5.50 to \$11.00.

Effective July 1, 2015 for fee increases and April 24, 2015 for remainder of act.

**Public Chapter 330**  
SB 1271 – HB 1355

**Driver Licenses**

Amends 55-50-312(a)(1) to authorize a minor's foster parent or other authorized representative of the department of children's services to sign an application for the minor to obtain a driver license.

Effective April 28, 2015.

**Public Chapter 348**  
SB 209 – HB 198

**Driver Licenses**

Amends 55-50-337 to increase the term of driver licenses from 5 to 8 years, with transition terms of 3 to 8 years allowed. Amends 55-50-323 to change driver license issuance and renewal fees as follows: Class A = \$64.00, Classes B & C = \$56.00, Class D = \$26.00 and Class M = \$26.00. Photo ID cards and renewals are \$10.00. Fees for less than 8 years may be prorated, but Class D, Class M, and photo ID licenses shall have \$2 deducted from the gross prorated fee. Amends 55-50-332(b) to provide that duplicate licenses issued during the normal 8-year cycle will expire one year from date of issuance.

Effective January 1, 2016.

**Public Chapter 383**  
SB 130 – HB 181

**Special License Plates**

Amends Title 55, Chapter 4, Part 2. Creates new specialty earmarked plates for Historic Collierville; Multiple Sclerosis Foundation, Inc.; Soulsville, USA; Wingz of Love; Vanderbilt University Athletic Department; and 2014 College World Series Champions – Vanderbilt University; recipients of the Combat Action Badge, Combat Infantry Badge, and Combat Medical Badge; Make-A-Wish Foundation; Rotary International; Scenic and Historic Gallatin; Cystic Fibrosis Awareness; Germantown Charity Horse Show; Supporters of the Blind and Visually Impaired; Donate Life; Alzheimer's Association; Friends of Sycamore Shoals Historic Area, Inc.; Music City Inc. Foundation; and Ohio State University. Extends the time to qualify for Native American Indian Association and for Niswonger Children's Hospital new specialty earmarked plates until July 1, 2016.

Effective May 8, 2015.

**Public Chapter 417**  
SB 1237 – HB 1079

**Hunting Licenses**

Amends 70-2-108 to provide that the hunting permit issued without meeting the hunter education requirement, which formerly could only be issued for one year, may be issued annually for up to three consecutive years.

Effective July 1, 2015.

**Public Chapter 466**  
SB 1098 – HB 1043

**Motor Vehicle Dismantling/Scrapping**

Amends 55-3-202 to rewrite current law related to motor vehicle dismantlers and recyclers and scrap metal processors.

Effective July 1, 2015 for purposes of new state licensure fee of \$500, and July 1, 2016 for all other purposes.

## **Public Chapter 511**

SB 648 – HB 606

### **Financial Responsibility Law**

Enacts the James Lee Atwood, Jr. Law in Title 55, Chapter 12, to create an online, on-demand vehicle insurance verification program to be developed and administered by the commissioner of revenue to verify whether financial responsibility requirements have been met.

If a motor vehicle owner fails to provide satisfactory proof of insurance or a statement that the vehicle is not in use, the department is to impose a \$25 coverage failure fee, of which \$5 will be distributed to the county clerk where the vehicle is registered. If the owner fails to comply after the initial notice and coverage failure fee, the department is to suspend or revoke the registration and assess a continued coverage failure fee of \$100, of which \$10 goes to the county clerk where the vehicle is registered.

Authorizes the county legislative body to vote to impose a separate county reinstatement fee not to exceed \$25. Authorizes the county clerk to waive this fee if the applicant provides proof that the applicant had an owner or operator's financial security in effect for the vehicle on the date the suspension or revocation went into effect.

The program is to be fully operational no later than January 1, 2017. The act is effective May 20, 2015 for contracting, consulting developing and implementing the program, and promulgating rules.

Raises the fine for failure to provide evidence of financial responsibility from \$100 to \$300, effective July 1, 2015.

Effective January 1, 2016, except as noted above.

## **COUNTY GOVERNMENT**

### **Public Chapter 38**

SB 288 – HB 653

#### **Oaths of Office**

Amends 17-1-104 to provide that the oath for every judge and chancellor shall be done in accordance with Title 8. Amends 8-18-107 to provide that the governor or an active or retired supreme court justice may administer the oath to a supreme court justice. The governor, an active/retired supreme court justice, active/retired inferior court judge or an active/retired general sessions judge may administer the oath to an inferior court judge. The governor, an active/retired supreme court justice, active/retired inferior court judge or an active/retired general sessions judge may administer the oath to any elected or appointed official (except as otherwise provided by law). Provides that the oath may be administered at any



time after an appointment or after the election as long as the results have been certified by the appropriate legal authority. Amends 8-18-109 to provide that retired supreme court justices, retired inferior court judges, and retired general sessions judges are required to file oaths in the county clerk's office. Also amends 8-18-109 to specify that the oath may be taken any time after appointment or any time after the election as long as the election results have been certified by the appropriate legal authority.

Effective July 1, 2015.

#### **Public Chapter 41**

SB 414 – HB 189

#### **Accounting Records**

Amends 9-2-102 to require counties that are subject to the comptroller's audit requirements and that handle public funds to have their official accounting records closed and available for audit no later than two months after the close of the fiscal year.

Effective July 1, 2015.

#### **Public Chapter 73**

SB 561 – HB 455

#### **Animals Running at Large**

Deletes 44-8-403 through 44-8-407, which are antiquated sections dealing with certain animals running at large.

Effective April 6, 2015.

#### **Public Chapter 112**

SB 413 – HB 187

#### **Internal Controls for Local Governments**

Amends 9-18-102 to require local governments to establish and maintain internal controls to provide reasonable assurance that obligations and costs are in compliance with applicable law, funds, property and other assets are safeguarded against waste and loss and revenues and expenditures are properly recorded and accounted for to allow for accurate and reliable financial reports.

Effective June 30, 2016.

#### **Public Chapter 170**

SB 1270 – HB 1233

#### **Continuation Budgets**

Amends 5-9-404, 5-12-109, and 5-21-111 to provide that if a local fiscal body fails to adopt a budget by July 1, the operating budget and appropriation resolution for the preceding fiscal year shall continue in effect without any further action by the body until a final operating budget is adopted. Provides that during the time period the continuation budget is in effect, no agency or entity receiving county funds shall encumber funds in any month in excess of the allotment for a comparable month in the preceding fiscal year without county legislative body approval. Requires any such approval include a corresponding funding source to cover the excess expenditures. Provides that the continuation budget may be amended in the same manner as a final operating budget. Allows a continuation budget to continue in effect for July and August and provides that the



continuation budget may continue until September 30 upon approval by the comptroller. Provides the steps in the approval process for extension of the budget through the month of September.

Effective April 16, 2015.

**Public Chapter 275**

SB 287 – HB 137

**Eminent Domain**

Amends 29-16-124 to provide that the statute of limitations in that section applies to all actions brought under 29-16-123.

Effective July 1, 2015.

**Public Chapter 307**

SB 598 – HB 616

**Regulation of Autonomous Vehicles**

Amends Title 55, Chapter 8 to add a new section prohibiting local governments from prohibiting the use of motor vehicles equipped with autonomous technology (i.e., cars that drive themselves) within their respective jurisdictions.

Effective April 24, 2015.

**Public Chapter 313**

SB 436 – HB 149

**Deputy Sheriffs --- Correctional Security Positions**

Amends 7-51-201(a)(2). Removes the time limitation on county legislative body's election to include certain personnel in the definition of "law enforcement officer" for purposes of the provisions governing the presumption that certain health impairments resulting in a law enforcement officer's death or personal injury are attributable to injury suffered in the course of employment, unless otherwise shown by medical evidence.

Effective April 28, 2015.

**Public Chapter 331**

SB 1273 – HB 1363

**Regulation of Exotic Animals**

Amends Title 70, Chapter 4, Part 4 by adding a new section which requires persons acquiring a Class I carnivore (wolves, bears, lions, tigers, leopards, jaguars, cheetahs and cougars) on or after July 1, 2015 to have the animal implanted with a permanent microchip. Requires persons owning Class I carnivores prior to July 1, 2015 to have the animals implanted with a permanent microchip by July 1, 2018.

Effective July 1, 2015.

**Public Chapter 354**

SB 480 – HB 763

**Motor Vehicle Racing**

Amends Title 55, Chapter 22 by deleting the chapter in its entirety and enacting new provisions regulating motor vehicle racing. Requires persons operating races to obtain certain levels of liability insurance and requires that the county clerk in the county where the race is to be conducted verify the person has the required insurance and issue documentation confirming the insurance requirements have been met. Provides that failing to obtain the required insurance coverage is

a Class A misdemeanor. Authorizes the county legislative body to regulate motor vehicle racing and licensure, including the times, dates, and conditions under which races may occur. Provides that tourist resort counties may only permit racing three days a week and during certain hours at night and on Sunday.

Effective July 1, 2015.

**Public Chapter 360**

SB 574 – HB 515

**Nursing Home Assessments**

Amends various sections in Title 71, Chapter 5, Part 1 to extend the Nursing Home Assessment Trust Fund by one year, to terminate on June 30, 2016. Increases the aggregated amount of assessments from 4.5% to 4.75% of the net patient service revenue. Makes numerous other changes, including revising the manner in which TennCare supplemental transitional payments are allocated.

Effective July 1, 2015.

**Public Chapter 377**

SB 1392 – HB 1351

**Affordable Housing**

Enacts a new section at Title 5, Chapter 9, Part 1 to authorize county legislative bodies to appropriate funds for affordable housing or workforce housing.

Effective May 8, 2015.

**Public Chapter 378**

SB 474 – HB 787

**Sprinkler Systems**

Amends 68-120-101(a)(8) to provide that local governments may not require sprinklers for townhouses unless they go through the same process in (a)(8) for requiring sprinklers in one-family and two-family dwellings.

Effective April 30, 2015.

**Public Chapter 425**

SB 1401 – HB 1376

**Expenditure of State Funds/Payment of Attorney Fees**

Enacts 9-4-5115 to prohibit any local government unit from expending state funds to pay attorney's fees, court costs, or other expenses attributable to a lawsuit filed against the state, a state agency, or a state official in which the local government unit is named as a plaintiff. If the state, agency, or official prevails in the lawsuit, the department of finance and administration is directed to deduct from the local government's state-shared taxes in the case of a county or city, or BEP funds in the case of an LEA, an amount to recover attorney's fees, court costs, and other expenses attributable to defending the state in the lawsuit.

Effective May 15, 2015.

**Public Chapter 427**

SB 1399 – HB 1374

**Appropriations for FY2015-2016**

Makes appropriations for fiscal year 2015-2016. Includes the following appropriations affecting counties: (1) \$29 million to fund

the state's share of an additional month of teacher health insurance premiums; (2) \$97.6 million to be distributed based on the existing BEP formula to create a pool of funds for teacher salary increases statewide. This funding is the equivalent of the state's share of a 4% raise added through the salary component of the BEP; however, each local board of education has discretion to use their local pay policies to decide how the funds will be distributed to their employees, both certified and non-certified; (3) \$40.6 million for inflationary improvements and student population growth; (4) \$6 million in salary equity funds for school systems that lag behind the state average in teacher salaries; (5) an additional \$7 million for the state's property tax relief program for low income elderly and disabled veterans and their surviving spouses; (6) restoration of full funding to the TennCare Bureau for level two case management services; (7) \$30.6 million for the State Aid Road and Bridge Grant programs; (8) funding for the County Officials Certificate Training Program (COCTP), training credit provided by the County Technical Assistance Service, has been maintained at its FY2014-2015 level; (9) \$5 million to create the Educators' Liability Trust Fund to offer liability insurance to Tennessee teachers at no cost to them; (10) workforce development investments geared to the governor's Drive to 55 effort include \$2.5 million for statewide outreach efforts geared toward adult students, technical assistance to local communities that are finding ways to support adult learners, and a one-stop portal for adults, as well as \$1 million to establish competitive grants to 2-year and 4-year institutions to develop initiatives specifically designed for veterans; and (11) \$48 million for state employee pay raises and compensation tied to performance and ongoing market adjustments. Since county officials' salaries are tied to increases in state employees pay in prior years, this change will impact county budgets in FY 16-17.

Effective July 1, 2015.

#### **Public Chapter 462**

SB 982 – HB 1147

#### **Airport Revenue**

Amends 67-6-217 to place caps on the tax imposed on the purchase, use, consumption or storage of aviation fuel. Establishes an advisory task force to study revenue measures related to the operation of aircraft and airport facilities within the state, the funding available to airports from the Transportation Equity Fund and the effect of such funding on the needs of air carrier and general aviation airports. Requires the findings and recommendations of the task force to be reported by February 1, 2016.

Effective May 18, 2015.

#### **Public Chapter 472**

SB 1221 – HB 979

#### **Religious Speech**

Amends 4-1-407 to prohibit governmental entities, except for courts, from subpoenaing sermons for use in civil or administrative actions.

Effective May 18, 2015.

**Public Chapter 496**  
SB 634 – HB 574

**Transfer of Property Used By Private Parties for Agriculture**

Enacts a new section at Title 12, Chapter 1, Part 1 to provide that any agreement allowing private property owners to utilize local government property for agriculture use executed at the time the property was transferred to the local government by quitclaim deed shall continue in effect should such property be transferred to another local government or to a state agency. Requires the local government transferring the property to give written notice to any affected private property owner within 30 days of the transfer. If any private property owner is required to cease using the property for agricultural purposes upon the transfer of the property to a state agency, then such agency must assist the owner in obtaining grants for fencing and watering livestock.

Effective May 20, 2015.

**Public Chapter 500**  
SB 127 – HB 24

**Go Build Tennessee Act**

Enacts a new chapter at Title 4 to create the Go Build Tennessee Program, which is to increase career opportunities in the construction industry. Authorizes the corporation created to administer the program to cooperate with local governments in implementing the program and authorizes local governments to provide funds for the program.

Effect May 20, 2015.

**Public Chapter 505**  
SB 532 – HB 311

**Nonresidential Opiate Addiction Treatment Facilities**

Amends 68-11-1607(c) to provide for additional notice requirements for certificate of need applications for the treatment facilities. Provides that if the application involves a facility in which a county or city is the lessor of the facility or property on which the facility is located, then the applicant must also notify the county or city's chief executive officer of the application within ten days of its filing. Provides that a certificate of need application subject to these notice requirements will not be deemed complete without submittal of proof of compliance with these notice requirements.

Effective May 20, 2015.

**Public Chapter 512**  
SB 755 – HB 608

**Annexation**

Amends numerous sections in Title 6, Chapter 51, Part 1 to delete references to annexation by ordinance. Amends 6-51-104 to provide that resolutions proposing annexation by written consent are effective upon adoption by the municipality. Amends 6-51-104 to authorize municipalities in Williamson County to engage in non-contiguous annexation by resolution with the written consent of the

property owners for property to be used for industrial, commercial or future residential development.

Effective May 16, 2015 at 12:01 a.m.

**Public Chapter 520**  
SB 907 – HB 992

**Transportation Network Company Services Act (Uber)**

Enacts a new section at Title 55, Chapter 12 to require certain insurance for transportation network companies and their drivers. Enacts a new section at Title 56, Part 7, Part 11 to authorize insurance companies to exclude coverage for drivers logged in to a transportation network or providing prearranged rides. Enacts a new part at Title 65, Chapter 15 to provide the exclusive regulation of transportation network companies. Prohibits local regulation of such companies under 7-51-1003.

Effective May 20, 2015.

**Public Chapter 526**  
SB 1263 – HB 1323

**Sprinkler Requirements for Certain Dwellings**

Amends 68-120-101 to provide if a local government adopts mandatory sprinkler requirements for one-family and two-family dwellings that would apply to dwellings used as establishments providing sleeping accommodations to transients for less than 30 nights per stay, then those mandatory sprinkler requirements will only apply to those dwellings constructed on or after the effective date of the mandatory sprinkler requirements.

Effective May 20, 2015.

**COURTS & COURT CLERKS**

**Public Chapter 89**  
SB 434 – HB 321

**Partial Expungements**

Amends 40-32-101(a) to provide that if a person is not convicted of a charged offense but is convicted solely for a traffic offense such person shall still be eligible for expungement of such person's records.

Enacts a new subsection in 40-32-101 to provide that if a person is ineligible for expunction because they were convicted of a non-traffic related offense they shall be entitled to partial expunction of any public records relating to the person's arrest, indictment, charging instrument, or disposition for any charges other than the offense for which the person was convicted. Provides that the public records shall be expunged from the relevant databases of the national crime information center system and similar state databases, and the person shall be entered into the Tennessee bureau of investigation's expunged criminal offender and pretrial diversion database with regard to the offenses expunged. Provides that nothing in this subsection shall require court clerks to expunge records relating to an offense for which the person was convicted.

Effective July 1, 2015.

**Public Chapter 117**

SB 877 - HB 1183

**Mechanics' and Materialmen's Liens**

Amends 66-11-126 and 66-11-142 to make several changes relative to the filing, enforcement and serving of liens and payment bonds.

Effective April 10, 2015.

**Public Chapter 200**

SB 101 - HB 90

**Child Support Arrearage Settlements**

Amends 36-5-101 to authorize, with court approval, the obligor and obligee to settle a child support arrearage balance owed directly to the obligee. Provides that to be eligible for a settlement, the obligor must pay the child support obligation in full as ordered for a minimum of twelve consecutive months immediately preceding the settlement.

Effective July 1, 2015.

**Public Chapter 257**

SB 19 - HB 52

**Settlement of Old Fines, Costs or Litigation Taxes**

Amends 40-24-105 to provide that after a fine, costs or litigation taxes have been in default for at least five years, the criminal or general sessions court clerk may, subject to approval by a court of competent jurisdiction, accept a lump-sum partial payment in full settlement of the outstanding balance due on a case. Provides that the court shall not approve a settlement unless the amount accepted is equal to or greater than 50% of the combined outstanding balance of all fines, costs and litigation taxes due on the case. Provides that when moneys are paid into court pursuant to the settlement, the percentage that may be retained by the clerk for delinquent collections over six months old pursuant to subsection (d) of the statute may be withheld, with the remainder being allocated according to the formula outlined in subsection (a) of the statute.

Effective July 1, 2015.

**Public Chapter 278**

SB 1377 - HB 578

**Drug Fraud Expungement**

Amends 40-32-101 to provide that individuals convicted of drug fraud and sentenced to imprisonment for a term of four years or less for an offense committed on or after November 1, 1989, shall be eligible to apply for expungement of such records if at least ten years have elapsed since completion of the sentence imposed for the offense.

Effective April 28, 2015.

**Public Chapter 295**

SB 140 - HB 496

**Expungement Orders**

Amends 40-32-102 to provide that the chief administrative official of a municipal, county, or state agency and the clerk of each court where the records are recorded shall remove and destroy the records within a period of sixty days from the date of the expunction order issued

under 40-32-101 (as opposed to within a period of sixty days from the filing of the petition). Provides that the TBI shall also remove expunged records from the person's criminal history within sixty days from the date of receipt of the expunction order.

Amends 40-32-101 to require that the expunction order sent by the court to the TBI must be sent within thirty days from the date of the expunction order.

Effective April 24, 2015.

#### **Public Chapter 296**

SB 177 - HB 179

#### **Seat Belt Fines**

Amends 55-9-603 to increase the "in lieu of appearance in court" fines for failure to wear a seat belt.

Effective January 1, 2016 (applicable to offenses occurring on or after that date).

#### **Public Chapter 320**

SB 720 - HB 808

#### **Forensic Interviews Conducted at Child Advocacy Centers**

Amends 24-7-123. Expands a court's ability to admit into evidence a video recording of a forensic interview with a child to include an interview conducted by a forensic interviewer employed by a child advocacy center that is not a nonprofit corporation.

Effective April 28, 2015.

#### **Public Chapter 375**

SB 610 - HB 41

#### **Twelve-Hour Hold**

Amends 40-11-150 to provide that any offender arrested for a stalking offense, any criminal offense defined in Title 39, Chapter 13, in which the alleged victim is a victim as defined in 36-3-601, or for a violation of 71-6-119, involving physical harm or abuse in which the alleged victim is an adult of advanced age, shall not be released within twelve hours of the time of arrest unless the magistrate or other official duly authorized to release the offender finds that the offender is not a threat to the alleged victim.

Provides that the findings shall be reduced to writing, attached to the warrant and shall be preserved as a permanent part of the record. Provides that the arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period.

Provides that if the offender is released prior to the conclusion of the twelve-hour period, the official shall make all reasonable efforts to directly contact the victim and inform the victim that the person charged with the offense will be released prior to the conclusion of the twelve-hour period.

Effective May 8, 2015.



**Public Chapter 413**  
SB 1204 - HB 147

**Animal Abuser Registration Act**

Enacts ~~40-39-401~~ through ~~40-39-404~~ to establish the Tennessee Animal Abuser Registration Act. Requires court clerk to forward a copy of the judgment and date of birth of all persons convicted of an "animal abuse offense" to the TBI within sixty calendar days of the date of judgment. Defines "animal abuse offense" as aggravated cruelty to animals under ~~39-14-212~~, felony animal fighting under ~~39-14-203~~, and a criminal offense against animals under ~~39-14-214~~. Provides that conviction includes diversion under either ~~40-15-105~~ or ~~40-35-313~~.

Effective January 1, 2016.

**Public Chapter 416**  
SB 1234 - HB 853

**Bail Bondsman and Sureties**

Amends ~~40-11-302~~ to provide that a bondsman or his agent shall be permitted to answer court, surrender a defendant, obtain an extension of time, or respond to a court's request for information without the necessity of obtaining legal counsel.

Provides that any documents relating to the assignment of collateral shall be delivered to the presiding judge of the judicial district where the bondsman is approved. Provides that the presiding judge shall enter an order designating which clerk shall maintain the collateral documents.

Provides that a surety may deliver to the court an investment certificate, including a certificate of deposit, in order to establish or increase the surety's capacity. Provides that so long as the below procedure is followed, a court shall not refuse to accept the investment certificate. Provides that when taking an investment certificate, including a certificate of deposit, the following procedure shall be followed: (1) the surety shall purchase the investment certificate in the surety's name from a financial institution regulated by the state or federal government and insured by the federal deposit insurance corporation; (2) the surety shall then execute an assignment of the investment certificate to the clerk of the court with criminal jurisdiction using the form set out in the statute; and (3) at the same time the surety shall also deliver to the clerk of the court with criminal jurisdiction an acknowledgment signed by the institution issuing the investment certificate using the form set out in the statute.

Provides that if there is no loss of interest or the imposition of a financial penalty, existing investment certificates shall be reissued to comply with the above procedures. Provides that in any other case, the investment certificate shall be brought into compliance upon maturity.



Effective May 8, 2015.

### **Public Chapter 453**

SB 711 - HB 854

#### **Veterans Treatment Courts**

Enacts a new Chapter 6 in Title 16 styled the Criminal Justice Veterans Compensation Act of 2015 or the CJVC Act in order to establish and fund veterans' treatment court programs. Provides that veterans' treatment court programs are stand-alone programs established by a judge of a court of this state exercising criminal jurisdiction or a veterans' court track created within an existing certified drug court. Provides guidelines for establishing and operating such court programs. Provides that the department of mental health and substance abuse services shall administer the programs (along with the drug court programs). Provides procedure for applying for veterans' treatment court program grant funds through the department of mental health and substance abuse.

Increases the drug court treatment program assessment under 16-22-109 from \$75 to \$130 in counties establishing or operating a veterans' treatment court. Provides that relative to the \$130 assessment the clerk shall send \$10 to the state treasurer, \$70 to the drug court treatment program, and \$50 to the veterans' treatment court program.

Effective July 1, 2015.

### **Public Chapter 490**

SB 456 - HB 134

#### **Bail**

Amends 40-11-118. Provides that if the judge or magistrate determines that a person charged with vehicular assault, vehicular homicide, or aggravated vehicular homicide, on or after July 1, 2015, has a prior alcohol-related conviction, the use of a transdermal monitoring device shall be a condition of the person's bail agreement. All expenses associated with a person being subject to a transdermal monitoring device as a condition of bail shall be paid by that person.

Effective July 1, 2015.

### **Public Chapter 524**

SB 770 - HB 1290

#### **Delinquent Tax Sales**

Amends 67-5-2501. Requires the clerk of the court to file in the case a report of sale or other notice reflecting the results of the tax sale. This report must be filed within five business days after the conclusion of the sale and prior to confirmation of the sale by the court. The clerk of the court shall, concurrently with the filing, file the report or notice with the office of the register of deeds of the county in which the property is located. The report or notice shall set forth all results from the sale, or a separate report or notice may be created for each property sold. The report or notice shall include, at a minimum, the identification of the property and defendants contained in the notice of sale as required by 67-5-2502, the name of the successful bidder, and the total successful price bid for each parcel together with the

instrument number of the last conveyance of record. The report or notice shall be for notice purposes only and shall not be evidence of transfer of title. Failure to timely record the report or notice shall not provide grounds to set the sale aside. The document shall be exempt from recording fees and shall be indexed by the register under the name of the last owner of record.

Effective January 1, 2016.

## **ECONOMIC DEVELOPMENT**

### **Public Chapter 71**

SB 421 – HB 259

#### **Tax Increment Financing**

Amends 9-23-106(b) to impose a deadline of October 1 for tax increment agencies to file the annual statement required by this section with the comptroller. Also provides that the filings required by 9-23-106 are the only filings required of tax increment agencies.

Effective July 1, 2015.

### **Public Chapter 84**

SB 86 – HB 76

#### **Tax Incentives**

Amends 62-43-105 to specify that employees hired through professional employer organizations may be counted by the client of the professional employer organization for purposes of determining employment-based tax credits and other economic incentives provided by the state or local governments.

Effective July 1, 2015.

### **Public Chapter 519**

SB 987 – HB 914

#### **PILOTs for Low-Income Housing Projects**

Amends 48-101-312(b) to authorize Health, Educational and Housing Facility Corporations to negotiate and receive payments in lieu of taxes with respect to tax-credit housing projects without any delegation from the municipality unless the municipality adopts an ordinance or resolution requiring that PILOTs be approved by the municipality. Grants this same power to housing authorities in municipalities which do not have a corporation. Amends 7-53-305 to grant industrial development corporations this same authority with respect to tax-credit housing projects.

Effective July 1, 2015.

### **Public Chapter 521**

SB 346 – HB 1026

#### **High-Poverty Area Job Tax Credits**

Enacts the “Community Resurgence Job Tax Credit Act of 2015.”

Amends 67-4-2109 to create a community resurgence job tax credit against franchise and excise tax liability for a qualified business in the amount of \$2,500 for each qualifying job created.

Effective July 1, 2015.

## **EDUCATION**

### **Public Chapter 132**

SB 1229 – HB 772

#### **Lobbying Expenditures**

Enacts 49-2-2\_\_ to require each local board of education to include in its budget each year a line item for professional associations and lobbying expenditures that includes the total amount to be spent on lobbying expenditures for that fiscal year. The board must submit to the local legislative body with its budget request a form containing the total amount anticipated to be spent on professional associations and lobbying, the amount of dues to be paid to entities that lobby and their names, the amount to be used to hire contract lobbyists, and beginning in 2017 the actual amount spent on these items for the prior fiscal year.

Effective July 1, 2015.

### **Public Chapter 142**

SB 343 – HB 398

#### **Virtual Public Schools**

Extends the date for repeal of the Virtual Public Schools Act from June 30, 2015, to June 30, 2019.

Effective April 16, 2015.

### **Public Chapter 165**

SB 1105 – HB 429

#### **Teachers**

Enacts 49-5-2\_\_ to prohibit discouraging or disciplining a teacher or other educator for reporting inaccuracies, errors, or potentially inflammatory material in textbooks, instructional materials, or content, to a supervisor, elected official, or parent or guardian of a student. Also prohibits asking or requiring a teacher or other educator to waive this right.

Effective July 1, 2015.

### **Public Chapter 171**

SB 512 – HB 125

#### **Charter School Closures**

Amends 49-13-122(a) to halt the closure at the end of the 2014-2015 school year of charter schools on the state's 2015 priority list, and make the 2017 priority list the first list for which charter schools appearing on a priority list must close at the end of the school year.

Effective April 16, 2015.

### **Public Chapter 197**

SB 63 – HB 1171

#### **Refusal of Federal Funds**

Enacts 49-3-2\_\_ to authorize a local board of education to refuse federal funding for any education program without a penalty being assessed by the state, unless the refusal would cause a loss of federal funding for all LEAs participating in the program. Before refusing the funding, the board must notify the state department of education.

Effective April 20, 2015.

**Public Chapter 214**  
SB 633 – HB 683

**Information about Firearms Ownership**

Enacts 49-2-1\_\_ to prohibit school personnel from requiring students, their parents, teachers, or other school employees to provide information about firearm ownership. Information voluntarily provided cannot be the basis for adverse disciplinary action, except for violations of title 39, chapter 17, part 13.

Effective April 20, 2015.

**Public Chapter 255**  
SB 7 – HB 6

**Fiscal Capacity**

Amends 49-3-356 to provide that the fiscal capacity of each LEA for allocating BEP funding for a school year must be determined by May 1 preceding the school year and cannot be changed for that school year.

Effective April 24, 2015.

**Public Chapter 265**  
SB 882 – HB 874

**Tenure Status**

Amends 49-13-117 to require a local board to consider, for determining tenure status, the years of service acquired by a teacher who takes an extended leave to teach at a public charter school, if upon returning from leave the teacher receives two consecutive years of evaluations with “above expectations” or “significantly above expectations.”

Effective July 1, 2015.

**Public Chapter 303**  
SB 334 – HB 112

**Advertising on School Buses**

Amends 49-6-2109(e) to increase the allowable size for commercial advertising on school buses from 16” x 60” to 36” x 90”.

Effective April 24, 2015.

**Public Chapter 304**  
SB 341 – HB 23

**State Board Policies**

Amends 49-1-302 to require the state board of education to adopt policies governing the revocation of licenses and certificates for misconduct.

Effective July 1, 2015 at 12:01 a.m.

**Public Chapter 312**  
SB 422 – HB 260

**Purchases with Internet Connectivity Funds**

Amends 49-3-368 to delete the requirement that the comptroller approve all requests for proposals for purchases using state funds appropriated for technology, Internet, Internet connectivity, or e-learning services.

Effective April 28, 2015.

**Public Chapter 321**  
SB 724 – HB 659

**Self-Administration of Medicine**

Enacts a new statute in Title 49 to authorize students diagnosed with pancreatic insufficiency or cystic fibrosis to carry and self-administer

prescribed pancreatic enzymes with written authorization from the healthcare provider and parent.

Effective July 1, 2015.

**Public Chapter 325**  
SB 985 – HB 32

**Sudden Cardiac Arrest Prevention**

Enacts the Sudden Cardiac Arrest Prevention Act, 68-54-101 *et seq.*, to require the governing bodies of all public and private elementary, middle, junior high, and high schools, with guidance provided by the state departments of health and education, to adopt guidelines and other information and forms to educate coaches, administrators, athletes and parents of the nature, risk, and symptoms of sudden cardiac arrest, and require training for coaches. Provides some immunity from liability for actions taken in good faith compliance with the requirements of the act.

Effective January 1, 2016.

**Public Chapter 346**  
SB 189 – HB 157

**Charter Schools**

Amends 49-13-119 to authorize the governing body of a public charter school to select the group insurance plans offered to teachers and other full-time permanent employees of the charter school, instead of being required to use the state's group insurance plan.

Effective May 4, 2015.

**Public Chapter 361**  
SB 588 – HB 735

**Priority Schools**

Amends 49-1-602(b) to provide that by October 1 of the year before public identification of priority schools (those in the bottom 5% in overall achievement), the commissioner of education must notify a school and its LEA if the school is among the bottom 10% of schools in overall achievement.

Effective July 1, 2015.

**Public Chapter 390**  
SB 758 – HB 921

**Achievement School District**

Amends 49-1-602(b)(2)(C) to provide that no school identified as a priority school shall be placed in the achievement school district if the school demonstrates student achievement growth "above expectations" or greater by TVAAS after the school is identified as a priority school but before the commissioner determines the school should be assigned to the achievement school district.

Effective May 8, 2015.

**Public Chapter 431**  
SB 27 – HB 138

**Individualized Education Act**

Enacts the Individualized Education Act, Title 49, Chapter 10. Creates individualized education accounts (IEA) for eligible disabled students to provide funds for the student to be educated at a nonpublic school

if the requirements of the act are met. The first award of IEAs will be during the 2016-17 school year.

Effective May 18, 2015 for rulemaking, and January 1, 2016 for all other purposes.

### **Public Chapter 493**

SB 604 – HB 645

#### **Educator Protection Act**

Enacts the Educator Protection Act, 9-8-501 *et seq.*, to create the Tennessee educator liability fund to provide excess liability insurance coverage for teachers and student teachers of local boards of education and public charter schools, to be funded by (and subject to) appropriations by the General Assembly. The fund will be administered by the board of claims. The board of claims will establish the types of insurance and limits, purchase the policies, establish effective dates, establish the claims process, and promulgate rules to carry out the purposes of the law.

Effective May 20, 2015.

### **Public Chapter 499**

SB 10 – HB 10

#### **Civics Education**

Enacts 49-6-4\_\_ to require, beginning January 1, 2017, that all high school students take a United States civics test composed of 25-50 questions selected by the LEA from the 100 questions contained in the civics test administered by the U.S. citizenship and immigration services to persons seeking to become naturalized citizens.

Effective January 1, 2017.

## **ELECTIONS**

### **Public Chapter 20**

SB 62 – HB 649

#### **Delegate Nominating Petitions**

Amends 2-13-305 to lower the number of registered voter signatures required on a nominating petition for a delegate to a national convention of a political party to twenty-five.

Effective March 27, 2015.

### **Public Chapter 177**

SB 733 – HB 817

#### **Internet Based Electronic Filing Process**

Amends 2-12-117 to require a county election commission that develops and implements an Internet based electronic filing process to notify the division of elections in the secretary of state's office at least ninety days prior to its use.

Effective April 16, 2015.

### **Public Chapter 239**

SB 183 – HB 158

#### **Prohibited Political Activity by Teachers**

Amends 2-19-201, 2-19-206 and 2-19-107 to make certain provisions of the Little Hatch Act applicable to teachers and other LEA employees. Prohibits such persons from participating or engaging in

numerous political activities while on LEA property or during LEA working hours without taking leave.

Effective July 1, 2015.

**Public Chapter 315**  
SB 597 --- HB 988

**Smart Phone Use While Voting**

Enacts a new section in Title 2, Chapter 7, Part 1, to provide that no county election commission shall prohibit a voter from using a mobile electronic or communication device at a polling place for informational purposes to assist the voter in making election decisions. Provides that a county election commission may require that any mobile electronic or communication device be silenced while in use at the polling place.

Provides that any voter using a mobile electronic or communication device shall be prohibited from using the device for telephone conversations, recording, or taking photographs or videos while inside the polling place.

Effective January 1, 2016.

**Public Chapter 379**  
SB 674 -- HB 701

**Digital Currency**

Amends 2-10-102 and enacts a new section in Title 2, Chapter 10, Part 1 to allow a candidate or political campaign committee to accept digital currency as a contribution under certain conditions.

Effective April 30, 2015.

**Public Chapter 484**  
SB 137 -- HB 695

**General Assembly Replacement Candidates**

Amends 2-13-204 and 2-14-202 to require, besides in Davidson County, that certain replacement nominations for a general assembly seat be made by the members of the party's county executive committee who reside in the district (as opposed to those who represent precincts within the district).

Effective May 20, 2015.

**EMERGENCY SERVICES**

**Public Chapter 210**  
SB 415 --- HB 190

**Volunteer Fire Departments**

Amends Title 68, Chapter 102, Part 3, by adding a new section. Provides that the governing board of each recognized volunteer fire department receiving appropriations from the federal government, the state, a county, or a municipality, either directly or indirectly, shall file an annual financial report with the comptroller of the treasury and with each local government body from which the department received appropriations. The annual financial report shall be for the year ended June 30, in a form prescribed by the comptroller of the



treasury, and such governing board shall file the report within six (6) months of the close of its fiscal year.

Effective April 20, 2015.

#### **Public Chapter 289**

SB 20 - HB 20

#### **Infectious Diseases**

Amends 7-51-209. Expands presumptive disability in acquiring certain infectious diseases in the line of duty by emergency rescue workers to include the hepatitis C virus. Provides that on or after July 1, 2015, an emergency rescue worker may be required to undergo a pre-employment physical examination that tests for any evidence of infectious disease. In order to be entitled to the presumption established by this section, the test must be negative for evidence of infectious disease.

Effective July 1, 2015.

#### **Public Chapter 350**

SB 211 - HB 393

#### **State Emergency Communications Board**

Amends 4-29-235(a) and 4-29-238(a) to extend the Emergency Communications Board to June 30, 2017.

Amends 7-86-302. Reconstitutes the board membership. Provides that one representative of county government will be appointed by the Speaker of the Senate. Provides that no more than one member will be appointed from the same county.

Effective May 4, 2015.

### **ENVIRONMENT**

#### **Public Chapter 292**

SB 92 - HB 81

#### **Underground Storage Tank and Solid Waste Board**

Amends numerous provisions in Title 68 relative to the Tennessee Petroleum Act and the underground storage tanks and solid waste disposal control board.

Amends 68-215-106 to make it unlawful for any person to place, or cause to be placed, petroleum substances in a petroleum underground storage tank or to dispense petroleum from a petroleum underground storage tank when the owner of the tank is required to notify the commissioner and the owner has not notified the commissioner of the existence or ownership of the tank.

Amends 68-215-107 to authorize the commissioner to bring suit in the name of the department for a violation of any statute, rule or order under the underground storage tank act.

Amends 68-215-109 relative to certain fee notices sent to an owner of an interest in the petroleum site on which tanks are located.



Amends 68-215-109 to provide that a tank owner or operator may file with the commissioner a written petition requesting a refund of the annual fee paid for the current annual billing cycle or a waiver or reduction of the penalties associated with such annual fee under certain circumstances.

Amends 68-215-110 relative to the circumstances in which amounts in the underground storage tank fund will be transferred to the highway fund.

Amends 68-215-111 to increase maximum cleanup costs under the fund from one million to two million.

Deletes 68-215-130 relative to voluntary registration and 68-215-113 relative to hearings and meetings of the board.

Amends 68-211-111 relative to such hearings and meetings.

Amends 68-212-107, 68-212-215 and 68-211-111 relative to appeals heard by the board.

Amends 68-211-111 to make the commissioner of economic and community development and the commissioner of environment and conservation voting members of the board.

Effective July 1, 2015 (provision relative to voting effective July 1, 2016).

**Public Chapter 368**  
SB 655 -- HB 818

**Solid Waste Vehicles**

Amends 55-8-132 to require drivers approaching a stationary solid waste vehicle to treat the vehicle the same as a stationary recovery vehicle, highway maintenance vehicle or utility service vehicle.

Effective July 1, 2015.

**Public Chapter 478**  
SB 1325 --- HB 868

**TACIR Report on Carbon Dioxide Emission Plan**

Enacts a new section in Title 68, Chapter 201, Part 1 to require TACIR to prepare a report relative to any state plan to establish and enforce carbon dioxide emission control measures adopted by TDEC to implement the obligations of the state under the federal emission guidelines. Provides for circumstances under which such report will not be required.

Effective concurrently with the effective date of federal emission guidelines.

**Public Chapter 525**  
SB 1343 --- HB 1321

**Tire Environmental Act**

Enacts a new Part 11 in Title 68, Chapter 211 styled the Tire Environmental Act to establish a fee on each purchase of a new motor vehicle. The fee will be administered by TDEC and is intended to be used for tire environmental programs, including local grants, subsidies or loans. This new fee does not impact the existing pre-disposal fee on the sale of tires for which counties receive \$1 per tire for the processing of waste tires.

Provides for a \$5 fee for motor vehicles with four or fewer wheels, a \$10 fee for motor vehicles with between five and ten wheels, and a \$15 fee for motor vehicles with 11 or more wheels.

Provides that the revenue available from these fees may be expended by TDEC for any of the following purposes:

(1) Grants to develop and implement programs to provide direct incentives to local governments, for-profit entities, and nonprofit entities to enhance collection, transportation, and processing related to further encourage Tennessee end-markets for waste tires; (2) Grants, subsidies, or loans to encourage research, technologies, or processes for waste tire management, the use of tires as alternative fuels, or the use of tires in innovative infrastructure developments; (3) Creation of a database and operation of an interactive information clearinghouse; (4) Expenses of administering the tire environmental program; and (5) Market development services.

Effective October 1, 2015.

**FIREARMS**

**Public Chapter 80**  
SB 1058 – HB 994

**Firearms in Parking Lots**

Enacts 50-1-312 to prohibit an employer (defined as “a person, association, or legal or commercial entity receiving services from an employee and, in return, giving compensation of any kind to the employee”) from discharging or taking an adverse employment action against an employee solely for transporting or storing a firearm or ammunition in an employer parking area in a manner consistent with 39-17-1313(a). Provides that the presence of a firearm or ammunition within an employer’s parking area in accordance with 39-17-1313 does not by itself constitute a failure to provide a safe workplace. Except as otherwise provided in 39-17-1313 for parking areas, nothing in this act is to be construed as prohibiting an employer from prohibiting firearms or ammunition on the employer’s premises.

Effective July 1, 2015.

**Public Chapter 250**  
SB 1171 - HB 995

**Guns in Parks**

Amends 39-17-1311(b)(1)(H). Allows a person with a handgun carry

permit to carry a firearm while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway, or other similar public place that is owned or operated by the state, a county, a municipality, or instrumentality of the state, a county, or municipality, except when the property is in use by any board of education, school, college or university board of trustees, regents, or directors for the administration of any public or private educational institution for the purpose of conducting an athletic event or other school-related activity on an athletic field, permanent or temporary, including but not limited to, a football or soccer field, tennis court, basketball court, track, running trail, Frisbee field, or similar multi-use field.

Deletes 39-17-1311(c), (d) and (e). Removes the authority of a municipality or a county to prohibit persons authorized to carry a handgun from possessing the handgun while within or on a public park that is owned or operated by a county, a municipality or instrumentality thereof.

Amends 39-17-1309. Makes it an offense to possess or carry, whether openly or concealed, a weapon on property while in use by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

Effective April 24, 2015.

**Public Chapter 281**  
SB 700 -- HB 745

**Lifetime Handgun Carry Permits**

Amends 39-17-1351. Creates a lifetime handgun carry permit. The lifetime handgun carry permit entitles the permit holder to carry any handgun or handguns the permit holder legally owns or possesses and entitles the permit holder to any privilege granted to handgun carry permit holders.

Effective July 1, 2015.

**Public Chapter 380**  
SB 1110 --- HB 1341

**Use of Public Funds Prohibited**

Amends Title 38, Chapter 3. Provides that no public funds, personnel, or property may be used to enforce any federal law or regulation that regulates the ownership, use, or possession of firearms, ammunition, or firearms accessories, if the expenditure or use of the personnel or property would result in the violation of another Tennessee statute, Tennessee common law, or the Constitution of Tennessee.

Effective April 30, 2015.

## **HIGHWAYS**

### **Public Chapter 68**

SB 330 – HB Doss

#### **Prevailing Wage on State Highway Projects**

Amends 12-4-402 to revise the definitions of “highway contractor” and “state highway construction project” and to add a definition for “public highway” relative to the prevailing wage requirements for state highway construction projects.

Effective April 6, 2015.

### **Public Chapter 195**

SB 1005 – HB 1105

#### **County Road Relief Act of 2015**

Amends 54-4-404 by adding a new subsection (d), which provides that counties with an unexpended balance of state-aid funds may use such funds to provide a portion of the local match. Requires counties to provide at least 2% of the project cost from county funds or in-kind work, or a combination of both. Eligible projects must be initiated during fiscal years 2015-16 or 2016-17.

Effective April 22, 2015.

### **Public Chapter 488**

SB 379 – HB 1337

#### **Underground Utilities Damage Prevention Act**

Amends Title 65, Chapter 31, Part 1 to make substantial revisions to the act. Establishes a system of civil, rather than criminal, enforcement for failing to follow the statutory procedures for notifying the Tennessee One-Call system prior to engaging in excavation activities. Carves out a notification exemption for “routine road maintenance activities.” Requires all utility operators to join Tennessee One-Call on a phased-in basis. Requires utility operators to report all damage using DIRT. Provides for penalties for violations of the act, including training and civil monetary penalties up to \$5,000 per incident. Provides that local governments will not be fined unless they engage in a pattern of willful noncompliance with the act. Creates an enforcement board and an executive committee, which is responsible for levying penalties.

Effective May 20, 2015.

### **Public Chapter 393**

SB 817 – HB 686

#### **Weight Limits**

Amends 55-7-203 to authorize the commissioner to issue special permits for nondivisible overweight loads. Amends 55-7-205(h)(3) to increase the fee for special permits issued for excessive weight. Further amends 55-7-205(h)(5) to revise the fee amounts as provided in (h)(3).

Effective July 1, 2015.

**Public Chapter 479**  
SB 1326 – HB 1275

**Metropolitan Planning Organizations**

Enacts a new part at Title 64, Chapter 8 to provide that the votes on each MPO policy board are equally weighted and not based on population. Provides that one voting member of the policy board will be chosen by the Tennessee County Highway Officials Association. Applies only to MPOs located entirely within Tennessee and that contain at least 3 counties.

Effective May 18, 2015.

**JAILS**

**Public Chapter 125**  
SB 1315 – HB 42

**Mandatory Minimum Sentences – Probation Eligibility**

Amends 40-35-313, 39-13-106, 39-13-213. Creates mandatory minimum sentences for vehicular assault and vehicular homicide and revises provisions related to probation eligibility.

Effective July 1, 2015.

**Public Chapter 240**  
SB 509 – HB 153

**Unmanned Aircraft**

Amends 39-13-903. Prohibits the use of unmanned aircraft over the grounds of a correctional facility.

Effective July 1, 2015.

**Public Chapter 283**  
SB 833 – HB 838

**Aggravated Assault against a Correctional Officer**

Amends 39-13-102. Requires a court to order an inmate convicted of aggravated assault against a correctional officer to pay restitution to the victim. The judge must order the warden, chief operating officer, or workhouse administrator to deduct from the inmate's commissary account at least 50%, and up to 100%, of the restitution ordered.

Effective July 1, 2015.

**Public Chapter 433**  
SB 30 – HB 45

**Mandatory Minimum Sentences – Probation Eligibility**

Amends 40-35-501 (k). Requires a person who commits aggravated vehicular homicide on or after July 1, 2015, to serve 60% of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits shall operate to reduce below 45% the percentage of sentence such person must serve before becoming release eligible.

Effective July 1, 2015.

**LAW ENFORCEMENT**

**Public Chapter 43**  
SB 420 – HB 258

**Report of Drug Funds Collected and Spent**

Repeals 39-17-451. Removes the requirement that the governing

body of the law enforcement agency responsible for the investigation and arrest that resulted in a drug conviction submit a yearly report to the comptroller of the funds collected and spent on drug education and drug treatment.

Effective March 27, 2015.

**Public Chapter 59**  
SB 111 - HB 100

**Immediate Methamphetamine Precursor**

Amends 39-17-431. Changes the limit calculations for methamphetamine precursors to the amount of ephedrine or pseudoephedrine base, or their salts, isomers, or salts of isomers contained in a product.

Effective April 6, 2015.

**Public Chapter 67**  
SB 305 - HB 270

**Prostitution**

Amends 39-13-513. Requires a law enforcement officer to provide a minor suspected of prostitution with the telephone number of the Tennessee human trafficking resource center hotline instead of the number to the national hotline.

Effective July 1, 2015.

**Public Chapter 77**  
SB 924 - HB 959

**Search Procedures --- Immunity from Prosecution**

Enacts 40-7-1\_\_. Grants immunity from prosecution for possession of drug paraphernalia in certain situations when the person being searched alerts the officer to the presence of a hypodermic needle or similar sharp object. Does not apply to any other drug paraphernalia that may be present and found during the search.

Effective July 1, 2015.

**Public Chapter 82**  
SB 45 - HB 39

**Dextromethorphan**

Enacts 39-17-4\_\_. Prohibits the retail sale of products containing dextromethorphan to persons who are less than 18 years of age; prohibits the purchase of products containing dextromethorphan by persons who are less than 18 years of age. Preempts any local ordinance regulating the retail sale of products containing dextromethorphan enacted by a local governmental entity of this state.

Effective January 1, 2016.

**Public Chapter 126**  
SB 110 - HB 99

**Driving Under the Influence**

Amends 55-10-401 and 55-10-402. Adds that it is unlawful for a person to drive on any "street or alley" while intoxicated. Clarifies, in regard to a shopping center, trailer park, or apartment house complex that the law covers being "on the premises" on any such location, or any other premises frequented by the public. Clarifies that a person is driving under the influence if the person's BAC is 0.04% or more, and

the vehicle is a commercial vehicle, instead of 0.04%. Clarifies that a person who drives under the influence, upon a conviction for first offense with a BAC of 0.20% or more must serve a minimum of seven days, and as a condition of probation, must remove litter during the daylight hours from public roadways or publicly owned property for a total period of 24 hours.

Effective April 9, 2015.

#### **Public Chapter 160**

SB 197 - HB 119

#### **Forcible Entry and Detainer -- Constables**

Amends 29-18-115. Authorizes constables to post and mail detainer summonses and serve a summons in addition to sheriffs and deputy sheriffs.

Effective April 16, 2015.

#### **Public Chapter 180**

SB 441 - HB 319

#### **Procedure for Judicial Forfeiture of Property**

Amends 39-11-708 and 709. Clarifies that the burden of proof in judicial forfeiture proceedings involving real property is preponderance of the evidence. Changes the venue for filing petitions to return seized property from chancery court to the court having criminal jurisdiction in the judicial district where the seizure occurred.

Effective July 1, 2015.

#### **Public Chapter 231**

SB 594 - HB 672

#### **Mandatory Child Abuse Reports**

Amends 37-1-406. Provides that any investigator or law enforcement officer who is investigating a possible domestic abuse or child abuse incident that may have involved or occurred in the presence of a hearing-impaired child shall not use the child's parent or family member as an interpreter. The investigator or officer shall instead communicate with the hearing-impaired child using an interpreter trained as a sign language interpreter. Requires law enforcement agencies to maintain a list of interpreters developed from a list provided by the Tennessee council for the deaf, deaf-blind, and hard of hearing.

Effective April 21, 2015.

#### **Public Chapter 234**

SB 1215 - HB 1255

#### **Firearms -- Execution of Documents by Sheriff**

Amends 39-17-1361. Requires the chief law enforcement officer of a jurisdiction to certify the transfer or making of a firearm, as required by the National Firearms Act, within 15 days if the person is not prohibited from receiving or possessing a firearm by law.

Effective April 20, 2015.

#### **Public Chapter 245**

SB 677 - HB 661

#### **Bail**

Amends 40-11-150. Permits a magistrate to impose additional



conditions of release or bail on a defendant arrested for child abuse, neglect, or endangerment or aggravated child abuse, neglect, or endangerment who is a threat to the alleged victim.

Effective April 24, 2015.

#### **Public Chapter 253**

SB 981 --- HB 1239

#### **Sexual Assault Cases**

Amends Title 39, Chapter 13, Part 5. Provides that a victim of a sexually oriented crime is entitled to a forensic medical examination without charge to the victim; establishes requirements for collection of evidence, testing, and handling of such evidence; requires the domestic violence state coordinating council to create a model policy for law enforcement agencies responding to reports of sexually oriented crimes and requires all law enforcement agencies that are likely to encounter reports of sexually oriented crimes to establish written policies and procedures on responding to reports of sexually oriented crimes.

Effective April 24, 2015.

#### **Public Chapter 263**

SB 667 --- HB 830

#### **Domestic Violence**

Amends Title 49, Chapter 6, Part 10. Encourages LEAs, in consultation with local law enforcement, to institute domestic violence awareness education programs for middle and high school students.

Effective July 1, 2015.

#### **Public Chapter 264**

SB 795 -- HB 865

#### **Prostitution**

Amends 39-13-513(d). Authorizes law enforcement officers to transport minor victims of prostitution to a shelter care facility designated by the juvenile court judge to facilitate the release of the minor to the custody of a parent or legal guardian.

Effective April 24, 2015.

#### **Public Chapter 284**

SB 853 -- HB 880

#### **Sex Offenders**

Amends 40-39-202(20)(A). Requires persons who are convicted of the offense of sexual contact with an inmate to register as sex offenders.

Effective July 1, 2015.

#### **Public Chapter 302**

SB 318 -- HB 287

#### **Controlled Substances their Analogues and Derivatives**

Amends 39-17-406, 408, 410, 412, 414, 438, and 452. Revises the schedules of controlled substances found in present law to include additions and changes made under federal law.

Effective July 1, 2015.



**Public Chapter 311**

SB 374 --- HB 404

**Powdered or Crystalline Alcohol**

Amends Title 57, Chapter 3, Part 4. Creates a Class A misdemeanor for the sale of powdered or crystalline alcohol.

Effective May 1, 2015.

**Public Chapter 316**

SB 599 -- HB 534

**Sex Offender Registration**

Amends 40-39-202(27). Clarifies the definition of "violent juvenile sexual offender" to apply when the offender is between the ages of 14 and 18 when the qualifying act is committed.

Effective April 28, 2015.

**Public Chapter 319**

SB 666 -- HB 494

**Violations of Curfew**

Amends 39-17-1702. Creates a new disposition option of taking a minor who violates curfew to a designated curfew center rather than juvenile court; revises other curfew provisions.

Effective April 28, 2015.

**Public Chapter 335**

SB 6 --- HB 57

**Racial Profiling Prevention Act**

Amends Title 38, Chapter 1. Enacts the "Racial Profiling Prevention Act," which requires each state and local law enforcement agency to adopt, on or before January 1, 2016, a written policy that prohibits racial profiling. Defines "racial profiling" as the detention or interdiction of an individual in traffic contacts, field contacts, or asset seizure and forfeiture efforts solely on the basis of the individual's actual or perceived race, color, ethnicity, or national origin.

Effective May 4, 2015.

**Public Chapter 344**

SB 126 -- HB 132

**Unlicensed Motor Vehicle Transactions --- Curbstoning**

Amends 55-16-103 and 104; 55-17-102 and 114; 40-33-201, 210 and 211. Defines curbstoning as the selling, offering for sale, advertising for sale, or soliciting the sale of any motor vehicle without a properly endorsed certificate of title by a person or entity engaged primarily in the sale of used motor vehicles if the person or entity is not licensed as a motor vehicle dealer.

Provides that a law enforcement agency may seize any motor vehicle used in "curbstoning," but requires the law enforcement agency to provide notice on the motor vehicle at least 48 hours prior to the seizure if the vehicle used in curbstoning is on residential property. Specifies that a motor vehicle used in curbstoning is subject to forfeiture in the same manner as provided by law for seizure and forfeiture of other items.

Provides that the revenue derived from the sale of the forfeited vehicles shall be distributed as follows: (1) 75% of the revenue shall

be retained by the entity responsible for the seizure; (2) 10% of the revenue shall be transferred to the state and placed in the general fund; and (3) 15% of the revenue shall be transferred to the department of commerce and insurance, division of consumer affairs, for consumer education.

Effective July 1, 2015.

#### **Public Chapter 352**

SB 280 --- HB 197

#### **Cannabis Oil**

Amends 39-17-402. Excludes from the definition of "marijuana" oil containing the substance cannabidiol, with less than 0.9% of tetrahydrocannabinol, if: (1) The bottle containing the oil is labeled by the manufacturer as containing cannabidiol in an amount less than 0.9% of tetrahydrocannabinol; and (2) The person in possession of the oil retains: (A) Proof of the legal order or recommendation from the issuing state; and (B) Proof that the person or the person's immediate family member has been diagnosed with intractable seizures or epilepsy by a medical doctor or doctor of osteopathic medicine who is licensed to practice medicine in the State of Tennessee.

Effective May 4, 2015.

#### **Public Chapter 365**

SB 638 --- HB 843

#### **Neighborhood Protection Act**

Amends Title 40, Chapter 35, Part 1. Authorizes a homeowners' association, a neighborhood association, a neighborhood watch, or a similarly organized residential entity that is recognized by state or local law with defined boundaries referenced in the residential entity's charter or governing document, to seek an injunction or restraining order prohibiting an offender from entering the boundaries of the residential area if the offender has been convicted of three or more specified offenses.

Effective July 1, 2015.

#### **Public Chapter 387**

SB 457 --- HB 582

#### **Elder Abuse Investigation**

Amends 71-6-103(l). Authorizes a law enforcement agency, during the course of an elder abuse investigation, if it is unable to determine to its satisfaction that sufficient information is available to determine whether an adult is in imminent danger or lacks the capacity to consent to protective services, to obtain a court order to require the adult to be examined by a physician, a psychologist in consultation with a physician or a psychiatrist in order that such determination can be made.

Effective July 1, 2015.

#### **Public Chapter 389**

SB 570 --- HB 403

#### **Opioid Abuse Reduction Act**

Enacts the Opioid Abuse Reduction Act. Requires the Commissioner of

Mental Health and Substance Abuse Services to convene a working group to examine the problem of opioid abuse in this state, with a primary focus on persons enrolled in TennCare, and the potential impact of the use of FDA-approved abuse-deterrent opioids. The working group must include representatives of TennCare, the Tennessee Department of Safety, the Tennessee Department of Health, the healthcare insurance industry, manufacturers of abuse-deterrent opioids, law enforcement, the Tennessee Medical Association, and other persons whom the commissioner may deem appropriate.

Effective May 8, 2015.

**Public Chapter 396**  
SB 871 --- HB 1036

**Addiction Treatment Act of 2015**

Enacts the Addiction Treatment Act of 2015. Provides that any person who in good faith seeks medical assistance for a person experiencing or believed to be experiencing a drug overdose shall not be arrested, charged, or prosecuted for a drug violation if the evidence for the arrest, charge, or prosecution of the drug violation resulted from seeking such medical assistance. Any person who is experiencing a drug overdose and who in good faith seeks medical assistance for or is the subject of a request for medical assistance shall not be arrested, charged, or prosecuted for a drug violation if the evidence for the arrest, charge, or prosecution of the drug violation resulted from seeking such medical assistance. This immunity from being arrested, charged, or prosecuted shall apply to the person experiencing a drug overdose only on the person's first such drug overdose. Any such person shall also not be subject to the following, if related to the seeking of medical assistance: (1) Penalties for a violation of a permanent or temporary protective order or restraining order; or (2) Sanctions for a violation of a condition of pretrial release, condition of probation, or condition of parole based on a drug violation. Provides that this law does not limit any seizure of evidence or contraband otherwise permitted by law. Provides that this law does not limit or abridge the authority of a law enforcement officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in this law.

Effective July 1, 2015.

**Public Chapter 401**  
SB 932 -- HB 1173

**Synthetic Cannabinoids**

Amends 39-17-438. Adds certain synthetic cannabinoids to the list for which it is an offense to knowingly produce, manufacture, distribute, possess, or possess with intent to produce, manufacture, or distribute. Effective July 1, 2015.

**Public Chapter 406**  
SB 1024 -- HB 962

**Animal Fighting**

Amends 39-14-203. Creates a Class A misdemeanor offense of causing a person under 18 years of age to attend an animal fight and increases

the penalty for the offense of being a spectator at an animal fight to a Class A misdemeanor.

Effective July 1, 2015.

**Public Chapter 408**  
SB 1103 - HB 1046

**Disposition of Confiscated Firearms**

Rewrites 39-17-1317. Provides that the sheriff may petition the court for permission to dispose of the weapon in accordance with this section. Provides that contraband weapons, abandoned weapons, and weapons voluntarily surrendered, shall be, pursuant to a court order: (1) Sold in a public sale; (2) Used for legitimate law enforcement purposes, at the discretion of the court; or (3) Relinquished in accordance with this section. If the court orders the weapon to be sold, then: (1) It shall be sold at a public auction not later than 6 months from the date of the court order. The sale shall be conducted by the sheriff of the county in which it was seized or obtained; (2) The proceeds from the sale shall be deposited in the county general fund and allocated solely for law enforcement purposes; (3) The sale shall be advertised: (A) In a daily or weekly newspaper circulated within the county. The advertisement shall run for not less than three editions and not less than thirty days prior to the sale; or (B) By posting the sale on a web site maintained by the state or a political subdivision of the state not less than thirty days prior to the sale; and (4) If required by federal or state law, then the sale can be conducted under contract with a licensed firearm dealer, whose commission shall not exceed 20% of the gross sales price. However, the dealer shall not hold any elective or appointed position within the federal, state, or local government in this state during any stage of the sales contract. If the weapon is sold, the sheriff shall file an affidavit with the court issuing the sale order. The affidavit shall: (1) Be filed within thirty days after the sale; (2) Identify the weapon, including any serial number, and shall state the time, date, and circumstances of the sale; and (3) List the name and address of the purchaser and the price paid for the weapon. If the court orders the weapon to be retained and used for legitimate law enforcement purposes, then: (1) Title to the weapon shall be placed in the law enforcement agency retaining the weapon; and (2) When the weapon is no longer needed for legitimate law enforcement purposes, it shall be sold in accordance with this section. A weapon that was used as evidence in an official proceeding shall be sold or retained for legitimate law enforcement purposes not less than 60 days nor more than 180 days after the last legal proceeding involving the weapon. A law enforcement agency possessing a weapon declared contraband, retained as evidence in an official proceeding, secured after being abandoned, or surrendered by someone other than the owner shall use best efforts to determine whether the weapon has been lost by or stolen or borrowed from an innocent owner, and if so, the agency shall return the weapon to the owner, if ascertainable, unless that person is ineligible to possess,

receive, or purchase such weapon under state or federal law. If the sheriff certifies to the court that a weapon is inoperable or unsafe, then the court shall order the weapon: (1) Destroyed or recycled; or (2) Transferred to a museum or historical society that displays such items to the public and is lawfully eligible to receive the weapon. The sheriff may petition the criminal court or the court in the county having criminal jurisdiction for permission to exchange firearms that have previously been properly titled, as specified by this section, to the law enforcement agency for other firearms, ammunition, or body armor suitable for use by the law enforcement agency. The exchange of firearms for the specified items used for legitimate law enforcement purposes is permitted only between the department of safety, the director of the Tennessee bureau of investigation, the executive director of the Tennessee alcoholic beverage commission, a local law enforcement agency, a judicial district drug task force, and a licensed and qualified law enforcement firearms dealer. No firearm obtained by a law enforcement agency through a buyback program shall be eligible to be exchanged. No weapon seized by law enforcement officials shall be used for any personal use. A violation of this section is a Class B misdemeanor.

Effective July 1, 2015.

#### **Public Chapter 409**

SB 1114 - HB 1291

#### **Aron's Law - Killing of Police Dog**

Amends 39-14-205. Enacts "Aron's Law," which makes the knowing killing of a police dog, fire dog, search and rescue dog, or police horse a Class E felony, unless the offense would be a higher classification based on the animal's value, in which case, knowingly killing the animal will be punished as theft of property.

Effective May 8, 2015.

#### **Public Chapter 435**

SB 43 - HB 268

#### **Communication Intercepts**

Amends 40-6-305. Adds the commission of trafficking a person for a commercial sex act to the list of crimes eligible for the interception of wire, oral, or electronic communications that may provide evidence.

Effective July 1, 2015.

#### **Public Chapter 441**

SB 180 --- HB 935

#### **Seizure of Property Used to Commit Acts of Terrorism**

Amends Title 39, Chapter 13, Part 8. Permits seizure and forfeiture of property used to commit acts of terrorism. Provides for the distribution of funds from the seizure and forfeiture. Allows local law enforcement agencies to recoup expenses from asset forfeitures. A law enforcement agency or other governmental agency that participated in the investigation, mitigation, seizure, or forfeiture process for a criminal offense under this part, may file a claim for costs or damages, and the seized property may be used to satisfy any costs or damages awarded for the claim.

Effective July 1, 2015.

**Public Chapter 463**

SB 986 -- HB 720

**Seizure and Forfeiture of Vehicles**

Amends 55-10-414. Provides that the seizure and forfeiture of vehicles is applicable after a person's second or subsequent DUI convictions, rather than violations.

Effective May 18, 2015.

**Public Chapter 468**

SB 1128 -- HB 1372

**Unmanned Traffic Enforcement Cameras**

Amends 55-8-198(l). Specifies that unmanned traffic enforcement cameras may not be used to issue speeding tickets on any public road or highway, unless the traffic camera is: (1) Within the designated distance of a marked school; or  
(2) On any S-Curve of a public road or highway, which is defined as a bend in a public road or highway in the shape of an "S" that inhibits a driver's full vision through the bend.

Effective July 1, 2015.

**Public Chapter 492**

SB 469 -- HB 395

**Helmet Law Exemption**

Amends 55-9-302. Creates an exemption to the motorcycle helmet requirement for persons riding in a funeral procession, memorial ride under a police escort, or body escort detail; provided, that: (1) The driver travels at a speed not to exceed 30 miles per hour; (2) The driver or passenger is 21 years of age or older; and (3) The funeral procession, memorial ride, or body escort detail does not exceed a distance of 50 miles.

Effective July 1, 2015.

**Public Chapter 498**

SB 1012 -- HB 765

**Qualifications of Police Officers**

Amends 38-8-105 and 106. Specifies that any citizenship requirement in a private act or charter provision to the contrary, a municipality, county, political subdivision of this state, or state law enforcement agency is authorized to employ a police officer who is a permanent legal resident of the United States and an honorably discharged veteran of the United States armed forces; provided, that the police officer applies for or obtains United States citizenship within six years of the employment start date with the law enforcement agency.

Effective May 20, 2015.

**Public Chapter 503**

SB 16 --- HB 275

**Human Trafficking -- Courses of Instruction**

Amends Title 38, Chapter 6, Part 1. Requires the TBI, by January 1, 2016, to: (1) Implement a course or courses of instruction for the training of law enforcement officers and other government officials who are directly involved with human trafficking, including the investigation of and the intake of human trafficking complaints; and



(2) Develop recommended best practice uniform protocols and procedures for law enforcement response to human trafficking. Requires every law enforcement officer who is assigned field or investigative duties to complete at least two hours of training in a course or courses of instruction pertaining to the handling of human trafficking complaints by July 1, 2017, or within six months from the officer's date of employment as a full-time law enforcement officer, whichever is later. Specifies that the training will be provided at no cost.

Effective July 1, 2015.

**Public Chapter 508**  
SB 464 – HB 505

**Sheriff's Qualifications**

Amends 8-8-102. Authorizes a person to challenge whether a candidate has the required qualifications for sheriff. Sets forth the process for filing the challenge. Requires the POST commission to review and verify the candidate's required qualifications when a challenge has been filed. If the POST commission determines the candidate does not possess the required qualifications for sheriff, the candidate will be disqualified. Makes it a Class A misdemeanor for a person to intentionally file a fraudulent challenge under this provision.

Effective July 1, 2015.

**Public Chapter 509**  
SB 651 – HB 556

**Electronic Driver License System**

Enacts 55-50-306. Authorizes the Department of Safety to develop a secure and uniform system for authorizing persons to present or submit evidence of a driver license in an optional electronic format in lieu of a physical driver license. An acceptable electronic format will include display of electronic images on a cellular phone or any other type or portable electronic device. Provides that in lieu of a physical driver license, a person who participates in the system may present or submit evidence of possession of a valid driver license in an electronic format, which shall be accepted as such evidence for identification and other purposes, including upon the request of a law enforcement officer or a seller of alcoholic beverages. The electronic driver license system shall allow law enforcement officers to verify the authenticity of the driver license. If a person displays the evidence in an electronic format pursuant to this subsection, the person is not consenting for a law enforcement officer to access any other contents of the electronic device.

Effective May 20, 2015.

**Public Chapter 510**  
SB 1182 – HB 580

**Human Trafficking Advisory Council**

Amends Title 4, Chapter 3, Part 30. Requires the Tennessee Bureau of Investigation to form a human trafficking advisory council, which shall convene on an as-needed basis to further develop and implement a state plan for the prevention of human trafficking;

provided that the council shall convene at least one meeting each January regarding legislation. The Tennessee Bureau of Investigation shall appoint appropriate persons as leadership of the advisory council.

Effective July 1, 2015.

**Public Chapter 511**  
SB 648 - HB 606

**Insurance Verification Program**

Amends Title 55, Chapter 12. Enacts the "James Lee Atwood Jr. Law." Establishes an online electronic insurance verification program to verify compliance with the Tennessee Financial Responsibility Law of 1977. Authorizes the Commissioner of Revenue to contract with a designated agent to develop, implement, and administer the program. Specifies that if an owner of a motor vehicle fails to provide satisfactory proof of financial security, the Department of Revenue shall impose on the owner of the motor vehicle a twenty-five-dollar coverage failure fee. Of this fee, \$5.00 shall be distributed to the county clerk of the county in which the motor vehicle is registered, \$5.00 shall be distributed to the Department of Safety, and the remainder shall be deposited into the uninsured motorist identification restricted fund. If the owner of the motor vehicle fails to comply with the above requirements, the owner of the motor vehicle shall be subject to a one hundred-dollar continued coverage failure fee and suspension or revocation of the owner's motor vehicle registration. The one hundred-dollar continued coverage failure fee shall be in addition to the twenty-five-dollar coverage failure fee. Of this continued coverage failure fee, \$10.00 shall be distributed to the county clerk of the county in which the motor vehicle is registered, \$5.00 shall be distributed to the Department of Safety, and the remainder shall be deposited into the uninsured motorist identification restricted fund. If the owner of the motor vehicle fails to comply, the Department of Revenue shall suspend or revoke the motor vehicle owner's registration. Any action by the Department of Revenue to suspend or revoke the registration of a motor vehicle under this law may be in addition to an action by a law enforcement agency. The Department of Revenue shall not process an application for reinstatement or renewal of registration of a motor vehicle after a suspension or revocation of the registration until: (1) The applicant pays all fees owed pursuant to this law; and (2) The applicant pays any applicable county reinstatement fee. A county legislative body may vote to impose a county reinstatement fee for reinstatement or renewal of registration of a motor vehicle after a suspension or revocation of the registration under this law. This reinstatement fee shall be in addition to any other fee imposed under this chapter and shall not exceed \$25.00. The Commissioner of Revenue may waive the fees and the county clerk of the county in which the vehicle is to be registered may waive the county reinstatement fee, if applicable, if: (1) The registration was suspended or revoked pursuant to this law;



and (2) The applicant provides proof acceptable to the Department of Revenue that the applicant had an owner or operator's financial security in effect for the vehicle on the date the suspension or revocation went into effect.

Effective May 20, 2015, for the purposes of developing and implementing the program and promulgating rules.

Effective January 1, 2016, for all other purposes.

**Public Chapter 516**  
SB 679 – HB 810

**Sexual Offenders and Violent Sexual Offenders**

Amends 40-39-211. Prohibits a registered sexual offender or violent sexual offender from being alone with a minor in a private area where the conduct of the offender is not readily observable by anyone other than the minor.

Amends 40-39-203, 204 and 205. Allows certain items required to be submitted by mail to the TBI regarding a registered sexual offender to also be submitted by electronic means.

Amends 40-39-202 and 203. Requires the registrant to provide a complete listing of the offender's e-mail address information, including usernames, any social media accounts the offender uses or intends to use, instant message, other Internet communication platforms or devices, and the offender's username, screen name, or other method by which the offender accesses these accounts or web sites.

Effective July 1, 2015.

**PERSONNEL**

**Public Chapter 95**  
SB 102 – HB 91

**Unemployment Compensation**

Amends Title 50, Chapter 7, to authorize the department to send and receive electronic notifications, notices, decisions and correspondence, if the individual or entity agrees to sending or receiving such items electronically. Amends 50-7-304 relative to reconsideration of determinations and offsets of expenses and fees. Amends 50-7-404(c)(3) to require, beginning January 1, 2016, each employer with 10 or more employees, and every person and organization that reports wages on 10 or more employees, to file that portion of the wage and premium report that contains the name, social security number, and gross wages of each employee electronically in a format prescribed by the commissioner. Imposes penalties of \$50 for each month after January 1, 2016, that the employer fails to file electronically. Allows employers with between 10 and 99 employees to file annually for an exception based on undue hardship. Amends 50-7-715(d) to provide that money received by the

department in repayment of unemployment benefits received in violation of the law will be applied first to the benefits received, then to penalties due, then to interest due.

Effective July 1, 2015.

#### **Public Chapter 364**

SB 606 – HB 647

#### **Longevity Pay for State Employees**

Amends 8-23-102 to remove employees of the executive branch of state government hired after June 30, 2015, from eligibility for state longevity pay.

Effective July 1, 2015.

#### **Public Chapter 426**

SB 607 – HB 648

#### **State Group Insurance Plans**

Amends Title 8, Chapter 27, to rewrite the laws pertaining to state group insurance plans, including the local education insurance plan and the local government insurance plan.

Effective May 18, 2015.

### **PLANNING/ZONING**

#### **Public Chapter 192**

SB 323 – HB 292

#### **Zoning Regulation of Agricultural Uses in Floodplain**

Amends 13-7-114 to add a new subsection (c), which provides that counties participating in the national flood insurance program must regulate buildings and development (including those related to agriculture) located within a special flood hazard area (one hundred-year floodplain) to the extent required to comply with the national flood insurance program.

Effective April 22, 2015.

#### **Public Chapter 209**

SB 382 – HB 177

#### **Subdivision Plats**

Amends 13-3-403(b) to clarify the process by which the regional planning commission grants plat approval subject to a surety bond or other assurance securing completion of infrastructure improvements. Also amends 13-3-410 to remove the Class C misdemeanor offense for transferring or selling land by reference to a plat that has not yet been approved and recorded. Further amends 13-3-410 to add a new subsection authorizing the regional planning commission to grant final plat approval in instances where infrastructure improvements are not complete if the owner posts a bond or other security to assure completion of the improvements. Amends 13-4-303 and 13-4-306 to make similar changes applicable to municipal planning commissions.

Effective April 20, 2015.

**Public Chapter 474**  
SB 1232 – HB 846

**Nonconforming Uses**

Amends 13-7-208 to allow grandfathering of industrial, commercial or business establishments upon enactment of a redevelopment plan or amendment to a redevelopment plan. Also provides that the operation, rebuilding or expansion of off-site signs in existence for ten years or more cannot be denied solely because the original sign permit proving it was originally a lawful use does not exist.

July 1, 2015.

**PURCHASING**

**Public Chapter 403**  
SB 978 – HB 823

**Licensed Architects and Engineers**

Amends 62-2-107(b)(1)(A) to raise the amount above which plans must be approved by licensed engineers, architects, and landscape architects for public work projects involving engineering, architecture, or landscape architecture from \$25,000 to \$50,000.

Effective May 18, 2015.

**Public Chapter 457**  
SB 831 – HB 702

**Increase Bid Limits**

Enacts 12-3-\_\_\_ to authorize any county, municipality, utility district, or other local government entity with centralized purchasing authority and a full-time purchasing agent to increase, by resolution or ordinance, the formal bid threshold to an amount not to exceed \$25,000, notwithstanding any charter provision, private act, or other law to the contrary. Requires at least 3 written quotations when possible for purchases between the bid threshold and 40% of the bid threshold.

Effective May 18, 2015.

**RECORDS**

**Public Chapter 45**  
SB435 – HB 171

**Redaction of Social Security Numbers by Register of Deeds**

Amends 10-7-515(f) to require registers in all counties to redact social security numbers from electronic databases upon written request. The request form is to be recorded unless redaction is not practicable. In that case, the register is required to explain to the requestor why redaction is not practicable either verbally or in writing. Amends 10-7-515(g) to authorize registers in all counties to redact social security numbers on documents if they are maintained on a computer or on removable computer storage media, if the records are stored in a manner that permits redaction.

Effective March 27, 2015.

**Public Chapter 50**

SB 1356 - HB 469

**Credit Card Information**

Amends 10-7-504(a)(19) to make confidential credit card account numbers and any related personal identification numbers or authorization codes in the possession of the state or a political subdivision.

Enacts a new subsection in 10-7-504 to make confidential any bank account information that is received, compiled, or maintained by a state governmental agency. The bank account information that shall be kept confidential includes, but is not limited to, debit card numbers and any related personal identification numbers or authorization codes, bank account numbers, and transit routing numbers.

Effective March 27, 2015.

**Public Chapter 136**

SB 690 - HB 263

**Assessment Information Introduced in Court**

Amends 67-5-303 to provide that certain evidence relative to a property assessment introduced by a party in court or administrative proceeding shall not be confidential unless placed under seal by the judge.

Effective April 16, 2015.

**Public Chapter 154**

SB 98 - HB 87

**Commissioner of Health**

Amends 63-1-117 and 68-11-304 to grant the commissioner of health or the commissioner's designee access to medical records while responding to an immediate threat to the public health, welfare or general good.

Effective April 16, 2015.

**Public Chapter 211**

SB 423 - HB 262

**Assessment Certification and Education Program**

Amends 67-1-509 and 10-7-504 to make confidential all examinations administered by the comptroller of the treasury as part of the assessment certification and education program, including, but not limited to, the total bank of questions from which the tests are developed, the answers, and the answer sheets of individual test takers.

Effective April 20, 2015.

**Public Chapter 217**

SB 762 - HB 747

**Water Usage Data**

Amends 10-7-504 to make consumer-specific water usage data confidential.

Effective April 20, 2015.

**Public Chapter 225**

SB 1218 - HB 530

**Social Security Numbers**

Amends 4-4-125 to include counties in the provision that prohibits state entities from disclosing social security numbers.

Provides that no county entity shall publicly disclose the social security number of any citizen of the state unless: (1) Such permission is given by such citizen; (2) Distribution is authorized under state or federal law; or (3) Distribution is made: (A) To a consumer reporting agency as defined by the federal Fair Credit Reporting Act; (B) To a financial institution subject to the privacy provisions of the federal Gramm Leach Bliley Act; or (C) To a financial institution subject to the International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001.

Provides that “publicly disclose” does not include the use of any social security number by any state entity or local entity in the performance of its functions or the disclosure of any social security number to another state entity, local entity, or agency of the federal government, or any private person or entity that has been authorized to perform certain duties as a contractor of the state. Provides that any person or entity receiving a social security number from any state entity or local entity shall be subject to the same confidentiality provisions as the disclosing state entity or local entity.

Effective April 20, 2015.

**Public Chapter 374**  
SB 1337 – HB 619

**Personal Information Collected by Trustees**

Enacts a new section in Title 8, Chapter 11, Part 1 to provide that an individual’s credit card information, debit card information, bank account and routing information, e-mail address, and telephone number acquired by the county trustee shall not be open for public inspection.

Provides that the information made confidential by this law shall be open to inspection by law enforcement agencies, courts, or other government agencies performing official functions.

Provides that information made confidential by this law shall be redacted wherever possible and that nothing in this law shall limit or deny access to otherwise public information because a file, document, or data file contains confidential information.

Effective May 4, 2015.

**Public Chapter 415**  
SB 1225 – HB 1077

**Interscholastic Sports Associations**

Enacts a new subdivision in 10-7-504(a) to provide that a voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for secondary schools in this state shall have access to records or information from public, charter, non-public, other schools, school officials and parents or guardians of school children as is required to fulfill its duties and functions.

Provides that records or information relating to academic performance, financial status of a student or the student's parent or guardian, medical or psychological treatment or testing, and personal family information in the possession of such association shall be confidential.

Effective May 8, 2015.

## **RETIREMENT**

### **Public Chapter 421**

SB 1355 - HB 513

#### **Administration of TCRS**

Amends 8-34-301 to provide that the board of trustees may delegate to the state treasurer the duty to carry out the day-to-day operations and responsibilities for the administration of TCRS.

Amends 8-36-113 to authorize TCRS to withhold payment of a member's accumulated contributions and interest or monthly benefits upon being notified of certain criminal activity or audit finding related to employment.

Amends 8-36-601 relative to certain survivor benefits under optional allowances in order to comply with IRS regulations.

Amends 8-36-920 relative to contributions to the stabilization reserve trust account under hybrid plans.

Amends 8-35-203 relative to certain local governments that maintain a pre-existing pension plan and authorizes them to allow employees under such plan to participate in the current plan under certain conditions.

Amends 8-36-903 to allow teachers who are members of legacy plans to transfer to the hybrid plan on a prospective basis under certain circumstances.

Amends numerous other provisions relative to TCRS.

Effective May 8, 2015.

### **Public Chapter 440**

SB 153 - HB 249

#### **Qualified Domestic Relations Orders**

Amends 26-2-105 to provide that local governments with non-TCRS retirement or pension plans must honor claims under a qualified domestic relations order if the order relates to the provision of marital property rights for the benefit of the former spouse.

Effective July 1, 2015.

## **TAXATION**

### **Public Chapter 220**

SB 990 – HB 186

#### **Mixed Drink Tax Distribution**

Amends 57-4-306(b)(2) to extend the temporary distribution formula for mixed drink tax revenues for an additional year, to June 30, 2016.

Effective July 1, 2015.

### **Public Chapter 470**

SB 1162 --- HB 999

#### **ABLE Act**

Enacts “The Achieving a Better Life Experience (ABLE) Act.” Provides that all assets, income and distributions of qualified ABLE programs are exempt from any state, county or municipal tax and are not subject to execution, attachment or garnishment and are not assignable.

Effective July 1, 2015.

### **Public Chapter 395**

SB 850 – HB 951

#### **Hotel/Motel Tax**

Directs the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to study the effect of hotel occupancy taxes on the economy and their effect on tourism and the hospitality industry. The study includes recommendations on whether these taxes should be levied on the municipal, county, or state level to best preserve the state’s economy and encourage the continued growth of tourism in the state.

Effective May 8, 2015.

### **Public Chapter 504**

SB 322 – HB 291

#### **Tax Incentives**

Amends numerous provisions in Title 67, Chapter 4 and Chapter 6 to provide that numerous specific tax incentives will expire on July 1, 2015. Provides that the commissioner of economic and community development, in consultation with the commissioner of revenue, shall conduct a review of tax credits found in 67-4-2009, 67-4-2109 and 67-6-224. Provides the review shall evaluate the previous four fiscal years and may include an evaluation of the purpose of the credit, foregone revenue to the state as a result of the credit, any benefits provided to the state as a result of the credit, and the estimated indirect economic impact of the tax credit, where applicable. The report shall include a recommendation to modify, discontinue, or take no action with respect to each credit.

Amends 67-6-102 to expand the definition of industrial machinery for sales and use tax exemption purposes.

Amends 67-6-224 relative to the “headquarters facility” tax credit.

Effective July 1, 2015.



**Public Chapter 514**  
SB 603 – HB 644

**Revenue Modernization Act**

Amends and enacts numerous provisions in Title 67 to enact the Revenue Modernization Act. The act makes numerous revisions to franchise, excise, business and sales tax laws, including, but not limited to, expanding the “substantial nexus” standards for a number of taxes (including sales and use taxes) and subjecting “cloud” software (SAAS) and video game digital products to sales and use tax.

The various provisions of the act have wide-ranging effective dates set forth in Section 31 of the act.

**TAXATION --- PROPERTY**

**Public Chapter 44**  
SB 424 – HB 264

**Taxation by County**

Amends 67-5-102. Deletes obsolete reference to the state property tax from section addressing county property taxes.

Effective March 27, 2015.

**Public Chapter 193**  
SB 473 – HB 795

**Correction of Assessments**

Amends 67-5-509(f). Clarifies what errors an assessor may correct, including errors in coding, entry, or transcription of data, if documentation clearly establishes that an error occurred and that the error had a substantial effect on the property's value as of the assessment date; prohibits an assessor from revisiting errors involving judgment.

Effective April 22, 2015.

**Public Chapter 215**  
SB 691 – HB 191

**Assessment Review --- State Board of Equalization**

Amends 67-5-1510. Requires that notification of proposed changes in individual property classifications or assessments to be made by either the state board of equalization or the assessment appeals commission on its own accord be given by September 1 of the year following the year to which the notice relates.

Effective April 20, 2015.

**Public Chapter 226**  
SB 1338 – HB 1198

**Tax Relief**

Amends 67-5-701(f)(2). Provides that tax relief shall be provided to only one recipient for a given property for any tax year, per taxing jurisdiction.

Effective April 20, 2015.

**Public Chapter 414**  
SB 1216 – HB 1254

**Delinquent Property Taxes**

Revises a number of provisions related to delinquent property taxes.

Amends 67-5-2003(g)(4), dealing with the collection of personal property taxes.



Amends 67-5-2101(b), provides that in addition to the lien on property, property taxes shall become and remain a personal debt of the property owner or property owners.

Amends 67-5-2103(b), provides that all interested persons shall be deemed to have constructive notice of the proceedings by virtue of the seizure of the parcel occurring upon the filing of a complaint for the purpose of enforcement of the first lien. However, interested persons who do not have an obligation to pay the taxes on the parcel, such as lienholders, need not be joined as parties nor served with process so long as a diligent effort to give actual notice of the proceedings, as defined in § 67-5-2502(c)(1), is made to such persons.

Adds 67-5-2103(d), to provide, among other things, that all interested persons, as defined in this chapter, are charged with the knowledge that the parcel is subject to property taxes, which are required to be paid to the trustee or collector on an annual basis, and which taxes become a first lien on the parcel from January 1 of each year. All interested persons have an affirmative duty to inquire as to the amounts of such taxes and their payment status. Under no circumstances shall a claim that the interested party did not receive a tax bill or any pre-lawsuit notice constitute a valid defense to the enforcement of the lien, the personal debt for the taxes, or the amount of taxes owed, including penalty, interest, cost, and fees.

Amends 67-5-2414, regarding the procedure governing suit. Amends 67-5-2502(a)(3), regarding the notice of sale of land.

Amends 67-5-2415(g), to provide that process and notices delivered by registered or certified mail or by an alternative delivery service, with a return receipt, to an interested party's registered agent at the agent's address or to the address of the interested party, each as shown on the corporate records of a state secretary of state or other officer responsible for maintaining such records, shall be sufficient to bind the interested party as to notices and service of process.

Adds 67-5-2502(a)(4), to provide that a person, who is either expressly or impliedly authorized by another person to receive mail on behalf of the other person, is authorized to sign a receipt on behalf of the other person accepting registered or certified mail or correspondence delivered by an alternative delivery service, containing either a summons, complaint, or summary of the proceeding or a notice that has been or is to be filed in a tax proceeding. In every tax proceeding, the burden of proving by clear and convincing evidence that a person who signed such a receipt for a different person and was, in fact, at that time expressly prohibited in

writing from accepting mail for the second person, shall be upon the person challenging the sufficiency of the service or notice.

Amends 67-5-2503, to provide that an order confirming the sale of a parcel shall confer the right to possession of the parcel to the purchaser effective upon entry of the order. On such date, the risk of loss shall transfer from the original owner to the purchaser. In the event of a loss occurring after the sale and before the order confirming the sale is entered, the court shall, on motion of the purchaser filed before the order confirming the sale becomes final, determine whether any portion of the purchaser's bid should be refunded to the purchaser.

Adds 67-5-2504(f), to provide that any person successfully challenging the validity of a tax sale of the person's interest in a parcel shall also be responsible to the person purchasing the property at the tax sale and the purchaser's successors in interest, for any increase in the value of the parcel, including any improvements thereto, from the date of the entry of the order confirming the sale until the entry of a court order declaring the tax sale invalid as to the challenger. In the alternative, the challenger shall be responsible to the person purchasing the property at the tax sale and the purchaser's successors in interest, for all amounts expended by the purchaser or the purchaser's successors as set out in § 67-5-2701(b) and (e), if such amount is in excess of the increased value of the parcel. The purchaser and successors shall have a lien upon the parcel to secure the payment of the amount determined by the court to be due.

Adds 67-5-2504(g), to provide that an order confirming the sale of a parcel is voidable and may be voided by the court after a determination of the merits of the grounds for the action as set out in this chapter and any defenses raised.

Adds 67-5-2504(h), to provide that for the purposes of this chapter, a motion filed pursuant to Rule 60.02 of the Tennessee Rules of Civil Procedure, or any other or successor rule of similar effect, challenging the validity of a tax sale and any independent action for a similar purpose, shall be considered an action to invalidate the sale of a tax title.

Amends 67-5-2507(b)(9), to provide that conveyances of the land shall be made without warranties of any sort, and deeds shall be executed by the county mayor or other chief fiscal officer of the county.

Amends 67-5-2701(b), to provide that the interest shall be at the rate of 12% per annum, which shall begin to accrue on the date the

purchaser pays the purchase price to the clerk and continuing until the motion to redeem is filed.

Amends 67-5-2701(d), to provide that if no response is timely filed, the court shall determine whether the redemption has been properly made, and if so, shall cause an order to be entered requiring the proposed redeemer to pay additional interest at the rate set forth in subsection (b), accruing from the date the motion to redeem was filed until the date of such payment.

Amends 67-5-2701(e)(6), to provide that additional interest at the rate set out in subsection (b), accruing from the date the motion to redeem was filed until the date the purchaser's response was filed. If the court determines that the purchaser has not delayed consideration of the motion to redeem and that any response filed by the purchaser for additional funds was based on a reasonable expectation that the expenditures of the purchaser were reimbursable pursuant to this section, then the court may require the proposed redeemer to also pay additional interest at the same rate, accruing from the date the purchaser's response was filed until the date of such payment.

Amends 67-5-2701(g), to provide that if the proposed redeemer timely pays the full amount of any additional funds ordered by the court, the court shall declare that the property has been redeemed.

Amends 67-5-2701(n), to provide that upon entry of an order of the court declaring that the redemption is complete, title to the parcel shall be divested out of the purchaser, and the clerk shall promptly refund the purchase money and pay all sums due to the purchaser under this section. The interests of the taxpayer and other interested parties, or their successors in interest, shall be restored to that state which existed as of the date of entry of the order confirming the sale. Any lienholder who redeems the parcel may thereafter proceed to foreclose upon the parcel or otherwise enforce such lien.

Amends 67-5-2702(a), to provide that following entry of the order of confirmation of sale, any interested person, as defined in this chapter, may file a motion with the court requesting disbursement of any excess sale proceeds pursuant to this section.

Amends 67-5-2702(c)(5), to provide that any remaining excess proceeds shall be subject to the Uniform Disposition of Unclaimed Property Act, compiled in title 66, chapter 29, part 1. A motion for excess proceeds may be filed in the court in which the proceeding is pending until such time as the funds are actually forwarded to the state pursuant to the Uniform Disposition of Unclaimed Property Act. For the purposes of § 66-29-110, the presumption of abandonment

shall not arise until the final determination of all filed motions for redemption and excess proceeds or one (1) year following the expiration of the redemption period for that parcel, whichever is later.

Adds 67-5-2702(g), to provide that in the event the court directs the delinquent tax attorney or an attorney ad litem to participate in the excess sale proceeds portion of the proceedings as an assistance to the court, the court may allow a reasonable attorney's fee to be assessed as directed by the court.

Effective May 8, 2015.

#### **Public Chapter 455**

SB 741 – HB 822

#### **Exemptions – Government Property**

Amends 67-5-203. Provides that real property owned by any political subdivision that is leased or conveyed in any manner to a person, corporation, or other business entity shall be assessed as if the lessee were the owner, if: (A) The lease or other transfer arrangement is for a period of fifty years or more; or (B) The lease, other than a lease negotiated pursuant to title 7, chapter 53 or title 48, chapter 101, part 3, permits the lessee to acquire the real property for a nominal sum at or before the completion of the term.

Provides that if a lease is for less than fifty years and is either extended or amended to be greater than fifty years, or if a new lease is executed that has a term greater than fifty years, any potential tax liability shall begin in the fifty-first year of the extended, amended, or new lease. Applies only to Shelby County.

In Shelby County the term political subdivision does not include an airport authority or a public entity created by or subject to title 42.

Effective May 18, 2015.

#### **Public Chapter 471**

SB 1173 – HB 1153

#### **Delinquent Tax Property --- Sale of Land**

Amends 67-5-601(c). Extends present use valuation of certain residential property zoned for commercial use to the unmarried surviving spouse.

Amends 67-5-1406(a). Provides that the county board of equalization may appoint one or more hearing officers, with approval by simple majority vote of the county commission on a resolution, to conduct preliminary hearings and to make investigations regarding complaints before the board.

Effective May 18, 2015.

#### **Public Chapter 481**

SB 1336 – HB 1197

#### **Tax Relief Programs --- Save the Tax Relief Act**

Amends 67-5-702 and 703. Provides that the reimbursement for qualifying elderly low-income homeowners and disabled

homeowners shall be paid on the first \$23,000 instead of the first \$25,000 of the full market value of the property.

Amends 67-5-704. Provides that the reimbursement for a qualifying disabled veteran's residence shall be paid on the first \$100,000 of the full market value of the property instead of the first \$175,000 of the full market value of such property.

In addition, for tax year 2015 and tax years thereafter, the taxpayer's annual income from all sources cannot exceed \$60,000, or such other amount as set forth in the general appropriations act. This annual income limit shall be adjusted each tax year to reflect the cost of living adjustment for social security recipients as determined by the social security administration and shall be rounded to the nearest ten dollars. The annual income attributable to the applicant for tax relief shall be the income of all owners of the property, the income of the applicant's spouse and the income of any owner of a remainder or reversion in the property if the property constituted the person's legal residence at any time during the year for which tax relief is claimed. Any portion of social security income, social security equivalent railroad retirement benefits, and veterans entitlements required to be paid to a nursing home for nursing home care by federal regulations shall not be considered income to an owner who relocates to a nursing home. This shall apply to taxpayers who have not received a reimbursement pursuant to this section for tax year 2014 and who apply to receive a reimbursement for tax year 2015 or a tax year thereafter. This shall not apply to taxpayers who have received a reimbursement pursuant to this section for tax year 2014 and who reapply to receive a reimbursement for tax year 2015 and in subsequent tax years without interruption. Provides further that, taxpayers who have not received a reimbursement pursuant to this section for tax year 2014 and who apply to receive a reimbursement for tax year 2015 or a tax year thereafter, shall submit proof and documentation of the taxpayer's annual income in order to qualify for the reimbursement provided by this section.

Effective May 18, 2015.

#### **Public Chapter 486**

SB 331 – HB 214

#### **Redemption**

Amends 67-5-2701. Revises the statutory redemption period. Provides that the redemption period of each parcel shall be stated in the order confirming the sale. Establishes redemption periods based upon the length of delinquency. Establishes a shorter redemption period for vacant and/or abandoned property.

Effective May 20, 2015.

#### **Public Chapter 524**

SB 770 – HB 1290

#### **Delinquent Tax Sales**

Amends 67-5-2501. Requires the clerk of the court to file in the case a report of sale or other notice reflecting the results of the tax sale. This

report must be filed within five business days after the conclusion of the sale and prior to confirmation of the sale by the court. The clerk of the court shall, concurrently with the filing, file the report or notice with the office of the register of deeds of the county in which the property is located. The report or notice shall set forth all results from the sale, or a separate report or notice may be created for each property sold. The report or notice shall include, at a minimum, the identification of the property and defendants contained in the notice of sale as required by 67-5-2502, the name of the successful bidder, and the total successful price bid for each parcel together with the instrument number of the last conveyance of record. The report or notice shall be for notice purposes only and shall not be evidence of transfer of title. Failure to timely record the report or notice shall not provide grounds to set the sale aside. The document shall be exempt from recording fees and shall be indexed by the register under the name of the last owner of record.

Effective January 1, 2016.

## **TAXATION --- SALES**

### **Public Chapter 48**

SB 847 – HB 1311

### **Helicopters and Airplanes**

Amends 67-6-313 to extend to thirty days the time period in which airplanes and helicopters must be removed from the state to avoid taxation for certain in-state purchases or repairs.

Effective January 1, 2016.

### **Public Chapter 52**

SB 36 – HB 244

### **Sales by Community Foundations**

Amends 67-6-102 to allow certain community foundations to have no more than two tax-free auctions yearly, which last no more than twenty-four hours, in each county designated to receive charitable support from a fund or trust that comprises a component part of the community foundation.

Effective July 1, 2015.

### **Public Chapter 81**

SB 1344 – HB 928

### **Water and Wastewater Treatment Authorities**

Amends 67-6-102 to exempt from taxation certain machinery used by water and wastewater treatment authorities.

Effective July 1, 2015.

### **Public Chapter 249**

SB 381 – HB 899

### **Programmable Firearms**

Amends 67-6-102(44)(M) to remove tax exemption for machinery necessary to and primarily used for the manufacture of firearms equipped with integral devices which permit a user to program the

firearm to operate only for specified persons designated by the user through computerized locking devices.

Effective April 24, 2015.

**Public Chapter 273**  
SB 106 – HB 95

**Streamlines Sales Tax and Service Contracts**

Amends numerous miscellaneous sales tax provisions and extends certain streamlined sales tax provisions from July 1, 2015 to July 1, 2017.

Amends 67-1-1704 to allow tax returns and tax information to be disclosed if necessary relative to software used for purposes of tax administration.

Amends 67-4-2006 relative to excise tax requirements for a public REIT.

Enacts a new section in Title 67, Chapter 6, Part 2 relative to the taxation of warranty or service contracts and computer software maintenance contracts.

Effective April 28, 2015 (provisions relative to service contracts not effective until October 1, 2015).

**Public Chapter 274**  
SB 33 – HB 122

**Diabetic Testing Supplies**

Amends 67-6-314 to exempt diabetic testing supplies from sales tax.

Effective July 1, 2015.

**Public Chapter 506**  
SB 752 – HB 467

**Aircraft Service Facilities**

Amends 67-6-302 to exempt from sales and use tax certain sales, uses, storages, or consumption of parts, components, software, systems, accessories, materials, equipment, and supplies sold to or sold by an authorized large aircraft service facility or affiliate.

Amends 67-6-313 to exempt from sales and use tax certain repairs and refurbishment service labor performed with respect to large aircraft mainframes, large aircraft engine equipment, and large aircraft accessories by an authorized large aircraft service facility.

Provides an exemption from sales and use tax for certain sales, leases, and purchases of large aircraft and related equipment, and their use, storage, or consumption within this state following the sale, lease, or purchase, when the large aircraft and related equipment have or are intended to have a situs outside of this state.

Effective July 1, 2015.

**Public Chapter 515**  
SB 589 – HB 696

**Major Procurement Contracts**

Enacts a new Chapter 39 in Title 4 to require that state governmental entities include in any major procurement contract with a vendor a provision that the vendor and the vendor's subcontractors, shall remit sales and use taxes on sales of goods or services made by the vendor or the vendor's subcontractor.

Effective July 1, 2015.

**TORT LIABILITY**

**Public Chapter 152**  
SB 117 – HB 106

**Volunteer Drivers for the Elderly**

Enacts the Protection of Volunteer-Insured Drivers of the Elderly (PROVIDE) Act, 29-34-2\_\_, to provide that a volunteer who provides transportation for senior citizens through a charitable organization or human service agency, whether supported wholly or partially by public funds, is not individually liable for civil damages above the policy limits collectible from policies of insurance that would be obligated to pay on behalf of the volunteer or the person or entity that would be vicariously liable for the volunteer's conduct, for an injury to the senior citizen arising from the transportation if the volunteer was acting in good faith and was not guilty of gross negligence or willful and wanton misconduct, as long as the charitable organization or human service agency is liable and maintains liability insurance coverage at least equal to the minimum limits set out in the Tennessee Governmental Tort Liability Act.

Effective July 1, 2015.

**Public Chapter 487**  
SB 332 – HB 568

**Governmental Tort Liability Act**

Amends 29-20-102(3)(A). Revises the statutory definition of "governmental entity" to include a nonprofit public benefit corporation or charitable entity, including any entity with tax exempt status under the Internal Revenue Code § 501(c)(3), codified in 26 U.S.C. § 501(c)(3), that is appointed by statute, ordinance, resolution, contract, or other governmental directive to develop, maintain, manage, and provide services and activities at government owned property that is a public park, including facilities located on park property.

Effective May 20, 2015.

**UTILITIES**

**Public Chapter 140**  
SB 417 – HB 195

**Rates and Hearings**

Amends 7-82-102 and 7-82-307 to prohibit facsimile and electronic petition signatures requesting the Utility Management Review Board review rates charged or remove a utility district commissioner.



Amends 7-82-402 to allow sewer customers to annually file protest for a hearing by the utility district commissioners regarding rates charged.

Amends 7-82-702 to authorize the Utility Management Review Board to hold numerous informal hearings.

Amends 7-82-501 relative to debt issuance requirements for certain gas utilities.

Effective April 16, 2015.

**Public Chapter 179**  
SB 418 – HB 256

**Commission Approval of New Utility Districts**

Amends 7-82-202 to provide that the mayor's order establishing a new utility district is subject to approval by the county legislative body. Provides that such approval is not required relative to petitions for a merger or consolidation of utility districts or for a consolidation of a utility district with a municipality or county.

Enacts a new subsection in 7-82-202 providing that petitions for re-creation of a utility district for the purpose of redefining its incorporated boundary shall be filed with the utility management review board simultaneously with the filing of the petition with the county mayor or mayors. Provides that such petitions are not subject to approval by the utility management review board and are not subject to approval by the county legislative body.

Effective July 1, 2015.

**Public Chapter 332**  
SB 1274 – HB 1360

**Private Act Utility Districts**

Amends 50-3-910 to provide that any utility district created by private act shall by July 1, 2016 elect to either be treated as a private employer or develop its own program of compliance under the Occupational Safety and Health Act of 1972.

Effective April 28, 2015.

**Public Chapter 452**  
SB 703 – HB 788

**Multi-County Utility Districts**

Amends 7-82-602 relative to the number of and appointment of commissioners of multi-county utility districts.

Provides that if the proposed district is to comprise two counties or parts of two counties, the petition shall nominate three commissioners. If the proposed district is to comprise three or more counties or parts of three or more counties, the petition shall nominate a number of commissioners equal to the number of counties or parts of counties to be included in such district; provided, that

where the proposed district is to comprise an even number of counties or parts of counties, up to six, the petition shall nominate a number of commissioners equal to the number of counties, plus one commissioner at large.

Provides that if the proposed district is to comprise eight or more counties or parts of counties, the petition shall nominate eight residents of the district, and it shall not be necessary for each county to be represented on the board; however, each of the eight commissioners shall be from separate counties. Provides that any existing districts with seven commissioners serving districts comprised of more than seven counties or parts of seven counties shall add a qualified commissioner from the county having the largest number of district customers among those counties not already having a commissioner. Provides that any commissioner added pursuant to this provision to existing utility districts shall be made utilizing the applicable procedures described in 7-82-307. The term for the added commissioner shall be four years beginning July 12, 2016 and the first certified list of nominees shall be submitted to the appropriate county mayor no later than May 1, 2016.

Effective May 18, 2015.

## **WORKER'S COMPENSATION**

### **Public Chapter 188 SB 171 – HB 558**

#### **No Premium for Independent Contractor**

Amends 50-6-102(11)(D) to prohibit an insurance company from charging a premium for an individual determined to be an independent contractor using the factors set out in 50-6-102(11)(D).

Effective April 22, 2015.

### **Public Chapter 341 SB 105 – HB 94**

#### **Workers' Compensation**

Revises various provisions of the Workers' Compensation Law. Adds that no party may settle a claim for permanent disability benefits unless the settlement agreement is approved by a workers' compensation judge and that any settlement not so approved is void. Corrects a cross-reference in the provisions governing the Knox County court clerks fees to clarify the clerks may charge fees related to such settlements. Extends the statute of limitations for filing a claim to two years from the date of the last payment of permanent partial disability benefits in any case where an employer has paid permanent partial disability benefits to an employee in an attempt to settle a claim for workers' compensation benefits where the parties have not entered into an approved settlement agreement.

Effective May 4, 2015.

## PART II -- PUBLIC ACTS OF LOCAL APPLICATION

### ANDERSON

#### Public Chapter 429

SB 11 -- HB 148

#### Off-highway Motor Vehicles

Amends 55-8-185(c). Authorizes the use of all-terrain vehicles on a portion of State Route 62 within Oliver Springs in Anderson County on any two weekends per year during the hours of daylight and only if approved by 2/3 vote of the local legislative body of the municipality and monitored by a local law enforcement agency.

Authorizes the use of all-terrain vehicles on a portion of State Route 330 within Oliver Springs in Anderson County on any two weekends per year during the hours of daylight and only if approved by 2/3 vote of the local legislative body of the municipality and monitored by a local law enforcement agency.

Effective May 18, 2015.

### BLOUNT

#### Public Chapter 70

SB 406 -- HB 247

#### Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26)(HH). Redefines the premises for Dancing Bear Lodge in Townsend for the purpose of serving and selling alcoholic beverages for consumption on premises.

Effective April 6, 2015.

### CAMPBELL

#### Public Chapter 336

SB 18 -- HB 131

#### Consumption of Alcoholic Beverages on Premises

Amends 57-4-101 and 102. Authorizes the sale of alcoholic beverages for on-premises consumption at: Sugar Hollow Marina in Campbell County; and any establishment in Eagleville that is licensed to serve beer and wine for on-premises consumption. Authorizes sale for on-premises consumption at RedTail Mountain Resort in Johnson County as a premier type tourist resort instead of a restaurant.

Effective May 4, 2015.

#### Public Chapter 458

SB 875 -- HB 936

#### Consumption of Alcoholic Beverages on Premises

Repeals 57-4-102(26)(QQQ). Removes Ride Royal Blue in Campbell

County from the list of premier type tourist resorts for purposes of selling wine, alcoholic beverages, and beer for consumption on the premises.

Amends 57-4-102(26). Adds to the list of premier type tourist resorts for purposes of selling wine, alcoholic beverages, and beer for consumption on the premises, a recreational facility on at least 2,500 acres, with 12 or more cabins and 350 or more campsites, has trails for motor cross and horseback riding, has a restaurant that seats at least 100 people, has an amphitheater that seats approximately 2,500 people, and has five hotels or motels located near the facility.

Effective May 18, 2015.

## **CLAIBORNE**

### **Public Chapter 458** SB 875 - HB 936

#### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(26). Provides that any facility in Cumberland Gap, Claiborne County that is licensed to serve beer will also be authorized to serve alcoholic beverages and wine.

Effective May 18, 2015.

## **COFFEE**

### **Public Chapter 458** SB 875 - HB 936

#### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(26)(QQ). Provides that the owner, lessee, or contracted restaurant operator of Willow Brook golf course in Coffee County may hold rights to providing alcoholic beverages at such facility.

Effective May 18, 2015.

## **DAVIDSON**

### **Public Chapter 130** SB 1201 - HB 480

#### **Regulation of Private Sex Clubs**

Enacts 7-51-6\_\_ to prohibit private clubs operating for the purpose of providing members with the opportunity to engage in or view live sexual activities from being located within 1,000 feet of a child care center, private school, public school, charter school, public park, or place of worship, to be measured by the straight-line method from the nearest point on the property line of the parcel containing the private club to the nearest point on the property line of the parcel containing the child care center, school, park, or place of worship. Prohibits membership in or access to such clubs to registered sexual offenders and violent sexual offenders.

Effective April 9, 2015.

**Public Chapter 222**  
SB 1118 – HB 732

**PILOTs for Low-Income Housing Tax Credit Property**

Amends 13-20-104(f)(2) to authorize the governing body to delegate authority to the housing authority to negotiate and accept PILOT payments from lessees operating Low-income housing tax credit property.

Effective July 1, 2015.

**Public Chapter 223**  
SB 1119 – HB 630

**General Sessions Litigation Tax**

Amends 16-15-5006 to remove the provision that exempted Davidson County from levying a litigation tax to help fund general sessions judges' salaries.

Effective April 20, 2015.

**Public Chapter 279**  
SB 388 – HB 642

**Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(27). Authorizes the sale of alcoholic beverages for consumption on premises in the central improvement district of Davidson County in the area located between a convention center, its designated convention center hotel, and a museum that is attached to the convention center hotel; and the one block of public roadway on Fifth Avenue between Demonbreun Street and Korean Veterans Boulevard.

Effective upon approval by a majority vote of the county legislative body.

**Public Chapter 410**  
SB 1123 – HB 1174

**Delinquent Tax Property -- Sale of Land**

Amends 67-5-2507(b)(12) and 7-3-314. Provides that after the period of redemption has expired, real property acquired at a delinquent tax sale may be conveyed by grant to a nonprofit organization for the purpose of constructing affordable or workplace housing.

Effective May 8, 2015.

**Public Chapter 428**  
SB 528 – HB 542

**Consumption of Alcoholic Beverages on Premises**

Amends 57-3-204. Authorizes Belle Meade Plantation and George Jones Museum to obtain licenses to sell alcoholic beverages and wine at retail for off-premises consumption from the same premises where those entities are licensed to sell such beverages for on-premises consumption under a restaurant license.

Effective May 15, 2015.

**Public Chapter 446**  
SB 308 – HB 866

**Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(38). Authorizes Cheekwood Botanical Garden and Museum of Art to sell alcoholic beverages for consumption on the

premises.

Effective May 18, 2015.

#### **Public Chapter 458**

SB 875 - HB 936

#### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(26). Authorizes a facility located in Davidson County that is on flotation devices on the Cumberland River in close proximity to a marina to the definition of restaurant for purposes of selling wine, alcoholic beverages, and beer for consumption on the premises.

Effective May 18, 2015.

### **FRANKLIN**

#### **Public Chapter 119**

SB 930 - HB 942

#### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(26). Authorizes the Ivy Wild and Blue Chair Cafe & Tavern in Franklin County to sell alcoholic beverages for consumption on premises.

Effective April 10, 2015.

### **GRUNDY**

#### **Public Chapter 400**

SB 929 - HB 1092

#### **Hotel/Motel Tax**

Amends 67-4-1425 to authorize counties having a population between 13,700 and 13,750 to levy a hotel/motel tax in an amount not to exceed 5%, by resolution adopted by 2/3 vote of the county legislative body, notwithstanding the provisions of 67-4-1425.

Effective May 8, 2015.

### **GILES**

#### **Public Chapter 201**

SB 124 - HB 47

#### **Alcoholic Beverages**

Amends 57-3-106 & 57-4-103(a). Authorizes the city of Minor Hill in Giles County to hold a referendum to authorize the sale of alcoholic beverages at retail and a referendum to authorize the sale of alcoholic beverages for consumption on the premises.

Effective April 20, 2015.

### **HENDERSON**

#### **Public Chapter 258**

SB 533 - HB 314

#### **Regulation of Dilapidated Property**

Amends 5-1-115 to authorize the county to remedy dangerous conditions on property as provided in subsection (c), including parcels on which owner-occupied residences are located.

Effective April 24, 2015.

## **KNOX**

### **Public Chapter 327**

SB 1109 – HB 1005

#### **Litigation Taxes**

Amends 67-4-601 to authorize Knox County, by resolution adopted by a two-thirds majority vote of its county legislative body, to levy a litigation tax in all criminal court, fourth circuit court, and general sessions court-criminal division cases, in an amount not to exceed five dollars.

Provides that any revenue collected pursuant to this tax shall be retained by the clerk, with the proceeds to be used exclusively by the clerk of the fourth circuit court.

Effective April 28, 2015.

## **LAWRENCE**

### **Public Chapter 248**

SB 522 – HB 820

#### **Water Utility District**

Amends 7-82-307 to provide that within sixty days after the occurrence of any vacancy in the office of any utility district commissioner caused by death, resignation, disability, or forfeiture of office, the board of utility district commissioners or its remaining members shall select three qualified nominees to fill such office for the remainder of the term or for the full term, as the case may be, and, under the seal of the board of commissioners, shall certify such list of nominees in order of preference recommended by such commissioners, to the county mayor.

Provides that no later than January 31 of each calendar year, the water utility district shall notify the county mayor, in writing, of the beginning and ending dates of the terms of office of each member of the utility district's board of commissioners in office on January 1 of each calendar year.

Effective April 24, 2015.

## **LOUDON**

### **Public Chapter 420**

SB 1333 – HB 1320

#### **Industrial Machinery**

Amends 67-6-102 to exempt from sales tax certain co-generation equipment that is purchased or leased by a qualified manufacturing facility and that is used for generating, producing, and distributing utility service directly to the qualified manufacturing facility under certain conditions. Provides that the exemption shall only apply until December 31, 2016.

Effective July 1, 2015.

## **MAURY**

### **Public Chapter 138**

SB 541 – HB 618

#### **Obstructing Highways**

Amends 39-17-307(d)(2) to allow for the affirmative defense of solicitation and collection of charitable donations to the criminal offense of obstructing a highway.

Effective April 16, 2015.

## **MONTGOMERY**

### **Public Chapter 93**

SB 55 – HB 802

#### **Delinquent Tax Attorney Compensation**

Deletes 67-5-2404(a)(2)(B). Removes the delinquent tax attorney compensation provision for Montgomery County that allowed the county to pay up to 20% of delinquent taxes collected to the attorney; places Montgomery County with other counties which are allowed to pay up to 10% of delinquent taxes collected.

Effective April 10, 2015.

### **Public Chapter 437**

SB 60 – HB 55

#### **Additional Circuit Court Judge**

Amends 16-2-506 to provide that effective September 1, 2015, there is created in the nineteenth judicial district one additional circuit court to be designated as division IV. The governor shall appoint a person to serve as judge of division IV of the circuit court. The person so appointed shall serve in such capacity until September 1, 2016, or until the person's successor is elected and qualified.

Effective May 18, 2015.

## **PERRY**

### **Public Chapter 116**

SB 814 – HB 312

#### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(20). Authorizes the Commodore Hotel and Cafe in Perry County to sell alcoholic beverages for consumption on premises.

Effective April 10, 2015.

## **ROBERTSON**

### **Public Chapter 437**

SB 60 – HB 55

#### **Additional Circuit Court Judge**

Amends 16-2-506 to provide that effective September 1, 2015, there is created in the nineteenth judicial district one additional circuit court to be designated as division IV. The governor shall appoint a person to serve as judge of division IV of the circuit court. The person



so appointed shall serve in such capacity until September 1, 2016, or until the person's successor is elected and qualified.

Effective May 18, 2015.

## **SCOTT**

### **Public Chapter 429**

SB 11 -- HB 148

#### **Off-highway Motor Vehicles**

Amends 55-8-185(c). Authorizes the use of all-terrain vehicles on State Route 63 between U.S. Highway 27 and Annadell Road in Huntsville in Scott County on any two weekends per year during the hours of daylight and only if approved by 2/3 vote of the local legislative body of the municipality and monitored by a local law enforcement agency.

Effective May 18, 2015.

## **SHELBY**

### **Public Chapter 455**

SB 741 -- HB 822

#### **Exemptions -- Government Property**

Amends 67-5-203. Provides that if a lease is for less than fifty years and is either extended or amended to be greater than fifty years, or if a new lease is executed that has a term greater than fifty years, any potential tax liability shall begin in the fifty-first year of the extended, amended, or new lease. Applies only to Shelby County.

In Shelby County the term political subdivision does not include an airport authority or a public entity created by or subject to title 42.

Effective May 18, 2015.

### **Public Chapter 456**

SB 759 --- HB 708

#### **Property Tax Exemptions**

Amends Title 67, Chapter 5, Part 2. Provides that, subject to the general provisions governing the assessment of religious, charitable, scientific, and educational institutions for property tax purposes, real property in Shelby County owned and used by certain nonprofit economic or charitable development organizations will be eligible for property tax exemption as a charitable use of property if the real property owned by a 501(c)(3) nonprofit entity that is engaged in economic development, and such property will be exempt to the extent the property is used: (1) To expand entrepreneurship in the community; (2) To commercialize technologies into scalable businesses; (3) To provide affordable office or lab space and shared meeting rooms; (4) To provide services, including accelerator programming and business training; and (5) To provide supporting facilities for parking, delivery, storage, and access, as well as expansion space for the facilities described in (1)---(4).

Effective May 18, 2015.

## **SUMNER**

### **Public Chapter 391**

SB 769 - HB 452

### **Consumption of Alcoholic Beverages on Premises**

Amends 57-4-102(8)(F)(ii). Adds Sumner County to the list of counties where private golf clubs may qualify to sell wine, other alcoholic beverages, and beer for on-premises consumption.

Effective May 8, 2015.

## **WASHINGTON**

### **Public Chapter 235**

SB 1097 - HB 1051

### **Prohibition against Killing Foxes**

Amends 70-4-103(a) to delete the provision prohibiting the killing of foxes in Washington County. Provides that the fish and wildlife commission will regulate the taking or killing of foxes within the state.

Effective April 20, 2015.

## **WILLIAMSON**

### **Public Chapter 138**

SB 541 - HB 618

### **Obstructing Highways**

Amends 39-17-307(d)(2) to allow for the affirmative defense of solicitation and collection of charitable donations to the criminal offense of obstructing a highway.

Effective April 16, 2015.

## **PART III --- PRIVATE ACTS**

### **ANDERSON**

**Private Chapter 12**  
SB 1402 – HB 1377

#### **County Clerk and Trustee**

Ratifies establishment of satellite offices by county clerk and trustee.

Effective upon approval by a 2/3 vote of the county legislative body.

### **CHEATHAM**

**Private Chapter 2**  
SB 1410 – HB 1379

#### **Wheel Tax**

Amends Chapter 258 of the Private Acts of 1963. Removes the requirement that persons be issued wheel tax decals for display on license plates as evidence of having paid the wheel tax.

Effective upon approval by a 2/3 vote of the county legislative body.

### **GIBSON**

**Private Chapter 3**  
SB 1405 – HB 1382

#### **Gibson County Special School District**

Amends Chapter 62 of the Private Acts of 1981. Authorizes the district to issue bonds or notes in an amount of \$3 million or less and to issue bond, revenue, and grant anticipation notes.

Effective April 9, 2015.

**Private Chapter 4**  
SB 357 – HB 277

#### **Trenton Special School District**

Amends Private Acts of 1996, Chapter 202, as amended, to lower the property tax rate from \$2.30 to \$2.16.

Effective April 16, 2015.

**Private Chapter 5**  
SB 386 – HB 399

#### **Bradford Special School District**

Amends Private Acts of 1917, Chapter 153, as amended, to lower the property tax rate to \$1.82 effective July 1, 2015.

Effective April 16, 2015.

## **HENRY**

### **Private Chapter 7** SB 1412 – HB 1387

#### **Henry County Medical Center**

Amends Private Acts of 1953, Chapter 524, to increase the number of members on the board of trustees of the county medical center from 5 to 7.

Effective upon approval by 2/3 vote of the county legislative body.

## **LEWIS**

### **Private Chapter 14** SB 1403 – HB 1380

#### **Hotel/Motel Tax**

Amends Chapter 15 of the Private Acts of 1995. Increases the hotel motel tax from the amount of 5% to the amount of 7%; requires revenues generated from such increase to be used solely to promote tourism in the county.

Effective upon approval by a 2/3 vote of the county legislative body.

## **LOUDON**

### **Private Chapter 21** SB 1425 – HB 1399

#### **General Sessions Court**

Amends Chapter 57 of the Private Acts of 1959. Creates Division II Court of General Sessions; creates position of judge to serve the division; and provides that a person be appointed to serve as judge of Division II by the county legislative body until September 1, 2016, or until the judge's successor is elected and qualified.

Effective upon approval by a 2/3 vote of the county legislative body.

## **MADISON**

### **Private Chapter 6** SB 1409 – HB 1385

#### **Sheriff's Civil Service**

Amends Private Acts of 1983, Chapter 54, as amended, by deleting the act in its entirety and replacing it with the Madison County Sheriff's Civil Service Law of 2015.

Effective upon approval by 2/3 vote of the county legislative body before August 1, 2015.

## **SHELBY**

### **Private Chapter 17** SB 1419 – HB 1394

#### **Zoning**

Amends Chapter 613 of the Private Acts of 1931. Abolishes extra-jurisdictional zoning authority within the unincorporated areas of the county and, under certain circumstances, restores full and sole authority and control to the county commission.

Effective upon approval by a 2/3 vote of the county legislative body.

## **WASHINGTON**

### **Private Chapter 15**

SB 1406 – HB 1381

#### **County Attorney**

Amends Chapter 69 of the Private Acts of 2012. Abolishes the office of county attorney and deletes the authority of the county commission to establish a separate office of county staff attorney in Washington County, thus enabling the county attorney to be hired pursuant to general law.

Effective upon approval by a 2/3 vote of the county legislative body.

### **Private Chapter 16**

SB 1408 – HB 1384

#### **County Zoning Administrator**

Repeals Chapter 52 of the Private Acts of 1989. Abolishes the office of county zoning administrator, thus enabling the county to establish the position of county building commissioner pursuant to general law.

Effective upon approval by a 2/3 vote of the county legislative body.

## **WILSON**

### **Private Chapter 10**

SB 1416 – HB 1392

#### **Tenth Special School District**

Amends Chapter 330 of the Private Acts of 1901 to authorize the Tenth Special School District to issue bonds or notes in an amount not to exceed \$3 million. Also authorizes the district to issue bond anticipation notes and refunding bonds.

Effective April 24, 2015.