

**INDEX OF ACTS
RELATED TO COUNTY GOVERNMENT**

2018 EDITION



**Prepared by
CTAS Legal Staff**

JUNE 2018

This publication contains summaries of acts passed by the General Assembly in 2018 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://tnsos.org/acts/PublicActs.110.php?showall>.

PART I - PUBLIC ACTS OF GENERAL APPLICATION.....1

ALCOHOLIC BEVERAGES1

Public Chapter 717	Storage of Alcohol	1
Public Chapter 755	Alcoholic Beverages - On Premises Consumption.....	1
Public Chapter 765	Delivery Service License	2
Public Chapter 783	Alcoholic Beverage Sales	2
Public Chapter 933	Storage of Beer and Alcohol.....	2
Public Chapter 944	Beer Permits Issued to Governmental Entities	2
Public Chapter 1027	Privilege Tax	3

COUNTY CLERKS.....3

Public Chapter 541	Exemptions for VA Automobile Grant Recipients	3
Public Chapter 585	Off-Highway Vehicles	3
Public Chapter 665	Driver Licenses	3
Public Chapter 668	Motor Vehicle Dealers.....	4
Public Chapter 677	Driver License with Military Recognition	4
Public Chapter 691	National Guard Plates for Surviving Spouses	4
Public Chapter 731	Receiverships.....	4
Public Chapter 735	Hearing Impaired Designation.....	5
Public Chapter 756	Business License Fee Earmark	5
Public Chapter 800	Driver Licenses	5
Public Chapter 923	Firefighters and Rescue Squad Members.....	5
Public Chapter 926	5 th Special Forces Group (Airborne) Special Plates	6
Public Chapter 931	Online Notary Public Act	6
Public Chapter 985	Governmental License Plates	7
Public Chapter 990	Amateur Radio License Plates	7
Public Chapter 1023	Special License Plates	7
Public Chapter 1049	Marriage.....	8

COUNTY GOVERNMENT9

Public Chapter 495	Financial Management.....	9
Public Chapter 498	Local Gov't Public Obligations Act of 1986.....	10
Public Chapter 499	Compliance with Financial Reporting.....	10
Public Chapter 540	Fraud, Waste & Abuse.....	10
Public Chapter 545	Open Meetings.....	10
Public Chapter 572	Autopsies.....	10
Public Chapter 621	Private Right of Action.....	11
Public Chapter 624	Price Gouging	11
Public Chapter 635	Deposits under Spay/Neuter Law.....	11
Public Chapter 660	Family Planning Programs	11
Public Chapter 678	Child Advocacy Centers	12
Public Chapter 685	Affordable and Workforce Housing	12
Public Chapter 714	Medical Examiner.....	12
Public Chapter 718	County Legislative Body Training	13
Public Chapter 722	Hospitals.....	13
Public Chapter 761	Term Limits for Appointments	13
Public Chapter 779	Neighborhood Preservation Act.....	14
Public Chapter 791	Affordable or Workforce Housing	14
Public Chapter 807	Library Boards	14
Public Chapter 822	Unclaimed Property	14
Public Chapter 830	Regulation of Boats	14
Public Chapter 857	Flag Displays	15

Public Chapter 868	Declaration of Local State of Emergency	15
Public Chapter 871	Eminent Domain.....	15
Public Chapter 879	Sober Living Homes	16
Public Chapter 913	Fraudulent Liens against Public Officials	16
Public Chapter 945	Needle and Syringe Exchange Program.....	16
Public Chapter 973	Immigration - Sanctuary Policy Prohibited.....	17
Public Chapter 1032	Cemeteries	17
Public Chapter 1033	Historical Preservation	18
Public Chapter 1047	Annexation	18
Public Chapter 1053	Identification Documents.....	18
Public Chapter 1055	Rural Hospitals	19
Public Chapter 1061	Appropriations	19
COURTS & COURT CLERKS		20
Public Chapter 535	Service of Process – Juvenile Court	20
Public Chapter 538	Driver License Revocation Stays.....	20
Public Chapter 542	Community Service Programs	20
Public Chapter 579	Driver License Revocation For Jail Fees.....	21
Public Chapter 586	Domestic Violence.....	21
Public Chapter 597	Garnishment Forms.....	22
Public Chapter 605	Decision-Making Rights for Disabled Persons	22
Public Chapter 663	Subpoenaing Clergy Members	22
Public Chapter 734	Grandparent Visitation.....	22
Public Chapter 806	Default Judgements in General Sessions Courts	23
Public Chapter 809	Electronic Filing in General Sessions Courts.....	23
Public Chapter 824	Reporting of Final Dispositions.....	23
Public Chapter 827	TACIR Study – GPS Monitoring.....	23
Public Chapter 837	Jury Disqualification List	24
Public Chapter 851	Social Workers.....	24
Public Chapter 872	Abusive Civil Actions.....	24
Public Chapter 875	Surrenders and Adoptions.....	25
Public Chapter 876	Diversion Expungement Fees	25
Public Chapter 884	Community Service Programs	26
Public Chapter 917	Birth Control.....	26
Public Chapter 974	Additional Trial Courts and Judicial Redistricting	26
Public Chapter 1018	Juvenile Expungement	26
Public Chapter 1025	Sienna’s Law	27
Public Chapter 1044	TBI Funds.....	27
Public Chapter 1049	Unpaid Child Support and Marriage of Minors.....	27
Public Chapter 1050	Elderly and Vulnerable Adult Protection Act	27
Public Chapter 1052	Juvenile Justice Reform Act.....	28
ECONOMIC DEVELOPMENT		28
Public Chapter 529	Reporting of Industrial Development Corporations.....	28
Public Chapter 634	Greater Nashville Regional Council	29
Public Chapter 804	Boarder Region Retail Tourism District	29
Public Chapter 816	Tourism Development Zones	29
Public Chapter 852	Master Development Plan Recognition Act	29
Public Chapter 890	Tennessee Central Economic Authority	30
Public Chapter 1058	Tax Allocation within Tourism Development Zones.....	30
Public Chapter 1064	Industrial Development Corporations and PILOTS.....	30
EDUCATION		31
Public Chapter 537	Charter Schools	31

Public Chapter 557	Student Transcripts	31
Public Chapter 569	Recovery High Schools	32
Public Chapter 622	Charter Schools	32
Public Chapter 640	National Motto in the Classroom Act	32
Public Chapter 669	Career and Technical Education Class Sizes	32
Public Chapter 672	Statewide Assessments	33
Public Chapter 698	Charter Schools	33
Public Chapter 725	K-12 Education Administration	33
Public Chapter 747	Educators as Witnesses	34
Public Chapter 767	Special Education	34
Public Chapter 768	Charter School Audits and Financial Reports	34
Public Chapter 775	State-Funded Bible Courses	34
Public Chapter 784	Course Access Program	35
Public Chapter 810	Funding for Category I Special Purpose Schools	35
Public Chapter 835	Energy Efficient Schools	35
Public Chapter 844	School Social Workers	35
Public Chapter 881	Assessments	36
Public Chapter 882	Scholars Prep Guides	36
Public Chapter 906	Firearms Education	36
Public Chapter 907	Maternity/Paternity Leave	36
Public Chapter 937	Teacher Code of Ethics	37
Public Chapter 938	Sexual Misconduct	37
Public Chapter 948	School Athletics	37
Public Chapter 958	Truancy	37
Public Chapter 976	Physical Education	38
Public Chapter 977	Water Quality in Schools	38
Public Chapter 980	Confidential Records	38
Public Chapter 983	Child Abuse Training	38
Public Chapter 991	Work-based Learning	39
Public Chapter 1006	Background Checks	39
Public Chapter 1008	Armed School Security Officers	39
Public Chapter 1020	Homeless Students	41
Public Chapter 1026	TNReady Assessments	41
Public Chapter 1028	Automated External Defibrillators	41
ELECTIONS		41
Public Chapter 528	County Commission Districts	41
Public Chapter 581	Altering Voting Precincts	42
Public Chapter 637	Nominating Petitions	42
Public Chapter 726	Provisional Ballots	42
Public Chapter 749	Voting by Paper Ballots	42
Public Chapter 842	Early Voting	43
Public Chapter 867	Schools as Polling Places	44
Public Chapter 992	Honorably Discharged Veterans	44
EMERGENCY SERVICES		44
Public Chapter 626	Payment of Costs and Fees	44
Public Chapter 861	Reporting Crimes	45
Public Chapter 874	Ambulance Service Provider Assessment	45
Public Chapter 874	Ground Ambulance Service	46
Public Chapter 997	Tennessee Public Safety Behavioral Health Act	46
Public Chapter 998	Emergency Medical Services Training Centers	47
ENVIRONMENT		47

Public Chapter 496	Effluent Limitations	47
Public Chapter 523	Animal Feeding Operations	48
Public Chapter 839	Primacy and Reclamation Act.....	48
Public Chapter 845	Compliance with NPDES Permits.....	48
Public Chapter 953	Motor Vehicle Inspection Programs.....	48
Public Chapter 1009	TDEC Materials	49
FIREARMS		49
Public Chapter 799	Mental Health Reporting.....	49
Public Chapter 823	Firearms – New Posting Option.....	50
Public Chapter 828	Community Corrections Officer.....	50
Public Chapter 880	County Commissioners.....	50
HIGHWAYS		51
Public Chapter 659	MPO Board	51
JAILS		51
Public Chapter 561	Payment of Costs and Fees	51
Public Chapter 598	Victim Notification.....	51
Public Chapter 925	Inmate Assaults	52
Public Chapter 1045	Safekeeping of Prisoners.....	52
Public Chapter 1051	Probation – Reentry Programs	53
LAW ENFORCEMENT		54
Public Chapter 606	Electronic Display - Motor Vehicle Registration.....	54
Public Chapter 670	Forcible Entry & Detainer - Process.....	54
Public Chapter 772	Civil Asset Forfeitures.....	54
Public Chapter 801	Arrest – Policies & Procedures	56
Public Chapter 826	Bounty Hunters	56
Public Chapter 850	Towing Motor Vehicles.....	56
Public Chapter 885	Bounty Hunters	57
Public Chapter 889	Constables	57
Public Chapter 898	Sex Offenders	57
Public Chapter 914	Tennessee Stolen Valor Act	58
Public Chapter 925	Assault – Enhanced Fine	58
Public Chapter 961	Tests for Alcohol or Drug Content of Blood	58
Public Chapter 966	Tennessee Civil Rights Crimes Information Center	58
Public Chapter 970	Drones	59
Public Chapter 981	Persons With Disabilities - Policies.....	60
Public Chapter 993	Organized Retail Crime Prevention Act.....	61
Public Chapter 999	Civil Asset Forfeiture Proceeds.....	62
Public Chapter 1008	Armed School Security Officers.....	62
Public Chapter 1040	Controlled or Addictive Substances	64
Public Chapter 1041	Cannabis Oil.....	64
Public Chapter 1052	Juvenile Justice	64
Public Chapter 1053	Identification Documents.....	65
PERSONNEL		66
Public Chapter 642	Unemployment	66
Public Chapter 886	Military Leave.....	66
Public Chapter 899	Pay - Assistant District Attorneys General.....	66
Public Chapter 965	Non-Disclosure Agreements.....	66
Public Chapter 1012	Group Health Insurance Policies	67
PLANNING AND ZONING		67

Public Chapter 940	Nonconforming Uses	67
Public Chapter 972	Short-Term Rental Units.....	67
Public Chapter 1000	Subdivision Regulations	68
PURCHASING		68
Public Chapter 556	Urban Type Public Facilities.....	68
Public Chapter 574	Cooperative Purchasing	68
Public Chapter 724	Purchasing under Federal GSA Contracts.....	69
Public Chapter 794	Construction Contracts.....	69
Public Chapter 949	Surplus State Property	69
RECORDS		69
Public Chapter 613	Human Trafficking records	69
Public Chapter 630	Radioactive Materials and Artifact Locations.....	70
Public Chapter 633	Medical Records	70
Public Chapter 676	Corrections Officers.....	70
Public Chapter 712	Public Records Policy	70
Public Chapter 897	Advisory Committee on Open Government.....	70
Public Chapter 962	Child Sexual Abuse Settlements	71
Public Chapter 1004	Crime Victim Address Confidentiality Program.....	71
Public Chapter 1060	Undercover Law Enforcement Records.....	72
REGISTERS OF DEEDS		73
Public Chapter 525	Records.....	73
Public Chapter 591	Distributed Ledger Technology	73
RETIREMENT.....		73
Public Chapter 631	Post-Employment Benefits.....	73
Public Chapter 661	LEA OPEB Trusts	73
Public Chapter 681	Pension Plans	74
Public Chapter 736	Federal Law Requirements.....	74
Public Chapter 833	Co-investment of Pension Plan Funds.....	74
TAXATION.....		75
Public Chapter 687	Mixed Drink Tax Distribution.....	75
Public Chapter 813	Sales of Water, Natural Gas, Propane and Electricity	75
Public Chapter 896	Distressed Rural Counties	75
Public Chapter 924	Methanol.....	75
Public Chapter 959	Event Tourism Act	76
Public Chapter 963	Spallation Neutron Source Facilities.....	76
Public Chapter 1011	Tax Information	76
TAXATION - PROPERTY.....		77
Public Chapter 526	Reappraisal of City.....	77
Public Chapter 527	Exemptions – Assessor’s Report of CBOE Action	77
Public Chapter 693	Tax Study.....	78
Public Chapter 710	Tax Relief.....	78
Public Chapter 778	Delinquent Tax Proceedings.....	78
Public Chapter 820	Exemption – Personal Property.....	79
Public Chapter 863	Tax Lien.....	80
Public Chapter 911	Certified Tax Rate	80
Public Chapter 957	Exemption – Property Tax	80
Public Chapter 971	Jack Daniels Bill.....	80
UTILITIES		81

Public Chapter 570	Cooperatives Providing Broadband.....	81
Public Chapter 646	Changes in Net Annual Financial Position	81
Public Chapter 681	Boards Regulating Utilities	81
Public Chapter 696	Wastewater Treatment Authorities	81
Public Chapter 713	Utility Management Review Board Investigations	82
Public Chapter 716	Underground Utility Damage Prevention Act	82
Public Chapter 746	Contracts for Natural Gas.....	82
Public Chapter 811	Utility District Petitions	83
Public Chapter 819	Regulation of Small Wireless Facilities	83
Public Chapter 825	Wind Energy Facilities	84
Public Chapter 956	Online Training Classes.....	85
Public Chapter 1003	Municipal Natural Gas Utilities	85
WORKERS' COMPENSATION		85
Public Chapter 709	Claims Office.....	85
Public Chapter 757	Attorneys' Fees.....	86
PART II - PUBLIC ACTS OF LOCAL APPLICATION		87
ANDERSON		87
Public Chapter 658	Operation of Off-Highway Vehicles.....	87
BLOUNT		87
Public Chapter 740	Alcoholic Beverages - On Premises Consumption.....	87
CARTER.....		87
Public Chapter 815	Dilapidated Property	87
CHEATHAM.....		87
Public Chapter 776	Hotel Motel Tax.....	87
CLAIBORNE		88
Public Chapter 740	Alcoholic Beverages - On Premises Consumption.....	88
Public Chapter 740	Alcoholic Beverages - On Premises Consumption.....	88
Public Chapter 860	Alcoholic Beverages - On Premises Consumption.....	88
COFFEE		88
Public Chapter 847	Alcoholic Beverages - On Premises Consumption.....	88
Public Chapter 950	Alcoholic Beverages - On Premises Consumption.....	89
CUMBERLAND.....		89
Public Chapter 1065	Hotel Motel Tax.....	89
DAVIDSON		89
Public Chapter 649	Hypodermic Syringe Exchange Programs.....	89
Public Chapter 785	Alcoholic Beverages - On Premises Consumption.....	89
Public Chapter 812	Alcoholic Beverages - On Premises Consumption.....	90
FRANKLIN		90
Public Chapter 847	Alcoholic Beverages - On Premises Consumption.....	90
Public Chapter 1010	Alcoholic Beverages - On Premises Consumption.....	90
GREENE		90
Public Chapter 680	Alcoholic Beverages - On Premises Consumption.....	90
GRUNDY		91
Public Chapter 860	Alcoholic Beverages - On Premises Consumption.....	91
Public Chapter 950	Alcoholic Beverages - On Premises Consumption.....	91

HARDEMAN	91
Public Chapter 846 Land Banks	91
HAWKINS	91
Public Chapter 740 Alcoholic Beverages - On Premises Consumption.....	91
HICKMAN	92
Public Chapter 760 Incorporation.....	92
JACKSON	92
Public Chapter 860 Alcoholic Beverages - On Premises Consumption.....	92
LOUDON	92
Public Chapter 650 Manufacturing of Intoxicating Liquors	92
Public Chapter 1027 Alcoholic Beverages – Retail Sales	92
MONTGOMERY	93
Public Chapter 944 Beer Sales in County-Owned Park.....	93
MORGAN	93
Public Chapter 856 City of JustBeGreen	93
ROANE	93
Public Chapter 787 Alcoholic Beverages - On Premises Consumption.....	93
RUTHERFORD	94
Public Chapter 1010 Alcoholic Beverages - On Premises Consumption.....	94
SEVIER	94
Public Chapter 740 Alcoholic Beverages - On Premises Consumption.....	94
Public Chapter 797 Litigation Taxes.....	94
SHELBY	94
Public Chapter 728 Industrial Development Corporations.....	94
Public Chapter 738 Board of Public Utilities	95
SULLIVAN	95
Public Chapter 915 Blountville Utility District	95
SUMNER	95
Public Chapter 781 Hotel Motel Tax	95
Public Chapter 814 Hotel Motel Tax	95
UNICOI	96
Public Chapter 921 General Sessions Judge	96
WARREN	96
Public Chapter 796 Hotel Motel Tax	96
WILLIAMSON	96
Public Chapter 912 Alcoholic Beverages - On Premises Consumption.....	96
WILSON	97
Public Chapter 680 Alcoholic Beverages - On Premises Consumption.....	97
PART III – PRIVATE ACTS	98
BLOUNT	98
Private Chapter 53 Pyrotechnics	98

DECATUR	98
Private Chapter 37 Wheel Tax	98
DICKSON	98
Private Chapter 38 Highway Department.....	98
GILES	98
Private Chapter 33 Advisory Referendum	98
HAMILTON.....	99
Private Chapter 50 Hamilton County Employees' Retirement Act	99
HENRY	99
Private Chapter 35 Wheel Tax	99
LEWIS	99
Private Chapter 39 County Highway Advisory Commission	99
MAURY	100
Private Chapter 47 Financial Management System.....	100
MONTGOMERY	100
Private Chapter 57 Hotel/Motel Tax.....	100
OBION	100
Private Chapter 42 Hotel/Motel Tax.....	100
PERRY.....	100
Private Chapter 40 Pay and Salary Scale	100
SHELBY	101
Private Chapter 32 County Library Tax.....	101
WILLIAMSON	101
Private Chapter 41 Franklin Special School District.....	101

PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 717 SB 1814 - HB 1715

Storage of Alcohol

Amends 57-2-104. Authorizes a manufacturer to store its beverages in storage facilities owned, authorized, or leased by the manufacturer within any county that has authorized the manufacture of intoxicating liquors or a county adjacent to the county that authorized the manufacturer's operation.

Effective April 12, 2018.

Public Chapter 755 SB 1820 - HB 1976

Alcoholic Beverages - On Premises Consumption

Enacts 57-4-101(p). Provides that an entity licensed or applying for a license may include in the entity's designation of its premises any contiguous area owned or controlled by the entity for purposes of on-premises consumption of alcoholic beverages and beer. If the contiguous area used for on-premises consumption is unenclosed, the entity must make reasonable efforts to ensure that a customer cannot leave the premises with an alcoholic beverage or beer purchased on the premises by using barriers to prevent the ingress and egress of customers to and from the premises. If more than one licensed entity operates within the same building or facility, the designations of premises may overlap; provided, that each entity serves alcoholic beverages and beer in a glass or cup identifying the entity selling the alcoholic beverages or beer for on-premises consumption.

Amends 57-4-102. Provides, among other things, that a festival operator licensee must have the approval of the city or county in which, or the state governmental entity responsible for the property on which, the festival is to be held. Provides further that the if applicant intends to sell, serve, or dispense beer, the applicant must have a beer permit.

Effective April 18, 2018.

Public Chapter 765
SB 1597 - HB 1717

Delivery Service License

Amends 57-3-224. Creates a delivery service license to be issued by the commission to any delivery service that delivers or facilitates delivery of prepared food from restaurants or items from a retail store to customers as part of the delivery service's business and seeks to deliver sealed packages of alcoholic beverages or beer or both sold by any licensed retailer or a licensed off-premises retail permittee, as part of such delivery service.

Effective July 1, 2018.

Public Chapter 783
SB 2518 - HB 1540

Alcoholic Beverage Sales

Amends Title 57, Chapter 3. Makes various changes and additions concerning sales of alcoholic beverages.

SUNDAY SALES Authorizes retail package stores to sell alcoholic beverages between 10 a.m. and 11 p.m. on Sunday. Authorization to make sales of wine between 10 a.m. and 11 p.m. on Sunday will be extended to retail food stores on January 1, 2019.

HOLIDAY SALES Authorizes retail package stores and retail food stores to sell alcoholic beverages on Labor Day, New Year's Day and the Fourth of July.

Effective April 20, 2018.

Public Chapter 933
SB 1866 – HB 2191

Storage of Beer and Alcohol

Amends 57-5-416 to require retailers to store beer purchased for a specific retail location at that specific retail location. Amends 57-3-406(g) to prohibit a retailer from storing any alcoholic beverages, wine, or beer at any location other than the licensed premises and to prohibit a retailer from storing or accepting delivery of any products intended for another retailer.

Effective July 1, 2018.

Public Chapter 944
SB 2331 – HB 2280

Beer Permits Issued to Governmental Entities

Amends 57-5-103(a)(2) to authorize the issuance of beer permits only to local governmental entities, rather than all governmental entities.

Effective May 15, 2018.

Public Chapter 1027
SB 793 - HB 447

Privilege Tax

Amends 57-3-202. Specifies that samples and sales of alcoholic beverages sold for consumption on the premises of a distillery in accordance with present law are not subject to the 15 percent privilege tax on the sales price of alcoholic beverages sold for consumption on the premises.

Effective May 21, 2018.

COUNTY CLERKS

Public Chapter 541
SB 10 - HB 15

Exemptions for VA Automobile Grant Recipients

Amends 67-6-353, 5-8-102, and title 55, chapter 4, part 1, to create exemptions from sales and use tax, wheel tax, and motor vehicle registration fees for motor vehicles provided to a veteran or active-duty servicemember with a service-connected disability under 38 USC 3901 who receives a grant from the U. S. Department of Veterans Affairs under 38 USC 3901-3904 that is used to provide the vehicle to the veteran or servicemember. The sales and use tax exemption is applicable only to the portion of the vehicle price that is in excess of the grant amount.

Effective March 5, 2018, and applicable to vehicles transferred on or after that date.

Public Chapter 585
SB 1832 – HB 1683

Off-Highway Vehicles

Amends 55-8-101 to change the definition of “all-terrain vehicle” to delete the engine displacement limit and increase the maximum total dry weight to 2,500 pounds, and to change the definition of “Class I off-highway vehicle” to increase the maximum total dry weight to 2,500 pounds and the maximum width to 80 inches.

Effective July 1, 2018.

Public Chapter 665
SB 272 – HB 222

Driver Licenses

Amends 55-50-321 to provide that any person presenting a driver license from a state that issues driver licenses to illegal aliens for the purpose of obtaining a Tennessee driver license is required to

establish proof of U. S. citizenship, lawful permanent resident status, or in the case of a temporary driver license, a specified authorized stay in the United States.

Effective July 1, 2018 (effective April 12, 2018, for rulemaking).

Public Chapter 668
SB 1607 – HB 1552

Motor Vehicle Dealers

Amends 55-17-114(b)(1) to authorize the commission to deny an application for a motor vehicle dealer license or revoke or suspend the license of a dealer or salesperson who finances the sale of used vehicles and retains the title and issues a temporary plate without maintaining a record of the customer's liability insurance or other proof of financial responsibility.

Effective January 1, 2019 (effective April 12, 2018 for rulemaking).

Public Chapter 677
SB 2053 – HB 2047

Driver License with Military Recognition

Amends 55-50-354(b) to provide that honorably discharged military veterans who elect to indicate their military service on their driver license renewal or reissue can provide a certified copy of either their department of defense DD form 2 (Retired) identification, or their DD 214 form.

Effective April 9, 2018.

Public Chapter 691
SB 1900 – HB 1573

National Guard Plates for Surviving Spouses

Amends 55-4-228 to authorize the issuance of a national guard plate to the surviving spouse of a national guard member, which is valid until the surviving spouse remarries. The applicant must provide proof of eligibility with a DD214 or an NGB form 22, and a copy of the marriage and death certificates.

Effective April 12, 2018.

Public Chapter 731
SB 1921 – HB 1792

Receiverships

Enacts the Uniform Commercial Real Estate Receivership Act. Under this act, the receiver is required to file with the county clerk of the county where the real property is located a copy of the order

appointing the receiver and, if not in the order, a legal description of the property.

Effective April 18, 2018.

Public Chapter 735
SB 2023 – HB 2065

Hearing Impaired Designation

Enacts 55-4-1__ to allow an owner or lessee of a motor vehicle who is deaf or hard of hearing to request that the department include that designation in the Tennessee Vehicle Title and Registration System (VTRS) database. The request must be accompanied by a physician's statement supporting the request for a deaf or hard of hearing designation. The information will be supplied to law enforcement for the purpose of ensuring securing safe and efficient interactions between law enforcement and persons who are deaf or hard of hearing, and for no other purpose. Law enforcement, emergency call takers, and public safety dispatchers are to receive instruction.

Effective July 1, 2018.

Public Chapter 756
SB 2184 – HB 2029

Business License Fee Earmark

Amends 67-4-723 to earmark \$3 of the county clerk's \$15 fee for issuance of a business license. The funds are earmarked for computer hardware purchase or replacement, but may be used for other usual and necessary computer-related expenses at the discretion of the county clerk. Unused funds do not revert to the general fund.

Effective April 18, 2018.

Public Chapter 800
SB 912 – HB 836

Driver Licenses

Amends 55-50-331(b) to provide that any person who provides proof by way of a law enforcement report showing that the person was a victim of identity theft may apply for a new driver license with a new number. The department may charge a duplicate license fee.

Effective July 1, 2018.

Public Chapter 923
SB 270 - HB 268

Firefighters and Rescue Squad Members

Amends 55-4-241 to create an exemption from the registration fee upon renewal for one motor vehicle for active volunteer firefighters with at least one year of

service, upon certification or sworn statement from the chief of the fire department. Amends 55-4-222 to create an exemption from the regular license fee upon renewal for one motor vehicle for volunteer members of rescue squads, upon certification or sworn statement from the captain of the rescue squad. Enacts 55-4-1__ to create an exemption from the regular registration fee imposed under 55-4-111 upon renewal for one vehicle owned or used by a volunteer firefighter or member of a volunteer local rescue squad with one year of service, upon certification or sworn statement submitted as described above. Authorizes the county legislative body to waive the wheel tax for vehicles receiving these exemptions if the waiver is approved in the same manner as the adoption of the wheel tax under 5-8-102.

Effective May 15, 2018, applicable to registrations renewed on or after that date.

Public Chapter 926
SB 1474 – HB 1497

5th Special Forces Group (Airborne) Special Plates
Enacts 55-4-2__ to provide for special license plates for active, retired, and honorably discharged members of 5th Special Forces Group (Airborne) for motor vehicles authorized by 55-4-210(c) that are owned and operated by, or leased by, a member or the member's spouse or child. Requires (1) payment of regular registration fee, (2) payment of fee under 55-4-203(c), and submission of prescribed documentation of status as a member, spouse or child. A surviving spouse of a member who died while on active duty may receive a plate until remarriage. Submission of documentation is required only when initially applying for the plate.

Effective July 1, 2018.

Public Chapter 931
SB 1758 – HB 1794

Online Notary Public Act
Enacts the Online Notary Public Act, Title 8, Chapter 16, Part 3. Directs the secretary of state to promulgate regulations to establish standards for online notarization, including credential analysis and identity proofing. A person who has been commissioned as a notary public may apply to the secretary of state to be commissioned as an online notary public. In performing an online notarization, the notary must verify identity using two-way video and audio conference technology in accordance with the act. An

online notary may perform online notarizations without regard to the physical location of the principal if the notary is physically located within this state. The online notary must keep a secure electronic record of electronic documents notarized containing the information specified in the act. The fee cannot exceed \$25 for each online notarization.

Amends 66-22-101 to provide that for authentication purposes, an original signature includes an electronic signature, and a person may personally appear before the officer taking an acknowledgement either in person or by interactive two-way video and audio communication.

Amends 8-16-112 and 8-16-114 to provide for electronic signatures and electronically transmitted documents containing the required elements of the seal.

Effective July 1, 2019; effective May 15, 2018, for administrative and rulemaking purposes.

Public Chapter 985
SB 1479 – HB 1476

Governmental License Plates

Amends 55-4-223 to authorize the use of governmental license plates on vehicles leased to governmental entities.

Effective May 21, 2018.

Public Chapter 990
SB 1588 – HB 1558

Amateur Radio License Plates

Amends 55-4-229(e) to require applicants for an amateur radio license plate to provide proof of credentials approved by the county emergency management director, and proof that the applicant holds a class license as an amateur radio operator issued by the federal communications commission.

Effective May 21, 2018.

Public Chapter 1023
SB 2693 – HB 1521

Special License Plates

Amends Title 55, Chapter 4, Parts 2 and 3. Provides for the issuance of special license plates for North Carolina State University, Rakkasans, Mountain Tough, Historic Maury, Boone Lake Association, Suicide Prevention, Domestic Violence and Sexual Assault Awareness, Lung Cancer Awareness, Methodist Le Bonheur Healthcare,

Cumberland University, Paratrooper, Stand with Israel, University of South Carolina, Kiwanis International, TN Back the Blue, Down Syndrome Awareness, and Louisiana State University. Changes Tennessee Fraternal Order of Police to Fraternal Order of Police and adds alternative documentation. Adds Cold War Era Veteran to plates for honorably discharged veterans. Grants additional time, until July 1, 2019, for minimum order requirement to be met for Ohio State University, Niswonger Children's Hospital, Martin Luther King, Jr., Save the Bees, and Mothers Against Drunk Driving plates. Changes Harpeth River Watershed Association to Harpeth Conservancy. Reorganizes the statutes in Title 55, Chapter 4, Parts 2 and 3.

Effective July 1, 2018.

Public Chapter 1049
SB 2268 – HB 2134

Marriage

Amends 36-3-105 to prohibit a county clerk from issuing a marriage license to any applicant who is under the age of 17, or to applicants where one is between the ages of 17 and 18 and the other is four or more years older.

Amends 36-3-106 relative to consent for applicants under the age of 18 to marry (applies to applicants 17 or older where one applicant is not four or more years older than the other applicant). Provides that the parents, guardian, next of kin, other person having custody of the applicant, or duly authorized representative of a public or private agency having legal custody of the applicant may consent to a marriage by personal appearance before the county clerk or deputy clerk, or by submitting a sworn and notarized affidavit; such consent is not required if the applicant is emancipated at the time of the application. Provides that marriage removes the disabilities of minority and emancipates a minor and requires that a minor be advised of the rights and responsibilities of the parties to a marriage and of emancipated minors, and requires that the minor be provided with a fact sheet on these rights and responsibilities to be developed by the administrative office of the courts, to include referral information for legal aid agencies in the state and

national hotlines for domestic violence and sexual assault.

Repeals 36-3-107, so that judges are no longer authorized to issue orders directing county clerks to issue marriage licenses regardless of the age limit or waiting period.

Enacts 36-3-201 to provide that a marriage entered without valid, freely-given consent is void and unenforceable upon a court's finding of forced marriage, and creates a cause of action in favor of the forced person against the person who forced the marriage, with damages to include liquidated damages of \$250,000, attorneys' fees, and court costs. The limitations period for such an action is 10 years after the marriage ceremony.

Effective May 21, 2018.

COUNTY GOVERNMENT

Public Chapter 495 SB 1696 – HB 1501

Financial Management

Amends 5-21-103(d) to require that the fiscal systems established by the finance department conform to generally accepted accounting principles and be in substantial agreement with the comptroller's uniform audit manual, the rules established by the commissioner of education and state law. Also amends 5-21-115(a) to require the systems of fiscal procedure, control and accounting to conform to 5-21-103(d). Also amends 7-82-102 to require the utility management review board to review rate petitions in accordance with the comptroller's uniform audit manual. Also amends 7-82-401(a), 7-86-113, 9-3-212, 49-2-1304(h), 49-11-104(c)(4), 64-10-113 and 64-10-213 to require the comptroller to prepare a uniform audit manual.

Effective February 22, 2018.

Public Chapter 498
SB 1493 – HB 1490

Local Gov't Public Obligations Act of 1986

Amends 9-21-134(a)(1)(A)(i) to revise the definition of "balloon indebtedness" to mean debt that has a term of 31 years or more, including any subsequent refinancing.

Effective February 22, 2018.

Public Chapter 499
SB 1481 – HB 1500

Compliance with Financial Reporting

Amends 9-3-402 to remove date references and references to GASB statement 34. Also amends 9-3-403, 9-3-404 and 9-3-405 to remove date references related to compliance with GASB. Also amends 9-3-404(2) to revise the reference from "professional firms" to "professional accounting firms."

Effective February 22, 2018.

Public Chapter 540
SB 1486 - HB 1536

Fraud, Waste & Abuse

Amends 8-4-502, 503 and 504. Expands the definition of "unlawful conduct" to include debit card fraud. Adds the requirement that a certified public accountant or firm conducting an audit, investigation, or other engagement under a contract with the comptroller of the treasury, or with a public entity that requires approval by the comptroller of the treasury, shall promptly report any reasonable suspicion of unlawful conduct to the office of the comptroller of the treasury. Expands the good faith immunity provision to include such certified public accountant or firm. Adds the provision that no immunity is conferred if the person or firm reporting the unlawful conduct knowingly provided false information when making the report.

Effective March 5, 2018.

Public Chapter 545
SB 1483 – HB 1834

Open Meetings

Amends 8-44-102 to revise the definition of "governing body" to update a reference to a federal law.

Effective March 9, 2018.

Public Chapter 572
SB 1802 - HB 1550

Autopsies

Amends 38-7-105. Provides that autopsies may be performed at a non-accredited facility if: (1) The facility receives provisional accreditation from NAME within two years of beginning operations; (2) The facility

receives full accreditation from NAME within three years of beginning operations; and (3) The facility operates pursuant to NAME guidelines.

Effective March 16, 2018.

Public Chapter 621
SB 1870 - HB 1949

Private Right of Action

Amends Title 1, Chapter 3. Allows a cause of action for any affected person who seeks declaratory and injunctive relief in any action brought regarding the legality or constitutionality of a governmental action, but such action does not include damages.

Effective April 2, 2018.

Public Chapter 624
SB 1995 – HB 2037

Price Gouging

Amends various statutes in Title 47, chapter 18 relative to price gouging. Preempts any local regulations on price gouging.

Effective April 2, 2018.

Public Chapter 635
SB 2468 – HB 1991

Deposits under Spay/Neuter Law

Amends 44-17-503 to authorize all counties to use funds from forfeited deposits for operational expenses of the program. Authorizes the funds to be used for food, medications, tests, facility upgrades or other supplies or products which would improve the quality of life of the dogs and cats. Provides that the funds cannot be used for salaries.

Effective July 1, 2018.

Public Chapter 660
SB 2494 - HB 2262

Family Planning Programs

Amends 68-34-105 to provide that any funds that become available to the department of health for family planning programs, in excess of funds needed to operate family planning programs in county or district health departments, must be awarded to eligible entities in the following order of descending priority: (1) public entities that are eligible under state and federal law to provide family planning services, including state, county, and local community health centers, and federally qualified health centers; (2) nonpublic entities that are eligible under state and federal law to provide family planning services and that

provide comprehensive primary and preventative care services; and (3) nonpublic entities that are eligible under state and federal law to provide family planning services, but that do not provide comprehensive primary and preventative care services.

Effective April 9, 2018.

Public Chapter 678
SB 1988 - HB 2069

Child Advocacy Centers

Amends 9-4-213 to revise the requirements relative to facilities provided, policies and procedures, and reporting requirements of child advocacy centers in order to receive state funds.

Effective July 1, 2018.

Public Chapter 685
SB 363 - HB 1143

Affordable and Workforce Housing

Amends 66-35-102 to prohibit local governments from requiring developers to set aside units to be sold or rented at below market rates. Also prohibits local governments from conditioning any zoning change, variance, building permit or other change in land use restrictions or requirements on the allocation of units to be sold or rented at below market rates. Also prohibits local governments from requiring persons to waive their constitutionally protected private property rights in order to increase the inventory of units available to rent or purchase at below market rates. Authorizes local governments to incentivize affordable or workforce housing through local tax incentives or other means not involving zoning or land use planning. Creates an individual right of action for those aggrieved under this section. States that all ordinances and regulations contrary to this section are void and unenforceable.

Effective April 9, 2018.

Public Chapter 714
SB 1757 - HB 2560

Medical Examiner

Amends 68-3-502(i). Clarifies the provisions for reconsideration of the determination of death when the medical examiner determines that the manner of death is suicide.

Effective April 12, 2018. Applies to requests for reconsideration submitted on or after June 13, 2017.

Public Chapter 718
SB 1905 – HB 1921

County Legislative Body Training

Enacts a new section at Title 5, chapter 5 to require county legislative body members to complete orientation training provided by CTAS within 120 days of election or appointment. Provides that this training requirement only applies to members newly elected or appointed on or after the effective date of the act. Also requires county legislative body members to complete seven hours of continuing education training provided or approved by CTAS annually. Provides that the period for compliance begins September 1, 2018. Exempts incumbents from the continuing education requirement unless they are separated from office and then subsequently reelected. Also exempts members who have served eight years or more. Authorizes CTAS to provide the training by any method available. Requires the comptroller to publish, at least annually, the names of county legislative body members and the hours of training required and the hours obtained.

Effective April 12, 2018.

Public Chapter 722
SB 2513 - HB 2167

Hospitals

Amends Title 68, Chapter 11 to establish a procedure for recognition of hospitals with stroke-related designations. Amends Title 68, Chapter 140, Part 3 to provide that the emergency medical services board shall promulgate rules establishing protocol guidelines for evidence-based pre-hospital assessment, treatment, education, and transport of stroke patients by emergency medical providers.

Effective July 1, 2018.

Public Chapter 761
SB 1614 – HB 1557

Term Limits for Appointments

Enacts a new section at Title 5, Chapter 1, Part 1 to authorize county legislative bodies to adopt a resolution by majority vote prohibiting term limits for persons appointed to boards and commissions by the county mayor if the appointees serve without compensation, which does not include reimbursements for travel and other expenses.

Effective April 19, 2018.

Public Chapter 779
SB 2126 – HB 2423

Neighborhood Preservation Act

Amends the act to revise the definition of “nonprofit corporation”, the procedure for filing a civil action under the act, and provisions regarding delinquent tax sale bids by land bank corporations.

Effective April 19, 2018.

Public Chapter 791
SB 2343 – HB 2561

Affordable or Workforce Housing

Amends 5-9-113 to authorize county legislative bodies with a metropolitan government and a population not less than 500,000 according to the 2010 federal census or any subsequent census to appropriate funds for affordable or workforce housing.

Effective April 20, 2018.

Public Chapter 807
SB 1773 – HB 1600

Library Boards

Amends 10-3-104 to remove line-item control of the library fund from library boards.

Effective April 24, 2018.

Public Chapter 822
SB 1859 - HB 2278

Unclaimed Property

Amends 66-29-125(a). Provides that for unclaimed property held for the period of January 1, 2017, through December 31, 2017, the report under 66-29-123 must be filed before May 1, 2018. For unclaimed property held for the period of January 1, 2018, through June 30, 2019, the report under 66-29-123 must be filed before November 1, 2019. Thereafter, the report must be filed before November 1 of each year and must cover the twelve months preceding July 1 of that year.

Effective April 24, 2018.

Public Chapter 830
SB 1062 – HB 1114

Regulation of Boats

Enacts a new section at Title 69, Chapter 9, Part 2 to regulate jet boats carrying passengers for hire in tourist resort counties (as defined in 42-1-301). Provisions govern hours of operation, maximum speeds, maximum noise levels and the prohibition of certain maneuvers. Provides that violations of this section are a Class C misdemeanor, subject to a fifty dollar (\$50.00) fine.

Effective July 1, 2018.

Public Chapter 857
SB 2117 - HB 2195

Flag Displays

Amends Title 5, Chapter 5, Part 1. Prohibits a county legislative body from adopting or enforcing a resolution or ordinance that prohibits or restricts, or has the effect of prohibiting or restricting, a property owner from displaying a flag of the United States of America, a flag of the state of Tennessee, the MIA/POW flag, or an official or replica flag of any branch of the United States armed forces on the property owner's property. Provides that a county legislative body may adopt and enforce a resolution or ordinance that reasonably regulates the manner and placement of the display of a flag of the United States of America, a flag of the state of Tennessee, the MIA/POW flag, or an official or replica flag of any branch of the United States armed forces only when necessary to promote public health and safety.

Effective May 3, 2018.

Public Chapter 868
SB 2205 - HB 1494

Declaration of Local State of Emergency

Amends 58-8-104. Authorizes county, municipal, and metropolitan mayors and chief executives to issue evacuation orders during a local state of emergency. A person who willfully violates an evacuation order commits a Class C misdemeanor.

Effective May 3, 2018.

Public Chapter 871
SB 1496 - HB 1727

Eminent Domain

Amends 29-17-1005 to revise the purchase price for condemned property offered first to the former owner should the property not be used for the statutory purposes within ten years of the property being taken. The price is now the lessor of the price paid to the former owner by the local government acquiring the property plus fair market value of any improvements made after condemnation plus the average interest that would have been accrued on the amount paid to the former owner had the money been held in treasury bonds or the fair market value of the property. Also amends 29-17-1005 to create a right of the former owner to request a statement of intent for public use from the local government every 24 months following condemnation. Specifies that the rights granted to the

former owner under this section do not transfer to heirs or other parties.

Effective July 1, 2018.

Public Chapter 879
SB 2214 – HB 1929

Sober Living Homes

Enacts a new section at Title 13, Chapter 24, Part 1 to authorize cities and counties with a metropolitan form of government to enact ordinances requiring sober living homes to display certain signage within the homes. Also requires those governments to display certain signage in their city halls or seat of government as well as on their website.

Effective July 1, 2018.

Public Chapter 913
SB 1971 – HB 1772

Fraudulent Liens against Public Officials

Authorizes public officials who have fraudulent liens filed against them to file a notarized affidavit with the register of deeds. Once such an affidavit is filed, requires registers to note on any available indices that the document is “Contested—Under Review.” Requires the public official to send a copy of the affidavit to the filing party within three days of filing the affidavit. Provides for a process of review of the lien in chancery court. Provides that the prevailing party in the action may recover costs and expenses, including reasonable attorneys’ fees. Authorizes governmental entities to insure or indemnify any public official for the cost of defending and removing liens. Exempts liens where originator, owner or holder is an entity enumerated in the act.

Effective July 1, 2018 (effective May 1, 2018 for rulemaking purposes).

Public Chapter 945
SB 2359 - HB 2675

Needle and Syringe Exchange Program

Amends 68-1-136 to authorize a county commission to petition the county or district health department to establish and operate a needle and hypodermic syringe exchange program. Provides that the program must be funded entirely by the county commission making the petition to the county or district health department.

Effective July 1, 2018.

Public Chapter 973
SB 2332 - HB 2315

Immigration - Sanctuary Policy Prohibited

Amends Title 7, Chapter 68. Provides that no local governmental entity or official shall adopt or enact a sanctuary policy. A local governmental entity that adopts or enacts a sanctuary policy is ineligible to receive any economic and community development state moneys until the sanctuary policy is repealed, rescinded, or otherwise no longer in effect. Provides that, in a citizen suit against a government entity or official alleging a violation of this bill, if the court finds that a state governmental entity or official adopted or enacted a sanctuary policy, the state governmental entity, or the entity to which the official belongs, becomes ineligible to enter into any grant contract with the department of economic and community development. Ineligibility commences on the date the court finds that the state governmental entity or official is in violation of and continues until such time that the court certifies that the sanctuary policy is repealed, rescinded, or otherwise no longer in effect. Provides that the negotiation of an MOA concerning the enforcement of federal immigration laws between a law enforcement agency and the appropriate federal official permissive rather than mandatory. Provides that whenever a law enforcement agency enters into a MOA, notice of the agreement must be submitted in writing to the governor, the office of the lieutenant governor, who shall transmit the notice to the members of the senate, and the office of the speaker of the house of representatives, who shall transmit the notice to the members of the house of representatives. Provides further that any renewal, modification, or termination of a MOA must be reported in the same manner as the original MOA.

Effective January 1, 2019.

Public Chapter 1032
SB 2519 - HB 1572

Cemeteries

Amends 46-4-103 to require complainants filing a suit related to burial grounds under 46-4-103 to give notice to the Tennessee Historical Commission at least 30 days prior to any hearing on the suit; specifies what notice must contain. Directs Tennessee Historical Commission to form a historic cemetery advisory committee.

Effective July 1, 2018.

Public Chapter 1033
SB 2520-HB 1574

Historical Preservation

Amends 4-1-412 to prohibit counties and municipalities from selling, transferring or otherwise disposing of memorials or public property containing memorials. Also prohibits concealment of such memorials. Authorizes local governments to petition the Tennessee Historical Commission for a waiver of these provisions. Provides that in lieu of a waiver, a historic organization may petition the Tennessee Historical Commission to transfer ownership of and/or relocate a memorial. Approval of such petition is by majority vote of the entire membership of the commission. Grants standing to certain persons to sue for violations of this section in Davidson County Chancery Court. Directs the court to issue an injunction or restraining order to preserve the memorial while the case is being adjudicated. Grants the Tennessee Historical Commission authority to receive and consider complaints on violations of this section. Provides that public entities being found to be in violation of this section will be ineligible for ECD grants for five (5) years from the date of the violation.

Effective May 21, 2018.

Public Chapter 1047
SB 2680 – HB 2125

Annexation

Amends 6-51-104 to provide that in addition to the situation where all property owners consent to an annexation, a referendum approving an annexation is not required if two-thirds of the property owners within the area proposed to be annexed consent, the total area owned by those consenting is more than one half of the area proposed to be annexed and the proposed annexation consists of nine or fewer parcels. Specifies that this provision sunsets January 1, 2023.

Effective May 21, 2018.

Public Chapter 1053
SB 2333 – HB 2312

Identification Documents

Enacts 8-50-1__ to prohibit officials and employees of the state or any political subdivision from accepting an identification document issued or created by any person, organization, county, city, or other local authority to determine a person's citizenship, immigration status, or residency, except where expressly authorized to be used for identification

purposes by the general assembly or by federal law. Prohibits local governments and law enforcement agencies from authorizing such use of any such document by policy, resolution or ordinance.

Effective May 21, 2018.

Public Chapter 1055
SB 2646 – HB 2326

Rural Hospitals

Enacts a new section at Title 4, Chapter 3, Part 7, entitled “Tennessee Rural Hospital Transformation Act of 2018.” Creates a rural hospital transformation program to be run by ECD in consultation with an advisory committee formed pursuant to the section. Requires ECD, in consultation with the advisory committee, to identify contractors to provide consultations with rural hospitals. Provides that rural hospitals may submit applications to ECD to receive these consultations. Provides that the consultations will result in transformation plans, which are to be submitted to ECD. Caps ECD’s expenditures for this program at one million dollars (\$1,000,000) per fiscal year. Sunsets July 1, 2021.

Effective July 1, 2018.

Public Chapter 1061
SB 2552 – HB 2644

Appropriations

Provides more than two hundred million dollars (\$200,000,000) in new funding for K-12 schools. These new funds include fifty-five million dollars (\$55,000,000) for teacher compensation improvements and forty-eight million dollars (\$48,000,000) for annual growth and inflationary costs incurred by LEAs. Also includes over thirteen million dollars (\$13,000,000) in new recurring funds for RTI. Provides nearly fifteen million dollars (\$15,000,000) in funds to assist in the fight against the opioid epidemic. Provides more than thirty million dollars (\$30,000,000) to complete another portion of the West Tennessee Megaproject. Provides one million dollars (\$1,000,000) in nonrecurring funds for grants to counties to implement or improve courtroom security. Provides thirty million dollars (\$30,000,000) to fund school safety grants and to fund a safety risk assessment of every k-12 public school facility in the state. Provides three million dollars (\$3,000,000) to help school systems fund the purchase of school buses equipped with seat belts.

Effective July 1, 2018, with provisions authorizing prior or immediate expenditures or with an immediate effective date becoming effective May 21, 2018.

COURTS & COURT CLERKS

Public Chapter 535 SB 1645 - HB 1529

Service of Process – Juvenile Court

Amends 36-1-117 and Title 37, Chapter 1, Part 1. Specifies that service of process for juvenile court proceedings may be completed by any individual authorized to serve process under the Rules of Civil Procedure or the Rules of Juvenile Procedure, including, but not limited to, a sheriff, constable, or private process server.

Effective March 7, 2018.

Public Chapter 538 SB 1721 - HB 1721

Driver License Revocation Stays

Amends 40-24-105(b) to provide that a recovery court judge shall have the discretion to determine the period of time a stay of revocation should remain in effect for a recovery court participant, provided the period does not exceed the date of the offender's program completion or termination.

Effective March 7, 2018 (applicable to any applicable application for a stay of revocation made on or after that date).

Public Chapter 542 SB 1504 - HB 1479

Community Service Programs

Amends 40-25-123(c) to provide that a general sessions or criminal court judge may either: (1) suspend the court costs and litigation tax as required by TCA 67-4-602 through 67-4-606, for any indigent criminal defendant, as in the judge's opinion the equities of the case require; or (2) upon the application of an indigent defendant, refer the defendant to a community service program implemented by the court clerk if the county legislative body has voted to approve such program. Provides that upon certification of the court clerk that the defendant has successfully completed the community service program, the judge may suspend the court costs and litigation tax as required by TCA 67-4-602 through 67-4-606, for any indigent criminal

defendant, as in the judge's opinion the equities of the case require.

Provides that the court clerk for a general sessions or criminal court may, in the clerk's discretion, submit a request in writing to the county legislative body to implement a program of community service for indigent criminal defendants in lieu of full payment of court costs and litigation taxes. A county legislative body receiving such request shall vote, within thirty (30) days, whether to approve the request.

Upon referral by the judge, the clerk may determine whether the defendant qualifies for the program based upon the guidelines adopted by the clerk. The guidelines may include evaluation of the defendant's ability to pay the court costs and litigation taxes. The clerk may remove the defendant from the program at any time due to failure to comply with the program guidelines. The number of applicants accepted and the duration and continuation of the program shall be at the discretion of the clerk. Participation in the community service program shall not operate to stay a revocation of a license pursuant to TCA 40-24-105(b); nor shall participation in the program operate to stay collection activity pursuant to TCA 40-24-105(d) for any of the defendant's cases not approved for inclusion by the clerk.

Effective March 9, 2018.

Public Chapter 579
SB 2384 - HB 2187

Driver License Revocation For Jail Fees

Amends 40-24-105(b) to provide that no person's license shall be revoked based upon nonpayment of county jail fees.

Effective March 16, 2018.

Public Chapter 586
SB 1735 - HB 1719

Domestic Violence

Amends 40-11-150. Provides that following a finding of probable cause to believe the respondent either caused bodily injury to the alleged domestic abuse victim or displayed a deadly weapon, the court or magistrate will no longer issue a temporary order of protection. Instead, unless the court or magistrate finds that the offender no longer poses a threat to the alleged victim

or public safety, the court or magistrate will be required to impose the 12-hour hold period and victim notification requirements. Also, prior to the offender's release on bond, the official will issue a no contact order containing all of the bond conditions under present law that are applicable to the protection of a domestic abuse victim, which may include an injunction and firearm and alcohol prohibitions on the defendant.

Effective July 1, 2018.

Public Chapter 597
SB 1716 - HB 1784

Garnishment Forms

Amends 26-2-216 to update the garnishment notice form to conform to existing law that specifies a garnishment creates a lien on earnings until the judgment is satisfied, or for six months, whichever occurs first.

Effective March 23, 2018.

Public Chapter 605
SB 264 - HB 941

Decision-Making Rights for Disabled Persons

Amends 34-1-101 by defining "least restrictive alternatives" to mean techniques and processes that preserve as many decision-making rights as practical under the particular circumstances for the person with a disability.

Effective April 2, 2018.

Public Chapter 663
SB 2679 - HB 2683

Subpoenaing Clergy Members

Amends 4-1-407 to provide that a government entity, excluding courts, shall not subpoena a clergy member's sermon, including notes used to prepare a sermon or an audio or video recording of a sermon, or subpoena a clergy member's attendance to testify regarding a sermon, for use in a civil or administrative action.

Effective April 9, 2018.

Public Chapter 734
SB 2002 - HB 1841

Grandparent Visitation

Amends 36-6-303 to extend subject matter jurisdiction to hear grandparent visitation cases to any court that exercises domestic relations jurisdiction.

Effective April 18, 2018.

Public Chapter 806
SB 1740 - HB 1886

Default Judgements in General Sessions Courts
Amends 16-15-903 and 16-15-904 to add additional conditions for a court to enter a default judgment on the basis of service of process by mail.

Effective July 1, 2018 (applicable to service of process sent by registered or certified mail on or after that date).

Public Chapter 809
SB 1789 - HB 2199

Electronic Filing in General Sessions Courts
Enacts a new section in Title 16, Chapter 15, Part 7 to provide that general sessions courts may, by local rule, allow papers to be filed, signed, or verified by electronic means that comply with technological standards promulgated by the supreme court. Pleadings and other papers filed electronically under such local rules shall be considered the same as written papers.

Effective July 1, 2018.

Public Chapter 824
SB 1499 - HB 1786

Reporting of Final Dispositions
Amends 8-4-115 to require certain information be included in a final disposition reported to the TBI. Provides that local law enforcement must provide a state control number printed on the R-84 Disposition Card and attached to the arresting document to the clerk within seven (7) business days of arrest so that the clerk or court can electronically submit final dispositions of criminal cases, including the state control number, to the TBI. Provides that unless otherwise authorized by the TBI, all final dispositions shall be reported electronically.

Effective July 1, 2019 (applicable to all arrest and convictions for offenses occurring on or after that date).

Public Chapter 827
SB 1133 - HB 849

TACIR Study – GPS Monitoring
Directs the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to perform a study of the implementation and effects of global positioning monitoring as a condition of bail for defendants accused of stalking, aggravated stalking, or especially aggravated stalking; any personal assaultive criminal offense, in which the alleged victim of the offense is a domestic abuse victim, sexual assault victim, or stalking victim; or a violation of an order of

protection under the domestic abuse provisions of present law.

Effective April 24, 2018.

Public Chapter 837
SB 1808 - HB 1854

Jury Disqualification List

Enacts a new section in Title 22, Chapter 2, Part 1 to provide that the jury coordinator shall prepare or cause to be prepared a list of all persons disqualified or potentially disqualified as a prospective juror from jury service due to being a non-United States citizen, convicted of a felony, deceased, not a resident of this state, or not a resident of the county. The list must be prepared and sent to the administrator of elections according to the jury summons cycle used by the clerk. The list may be provided by mail, facsimile transmission, or email. The jury coordinator shall provide the administrator of elections with the following information about the disqualified juror: (1) the full name of the disqualified juror; (2) current and prior addresses, if any; (3) telephone number, if available; (4) date of birth; and (5) the reason the prospective juror was disqualified.

Provides that after verifying that the person is a registered voter, the administrator of elections shall follow the procedures listed in 2-2-106 or § 2-2-141. In addition to the list of names, if the jury coordinator has documentation showing the person's disqualification, as provided for above, then the documentation may be forwarded to the administrator of elections.

Effective April 27, 2018.

Public Chapter 851
SB 41 - HB 3

Social Workers

Amends 24-9-101 to provide that certain social workers will be exempt from subpoena to trial (but subject to subpoena to deposition) under certain circumstances.

Effective July 1, 2018.

Public Chapter 872
SB 1601 - HB 1793

Abusive Civil Actions

Enacts a new Chapter 40 in Title 29 to establish a procedure under which certain defendants may claim that a civil lawsuit filed against them is abusive and that

the plaintiff should be barred from filing similar suits for a certain period. Requires, among numerous other requirements, that the parties be related, have dated or lived together.

Effective July 1, 2018 (conduct occurring prior to the effective date may be used in related court actions).

Public Chapter 875
SB 1851 - HB 1856

Surrenders and Adoptions

Amends numerous provisions in Title 36, Chapter 1, Part 1 relative to termination of parental rights, surrenders and adoptions. Amends definition of abandonment, circumstances that constitute abandonment and defenses to abandonment. Amends definition of related. Amends provisions relative to the termination of parental rights of putative fathers. Amends provisions relative to venue and residency requirements. Amends provisions relative to home studies for adoptive parents. Allows, with permission of the court, the use of initials or a pseudonym by the petitioner on a petition to adopt. Amends provisions relative to the assistance that must be provided a person executing a surrender who is unable to read. Amends documents that must accompany a surrender. Provides for revised surrender form. Provides that the court when accepting a surrender shall verify under oath the information. Provides that the pre-surrender information forms for the birth parent and accepting party and all required attachments must be attached to the surrender or parental consent when the surrender and acceptance are executed and maintained with the surrender or parental consent form by the court or the court clerk and transmitted to DCS as required by law.

Effective July 1, 2018.

Public Chapter 876
SB 2626 - HB 1862

Diversion Expungement Fees

Amends TCA 40-32-101 to reduce the fee for expungement when the charges have been dismissed as a result of the successful completion of a diversion program pursuant to 40-15-102 through 40-15-106 from \$350 to \$180.

Effective July 1, 2018.

Public Chapter 884
SB 2063 - HB 2024

Community Service Programs

Duplicative of 2018 Public Chapter 542 with a later effective date.

Effective July 1, 2018.

Public Chapter 917
SB 2133 - HB 2520

Birth Control

Enacts a new section in Title 40, Chapter 35, Part 2 and amends 40-35-302 to prohibit a plea or sentence from being conditioned or based upon the defendant agreeing to any form of birth control. Provides that this provision does not prohibit educational services on matters of birth control.

Effective May 1, 2018 (applicable to any plea or sentencing determination made on or after such date).

Public Chapter 974
SB 5 - HB 10

Additional Trial Courts and Judicial Redistricting

Amends 16-2-506 to establish, effective September 1, 2018, an additional trial court in the sixteenth judicial district (Cannon and Rutherford), the nineteenth judicial district (Montgomery and Robertson) and in the twenty-first judicial district (Hickman, Lewis, Perry and Williamson).

Enacts a new section in Title 16, Chapter 1 to provide that the speaker of the senate and the speaker of the house of representatives shall establish an advisory task force to review the composition of Tennessee's current judicial districts. The task force shall publish a proposed statewide judicial redistricting plan by December 1, 2019.

Effective May 21, 2018.

Public Chapter 1018
SB 2505 - HB 2032

Juvenile Expungement

Amends 37-1-153 to allow a person to petition to expunge juvenile records if adjudicated delinquent or unruly for prostitution if the court finds that the conduct occurred as a result of the person being a victim of human trafficking.

Effective July 1, 2018 (applicable to motions filed after such date).

Public Chapter 1025
SB 2705 - HB 2691

Sienna's Law

Amends 37-1-131 to generally require a minimum one (1) year commitment to the department of children's services for any juvenile who is adjudicated delinquent for conduct that, if committed by an adult, would constitute murder, manslaughter or homicide.

Effective July 1, 2018 (applicable to delinquent acts after such date).

Public Chapter 1044
SB 1974 - HB 1959

TBI Funds

Amends 39-17-420 to eliminate the TBI Drug Chemistry Unit Drug Testing Fund. Provides that the drug testing fee under subsection (h) shall go to the state general fund.

Amends 55-10-413 to eliminate the TBI Toxicology Unit Intoxicant Testing Fund. Provides that the fee under subsection (f) shall go to the state general fund.

Effective May 21, 2018.

Public Chapter 1049
SB 2268 - HB 2134

Unpaid Child Support and Marriage of Minors

Amends 36-5-101 relative to collection of unpaid child support and the rate at which interest shall accrue.

Amends 36-3-107 to remove the authority of judges to authorize the county clerk to issue a marriage license to a minor.

Effective May 21, 2018 relative to marriage and July 1, 2018 relative to unpaid child support.

Public Chapter 1050
SB 2621 - HB 2159

Elderly and Vulnerable Adult Protection Act

Amends numerous sections to adopt the Elderly and Vulnerable Adult Protection Act of 2018. Amends 39-15-506 to provide that following a conviction for a violation of 39-15-502, 39-15-507(a)-(c), or 39-15-508, or at the discretion of the court for a conviction of 39-15-507(d), the clerk of the court shall notify the department of health of the conviction by sending a copy of the judgment in the manner set forth in 68-11-1003 for inclusion on the registry pursuant to Title 68, Chapter 11, Part 10. Amends numerous other provisions relative to elderly or vulnerable adult abuse.

Effective January 1, 2019 (effective May 21, 2018 for the purposes of promulgating rules).

Public Chapter 1052
SB 2261 - HB 2271

Juvenile Justice Reform Act

Amends numerous provisions to enact the Juvenile Justice Reform Act of 2018. Seeks to balance judicial discretion in juvenile cases with new limits on placing children in out-of-home custody, increases treatment options and services, and requires individualized case planning.

Limits court ordered attachments. Amends 37-1-126(c) relative to the nonrefundable administrative fee. Amends numerous provisions relative to juvenile commitments, diversion, informal adjustments, home supervision and probation. Provides that, subject to the approval of the juvenile court, each municipal or metropolitan police department or sheriff's department is authorized to create and administer its own juvenile diversion program to address citable juvenile offenses without court involvement. Each program shall be developed in consultation with the juvenile court, local school districts, and other community stakeholders, and shall be subject to the same conditions and limitations as informal adjustment pursuant to 37-1-110.

Amends numerous other provisions relative to detention, financial obligations, risk and needs assessments, individual case plans and behavior responses, performance metrics, juvenile justice data collection, and juvenile procedures.

Provides for numerous effective dates applicable to specific sections.

ECONOMIC DEVELOPMENT

Public Chapter 529
SB 1516 – HB 1504

Reporting of Industrial Development Corporations

Amends 7-53-304 to require industrial development corporations to maintain an aggregate listing of current debt, including conduit debt obligations and to file the listing with the state funding board at the end of each fiscal year. Also requires industrial development corporations to file notice of default on any of its debt

obligations with the state funding board within 15 days of the default.

Effective March 7, 2018.

Public Chapter 634
SB 2342 – HB 2621

Greater Nashville Regional Council

Amends various sections in Title 64, chapter 7 relative to GNRC, including sections relating to membership of the council and council procedures.

Effective April 2, 2018.

Public Chapter 804
SB 1701 – HB 1526

Boarder Region Retail Tourism District

Amends 7-40-103(9) to revise the definition of “investment period” from ten to fifteen years.

Effective April 24, 2018.

Public Chapter 816
SB 1861 – HB 1923

Tourism Development Zones

Amends 7-88-107 to provide that any bonds, notes or other indebtedness (including refinancing or refunding) must be approved by the state funding board. Amends 7-88-114 to expand the application of Title 7, chapter 88, part 1 to tourism development zones existing as of the effective date of the act and tourism development zones approved by the state building commission no later than December 31, 2018 and created pursuant to a letter of intent or application filed as of June 26, 2007. Also amends 7-88-114 to provide that no tourism development zones can be created after the effective date of the act except for those created pursuant to 7-88-114 (a)(2). Further amends 7-88-114 to provide procedures for modifying tourism development zones and to require the municipality or public authority within which a tourism development zone is located to file an annual report with the commissioner of finance and administration and the state building commission.

Effective April 27, 2018.

Public Chapter 852
SB 157 – HB 132

Master Development Plan Recognition Act

Enacts a new section at Title 4, Chapter 3, Part 7 to be known as the “Master Development Plan Recognition Act” to specify actions taken by a governmental entity that constitute contributions by the entity pursuant to a master development plan approved by the government

entity for purposes of Section 118 of the Internal Revenue Code of 1986. Such actions include grants approved by the ECD commissioner, grants approved by an authorized county or municipality representative, tax increment financing applications for which an approval has been issued by the state, county or municipal government and approval of a development plan, redevelopment plan, revitalization plan, or similar plan by the state, county or municipal government. Applies to such contributions made on or after December 22, 2017.

Effective May 3, 2018.

Public Chapter 890
SB 2024 – HB 2161

Tennessee Central Economic Authority
Amends 67-9-102(b)(3)(D) to extend the current allocation of TVA in lieu of taxes to the Tennessee Central Economic Authority (formerly known as Four Lake Regional Industrial Development Authority) through 2023-24.

Effective May 3, 2018.

Public Chapter 1058
SB 2056 – HB 2435

Tax Allocation within Tourism Development Zones
Amends 7-88-106(a) and 67-4-3003(c) to revise the apportionment of state and local sales and use taxes within a tourism development zone which contains a qualified public use facility.

Effective May 21, 2018.

Public Chapter 1064
SB 2622 – HB 2664

Industrial Development Corporations and PILOTs
Amends 7-53-101 to add a definition of “retail business.” Amends 7-53-305 to provide that an industrial development corporation may only negotiate a PILOT for less than the taxes otherwise due for a retail business for a period of more than ten years plus a reasonable construction period not to exceed three years if one of the following conditions are met: (1) the industrial development corporation is a joint corporation formed by all affected taxing jurisdictions; (2) the industrial development corporation has entered into an interlocal agreement with the taxing jurisdictions to establish PILOT criteria; (3) the industrial development corporation has received written approval from all affected taxing jurisdictions;

or (4) the industrial development corporation pays the affected taxing jurisdictions the lost tax revenue after the initial ten years of the PILOT agreement. Specifies that these requirements do not apply to Shelby County. Also amends 7-53-305 to require industrial development corporations to hold a public meeting prior to approving a PILOT agreement. Requires five days' notice be provided for such meeting.

Effective October 1, 2018.

EDUCATION

Public Chapter 537 SB 1664 - HB 1570

Charter Schools

Amends 49-13-111 to require public charter schools to operate within the jurisdictional boundaries of their authorizing LEA, or if authorized by the state board, within the school district where they originally applied for their charter. Amends 49-13-136 to require a charter sponsor to submit the school's physical address to the chartering authority and the department of education at least 60 days before the opening of the school, and if the school has not secured a location at least 60 days before opening the school must seek a delay in opening under 49-13-121(a)(1).

Effective March 7, 2018; applicable beginning with the 2018-19 school year.

Public Chapter 557 SB 1624 - HB 1527

Student Transcripts

Enacts 49-50-___ to prohibit the alteration of student transcripts unless the LEA, charter school, or virtual school has a written policy governing such alterations requiring documentation explaining the reason for the alteration and evidence that the student earned the grade in the altered transcript. Prohibits retaliation against an employee who brings unauthorized transcript alterations to the attention of school officials. Provides penalties for violations of statute, including criminal prosecution.

Effective July 1, 2018, applying to transcript alterations on or after that date.

Public Chapter 569
SB 1626 – HB 1460

Recovery High Schools

Enacts 49-6-4__ to authorize local boards of education to establish recovery high schools for students in grades 9-12 with an alcohol or other drug abuse or dependency diagnosis or co-occurring substance use and psychiatric diagnosis. These schools provide a high school education leading to diploma, with a structured plan of recovery for the students. Enrollment is voluntary. The school may enroll students residing outside the LEA pursuant to the district's out of district enrollment policy, and the state and local funds generated and required through the BEP follow the student. Two or more boards may join together to form a recovery high school. The state board of education, in consultation with the department of education, department of health, and department of mental health and substance abuse services, may promulgate rules and adopt policies.

Effective March 16, 2018, applicable beginning with the 2018-19 school year.

Public Chapter 622
SB 1899 – HB 2430

Charter Schools

Amends 49-13-142 to provide that the state board of education is the LEA for the charter schools it authorizes, and that the charter school's per pupil share of state and local funding shall be paid to the state board of education by the department of education or LEA in which the school is located, as appropriate. The board is also entitled to receive all appropriate allocations of federal funds due for the charter school, as do other LEAs under federal law or regulations.

Effective April 2, 2018.

Public Chapter 640
SB 2661 – HB 2368

National Motto in the Classroom Act

Enacts 49-6-8401 to require "In God We Trust" to be displayed in a prominent location within each school in every LEA.

Effective April 2, 2018, applicable beginning with the 2018-19 school year.

Public Chapter 669
SB 1691 – HB 1569

Career and Technical Education Class Sizes

Amends 49-1-104(g) to allow all LEAs using the career academy or small learning community model to extend the maximum class size for career and technical

education as long as the class sizes do not exceed the limit for academic classes in grades 7-12. Authorizes any LEA to seek a waiver to extend the CTE average class size in grades 9-12 up to the maximum class size for CTE classes.

Effective April 12, 2018, applicable beginning with the 2018-19 school year.

Public Chapter 672
SB 1806 – HB 1855

Statewide Assessments

Enacts 49-6-60__ to prohibit the department of education and the state board of education from mandating any statewide assessments beyond those required as of the 2017-17 school year until the 2020-21 school year, and requires the department to ensure all data associated with existing assessments is accurate and timely. The prohibition does not apply to assessments required by federal law, those required for implementation of response to instruction and intervention, or to required field tests, or prohibit LEAs from voluntarily participating in assessments developed by the department or prohibit LEAs from requiring district-approved assessments.

Effective April 12, 2018.

Public Chapter 698
SB 1407 – HB 1237

Charter Schools

Amends 49-13-108(a) to lengthen the time within which a local board of education must act on a charter school's amended application from 30 to 60 days from the applicant's receipt of notice of deficiencies in the original application. If the application is not acted upon within the 60 days, the application is deemed approved.

Effective July 1, 2018, and applicable to applications filed on or after that date.

Public Chapter 725
SB 1618 – HB 1968

K-12 Education Administration

Amends over fifty provisions in Title 49 to delete obsolete pilot projects and reporting and similar requirements, and to revise or delete other administrative provisions.

Effective April 18, 2018.

Public Chapter 747
SB 2549 – HB 2522

Educators as Witnesses

Enacts 24-2-__ to prohibit a court from ordering a teacher or school counselor (“educator”) to be a witness in any civil proceeding involving a domestic dispute matter if the educator is not a named party and the educator’s attendance would require absence from teaching, supervisory, or counseling duties, unless the court determines the educator’s presence is necessary to ensure fairness.

Effective April 18, 2018.

Public Chapter 767
SB 1901 – HB 1870

Special Education

Amends Title 49, Chapter 10, to include charter schools in the provisions for state reimbursement for excess costs incurred serving children with disabilities. Requires a special education association to provide services to charter schools, provides for charter school representation on the association’s board of directors, and includes charter schools in the inter-school district agreement governing the association.

Effective July 1, 2018.

Public Chapter 768
SB 2158 - HB 1888

Charter School Audits and Financial Reports

Amends 49-13-127 to authorize the comptroller to audit all financial transactions of a charter management organization (CMO). Requires all CMOs operating a charter school in this state to file an annual financial report with the comptroller no later than August 31 detailing transactions between the CMO and any charter school operated by the CMO in this state.

Effective April 19, 2018.

Public Chapter 775
SB 2124 – HB 2174

State-Funded Bible Courses

Amends 49-6-1026 to provide for development of approved Bible course curriculum. Requires the department to notify each LEA in writing by July 1 each year of the LEA’s ability to offer an elective state-funded Bible course consisting of a nonsectarian, nonreligious academic study of the Bible.

Effective April 19, 2018.

Public Chapter 784
SB 1986 – HB 1778

Course Access Program

Amends Title 49, Chapter 18, relative to the course access program. Makes numerous changes relative to course providers, eligibility to participate, payment of tuition and fees, denial of enrollment, and information distribution.

Effective April 20, 2018.

Public Chapter 810
SB 1803 – HB 1607

Funding for Category I Special Purpose Schools

Enacts 49-3-3__ to require LEAs to allocate funding to educational facilities providing educational instructional services to students admitted under order of a juvenile court, in an amount equal to the per pupil state and local funds received by the LEA on a prorated daily basis for the student's length of stay. Defines "educational facility" as one that operates as a Category I special purpose school pursuant to state board of education rules; provides a minimum of 32 hours per week of educational instructional services; and receives a juvenile justice prevention grant. Does not apply to students in the custody of the department of children's services. The LEA may require that a juvenile court order including the student's name, the dates of admission, and the signature of the juvenile judge or the magistrate of the juvenile court be submitted to the LEA prior to disbursement of funds.

Effective April 24, 2018.

Public Chapter 835
SB 1765 – HB 2549

Energy Efficient Schools

Amends 49-17-103 and -104 to authorize the energy efficient schools council to award grants or loans for energy efficient capital outlay projects to charter schools and the achievement school district, in addition to LEAs.

Effective April 27, 2018.

Public Chapter 844
SB 2196 – HB 2272

School Social Workers

Enacts 49-1-2__ to require the BEP review committee to analyze the addition of a component for school social workers to the BEP funding formula.

Effective April 26, 2018.

Public Chapter 881
SB 1623 – HB 1981

Assessments

Amends 49-6-6001 to provide for required action to be taken by an assessment provider at fault for misadministration of assessments. Amends 49-1-617 to allow each local board of education to choose a percentage between 0% and 15% that scores from the 2017-18 TNReady assessments will count on a student's final grade for the spring semester. Amends 49-1-228 and 49-1-602 to provide that student performance and growth data from the 2017-18 TNReady assessments cannot be used to assign a letter grade to a school, nor to identify a school as a priority school or assign a school to the achievement school district. Also prohibits LEAs from basing employment termination and compensation decisions for teachers on data generated by 2017-18 statewide assessments.

Effective May 3, 2018.

Public Chapter 882
SB 2039 – HB 1988

Scholars Prep Guides

Enacts 49-6-3__ to require schools to provide each high school student a "scholars prep guide" when registering for a course, to be prepared by teachers and to contain information regarding curriculum for the course and areas that might be challenging for students with suggestions on how the student can best prepare for the course.

Effective July 1, 2019, beginning with the 2019-2020 school year.

Public Chapter 906
SB 2609 – HB 2550

Firearms Education

Enacts 49-6-10__ to authorize LEAs to offer a noncompulsory gun safety class in elementary school, without the use or presence of live ammunition or live fire.

Effective May 3, 2018.

Public Chapter 907
SB 2379 – HB 2590

Maternity/Paternity Leave

Amends 8-50-802(a)(4) to authorize state employees to use their accrued sick and annual leave for maternity and paternity leave for a period not to exceed the accumulated leave balance or 12 weeks, whichever is less. Defines state employees to include "educators" as defined in 49-5-204, which includes "any teacher,

principal, supervisor or other individual required by law to hold a valid license of qualification for employment in the public schools of this state.”

Effective July 1, 2018.

Public Chapter 937
SB 2013 – HB 2165

Teacher Code of Ethics

Amends 49-5-1003 and 49-5-1004 to rewrite the teacher code of ethics. Enacts new statutes in Title 49, Chapter 5, Part 10 requiring educators to report other educators who breach the code of ethics and requiring LEAs to conduct annual professional development training on the requirements of the teacher code of ethics.

Effective July 1, 2018.

Public Chapter 938
SB 2015 – HB 2433

Sexual Misconduct

Enacts 49-2-1__ to prohibit an LEA from entering into a non-disclosure agreement in connection with a settlement for an act of sexual misconduct, and prohibits employees of an LEA from assisting a person in obtaining a new job if the employee knows or has probable cause to believe the person seeking a job change engaged in sexual misconduct involving a minor or student, except where the matter was reported to law enforcement and the matter was closed as provided in the statute.

Effective July 1, 2018.

Public Chapter 948
SB 2662 – HB 2670

School Athletics

Enacts 49-6-4__ to require audits of voluntary associations that establish and enforce rules or bylaws for interscholastic sports for public secondary schools, with the cost paid by the association. Enacts 49-2-1__ to prohibit public schools from using public funds to join such an association if the association does not comply with the open meetings law.

Effective July 1, 2018.

Public Chapter 958
SB 2381 – HB 2376

Truancy

Revises and updates the law regarding school attendance, truancy and discipline, as revised under 2017 Public Chapter 379. Amends 49-6-3007 to require

reporting student names to law enforcement after five unexcused absences, rather than two, if the LEA has an agreement with law enforcement for assistance. Amends 49-6-3009 to provide for progressive truancy interventions by the school district as an alternative to a truancy petition or criminal prosecution for educational neglect, to minimize the need for referrals to juvenile court.

Effective July 1, 2018.

Public Chapter 976
SB 558 – HB 372

Physical Education

Amends 49-6-1021 to require each student in elementary school to participate in a physical education class at least two times per week for at least 60 minutes. Does not apply to counties having populations of 38,300-38,400 or 57,400-57,500 until the 2021-2022 school year.

Effective July 1, 2019.

Public Chapter 977
SB 619 – HB 631

Water Quality in Schools

Enacts 49-2-1__ to require local boards of education to develop a policy to implement a program to reduce the potential sources of lead in drinking water in public schools, which at a minimum must include testing of lead levels in drinking water at school facilities constructed before January 1, 1998.

Effective January 1, 2019.

Public Chapter 980
SB 824 – HB 789

Confidential Records

Amends 10-78-504 to provide that information reasonably likely to identify a student accused of committing an alleged sexual offense or violent sexual offense, or any information reasonably likely to identify the victim of such an offense, must be treated as confidential and not open to the public.

Effective July 1, 2018.

Public Chapter 983
SB 1306 – HB 1337

Child Abuse Training

Enacts 37-1-4__ to require each LEA and public charter school to ensure its teachers complete a child abuse training program identified by the department of education, or a training program that meets department

of children's services guidelines, as part of the teacher's annual in-service training.

Effective May 21, 2018.

Public Chapter 991
SB 1649 – HB 1599

Work-based Learning

Enacts 49-11-1__ relative to students participating in work-based learning programs through the student's LEA and requires the LEA to maintain liability insurance coverage for all participating students. Enacts Title 49, Chapter 11, Part 9, to establish a qualified work-based learning student grant program funded by state appropriations and donations, gifts, and grants.

Effective May 21, 2018.

Public Chapter 1006
SB 2014 - HB 1997

Background Checks

Amends 49-5-413 to revise requirements for background checks for teachers and other positions in proximity to children. Upon Tennessee's acceptance into the FBI's rap back program, local boards of education, charter schools and child care programs must conduct state and national criminal history checks and participate in the program to determine suitability or fitness for employment and must notify applicants and employees that the TBI may charge a reasonable fee and the fingerprints will be retained by the FBI and TBI. Also requires local boards of education and charter school governing bodies to adopt policies governing background checks for contract workers and volunteers and authorizes background checks through the rap back program.

Effective July 1, 2018.

Public Chapter 1008
SB 2059 - HB 2129

Armed School Security Officers

Title 49, Chapter 6, Part 8. Enacts the "School Safety Act of 2018", which authorizes, but not require, LEAs to adopt policies that allow off-duty law enforcement officers to serve as armed school security officers. LEAs that adopt a policy authorizing off-duty law enforcement officers to serve as armed school security officers must enter into a MOU with each law enforcement agency that employs the law enforcement officers selected by the chief law enforcement officer of the law enforcement agency to serve as armed school

security officers. If an MOU would permit law enforcement officers to serve as armed school security officers at a school that is located within the jurisdictional boundaries of another law enforcement agency that is not the law enforcement officers' employing agency, then the MOU will not take effect until approved by the chief law enforcement officer of the law enforcement agency with law enforcement jurisdiction for the school.

Requires the chief law enforcement officer of each law enforcement agency in this state to prepare and distribute a list of its law enforcement officers who the chief law enforcement officer deems qualified and who are interested in serving as armed school security officers to each LEA located within the law enforcement agency's jurisdictional boundaries with which an MOU has been entered into. The chief law enforcement officer of a law enforcement agency may prohibit a law enforcement officer employed by another law enforcement agency from serving as an armed school security officer at a school located within the chief law enforcement officer's jurisdiction for reasons the chief law enforcement officer deems sufficient.

If an LEA adopts a policy authorizing the use of armed school security officers, then funding for the armed school security officers may come from a law enforcement agency or from the LEA, including, but not limited to, local, state, or federal funds received by the LEA, for which purpose such funds may be lawfully expended. The provision of armed school security officers by local law enforcement agencies shall be considered a law enforcement function and not a school operation or maintenance purpose that requires the apportionment of funds pursuant to 49-3-315.

The use of armed school security officers shall be supplemental to school resource officers and school safety measures adopted by an LEA and shall not supplant school resource officers or other school security measures. An LEA shall not replace a school resource officer or other school security measure with an armed school security officer. A law enforcement agency shall not terminate a MOU for the provision of school resource officers based solely upon an LEA's

adoption of a policy authorizing the use of armed school security officers.

Following the conclusion of the 2020-2021 school year, the chief law enforcement officer of each law enforcement agency with law enforcement jurisdiction for a school that has utilized armed school security officers shall submit a report to the governor, the chair of the education administration and planning committee of the house of representatives, the chair of the education committee of the senate, and the commissioner of education on or before September 1, 2021, that details any school security deficiencies and that provides recommendations for security improvements for each such school.

Effective May 21, 2018.

Public Chapter 1020
SB 2591 – HB 2303

Homeless Students

Enacts 49-50-1701 et seq., to require LEAs to provide educational services and support to homeless children and designate a local liaison to assist homeless students.

Effective July 1, 2018.

Public Chapter 1026
SB 578 – HB 75

TNReady Assessments

Enacts 49-6-60__ to prohibit any adverse action being taken against any student, teacher, school, or LEA based in whole or in part on student achievement data generated from the 2017-18 TNReady assessments.

Effective May 21, 2018.

Public Chapter 1028
SB 410 – HB 521

Automated External Defibrillators

Amends 49-2-122 to require that all public high schools have automated external defibrillator devices placed within the school.

Effective July 1, 2018.

ELECTIONS

Public Chapter 528
SB 1508 - HB 1537

County Commission Districts

Amends 5-1-110 to provide that, in addition to the map

showing the county districts from which the members are elected to the county legislative body, the county legislative body may make a census block equivalency file or a typed or printed description of the boundaries of the county districts. Provides that in the event of any discrepancy between the boundaries set forth on the map and the census block equivalency file or typed or printed description of the boundaries, the boundaries set forth on the map shall control.

Effective March 7, 2018.

Public Chapter 581
SB 2521 - HB 2234

Altering Voting Precincts

Amends 1-3-116 and 2-3-102. Provides that in order to alter a precinct boundary the new boundary must coincide with a census block as designated by the United States census bureau in the latest federal decennial census and after December 31, 2018, all precinct boundaries within the jurisdiction of the county election commission that do not coincide with a census block must be altered so that the precinct boundaries do coincide with a census block as designated in the latest federal decennial census.

Effective March 16, 2018.

Public Chapter 637
SB 2497 - HB 1933

Nominating Petitions

Amends 2-5-102 to provide that nominating petitions for most offices cannot be issued more than 60 days (instead of 90 days) before the qualifying deadline for the office for which the petition is issued.

Effective January 1, 2019.

Public Chapter 726
SB 1690 - HB 1578

Provisional Ballots

Amends 2-6-301 and 2-7-112 to provide that a person who has requested or has been issued an absentee ballot may vote a provisional ballot.

Effective April 18, 2018.

Public Chapter 749
SB 2638 - HB 2665

Voting by Paper Ballots

Amends 2-7-114 to provide that the judge shall compare the ballot number on the stub with the ballot number on the voter's ballot application. If the ballot numbers are the same, the judge shall tear off the stub,

attach the ballot stub to the voter's application for ballot and direct the voter to deposit the ballot in the ballot box, unless the voter is successfully challenged.

Provides that this procedure shall govern the voting process in counties using the optical scan voting system.

Provides that in counties using a ballot marking device, or any other electronic ballot marking system, after the voter completes the application for ballot and the election official records the ballot stub number on the application for ballot, the election official shall attach the ballot stub to the voter's application for ballot.

Provides that if the voter is voting a provisional ballot pursuant to 2-7-112(a)(3) and (e), the judge shall compare the provisional ballot number on the stub with the provisional ballot number on the voter's ballot application. If the provisional ballot numbers are the same, the judge shall tear off the stub and attach the ballot stub to the voter's application for ballot. Unless the voter is successfully challenged, the judge shall direct the voter to deposit the provisional ballot in to the provisional ballot envelope that contains the provisional ballot affidavit. The judge shall ensure that the provisional ballot affidavit has been completed and signed by the voter and direct the voter to deposit the provisional ballot, in its envelope, in an absentee ballot box locked pursuant to 2-6-311.

Effective May 2, 2018.

Public Chapter 842
SB 2079 - HB 1943

Early Voting

Amends 2-6-102 to provide that in the case of a regular or special general election not held in conjunction with the regular August or November general elections, or held in conjunction with the May primary called pursuant to 2-13-203 or the presidential preference primary, if there is no opposition for any of the offices involved, including any write-in candidate that has filed the appropriate notice pursuant to 2-7-133(i), there shall not be an early voting period. In the case of a May primary called pursuant to 2-13-203 or a special primary for state or federal offices, if there is no opposition on either primary ballot for any of the offices involved, including any write-in candidate that has filed

the appropriate notice pursuant to 2-8-113(c), there shall not be an early voting period.

Amends 2-6-102 relative to early voting at licensed nursing homes. Amends 2-2-114 relative to publication of notice of supplemental registration related to a group naturalization ceremony. Amends 2-4-107 to allow email notification of appointment as election official.

Effective April 26, 2018.

Public Chapter 867
SB 1399 - HB 1344

Schools as Polling Places

Amends 2-3-107 to provide that if a public school will be used as a polling place for a regular November election then the school shall be closed on such election day.

Effective January 1, 2019.

Public Chapter 992
SB 1688 - HB 1938

Honorably Discharged Veterans

Amends 2-13-104 and enacts a new section in Title 2, Chapter 13, Part 1 to provide that a person who is an honorably discharged veteran of the United States armed forces, a member of the Tennessee national guard, a member of the Tennessee air national guard, or an inactive reservist of any of the United States uniformed military services in good standing must not be disqualified as a candidate for any office if, for service-related reasons, that person was unable to comply with a statewide political party's or recognized minor party's rules for candidacy for nomination for such party, and such service-related reasons are the sole reason the person is unable to qualify.

Effective May 21, 2018.

EMERGENCY SERVICES

Public Chapter 626
SB 2071 - HB 2209

Payment of Costs and Fees

Amends Title 68, Chapter 140, Part 3. Provides that each ambulance service shall develop and implement pre-hospital care protocol plans related to the assessment, treatment, and transport of STEMI heart attack patients by licensed emergency medical services personnel. The protocol shall include plans for the

triage and transport of STEMI heart attack patients to the closest or most appropriate STEMI receiving center, or, when appropriate, to a STEMI referring center, based on nationally recognized clinical practice guidelines. The emergency medical services board has the authority to promulgate rules to implement and enforce this section.

Effective April 2, 2018.

Public Chapter 861
SB 2675 - HB 2603

Reporting Crimes

Amends 68-140-311. Requires persons subject to licensure as emergency medical services personnel to notify the Tennessee Emergency Medical Services Board of all convictions and pending charges, including arrests, citations for reckless driving under 55-10-205, and indictments, for commission of a felony or misdemeanor in any jurisdiction within 10 business days of the occurrence of such actions. Applies to persons whose licenses are active, inactive, or suspended on the date of the conviction or the date the charges were filed. Failure to timely notify the Tennessee Emergency Medical Services Board of the occurrence of such actions shall result in the suspension of active and inactive licenses.

Effective July 1, 2018. Applies to all convictions and charges filed against persons subject to the requirements of this act on and after July 1, 2018.

Public Chapter 874
SB 1823 - HB 1837

Ambulance Service Provider Assessment

Amends Title 71, Chapter 5, Part 15. Enacts the "Ground Ambulance Service Provider Assessment Act." Provides that ambulance providers shall pay an assessment to the Bureau of TennCare: (1) In the amount designated in 71-5-1504; (2) Quarterly, on a day determined by the bureau; and (3) No more than thirty business days after the day on which the bureau issues the ambulance provider notice of the assessment. Prohibits ambulance providers from increasing charges or adding a surcharge to ground transports based on, or as a result of, the assessment.

Effective July 1, 2018 (effective May 3, 2018 for purposes of rulemaking and submission of reports).

Public Chapter 874
SB 1823 - HB 1837

Ground Ambulance Service

Amends Title 71, Chapter 5, Part 15. Extends and revises the Ground Ambulance Service Provider Assessment Act. Provides that the assessment will be imposed on "public or private ground-based ambulatory services, other than an ambulance service based on federal property, that bills for transports and has a base of operations within the state". Revises the provisions used to calculate the uniform assessment per ground transport. Provides that upon approval by the centers for Medicare and Medicaid services of the assessment, the Bureau of TennCare must reimburse each ambulance provider with qualifying ground ambulance service Medicaid transports in an amount calculated by the bureau. Transfers certain duties from the Commissioner of Finance and Administration to the Bureau of TennCare and schedules the assessment to expire on June 30, 2019.

Effective July 1, 2018 (for purposes of rulemaking and submission of revenue reports, transport data, and other data necessary to implement this act, effective May 3, 2018).

Public Chapter 997
SB 1797 - HB 1510

Tennessee Public Safety Behavioral Health Act

Amends Title 8, Chapter 50, Part 1. Requires public safety employers to (1) Provide not less than 10 visits or sessions with a mental health service provider for the purpose of treating PTSD through the employee's health benefits or otherwise. Public safety employers may require a co-pay or co-insurance for these visits that is no more than co-pays or co-insurance for other health benefits offered by the employer; (2) Promote the use of a mental health service provider and other behavioral health professionals to public safety employees; (3) Establish, in conjunction with a mental health service provider, support programs in an effort to mitigate behavioral health issues within the public safety employee community; and (4) Maintain, and regularly provide public safety employees with, at a minimum of once per year, a list of mental health service providers who are qualified to provide trauma therapy. Provides that public safety employers shall not engage in the retaliatory treatment of public safety employees seeking or utilizing mental health service providers or behavioral health programs, including, but

not limited to, discharge, denial of promotions, punitive work assignments, transfers, or other similar retaliatory actions. Provides that at a minimum of once per year, a mental health service provider providing services to public safety employees shall participate in training, within the jurisdiction in which the public safety employees work, that familiarizes the provider with the unique problems associated with each public safety profession lifestyle, including, but not limited to, critical incident response training, critical incident stress management, field exercises such as ride-alongs and visits to fire and emergency medical services (EMS) stations, and similarly appropriate training.

Effective July 1, 2018.

Public Chapter 998
SB 1873 - HB 1758

Emergency Medical Services Training Centers
Amends Title 68, Chapter 140, Part 3. Authorizes the Emergency Medical Services Board to certify emergency medical technician (EMT) and advanced emergency medical technician (AEMT) training centers operated by ambulance services to provide training for career EMTs and AEMTs. Sets forth the requirements for certification of training centers. Limits the authorized training centers to a pilot project in Sullivan, Washington, Carter, Johnson, and Hawkins counties.

Effective May 21, 2018.

ENVIRONMENT

Public Chapter 496
SB 295 - HB 362

Effluent Limitations
Amends 69-3-108(s) to provide that the board of water quality, oil and gas shall adopt rules relative to numeric or narrative effluent limitations to manage post-construction stormwater for national pollutant discharge elimination system (NPDES) permits issued to local governmental entities administering municipal separate storm sewer systems. Provides that no NPDES permits shall be issued until such rules take effect.

Effective February 22, 2018.

Public Chapter 523
SB 2217 - HB 2317

Animal Feeding Operations

Amends 2017 Public Chapter 293 relative to animal feeding operations. Mandates that large feeding operations with a liquid waste management system obtain an operating permit and authorizes other feeding operations to obtain permits. Revises provisions relative to national pollutant discharge elimination system permits for feeding operations.

Effective February 28, 2018 (provides that 2017 Public Chapter 293 shall take effect July 1, 2018).

Public Chapter 839
SB 686 - HB 571

Primacy and Reclamation Act

Enacts a new Part 1 in Title 59, Chapter 8 and amends numerous other statutes to adopt the Primacy and Reclamation Act of Tennessee relative to coal mining and reclamation operations. Provides that TDEC shall serve as the state regulatory authority and adopt rules. Designates the Board of Water Quality, Oil and Gas as the Board of Energy and Natural Resources. Adopts numerous provisions relative to coal mining and reclamation.

Provides for numerous effective dates applicable to specific sections.

Public Chapter 845
SB 2229 - HB 2313

Compliance with NPDES Permits

Amends 69-3-108 to provide that compliance with an NPDES permit issued under 69-3-108 shall be deemed compliance with several sections under Title 69, Chapter 3, Part 1 and rules promulgated pursuant to such sections. Provides that compliance shall include discharge of pollutants for which no standard or limit is set in the permit under certain circumstances.

Effective April 26, 2018.

Public Chapter 953
SB 2656 - HB 1782

Motor Vehicle Inspection Programs

Amends 68-201-119 to provide that no vehicle inspection and maintenance program shall be employed in Tennessee unless such a program is mandated by the federal government under the Clean Air Act, effective 120 days after the EPA approves a revised state implementation plan with exceptions for existing contracts.

Authorizes any county that has a local air pollution control program in place on the effective date of the act to continue its program by action of its governing body. The governing body must take action to continue the program within 30 days of the effective date of the act and must furnish a certified copy of the resolution to the technical secretary of the air pollution control board within 60 days of the effective date of the act.

Amends 55-4-104 to allow any county that ceases its inspection program to increase, by action of the county governing body, the amount of the county clerk's fee imposed on an initial vehicle registration or renewal by an amount up to \$4, of which increase the clerk shall retain \$1 and remit the balance to the county general fund as directed by the county governing body.

Effective 120 days after EPA approval of revised state implementation plan.

Public Chapter 1009
SB 2108 - HB 2442

TDEC Materials

Enacts a new section in 68-211-813 to provide that TDEC shall maintain materials designed to assist municipal solid waste board members with administering their regions. Provides that TDEC shall publish the materials on its website and send an electronic copy to the appropriate appointing authorities by July 1, 2018.

Effective May 21, 2018.

FIREARMS

Public Chapter 799
SB 834 - HB 958

Mental Health Reporting

Amends 38-6-109. Provides that if a person who has been adjudicated as a mental defective or judicially committed to a mental institution attempts to purchase a firearm, and the instant check unit of the Tennessee Bureau of Investigation confirms the person's record by means of a record indicating the person's name, birth date, social security number, and either the person's sex or race, the unit shall contact, within 24 hours, the chief law enforcement officer of the jurisdiction where the attempted purchase occurred for the purpose of

initiating an investigation into a possible violation of law.

Amends 16-10-213(c) and (d). Provides that certain information collected and reported by court clerks to the Federal Bureau of Investigation-NICS Index and the Department of Safety shall be maintained as confidential and not subject to public inspection except as provided by law. Specifies that all such reports must include the patient's or defendant's race and sex; and social security number, if available.

Effective July 1, 2018.

Public Chapter 823
SB 2369 - HB 2370

Firearms – New Posting Option

Amends 39-17-1359. Creates a new posting option whereby an individual, corporation, business entity, government entity or agent thereof may restrict the possession of weapons on their premises to the carrying of concealed firearms by handgun carry permit holders. Sets forth the required signage requirements and provides that an entity that, as of January 1, 2018, used signs to provide notice of a prohibition against possession of firearms on the premises will have until January 1, 2019, to replace existing signs with signs that meet the requirements of this law.

Effective April 24, 2018.

Public Chapter 828
SB 647 - HB 1083

Community Corrections Officer

Amends 39-17-1350. Authorizes a community corrections officer who holds a valid Tennessee handgun carry permit may carry a handgun at all times and in all places in Tennessee while in the course of employment and engaged in the actual discharge of official duties, except as provided by 39-17-1350(c), federal law, or lawful orders of court. Applies only to community corrections officers employed in Claiborne County, Grainger County, Hancock County, Hawkins County, Jefferson County, and Union County.

Effective April 27, 2018.

Public Chapter 880
SB 1500 - HB 1939

County Commissioners

Amends 39-17-1306(c). Allows a county commissioner, who is in the actual discharge of official duties as a

county commissioner and is authorized to carry a handgun pursuant to 39-17-1351, to carry a handgun in a building in which county commission meetings are held, but is not in the room in which judicial proceedings are in progress. Does not apply to a member of the legislative body of a metropolitan government.

Effective July 1, 2018.

HIGHWAYS

Public Chapter 659 SB 2425 – HB 2362

MPO Board

Amends 64-8-301 to delete the provision requiring MPO board members' votes to be equally weighted rather than based on the population of the area the member represents.

Effective April 9, 2018.

JAILS

Public Chapter 561 SB 1610 - HB 1725

Payment of Costs and Fees

Amends 40-25-144. Provides that any extension of time for filing claims granted pursuant to 40-25-144(b) within six months of June 30, 2019, shall remain valid until the expiration of the six-month extension.

Effective March 14, 2018. This act is repealed on June 30, 2019.

Public Chapter 598 SB 2235 - HB 1811

Victim Notification

Amends 40-38-103(b). Provides that the jailer, sheriff, or other custodian of criminal offenders shall maintain a physical or electronic record or file of the victim's request for notification. Provides further that if the victim or family member of a victim is registered with the state's electronic victim notification system, the required notice shall be communicated by the method or methods indicated by the registration in the system.

Effective July 1, 2018.

Public Chapter 925
SB 949 - HB 1028

Inmate Assaults

Amends 39-13-101(b). Requires that any conduct by an inmate against a correctional officer, guard, jailer, or other full-time employee of a penal institution, local jail, or workhouse, that would constitute an assault under 39-13-101(a)(1) be reported by the managing authority of the institution to the appropriate district attorney general for prosecution.

Effective July 1, 2018.

Public Chapter 1045
SB 1575 - HB 2106

Safekeeping of Prisoners

Amends 41-4-121(d). Provides that the sheriff has the authority, when the jail of the county is insufficient for the safekeeping of a juvenile prisoner, to convey the prisoner to the nearest sufficient juvenile detention facility in the state. The court may order commitment of a juvenile prisoner to the nearest sufficient juvenile detention facility in all cases where it is shown to the committing court that the jail of the county in which the commitment should be made is insufficient for the safekeeping of a juvenile prisoner. Any circuit or criminal judge, upon the application of the sheriff and proof of the fact, may order a juvenile prisoner to be removed to the nearest sufficient juvenile detention facility in all cases where the jail in which a juvenile prisoner is confined becomes insufficient for any cause. An order issued under this subsection (d) shall be reviewed by the issuing court at least once every 30 days. In conducting the review, the court shall determine whether the order needs to remain in place, be terminated, or be modified to place conditions on the order. In evaluating whether the order needs to remain in place, the court shall consider the jail or juvenile detention facilities' obligations relative to the use of restrictive housing. If the order is terminated, the prisoner shall be returned to the county jail or juvenile detention facility, as appropriate.

Prohibits a non-adjudicated juvenile, or a non-adjudicated juvenile who has been transferred to criminal court in accordance with title 37, chapter 1, to be committed or removed to the state penitentiary or a branch prison for safekeeping.

Effective May 21, 2018.

Amends 41-4-121(a) and (b). Provides that the sheriff has the authority, when the jail of the county is insufficient for the safekeeping of a prisoner, to convey the prisoner to the nearest sufficient jail in the state or, if the prisoner is a juvenile, to the nearest sufficient juvenile detention facility in the state. In all cases where it is shown to the committing court that the jail of the county in which the commitment should be made is insufficient for the safekeeping of the prisoner, the court may order commitment of the prisoner to the nearest sufficient county jail or, if the prisoner is a juvenile, to the nearest sufficient juvenile detention facility. In all cases where the jail in which a prisoner is confined becomes insufficient for any cause, any circuit, criminal, or general sessions judge, upon the application of the sheriff and proof of the fact, may order the prisoner to be removed to the nearest sufficient jail or, if the prisoner is a juvenile, to the nearest sufficient juvenile detention facility.

Provides that the court's order shall be reviewed by the issuing court at least once every 30 days. In conducting the review, the court shall determine whether the order needs to remain in place, be terminated, or be modified to place conditions on the order. In evaluating whether the order needs to remain in place, the court shall consider the jail or juvenile detention facilities' obligations relative to the use of restrictive housing. If the order is terminated, the prisoner shall be returned to the county jail or juvenile detention facility, as appropriate.

Prohibits a non-adjudicated juvenile, or a non-adjudicated juvenile who has been transferred to criminal court in accordance with Title 37, Chapter 1, to be committed or removed to the state penitentiary or a branch prison for safekeeping.

Effective January 1, 2019.

Public Chapter 1051
SB 1865 - HB 2181

Probation – Reentry Programs

Amends Title 40, Chapter 35, Part 3. Requires the Department of Correction to make four grants in the amount of \$250,000 each to local county sheriff or

probation departments to fund reentry programs that reduce recidivism and probation revocations.

Effective July 1, 2018.

LAW ENFORCEMENT

Public Chapter 606 SB 727 - HB 1263

Electronic Display - Motor Vehicle Registration

Enacts 55-4-137. Authorizes persons to display evidence of vehicle registration in electronic formats through the use of cell phones and other electronic devices. Provides that the display of vehicle registration in an electronic format does not provide consent for law enforcement to access any other contents of the electronic device.

Effective July 1, 2018.

Public Chapter 670 SB 1655 - HB 1667

Forcible Entry & Detainer - Process

Amends 29-18-115(a). Provides that summons may be served upon any adult person found in possession of the premises, which includes any adult person occupying the premises. Further provides that summons may be served upon a contractually named party.

Effective April 12, 2018.

Public Chapter 772 SB 1987 - HB 2021

Civil Asset Forfeitures

Amends Title 40, Chapter 33, Part 2. Adds new procedures to be followed after the seizure of personal property that is subject to forfeiture where the owner of the property is not present at the time of the seizure, regardless of whether an arrest has been made.

Amends 40-33-204(k). Requires the seizing agency, within five business days of receipt of any forensic chemistry report regarding any alleged controlled substances or controlled substance analogues that are the basis of the seizure, to send a copy of the forensic chemistry report to the applicable agency. If the forensic chemistry report shows that the alleged controlled substances that are the basis of the seizure are not controlled substances or controlled substance analogues, and those substances were the sole basis for the seizure, the applicable agency, within five business

days of receipt, must submit an order dismissing the case, or the portion of the case based on the alleged controlled substances or controlled substance analogues, to the administrative law judge or the administrative head of the applicable agency. If the property is not needed for evidence in a criminal proceeding, or is not subject to other forfeiture proceedings, the seizing agency must make the property available to the owner, or if the owner cannot be determined, to the person in possession of the property at the time of seizure, within five business days of receipt from the applicable agency of the signed order of dismissal. A seizing agency that fails to make the property available as required may be considered to be acting in bad faith under present law, and will be subject to the civil cause of action.

Amends 40-33-204(l). Adds that in any forfeiture warrant hearing, there shall be a rebuttable presumption that currency seized, for which a person has claimed ownership, is not subject to forfeiture absent evidence to the contrary. The burden to rebut the presumption is on the seizing officer.

Amends 40-33-213. Adds that if the reviewing court reverses the final order of the applicable agency and orders the return of seized property, the court shall also order the payment of attorneys' fees incurred during the administrative proceeding, in the same manner provided and subject to the limits found in 40-33-217, and any reasonable attorneys' fees incurred during the appeal.

Enacts 40-33-217. Provides that upon entering an initial order which includes a return of property, in whole or in part, the administrative law judge shall also include an award of attorney's fees against the seizing agency subject to certain limits. Provides that no award of attorney's fees against a seizing agency shall be entered when the initial order is the result of a settlement between the parties.

Effective October 1, 2018.

Public Chapter 801
SB 1512 - HB 2192

Arrest – Policies & Procedures

Amends Title 38, Chapter 3. Provides that each law enforcement agency shall ensure that, whenever a person is arrested and taken into custody by an officer of the agency, the person is asked whether that person is the parent or legal custodian of any children that will be left unattended by the person's arrest. From this information, the officer shall determine whether the child or children will be endangered by the parent or legal custodian's absence following an arrest. Requires that each law enforcement agency develop policies and procedures for conducting welfare checks on any child so identified as endangered. A welfare check may be performed by the arresting agency or another agency responsible for ensuring the safety and welfare of children.

Effective July 1, 2018.

Public Chapter 826
SB 1602 - HB 1543

Bounty Hunters

Amends 40-11-318. Removes authority for bounty hunters from other states. Provides that no bounty hunter shall wear, carry, or display any uniform, badge, shield, card, or other item with any printing, insignia, or emblem that purports to indicate or copies or resembles an item that indicates that such bounty hunter is an employee, officer, or agent of any local, state, or federal government or any political subdivision of any local, state, or federal government.

Effective July 1, 2018.

Public Chapter 850
SB 2698 - HB 1710

Towing Motor Vehicles

Amends 55-16-105(e). Changes the notice requirement so that a towing firm must notify local law enforcement within 15 minutes of towing a vehicle.

Amends 55-16-105(g)(2). Provides that a garage keeper or towing firm that does not verify ownership of a motor vehicle within 3 business days after taking possession of such motor vehicle or that does not notify by mail the owner of such motor vehicle within 3 business days after receiving verification of ownership from the appropriate state department or agency shall not be entitled to receive more than 6 days of storage-related expenses.

Amends Title 55, Chapter 16, Part 1. Creates a nine-member towing advisory board to advise the towing industry and law enforcement agencies on the adoption of policies and other issues related to the towing industry. One of the nine members is to be a sheriff appointed by the Tennessee Sheriffs' Association.

Effective April 26, 2018.

Public Chapter 885

SB 2006 - HB 2039

Bounty Hunters

Amends 40-11-318. Provides that any time a bounty hunter is engaged in the functions of bounty hunting, the bounty hunter shall wear clothing that clearly identifies the person as a bounty hunter and prominently displays the words "bounty hunter".

Effective July 1, 2018 at 12:01 a.m.

Public Chapter 889

SB 2054 - HB 2141

Constables

Amends 8-10-202. Provides that each constable elected under 8-10-101 shall complete (40) hours of in-service course time for each twelve-month period during which the constable holds office, beginning on the date the constable is sworn into office. Does not apply to any constable with (20) years of cumulative service as a constable before the effective date of this act.

Effective May 3, 2018.

Public Chapter 898

SB 2313 - HB 2323

Sex Offenders

Amends 40-39-211(a). Provides that while mandated to comply with the requirements of this chapter, no sexual offender, as defined in 40-39-202, or violent sexual offender as defined in 40-39-202, shall knowingly establish a primary or secondary residence or any other living accommodation or knowingly accept employment within 1,000 feet of the property line of any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center, or public athletic field available for use by the general public.

Effective July 1, 2018.

Public Chapter 914
SB 2030 - HB 2130

Tennessee Stolen Valor Act

Amends 39-16-301 to provide that a person commits criminal impersonation by pretending to be an active duty member or veteran of the uniformed services to obtain money, property, services or any other tangible benefit. Provides that violations of this act are Class B misdemeanors except that if the act was committed to obtain a driver license or photo identification license, the maximum fine of \$500 will be imposed. If the person also pretends to be a first responder and operates a motor vehicle pursuant to 55-9-201(d), 55-9-402(g) or 55-9-414(f), the maximum fine is \$5,000.

Effective July 1, 2018.

Public Chapter 925
SB 949 - HB 1028

Assault – Enhanced Fine

Amends 39-13-101(b). Increases the enhanced fine for intentional, knowing or reckless assaults which cause bodily injury up to \$15,000.

Effective July 1, 2018.

Public Chapter 961
SB 2526 - HB 2450

Tests for Alcohol or Drug Content of Blood

Amends 55-10-408(b). Authorizes accredited crime laboratories to examine a specimen and to issue a certificate or report. Specifies that “accredited crime laboratory” shall be limited to those crime laboratories that: (1) Are owned and operated by the state or a political subdivision of the state; (2) Are accredited under ISO/IEC/17025, with associated supplemental requirements; and (3) Provide testing within the scope of the accreditation sufficient to meet the requirements as forensic service providers.

Effective July 1, 2018.

Public Chapter 966
SB 2631 - HB 2624

Tennessee Civil Rights Crimes Information Center

Amends Title 3. Creates the “Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center.” Provides that the center will serve as a civil rights crimes remembrance and reconciliation repository, function as an informational clearinghouse on unsolved civil rights crimes and cold cases in the state, and coordinate volunteer activities throughout the state pertinent to the center's mission. The duties of the center will include, among other things, conducting

a statewide survey of civil rights crimes in Tennessee, both solved and unsolved, by utilizing available volunteer resources and determining if any information submitted in the statewide survey, or otherwise acquired, may still be subject to possible criminal prosecution and transferring any such information to the appropriate law enforcement agencies and prosecutors.

Effective May 15, 2018.

Public Chapter 970
SB 1993 - HB 2256

Drones

Amends 39-13-609. Provides that the use of a drone, or other substantially similar device, by a law enforcement agency to search for and collect evidence or obtain information or other data shall constitute a search unless authorized by and used in compliance with 39-13-609 (c) or 39-13-609 (d). Provides that a drone may be used for such purposes: (1) if used in compliance and consistent with applicable FAA rules, exemptions, or other authorizations; and (2) if the agency first obtains a search warrant signed by a judge authorizing the use of a drone; or (3) if a judicially recognized exception to the warrant requirement exists at the time of use.

Provides that any evidence, information, or other data collected or obtained by use of a drone shall: (1) be deleted within 3 business days of collection unless it is directly relevant to both the lawful reason the drone was being used and to an ongoing investigation or criminal prosecution; if the evidence, information, or other data collected or obtained is directly relevant to both, it shall be retained and deleted by the collecting law enforcement agency in accordance with the same criteria, policies, and procedures used by the agency for evidence collected by methods other than a drone; (2) not be admissible as evidence in a criminal prosecution in any court of law in this state if it was collected or obtained in violation of 39-13-609(c) or 39-13-609(d); and (3) not be used as probable cause to obtain a search or arrest warrant or reasonable suspicion to detain a person or vehicle if evidence, information, or other data was collected or obtained that was, at the time of collection, unrelated to and discovered only because of the lawful reason the drone was being used.

Provides that any person aggrieved by the use of a drone in violation of this section may initiate a civil action against a law enforcement agency to obtain all appropriate relief, including injunctive relief, destruction of the evidence, information or other data obtained, damages, and reasonable attorney fees.

Effective July 1, 2018.

Public Chapter 981
SB 1109 - HB 1110

Persons With Disabilities - Policies

Amends Title 38, Chapter 3. Requires any law enforcement officer who interacts with a person who is a victim, witness, or suspect, or is otherwise stopped by a law enforcement officer in relation to an offense or violation, and who exhibits characteristics of an acquired brain injury, an intellectual disability, or a developmental disability to make a good faith effort to immediately contact the parent or guardian of a minor, or a person's conservator regarding the interaction. Requires a law enforcement officer, upon the request of a person diagnosed with an acquired brain injury, an intellectual disability, or a developmental disability or the parent or guardian of a minor, or the person's conservator, to make a good faith effort to ensure that a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional is present at all interviews with the person. The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with an acquired brain injury, an intellectual disability, or a developmental disability or must be certified in special education with a concentration focused on persons with an acquired brain injury, an intellectual disability, or a developmental disability. Failure to have a professional present at the time of the interview is not a basis for suppression of the statement or the contents of the interview or for a cause of action against the law enforcement officer or agency. Requires each law enforcement agency to develop and implement appropriate policies and provide training to officers based on such policies.

Effective July 1, 2019.

Public Chapter 993
SB 1717 - HB 1722

Organized Retail Crime Prevention Act

Amends 39-14-113. Requires local law enforcement agencies to notify merchants known to sell stored value cards of the recording and reporting requirements required by 39-14-113(f)(1)-(f)(4). The notification to merchants shall be in writing and shall state the law enforcement agency's policy regarding how the information is to be reported in the applicable jurisdiction and certify that any data collected from the merchant will be stored in a secure and confidential manner. All records shall be delivered to the appropriate law enforcement agency or its designated reporting database in an electronic or other report format approved by that same agency within 24 hours from the date of the transaction. The information shall be stored on a law enforcement owned, operated, and housed server. Any gift card database software should be free for state law enforcement agencies; state, county, and city government agencies; and for the merchants that are reporting. A merchant commits a Class A misdemeanor who knowingly fails to follow the reporting and recording requirements pursuant to 39-14-113 (f). However, for a merchant to be charged or convicted, the law enforcement agency must have first notified the merchant in writing of the reporting obligations in that jurisdiction. If the violation is committed by the owner, stockholder, or managing partner of a business selling a stored value card, then the business license may be suspended or revoked at the discretion of the city or county clerk. Any person who knowingly provides false information in response to the reporting requirements of this section commits a Class A misdemeanor. Any fines derived from violations of 39-14-113 (f) shall be earmarked for law enforcement purposes if the law enforcement entity shows proof of notification of reporting requirements signed by the person or agent of the entity in violation. The Comptroller of the Treasury is authorized to request and receive from a law enforcement agency any data or information received by the law enforcement agency pursuant to 39-14-113 (f). All information gathered pursuant to 39-14-113 (f) shall remain confidential. If a local law enforcement agency utilizes a third party, including, but not limited to, a third-party database or software company, to keep records or to analyze stored value card transactions, the third party

must agree to keep all information confidential and only share the information with law enforcement agencies, the comptroller of the treasury, or the original issuer of the stored value card.

Effective July 1, 2018.

Public Chapter 999
SB 1877 - HB 2143

Civil Asset Forfeiture Proceeds

Amends 40-33-211(a). Provides that the Comptroller's regular audit of a local government shall also include how proceeds derived from forfeited assets are used by county or municipal law enforcement or by a judicial district drug task force. The Comptroller of the Treasury shall provide information obtained during an audit to the Department of Safety for publication on the department's website through a prominent link provided on the home page.

Effective July 1, 2018.

Public Chapter 1008
SB 2059 - HB 2129

Armed School Security Officers

Title 49, Chapter 6, Part 8. Enacts the "School Safety Act of 2018", which authorizes, but not require, LEAs to adopt policies that allow off-duty law enforcement officers to serve as armed school security officers. LEAs that adopt a policy authorizing off-duty law enforcement officers to serve as armed school security officers must enter into a MOU with each law enforcement agency that employs the law enforcement officers selected by the chief law enforcement officer of the law enforcement agency to serve as armed school security officers. If an MOU would permit law enforcement officers to serve as armed school security officers at a school that is located within the jurisdictional boundaries of another law enforcement agency that is not the law enforcement officers' employing agency, then the MOU will not take effect until approved by the chief law enforcement officer of the law enforcement agency with law enforcement jurisdiction for the school.

Requires the chief law enforcement officer of each law enforcement agency in this state to prepare and distribute a list of its law enforcement officers who the chief law enforcement officer deems qualified and who are interested in serving as armed school security

officers to each LEA located within the law enforcement agency's jurisdictional boundaries with which an MOU has been entered into. The chief law enforcement officer of a law enforcement agency may prohibit a law enforcement officer employed by another law enforcement agency from serving as an armed school security officer at a school located within the chief law enforcement officer's jurisdiction for reasons the chief law enforcement officer deems sufficient.

If an LEA adopts a policy authorizing the use of armed school security officers, then funding for the armed school security officers may come from a law enforcement agency or from the LEA, including, but not limited to, local, state, or federal funds received by the LEA, for which purpose such funds may be lawfully expended. The provision of armed school security officers by local law enforcement agencies shall be considered a law enforcement function and not a school operation or maintenance purpose that requires the apportionment of funds pursuant to 49-3-315.

Use of armed school security officers shall be supplemental to school resource officers and school safety measures adopted by an LEA and shall not supplant school resource officers (SROs) or other school security measures. An LEA shall not replace an SRO or other school security measure with an armed school security officer. A law enforcement agency shall not terminate a MOU for provision of SROs based solely upon an LEA's adoption of a policy authorizing the use of armed school security officers.

After conclusion of the 2020-2021 school year, the chief law enforcement officer of each law enforcement agency with law enforcement jurisdiction for a school that has used armed school security officers shall submit a report to the governor, the chair of the house education administration and planning committee, the chair of the senate education committee, and the commissioner of education on or before September 1, 2021, detailing any school security deficiencies and providing recommendations for security improvements for each such school.

May 21, 2018.

Public Chapter 1040
SB 2258 - HB 1832

Controlled or Addictive Substances

Amends Title 39, Chapter 17, Part 4. Revises various provisions of law regarding the scheduling of controlled substances and their analogues and derivatives, including updated identifications of drugs categorized in Schedules I-V.

Amends 41-21-236. Authorizes sentence reduction credits for state prisoners who successfully complete an intensive substance use disorder treatment program.

Effective July 1, 2018.

Public Chapter 1041
SB 1915 - HB 1883

Cannabis Oil

Amends 39-17-402. Provides that the term "marijuana" does not include cannabis oil containing cannabidiol, with less than six tenths of one percent (0.6%) of tetrahydrocannabinol, including the necessary seeds and plants, when manufactured, processed, transferred, dispensed, or possessed by a four-year public or private institution of higher education certified by the drug enforcement administration located in the state as part of a clinical research study on the treatment of intractable seizures, cancer, or other diseases.

Provides that the term "marijuana" does not include oil containing cannabidiol, with less than nine-tenths of one percent of tetrahydrocannabinol, if: (1) The bottle containing the oil is labeled by the manufacturer as containing cannabidiol in an amount less than nine-tenths of one percent of tetrahydrocannabinol; and (2) The person in possession of the oil retains proof of the legal order or recommendation from the issuing state and 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 July 1, 2018.

Public Chapter 1052
SB 2261 - HB 2271

Juvenile Justice

Amends Title 37-1-115. Provides that a law enforcement officer who has taken a child into custody for the commission of an offense that would be

considered a misdemeanor if committed by an adult may, in that officer's professional discretion, issue a citation in lieu of continued custody of the child. If the law enforcement officer determines that issuing a citation is appropriate but that circumstances surrounding the issuance of a citation indicate an immediate risk to the safety of the child, the officer shall make efforts to contact a parent, guardian, or legal custodian of the child to retrieve the child in lieu of or prior to taking the child into custody.

Provides that, subject to the approval of the juvenile court, each municipal or metropolitan police department or sheriff's department is authorized to create and administer its own juvenile diversion program to address citable juvenile offenses without court involvement. Each program shall be developed in consultation with the juvenile court, local school districts, and other community stakeholders, and shall be subject to the same conditions and limitations as informal adjustment pursuant to 37-1-110.

Effective July 1, 2018.

Public Chapter 1053
SB 2333 - HB 2312

Identification Documents

Amends Title 8, Chapter 50, Part 1. Provides that an official or employee of this state or any political subdivision of this state shall not accept an identification document issued or created by any person, organization, county, city, or other local authority to determine a person's citizenship, immigration status, or residency, except where expressly authorized to be used for identification purposes by the general assembly or by federal law.

Provides that a local government or law enforcement agency shall not authorize, by policy, resolution, or ordinance, the use of any document described above as a form of identification to be used to determine the citizenship, immigration status, or residency of any person. Any local government or law enforcement policy, resolution, or ordinance that conflicts with this section is unenforceable and must be repealed or rescinded by the appropriate authority.

Effective May 21, 2018.

PERSONNEL

Public Chapter 642 SB 2250 – HB 1825

Unemployment

Amends the Tennessee Employment Security Law. Amends 50-7-213 relative to adjustments made to the taxable wage base based on the unemployment trust fund balance. Amends 50-7-404(c)(3) to require electronic filing of reports for all employers reporting wages for any employees, beginning January 1, 2019, with provisions for undue hardship waivers.

Effective July 1, 2018.

Public Chapter 886 SB 2052 - HB 2049

Military Leave

Amends 8-33-109. Provides that after 20 working days of full compensation, any educator who is a member of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard, is authorized, but not required, to use any accumulated sick leave in lieu of annual leave for the purposes of not having to take leave without pay when called into active duty. Does not prohibit an educator from using up to 5 days of an initial allotment of sick leave pursuant to 49-5-710 (a)(3) in accordance with 8-33-109 (a).

Effective May 3, 2018.

Public Chapter 899 SB 2677 - HB 2325

Pay - Assistant District Attorneys General

Amends 8-7-226, 8-7-230, 8-14-107. Updates the compensation schedule for assistant district attorneys general to reflect the current schedule. Updates the compensation schedule for full-time assistant public defenders. Updates the pay schedule for full-time district investigators for public defenders and for criminal investigators for district attorneys to reflect the current schedule.

Effective May 3, 2018.

Public Chapter 965 SB 2328 – HB 2613

Non-Disclosure Agreements

Enacts 50-1-1__ to prohibit public and private employers from requiring an employee or prospective employee to execute or renew a non-disclosure

agreement with respect to sexual harassment in the workplace as a condition of employment.

Effective May 15, 2018.

Public Chapter 1012
SB 2165 – HB 2355

Group Health Insurance Policies

Revises requirements regarding coverage for mental health, mental illness, and alcohol or drug dependency in group health plans issued by insurance companies regulated by the state.

Effective January 1, 2019.

PLANNING AND ZONING

Public Chapter 940
SB 2067 – HB 2098

Nonconforming Uses

Amends 13-7-208(m) to extend grandfathered status to industrial, commercial or other business establishments located in land areas subject to changes in land use restrictions pursuant to transit-oriented development plans. Also amends 13-7-208(m) to extend grandfathered status to industrial, commercial or other business establishments damaged by unplanned casualty or acts of God. Authorizes such establishments to rebuild as provided in 13-7-208(m)(2)-(4).

Effective May 15, 2018.

Public Chapter 972
SB 1086 – HB 1020

Short-Term Rental Units

Enacts a new part at Title 13, Chapter 7, entitled “Short-Term Rental Unit Act.” Provides that the ordinance or resolution regulating short-term rental units in place at the time the property began being used as a short-term rental will apply and such rental units will not be subject to any subsequent regulations unless the property is sold, transferred, ceases to operate as a short-term rental unit for a period of thirty (30) continuous months or has been in violation of a generally applicable local law three separate times. Grandfathers regulations in place as of January 1, 2014 that prohibit short-term rentals by expressly limiting the period of time a residential dwelling may be rented rather than generally prohibiting commercial activity or the rental of residential dwellings to transients. Authorizes local governments to require short-term

rentals to obtain a permit or go through an application process. Expressly supersedes any local regulations in conflict with this part.

Effective May 17, 2018.

Public Chapter 1000
SB 1879 – HB 1920

Subdivision Regulations

Amends 13-3-403 to authorize counties and municipalities to require legislative body approval of subdivision regulations or amendments enacted by the regional planning commission. Also amends 13-3-402 to authorize regional planning commissions to delegate plat approval authority to the commission's staff. Further amends 13-3-402 to expressly provide that regional planning commissions may grant variances to subdivision regulations.

Effective May 21, 2018.

PURCHASING

Public Chapter 556
SB 1810 – HB 1517

Urban Type Public Facilities

Amends 5-16-105(d)(6) to provide that purchases by an urban-type public facility must be made, at the discretion of the county governing body, through either the county's central purchasing authority or the county board of public utilities in accordance with purchasing policies approved by the county governing body.

Effective March 14, 2018.

Public Chapter 574
SB 1906 – HB 1803

Cooperative Purchasing

Amends 12-3-1205(b) relative to out-of-state purchasing cooperative agreements, to allow the purchase of farm tractors, mowers, earth-moving machinery, construction machinery, and similar machinery or equipment. However, construction machinery may not be purchased using joint purchasing authority with federal agencies.

Effective March 16, 2018.

Public Chapter 724
SB 1596 – HB 2527

Purchasing under Federal GSA Contracts

Amends 12-3-1201 to authorize the purchase of special purpose vehicles under federal GSA contracts without the necessity of competitive bidding.

Effective April 18, 2018.

Public Chapter 794
SB 2501 – HB 1763

Construction Contracts

Amends 12-4-107 relative to construction management services to require local governments to procure all construction management services using the request for proposals process set out in 12-4-107. Authorizes procurement of construction manager at-risk services using the same procedure.

Effective April 20, 2018.

Public Chapter 949
SB 2696 – HB 1732

Surplus State Property

Amends 12-2-112 to authorize the state department of transportation to transfer surplus real property valued at \$10,000 or less to any governmental body for the appraised value of the property, subject to the former owner's right of first refusal.

Effective May 15, 2018.

RECORDS

Public Chapter 613
SB 1656 - HB 1849

Human Trafficking records

Amends 36-3-623 to provide that the records of human trafficking service providers shall be treated as confidential by such service providers. Amends 10-7-504 to provide that an affidavit from the director of a human trafficking service provider shall be sufficient to make confidential the personal information in utility records and information that could be used to locate the whereabouts of the service provider. Provides that such affidavit may also be used by government entities to keep information that could be used to locate the whereabouts of the service provider confidential.

Effective July 1, 2018.

Public Chapter 630
SB 2239 - HB 1815

Radioactive Materials and Artifact Locations

Amends 11-1-102 to narrow the public records exception for TDEC records of radioactive materials. Also makes confidential TDEC records containing information regarding the specific location of a site or artifact if the commissioner determines that disclosure would create a substantial risk of damage to or destruction of either the historical value of such site or artifact or private property.

Effective April 2, 2018.

Public Chapter 633
SB 2246 - HB 2113

Medical Records

Amends 10-7-504 to provide that individually identifiable health information held by the department of health must also be treated as confidential.

Effective April 2, 2018.

Public Chapter 676
SB 1992 - HB 2014

Corrections Officers

Amends 10-7-504(f) to add county corrections officers to the provision which makes criminal the release of certain residential information of law enforcement officers.

Effective July 1, 2018.

Public Chapter 712
SB 1724 - HB 1608

Public Records Policy

Amends 10-7-503(g) to require all government entities to adopt a public records policy by July 1, 2018 (previously the law required the policy be adopted by July 1, 2017) and provides that state entities shall promulgate rules regarding public records. The act did not alter what must be included in the public records policy required by 2016 Public Chapter 722.

Effective April 12, 2018.

Public Chapter 897
SB 2152 - HB 2287

Advisory Committee on Open Government

Amends 8-4-603 to revise the commenting and reporting duties of the advisory committee on open government and the office of open records counsel.

Effective May 3, 2018.

Public Chapter 962
SB 2426 - HB 2523

Child Sexual Abuse Settlements

Enacts a new section in Title 29, Chapter 34, Part 1 to provide that any provision of a settlement agreement that has the effect of concealing the details relating to a claim of child sexual abuse shall be void. Provides that identifying information concerning the victim shall be confidential.

Effective May 15, 2018.

Public Chapter 1004
SB 1935 - HB 2025

Crime Victim Address Confidentiality Program

Enacts a new Part 6 in Title 40, Chapter 38 requiring the secretary of state to establish a crime victim address confidentiality program open to a victim of domestic abuse, stalking, human trafficking, rape, sexual battery, or certain other sexual offenses. The program shall provide the participant with the use of a substitute address. Whenever a program participant is required by law to swear to or affirm the participant's address, the participant may use the participant's substitute address. Wherever a program participant is required by law to establish residency, the participant may present evidence of program participation and use the participant's substitute address. Where residency must be verified in order to establish eligibility for public benefits, the governmental entity requiring verification shall submit a written request to the secretary of state, on a form prescribed by the secretary of state, whereby the secretary of state shall provide the governmental entity with a statement as to whether the program participant, or the program participant's minor child, or a person with a disability on whose behalf the person is applying, is eligible for benefits, based on the information known to the secretary of state.

Provides that the substitute address shall not be used: (1) for purposes of listing, appraising, or assessing property taxes and collecting property taxes; or (2) on any document related to real property recorded with a county clerk and recorder.

Provides, with some exceptions, that a program participant's confidential address, and any other information contained within a program participant's file, maintained by a state or local government agency, or disclosed by the secretary of state is not a public

record (including voter registration records and absentee ballot requests).

Provides that for any public record created within thirty (30) days prior to the date that a program participant applied to be certified in the program, a state or local governmental agency shall redact the confidential address from a public record or change the confidential address to the substitute address in the public record, if a program participant presents evidence of program certification and requests the agency that maintains the public record to use the substitute address instead of the confidential address on the public record.

Provides that in the event that the state, a county, a municipality, an agency of the state or county or municipality, or an employee of the state or county or municipality negligently or otherwise discloses the program participant's confidential address, such entity must immediately upon learning of the disclosure notify the program participant of the disclosure and the full extent of the disclosure.

Amends numerous other provisions relative to the program and voting procedures for participants.

Effective March 1, 2019 (effective May 21, 2018 for the purpose of promulgating rules).

Public Chapter 1060
SB 2630 - HB 2626

Undercover Law Enforcement Records

Amends 10-7-504 to provide that all investigative records of the Tennessee bureau of investigation, the office of inspector general, all criminal investigative files of the department of agriculture and the department of environment and conservation, all criminal investigative files of the motor vehicle enforcement division of the department of safety relating to stolen vehicles or parts, all criminal investigative files and records of the Tennessee alcoholic beverage commission, and all files of the handgun carry permit and driver license issuance divisions of the department of safety relating to bogus handgun carry permits and bogus driver licenses issued to undercover law enforcement agents shall be treated as confidential and shall not be open to inspection by members of the public. Provides that the information contained in such

records shall be disclosed to the public only in compliance with a subpoena or an order of a court of record.

Effective May 21, 2018.

REGISTERS OF DEEDS

Public Chapter 525 SB 1482 – HB 1538

Records

Repeals 10-7-103 which required registers to provide all the registers' records to the county legislative body annually for inspection.

Effective March 7, 2018.

Public Chapter 591 SB 1662 – HB 1507

Distributed Ledger Technology

Enacts Title 47, chapter 10, part 2 relative to distributed ledger technology. Provides that a signature generated through this technology is to be considered an electronic signature. Also recognizes "smart contracts."

Effective March 22, 2018.

RETIREMENT

Public Chapter 631 SB 2241 - HB 1817

Post-Employment Benefits

Amends TCA 8-27-705 to delete the restriction on a local government insurance committee providing a retiree health benefit to employees hired on or after July 1, 2015.

Amends 8-27-205 and 8-27-305 to provide that the rules relative to eligibility for retiree health benefit coverage for state retirees and employees of LEAs also apply when such employees switch employment between the entities. Amends numerous provision in Title 8, Chapter 27, Part 8 relative to trust for post-employment benefits for employees of LEAs.

Effective April 2, 2018.

Public Chapter 661 SB 2508 - HB 2093

LEA OPEB Trusts

Enacts a new section in Title 8, Chapter 27, Part 8 to provide that nothing in Part 8 prohibits a LEA from

participating in any other post-employment benefits investment trust created pursuant to Title 8, Chapter 50, Part 12.

Effective April 9, 2018.

Public Chapter 681
SB 1976 - HB 2222

Pension Plans

Amends 9-3-504 to provide that the measurement standard used to determine a pension plan's funded status must be done in accordance with rules, standards, guidelines, and interpretations established by the governmental accounting standards board.

Amends 9-3-506 to provide that a political subdivision, with an existing pension plan as of May 22, 2014, shall not establish a new pension plan until it has received written approval from the state treasurer.

Effective April 12, 2018.

Public Chapter 736
SB 2064 - HB 2056

Federal Law Requirements

Amends numerous provision in Title 8 relative to retirement plans. Amends 8-35-116 in order to comply with federal law to require any current or former member of TCRS who accepts a position on or after July 1, 2018, where membership in TCRS is otherwise optional, to participate in TCRS. Conversely, prohibits members of a local retirement plan from choosing to participate in TCRS if elected to an office in that same county. Amends 8-35-255 and 8-35-256 to cap retirement allowances under the new alternative plans at 90% of final average compensation but factors in cost of living adjustments. Amends 8-35-206 to provide that counties who newly wish to join TCRS and give prior credit must pay prior credit in a lump sum or pay over a year. Amends 8-36-203 and 8-36-303 to provide that members of multiple plans must submit one retirement application and election for all plans. Amends numerous other retirement related provisions.

Effective April 18, 2018.

Public Chapter 833
SB 1719 - HB 1865

Co-investment of Pension Plan Funds

Amends 9-3-507 to allow TCRS to provide for exceptions to its investment policy relative to the co-investment of local pension plan assets. Provides that

upon agreement that the state treasurer may take custody of local pension plan assets in an account separate from TCRS assets under certain circumstances.

Effective April 27, 2018.

TAXATION

Public Chapter 687 SB 1794 – HB 1499

Mixed Drink Tax Distribution

Amends 57-4-306(b) to extend the current distribution formula for mixed drink tax proceeds until June 30, 2019.

Effective April 9, 2018.

Public Chapter 813 SB 2121 – HB 2232

Sales of Water, Natural Gas, Propane and Electricity

Enacts a new section in Title 67, Chapter 6, Part 3 to provide that sales and use tax imposed on sales of water by a public utility only applies to charges on a customer's monthly water bill for metered water usage, a monthly minimum bill, a monthly customer charge, or a monthly demand charge.

Amends 67-6-334 to provide that sales and use tax imposed on sales of natural gas, propane, and electricity sold directly to the consumer for non-residential use applies only to charges on a consumer's monthly bill for metered usage, a monthly minimum bill, a monthly customer charge, or a monthly demand charge.

Effective April 27, 2018.

Public Chapter 896 SB 2228 – HB 2250

Distressed Rural Counties

Amends 67-6-104 to extend the deadline for a distressed rural county to apply to retain certain sales tax generated from within a commercial development district and to extend the deadline for approval of new commercial development districts.

Effective May 3, 2018.

Public Chapter 924 SB 692 – HB 298

Methanol

Enacts a new section in Title 67, Chapter 3, Part 4 to exempt methanol sold for use in highway or nonhighway vehicles that is not blended with other

fuels or petroleum products from gasoline and petroleum taxes and sales and use taxes.

Effective May 15, 2018.

Public Chapter 959
SB 2380 – HB 2384

Event Tourism Act

Enacts a new section in Title 67, Chapter 6, Part 1 to adopt the Event Tourism Act. Provides that a local organizing committee may apply to the department of finance for the certification of an event under certain circumstances. Provides that following the completion of a certified event, the local organizing committee may apply to the department for reimbursement of qualified expenses by the local organizing committee, an endorsing local authority, and an event venue host related to the event. Provides that total reimbursements may not exceed the total event revenue deposited into the event tourism fund related to the event.

Amends 57-4-306 and 67-6-103 to provide that 50% of the revenue from the privilege tax on the sale of alcohol and the state sales and use tax collected during an event that would not otherwise be earmarked for education shall be deposited in the event tourism fund.

Effective January 1, 2019 (terminates July 1, 2023).

Public Chapter 963
SB 2266 – HB 2531

Spallation Neutron Source Facilities

Amends 67-6-384 to provide that any entity that qualifies for the spallation neutron source facility sales and use tax exemption will not be eligible for a sales and use tax exemption with regard to any industrial machinery that is used in operation of a qualified data center or used primarily for research and development. Provides an exception for a leadership computing facility that is funded by the United States government or instrumentality thereof, not funded with any state funds, and located at a national laboratory.

Effective May 15, 2018.

Public Chapter 1011
SB 2119 – HB 2310

Tax Information

Amends 67-1-1704 to provide that a unit of local government receiving tax information may disclose to a contractor or consultant the name, address, and situs of

one (1) or more taxpayers for the purpose of ascertaining whether allocations of state and local taxes are being distributed to the correct unit of local government. Such information shall not include the taxpayer's returns, receipts, income, tax liability, tax payments, or other financial information. No consultant or contractor of a unit of local government who receives tax information shall disclose such information to any other person. Any consultant or contractor of a unit of local government who has or has had, at any time, access to any tax information shall be subject to all the penalties and restrictions applicable to an officer or employee of the state under 67-1-1709.

Amends 67-4-2006 (effective beginning 2020) relative to calculating net earnings and net losses under excise and franchise tax law to provide that Section 163(j) of the Internal Revenue Code shall be applied as it existed before the Tax Cuts and Jobs Act.

Amends 67-4-2006 (effective for tax periods beginning in 2017) to subtract from net earnings and net losses amounts the taxpayer would have excluded from federal taxable income as a result of applying Section 118 of the Internal Revenue Code as it existed before the Tax Cuts and Jobs Act.

Amends 67-6-103 to extend the termination date for the allocation of tax revenue under the Courthouse Square Revitalization Pilot Project.

Effective May 21, 2018.

TAXATION - PROPERTY

Public Chapter 526 SB 1484 - HB 1670

Reappraisal of City

Deletes 67-5-1601(b). Removes the requirement that a city lying in more than one county be reappraised under a separate plan of reappraisal.

Effective March 7, 2018.

Public Chapter 527 SB 1485 - HB 1502

Exemptions – Assessor's Report of CBOE Action

Amends 67-5-212(b)(1). Clarifies that the application process applies to any application for exemption for

which it is specifically required. Deletes the requirement that a separate application must be filed for each parcel of property for which exemption is claimed.

Deletes 67-5-1413. Deletes the requirement that a county assessor of property do the following: (1) Make a complete record on forms furnished to the assessor by the state board of equalization of each and every change made in the assessment by the county board of equalization, and forward the report to the state board, showing the increase or decrease made in each assessment and the reason or reasons for the change; and (2) After the county board of equalization adjourns, promptly prepare a tabulated statement showing the total increase and decrease of assessments and changes in classifications made by the county board of equalization, and forward the statement to the state board by registered mail.

Effective March 7, 2018.

Public Chapter 693
SB 2650 - HB 1735

Tax Study

Amends Title 67, Chapter 5. Directs TACIR to determine the number of nontax-producing properties held by state and local governments and to study how to make these properties productive.

Effective April 9, 2018.

Public Chapter 710
SB 1675 - HB 1496

Tax Relief

Amends 67-5-702, 703 and 704. Allows elderly low-income homeowners, disabled homeowners and disabled veterans to continue to qualify for tax relief while temporarily relocated for health care reasons to the home of a friend or relative, or to a hospital or skilled or intermediate care facility. The taxpayer must indicate an intent to return to their residence when recovered sufficiently.

Effective April 12, 2018.

Public Chapter 778
SB 2495 - HB 2337

Delinquent Tax Proceedings

Amends 67-5-2701(a)(3)(C). Clarifies that a proposed redeemer must be an interested person as of either the date of sale or the date the motion to redeem is filed.

Amends 67-5-2702(b). Changes the persons to be notified of a motion for excess proceeds to “interested persons”. See TRCivP 5.01 in regard to the method of service for motions not asserting new claims for relief.

Amends 67-5-2702(e). Changes “owner” to “interested person” in action for recovery of excess proceeds paid in error.

Amends 67-5-2502(a)(2). Clarifies that a notice of the tax sale shall be published at least once in a newspaper of general circulation in the county where the parcels are located, or, with the approval of the court, the notice may be published by printed handbills publicly posted in the county where the parcels are located in such manner as the court may determine will provide adequate public awareness of the sale. States that any such publication shall first occur at least 20 days before the sale date.

Enacts 67-5-2502(f). Provides that any sale under this section may be adjourned and rescheduled one time for cause without an additional newspaper publication or decree, upon compliance with the following provisions: (1) The sale must be held within one year of the originally scheduled date; (2) The postponement or adjournment must be to a specified date and time, and must be posted or announced at the date, time, and location of the scheduled sale date; and (3) If the postponement or adjournment is for more than 30 days, notice of the new date, time, and location must be mailed no less than 10 calendar days prior to the sale date via regular mail to the parties to the suit, with a copy of such notice filed with the clerk of court.

Amends 67-5-2409(b). Clarifies issues concerning the consolidation of tax proceedings.

Effective April 19, 2018.

Public Chapter 820
SB 2346 - HB 2034

Exemption – Personal Property

Amends Title 67, Chapter 5, Part 2. Exempts from property taxation tangible personal property owned and used by nonprofit organizations to provide

character development and other educational programs to youth about the Medal of Honor recipients.

Effective April 24, 2018.

Public Chapter 863
SB 492 - HB 601

Tax Lien

Amends 67-5-2102. Provides that the lien does not attach to an easement appurtenant upon property that is a servient estate or to an easement in gross that was assessed separately from the property by either the county assessor of property or the office of state assessed properties in the office of the Comptroller of the Treasury.

Effective May 3, 2018. Applies to property taxes that become delinquent on or after the effective date.

Public Chapter 911
SB 1923 - HB 1952

Certified Tax Rate

Amends 67-5-1701(a)(4). Authorizes governing bodies to exclude from taxable value of property appearing on the assessment roll, the taxable value of properties subject to tax increment financing and properties within areas where an economic impact plan has been approved.

Effective May 1, 2018.

Public Chapter 957
SB 2276 - HB 2356

Exemption – Property Tax

Amends 67-5-212(b)(3). Authorizes a nonprofit children's hospital located in Knox County or within a municipality located within Knox County to claim and file a property tax exemption as a religious, charitable, scientific, or nonprofit educational institution or as an educational institution and the effective date of such exemption will be up to three years prior to the date of application, or the date the institution began to use the property for exempt purposes, whichever is later.

Effective May 15, 2018.

Public Chapter 971
SB 2076 - HB 2038

Jack Daniels Bill

Amends 67-5-216. Specifies that aged whiskey barrels, during the time in which such barrels are owned or leased by a person that produces or manufactures whiskey in those barrels, are considered, and have always been considered, "articles manufactured from

the produce of this state, or any other state of the union, in the hands of the manufacturer", for purposes of exemption from property taxation. Specifies that any action or proceeding to correct an assessment or request a refund or other relief on the basis of this act shall be subject to the applicable statutes of limitations, which are in no way altered or amended by this act.

Effective May 17, 2018 (and applies retroactively).

UTILITIES

Public Chapter 570 SB 1646 – HB 1591

Cooperatives Providing Broadband

Amends 65-25-105(a)(11) to authorize cooperatives to use property owned, held or otherwise used by the cooperative for the provision of telecommunications and broadband internet services. Also authorizes cooperatives to utilize public property for such purposes with the consent of applicable authorities.

Effective March 16, 2018.

Public Chapter 646 SB 1924 – HB 2178

Changes in Net Annual Financial Position

Amends 7-82-401 and 68-221-1010 to revise the formula for determining a change in net position for utility districts and wastewater facilities.

Effective April 9, 2018.

Public Chapter 681 SB 1976 – HB 2222

Boards Regulating Utilities

Amends 7-82-701 to vest the utility management review board with authority over all utility districts. Amends 68-221-1008 to vest the water and wastewater financing board with authority over all treatment authorities.

Effective April 9, 2018.

Public Chapter 696 SB 2644 – HB 2035

Wastewater Treatment Authorities

Amends 68-221-605 to provide that a water and wastewater authority that does not provide water service is not required to have an attorney on its board.

Effective April 9, 2018.

Public Chapter 713
SB 1745 – HB 1734

Utility Management Review Board Investigations

Amends 7-82-709 to delete provision providing that a utility management review board may condition certain loans to a public water system of a utility district based on approval of required changes dictated by the utility management review board.

Effective April 12, 2018.

Public Chapter 716
SB 1812 – HB 1791

Underground Utility Damage Prevention Act

Amends 65-31-108(a) to authorize the utility damage enforcement board to establish, by rule, a uniform color code and marking system for marking utilities within the state. Amends 65-31-107 to provide that failure of an operator to join the one-call service and use its services is a violation of the Act and will subject the operator to fines and penalties. Also amends 65-31-107 to authorize the one-call service to provide training for those who violate the Act. Amends 65-31-115 to provide that the executive committee will review the reasonableness of fees assessed under the Act. Amends 65-31-102 to provide a definition of “contract locator” and amends 65-31-108 to provide that contract locators are subject to the Act. Amends 65-31-114 to add a contract locator representative to the enforcement board. Also amends 65-31-114 to provide that members of the executive committee will be limited to two consecutive one-year terms. Amends 65-31-116(c) to provide that hearings on violations will be held in Davidson County at the offices of the Tennessee public utility commission. Amends 65-31-102(19)(B) to exclude “natural flowing runoff systems” from the definition of “utility.”

Effective April 12, 2018.

Public Chapter 746
SB 2524 – HB 2233

Contracts for Natural Gas

Amends 7-82-302 to provide that powers of utility districts relating to natural gas include the power, together with all powers incidental to that power or necessary for the performance of that power, acting by resolution of its governing body to purchase natural gas by contract or other agreement from a public corporation that is created under the authority of a contiguous state and that is similar to an energy acquisition corporation. Provides a utility district has

the power to enter into a contract or arrangement, including contracts to take or pay for any gas or gas substitutes, with such a public corporation created under the authority of a contiguous state. The contract or arrangement must contain the terms, covenants, representations, warranties, provisions, and duration as the governing body of the utility district determines.

Effective April 18, 2018.

Public Chapter 811
SB 1957 – HB 2365

Utility District Petitions

Amends 5-6-120 to provide that the provision of the statute that transfers the duties of the county mayor relative to utility district petitions to the water and wastewater treatment authority do not apply to any petition by any governmental entity or state instrumentality that does not purport to adjust or otherwise modify any territory included in the service area of a water and wastewater treatment authority.

Effective April 24, 2018.

Public Chapter 819
SB 2504 – HB 2279

Regulation of Small Wireless Facilities

Enacts a new part at Title 13, Chapter 24 known as the "Competitive Wireless Broadband Investment, Deployment, and Safety Act of 2018." Substantially revises the manner in which local governments may regulate small wireless facilities. Small wireless facilities are typically located on utility poles, traffic control devices or other similar infrastructure. They may also be located on structures placed in the right-of-way solely for that purpose. The facilities are much smaller than typical wireless towers, but must be located with greater frequency and within shorter distances of each other. Prohibits local governments from imposing regulations on small wireless facilities which are more restrictive than what is permitted by the Act. Permits local governments to regulate these facilities as long as the regulations are technologically neutral and are applied to all users of the right-of-way. Authorizes local governments to charge application fees, permit fees and collocation fees as set forth in the Act. Prohibits local governments from requiring license or access agreements and from charging any type of additional rental or licensing fees. Also prohibits local governments from passing through consulting fees to

providers. Sets out maximum height restrictions for the facilities as well as provisions addressing undergrounding and aesthetic requirements. Also establishes the procedural process local governments must follow in their review and approval of the facilities.

Effective April 24, 2018 (except for review periods established in 13-24-409).

Public Chapter 825
SB 1793 – HB 1731

Wind Energy Facilities

Amends 65-4-101, 65-4-201, 65-17-101, 65-17-102, 65-17-103, and enacts several new sections in Title 65, Chapter 17, Part 1 to regulate the construction and operation of new wind energy facilities.

Requires that prior to construction, operation or redevelopment of any new wind energy facility that such facility must receive a certificate of public convenience and necessity from the State Public Utility Commission. Prohibits the State Public Utility Commission from issuing a certificate of public convenience and necessity to any new facility of certain proposed heights at certain mean sea level locations.

Clarifies that local governments may plan for and regulate the location or permitting of wind energy facilities under existing zoning and land-use regulatory authority.

Provides that local governments may also by two-thirds vote (or by majority vote under certain circumstances) adopt a local regulatory program for permitting and regulating new wind energy facilities. Specifies numerous requirements that must be included within any local program. Provides that the program must establish certain requirements for wind energy facilities and require certain environmental and wildlife impact assessments. Provides that if the local government establishes a local regulatory program, the local legislative body must review all applications for new wind energy facilities and conduct a public hearing. Requires certain reporting requirements for local governments establishing a program. Provides that MTAS and CTAS shall disseminate a model ordinance/resolution to adopt a program. Provides that

a municipal legislative body cannot adopt a program unless the county has previously adopted a program. Provides that if a local legislative body adopts a program that the program can only be discontinued by the same method used to adopt the program (i.e., by a two-thirds vote under most circumstances).

Provides that this act does not apply to any wind energy facility constructed before the act, any wind energy facility under two hundred feet in height, or to any local government that has adopted regulations related to the siting of wind energy facilities before July 1, 2019.

Effective April 24, 2018.

Public Chapter 956
SB 2292 – HB 2338

Online Training Classes

Amends 7-34-115 to provide that beginning no later than March 1, 2019, the comptroller shall offer online training classes for purposes of compliance with the continuing education requirements of governing bodies of municipal water or sewer utility systems. Provides that an organization may prepare classes and submit them to the comptroller for approval.

Effective May 15, 2018.

Public Chapter 1003
SB 1894 – HB 1914

Municipal Natural Gas Utilities

Amends 7-34-115 to authorize certain municipal natural gas utility systems to devote revenues to funding chambers of commerce and economic and community originations.

Effective May 21, 2018.

WORKERS' COMPENSATION

Public Chapter 709
SB 1615 - HB 1714

Claims Office

Deletes 50-6-413. Removes the requirement that every workers' compensation insurer that provides insurance for Tennessee workers' compensation claims be required to maintain a claims office or to contract with a claims adjuster located within this state.

Effective April 12, 2018.

Public Chapter 757
SB 2475 - HB 2304

Attorneys' Fees

Amends 50-6-226. Specifies that, in addition to attorneys' fees, the reasonable costs that may be awarded include, "but are not limited to," reasonable and necessary court reporter expenses and expert witness fees for depositions and trials.

Effective April 18, 2018.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

ANDERSON

Public Chapter 658 SB 2264 – HB 2581

Operation of Off-Highway Vehicles

Amends 55-8-185. Authorizes off-highway vehicles to be operated on a segment of State Route 116 in Anderson County.

Effective April 9, 2018.

BLOUNT

Public Chapter 740 SB 2210 – HB 1474

Alcoholic Beverages - On Premises Consumption

Amends 57-4-102(26) to designate a commercially operated facility used for weddings, meetings, and events in Blount County as a premier-type tourist resort for on-premises consumption of alcoholic beverages.

Effective April 18, 2018.

CARTER

Public Chapter 815 SB 2726 – HB 2695

Dilapidated Property

Amends 5-1-115 to authorize Carter County to remedy dangerous conditions on all property, including owner-occupied residences.

Effective April 27, 2018.

CHEATHAM

Public Chapter 776 SB 2457 – HB 2189

Hotel Motel Tax

Amends 67-4-1425 to authorize the city of Pleasant View to levy a hotel/motel tax not exceeding 5% with proceeds to be used solely to promote tourism and economic development, regardless of whether Cheatham County has levied a hotel/motel tax.

Effective April 19, 2018.

CLAIBORNE

Public Chapter 740 SB 2210 – HB 1474

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26) to designate a commercially operated facility on the banks of the Powell River in Claiborne County as a premier-type tourist resort for on-premises consumption of alcoholic beverages.

Effective April 18, 2018.

Public Chapter 740 SB 2210 – HB 1474

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26) to designate a commercially operated facility located on at least one-half acre of land with at least 160 feet of road frontage in Claiborne County as a premier-type tourist resort for on-premises consumption of alcoholic beverages.

Effective April 18, 2018.

Public Chapter 860 SB 2682 – HB 2420

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26) to designate a commercially operated facility that is a full-service restaurant that stands alone, or is part of a larger building or complex but has its own entrance, has a full-service kitchen that possesses a stove, an oven, a refrigerator, and a freezer, is open at least five days per week, and serves at least 12 meals each week and has seating for at least 75 persons at tables and has seating in the bar area at the bar, on stools around tables, or chairs around tables, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective May 3, 2018.

COFFEE

Public Chapter 847 SB 2377 – HB 2358

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates a commercially operated facility that was built in 1894 and is a venue for weddings, receptions, reunions, and other similar events, and opened for business in January of 2017, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective April 26, 2018.

Public Chapter 950
SB 2706 – HB 2692

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates a commercially operated facility that operates as a community performing arts and civics center and was originally built as a school in 1886, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective May 15, 2018.

CUMBERLAND

Public Chapter 1065
SB 2750 – HB 2718

Hotel Motel Tax
Amends 67-4-1425 to authorize the city of Crossville to levy a hotel/motel tax not exceeding 2% with proceeds to be used solely for tourism and economic development, regardless of whether Cumberland County has levied a hotel/motel tax.

Effective May 21, 2018.

DAVIDSON

Public Chapter 649
SB 1977 – HB 2180

Hypodermic Syringe Exchange Programs
Amends 68-1-136 to prohibit the operation of needle and hypodermic syringe exchange programs within 1,000 feet of a school or public park in counties with a metropolitan government and population over 500,000, and in certain cities.

Effective April 9, 2018.

Public Chapter 785
SB 1907 – HB 1752

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates a commercially operated facility located on at least 175 acres of land that is situated on Pennington Bend adjacent to the Cumberland River and includes an 18-hole golf course, a clubhouse with a restaurant that serves lunch and dinner with seating for at least 60 guests, a golf shop, locker rooms, a covered outdoor pavilion with seating for at least 200 guests, and meeting rooms in Davidson

County as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages.

Effective April 20, 2018.

Public Chapter 812
SB 1998 – HB 2308

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(38). Designates the National Museum of African American Music as an urban park center for the purposes of on-premises consumption of alcoholic beverages.

Effective July 1, 2018.

FRANKLIN

Public Chapter 847
SB 2377 – HB 2358

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26) to designate a commercially operated facility that is a restaurant floating on Tims Ford Lake at a commercially operated marina on Sail Away Lane, accessible by both water and land, with docking areas for watercraft and parking areas for vehicles, as a premier-type tourist resort for serving alcoholic beverages for on-premises consumption.

Effective April 26, 2018.

Public Chapter 1010
SB 2111 – HB 2275

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(33). Designates a facility that is designed and used for school-sanctioned public sporting events on a public university campus located in Davidson County as a "sports authority facility" for purposes of sales of alcoholic beverages and beer for consumption on the premises.

Effective May 21, 2018.

GREENE

Public Chapter 680
SB 2339 – HB 2186

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26) to designate the Capitol Theater in Greeneville as a premier-type tourist resort for on-premises consumption of alcoholic beverages.

Effective April 12, 2018.

GRUNDY

Public Chapter 860
SB 2682 – HB 2420

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates a commercially operated facility that is located on Charlie Roberts Road within 6.5 miles of Interstate 24, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective May 3, 2018.

Public Chapter 950
SB 2706 – HB 2692

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates a commercially operated facility that is located on Charlie Roberts Road within 6.5 miles of Interstate 24, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective May 15, 2018.

HARDEMAN

Public Chapter 846
SB 2347 – HB 2350

Land Banks
Amends 13-30-103(4) to authorize Hardeman County and the City of Cleveland to participate in the Tennessee local land bank program.

Effective April 26, 2018.

HAWKINS

Public Chapter 740
SB 2210 – HB 1474

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates a commercially operated facility used various events, including, but not limited to, weddings, civic and other club meetings, church groups, and car shows in Hawkins County as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages.

Effective April 18, 2018.

HICKMAN

Public Chapter 760

SB 1470 – HB 1473

Incorporation

Amends 6-1-201 to authorize incorporation of a territory within three miles of an existing municipality in Hickman County.

Effective April 19, 2018.

JACKSON

Public Chapter 860

SB 2682 – HB 2420

Alcoholic Beverages - On Premises Consumption

Amends 57-4-102(26). Designates a commercially operated recreational facility that is located on Cordell Hull Lake on property leased from the United States army corps of engineers that has at least 120 boat slips, includes a full-service restaurant open to the public and maintains at 4 two-bedroom cabins and at least 4 hotel rooms available for rent to the public, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective May 3, 2018.

LOUDON

Public Chapter 650

SB 2003 – HB 1948

Manufacturing of Intoxicating Liquors

Amends 57-2-103(d)(1). Authorizes the manufacturing of intoxicating liquors and drinks in Lenoir City.

Effective April 9, 2018.

Public Chapter 1027

SB 793 – HB 447

Alcoholic Beverages – Retail Sales

Amends 57-3-106. Authorizes the retail sales of alcoholic beverages within the boundaries of Tellico Village in Loudon County and authorizes the Alcoholic Beverage Commission to issue a retailer's license to the 501(c) corporation that manages such location.

Effective May 21, 2018.

MONTGOMERY

Public Chapter 944

SB 2331 – HB 2280

Beer Sales in County-Owned Park

Amends 57-5-106 to provide that a county with a population of 172,300–172-400 under the 2010 or subsequent federal census, that owns property used as a park inside the boundaries of a municipality within the county, has exclusive authority over beer permits within the boundaries of the park under the same rules governing permits in the county except there is no restriction on distance from residences or churches, schools, or other public gathering places. Amends 57-5-105 to authorize the county to issue temporary beer permits on public property.

Effective May 15, 2018.

MORGAN

Public Chapter 856

SB 2082 – HB 2116

City of JustBeGreen

Enacts a new chapter at Title 7, Chapter 91 to authorize the county legislative body of Morgan County to designate, by resolution, an area meeting the statutory requirements in this part as JustBeGreen Villages of America for the purposes of creating a development area for sustainable living and sustainable economic development. The area will be not a municipality under Tennessee law. The chapter is repealed July 1, 2026.

Effective May 3, 2018.

ROANE

Public Chapter 787

SB 2075 – HB 2530

Alcoholic Beverages - On Premises Consumption

Amends 57-4-102(26) to designate a commercially operated facility on approximately 360 acres adjacent to a reservoir of the Tennessee River created by Watts Bar Dam, including a restaurant, day spa, barn, tennis courts, farmhouse, fish pond, boat dock, hiking trails, cottages, and full service inn with at least 20 lodging rooms in Roane County as a premier-type tourist resort for on-premises consumption of alcoholic beverages.

Effective April 20, 2018.

RUTHERFORD

Public Chapter 1010
SB 2111 – HB 2275

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(33). Designates a facility that is designed and used for school-sanctioned public sporting events on a four-year public university campus located in Rutherford County as a "sports authority facility" for purposes of sales of alcoholic beverages and beer for consumption on the premises.

Effective May 21, 2018.

SEVIER

Public Chapter 740
SB 2210 – HB 1474

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(3). Designates a bed and breakfast establishment in Sevier County as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages.

Effective April 18, 2018.

Public Chapter 797
SB 2719 – HB 2462

Litigation Taxes
Amends 67-4-601 to authorize an additional privilege tax on litigation in all civil and criminal cases in an amount not to exceed one hundred dollars (\$100.00) per case, to be used for the construction of a building, separate from the courthouse, that would house legal proceedings and offices directly involved with the court system, and to renovate the county courthouse, or to retire debt, including principal and interest and related expenses, on such building and courthouse construction and maintenance projects.

Effective July 1, 2018.

SHELBY

Public Chapter 728
SB 1736 – HB 2064

Industrial Development Corporations
Amends 7-53-302(a) to exempt Shelby County from the prohibition against industrial development

corporations acquiring or purchasing hotel, motels or apartment buildings.

Effective April 18, 2018.

Public Chapter 738
SB 2068 – HB 2170

Board of Public Utilities

Amends 5-16-103 to allow the county, by resolution, to call for the election of the members of a county board of public utilities. Amends 5-16-109 to provide that a board or administrative agency that is increasing the charges for fire protection services by more than ten percent shall obtain approval for such increase from the county legislative body prior to the increase taking effect.

Effective April 18, 2018.

SULLIVAN

Public Chapter 915
SB 2043 – HB 2136

Blountville Utility District

Amends 7-82-308 to allow the commissioners of the Blountville Utility District to raise their per diem payments for meetings to \$350.

Effective May 1, 2018.

SUMNER

Public Chapter 781
SB 2421 – HB 2636

Hotel Motel Tax

Amends 67-4-1425 to authorize the city of Hendersonville to levy a hotel/motel tax not exceeding 2.75% with proceeds to be used solely for tourism development, regardless of whether Sumner County has levied a hotel/motel tax.

Effective April 19, 2018.

Public Chapter 814
SB 2737 – HB 2702

Hotel Motel Tax

Amends 67-4-1425 to authorize the city of Gallatin to levy a hotel/motel tax not exceeding 5% with proceeds to be used solely for tourism development, regardless of whether Sumner County has levied a hotel/motel tax.

Effective April 19, 2018.

UNICOI

Public Chapter 921 SB 2370 – HB 2276

General Sessions Judge

Amends 16-15-5002 and 16-15-5003 to allow the county commission, by a two-thirds vote, to make the general sessions judge full-time and increase the judge's salary by \$20,000.

Effective May 1, 2018.

WARREN

Public Chapter 796 SB 2707 – HB 2666

Hotel Motel Tax

Amends 67-4-1425 to authorize the city of McMinnville to raise its hotel/motel tax to an amount not exceeding 5%, regardless of whether Warren County has levied a hotel/motel tax.

Effective April 20, 2018.

WILLIAMSON

Public Chapter 912 SB 1941 – HB 2015

Alcoholic Beverages - On Premises Consumption

Amends 57-4-102(26). Designates a commercially operated restaurant that was built in 1892, has not less than 1,295 square feet, has seating for not less than 32 persons and is located not more than 500 feet from Dobbins Branch, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Designates a commercially operated facility that was built in 1977, operates a market and country store, is located on approximately 3112 acres, serves prepared food on the premises and is located not more than 3,000 feet from the junction of the Harpeth River and Wilkie Branch, as a premier type tourist resort for purposes of serving alcoholic beverages for on premises consumption.

Effective May 1, 2018.

WILSON

Public Chapter 680
SB 2339 – HB 2186

Alcoholic Beverages - On Premises Consumption
Amends 57-4-102(26). Designates Pine Creek Golf Course in Wilson County as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises.

Effective April 12, 2018.

PART III – PRIVATE ACTS

BLOUNT

Private Chapter 53 SB 2749 - HB 2707

Pyrotechnics

Repeals Private Acts of 1949, Chapter 589. Repeals local regulation of the possession, storage, use, manufacture, and sale of pyrotechnics in the county.

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

DECATUR

Private Chapter 37 SB 2731 - HB 2697

Wheel Tax

Repeals Private Acts of 1957, Chapter 335. Abolishes the Decatur County Democratic Party executive committee.

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

DICKSON

Private Chapter 38 SB 2724 - HB 2693

Highway Department

Creates the Dickson County Highway Department. Repeals Private Acts of 1957, Chapter 335 to abolish the Dickson County Highway Commission.

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

GILES

Private Chapter 33 SB 2728 - HB 2700

Advisory Referendum

Authorizes the county legislative body of Giles County, by resolution, to call for an advisory referendum at the regular August election of 2018, on the question of whether to issue a \$53,000,000, 25-year debt issue to be funded with a 51.8 cent increase on the county property tax levy, to be used exclusively to fund the

construction of a new Giles County High School and renovation of the existing Giles County High School building for use as Bridgeforth Middle School by the Giles County School System.

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

HAMILTON

Private Chapter 50 SB 2741 - HB 2711

Hamilton County Employees' Retirement Act
Amends Private Acts of 1939, Chapter 557. Provides for the payment of certain retirement benefits of a retired Hamilton County employee to an alternate payee under a qualified domestic relations order.

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

HENRY

Private Chapter 35 SB 1501 - HB 1478

Wheel Tax
Authorizes the levy of a \$25 motor vehicle privilege tax in Henry County.

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

LEWIS

Private Chapter 39 SB 2729 - HB 2701

County Highway Advisory Commission
Amends Private Acts of 1937, Chapter 395. Provides that the members of the commission shall receive \$50.00 per month for services rendered and the chairman of the commission shall receive \$200 per month.

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

MAURY

Private Chapter 47

SB 2745 - HB 2716

Financial Management System

Establishes the "Maury County Financial Management System of 2018".

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

MONTGOMERY

Private Chapter 57

SB 2746 - HB 2710

Hotel/Motel Tax

Amends Private Acts of 1979, Chapter 167. Increases, from 5 percent to 8 percent, the tax on the privilege of occupancy of hotels and motels; alters the allocation of revenue raised from the privilege tax.

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

OBION

Private Chapter 42

SB 1653 - HB 2339

Hotel/Motel Tax

Amends Private Acts of 1991, Chapter 133. Provides that the proceeds from the hotel/motel taxes in Obion County that currently go to Reelfoot Lake Tourism shall now be deposited in the general fund.

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

PERRY

Private Chapter 40

SB 2730 - HB 2698

Pay and Salary Scale

Authorizes the establishment of salary policies and scales for departments of the county; authorizes the appointment of a chief accountant and a budget director.

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

SHELBY

Private Chapter 32

SB 1446 - HB 1418

County Library Tax

Amends Private Acts of 1970, Chapter 275, to increase from \$4.00 to \$7.00 the library tax that is imposed on legal actions filed in Shelby County.

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

WILLIAMSON

Private Chapter 41

SB 2727 - HB 2696

Franklin Special School District

Amends Private Acts of 1949, Chapter 563, to authorize the Franklin Special School District to issue bonds or notes in an amount not to exceed \$26.5 million and to issue bond anticipation notes.

Effective April 12, 2018.

§