

**INDEX OF ACTS
RELATED TO COUNTY GOVERNMENT**

2023 EDITION



**Prepared by
CTAS Legal Staff**

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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.

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PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 178

SB 1214 - HB 1089

Wine in Grocery Stores

Amends 57-3-801 (a)(1). A jurisdiction may authorize the sale of wine in retail food stores in a referendum in the manner prescribed by 57-3-106; provided, however, that the jurisdiction must have held and passed, or be located within a county that has held and passed, a referendum authorizing retail package stores or a referendum authorizing the sale of alcoholic beverages for consumption on the premises prior to holding a referendum authorized under this section.

Effective April 17, 2023.

COUNTY CLERKS

Public Chapter 46

SB 58 – HB 339

Marriage

Amends 36-3-301(k) to clarify that a former municipal judge may solemnize a marriage.

Effective March 14, 2023.

Public Chapter 52

SB 257 – HB 76

Motor Vehicles, Title and Registration

Amends Title 55, Chapter 4 to discontinue the honorary consular cultural plate. Amends 55-21-103(a)(5) to eliminate the disabled license plate fee for a parent or guardian of an individual who is permanently and totally confined to a wheelchair and who does not own or operate a vehicle.

Effective January 1, 2024.

Public Chapter 89

SB 402 – HB 661

Motor Vehicles, Title and Registration

Amends 55-21-113 to provide a physical therapist with the same authority that a physician has for issuing certified statements of disability to obtain the appropriate registration, license plates, placards, and decals from the department.

Effective March 31, 2023.

Public Chapter 110

SB 212 - HB 675

Motor Vehicles, Title and Registration

Amends 55-4-104(c)(2) to increase the period of time for which businesses that register at least 15,000 vehicles annually and are in the business of renting motor vehicles, trucks, and trailers to 36 months. Requires the department to set 36-month registration fees in an amount that offsets revenue that would otherwise be generated by a 12-month registration fee.

Effective July 1, 2023.

Public Chapter 117
SB 366 – HB 713

Motor Vehicles, Title and Registration

Amends 55-4-223 by authorizing issuance of a license plate in an emergency category to emergency communications dispatchers.

Effective July 1, 2023.

Public Chapter 185
SB 217 – HB 563

Marriages

Amends 36-3-301(c) to provide that a county mayor, county clerk, member of the county legislative body, or municipal mayor may accept gratuity for solemnizing a marriage but may not charge a fee or demand compensation for the solemnization of a marriage. Such public officer who violates this part commits a Class C misdemeanor and a violation of this part creates a rebuttable presumption that there is an actionable basis to institute ouster proceedings for the removal of the public officer from office.

Effective April 24, 2023.

Public Chapter 186
SB 236 – HB 297

Game and Fish Laws

Amends 70-4-107(c) to delete the requirement that Tennessee Fish and Wildlife proclamations be filed with county clerks in for the counties affected. Requires that the proclamations be made available on the Tennessee wildlife resource agency website.

Effective April 24, 2023.

Public Chapter 234
SB 864 – HB 356

Motor Vehicles, Titling and Registration

Amends 55-4-105 to authorize each county clerk to increase the fees provided for mail order services for registration, including renewal of certificates and plates or decals, in an amount not to exceed an applicable United States postal service price increase in a given year.

Effective April 25, 2023.

Public Chapter 239
SB 663 – HB 763

County Clerks

Amends 18-6-105 to remove antiquated revenue duties of the county clerk.

Effective April 25, 2023.

Public Chapter 250
SB 142 – HB 137

Special License Plates

Amends Title 55, Part 4 by recognizing new specialty license plates and removing outdated provisions.

Effective July 1, 2023.

Public Chapter 357
SB 233 – HB 379

Beer Board and Security Guards

In 2022, the Legislature passed Public Chapter 1121, known as Dallas's Law, which became effective January 1, 2023. The law requires all security guards that work in establishments that sell alcohol in Tennessee to complete

additional training in de-escalation, safe restraint, first aid, and CPR. The law prohibits an ABC license or beer permit holder from knowingly employing a security guard who does not hold a valid registration card. If a violation occurs, the beer board is required to suspend a beer permit for on-premises consumption for a period of one month per violation. This law does not limit a beer board's ability to seek to revoke or summarily suspend the permit.

Public Chapter 357 amends 62-35-134 to add that the suspension of the ABC license or beer permit holder shall not be suspended for one month when the improperly registered or unregistered security guard was employed by a contract security company at the establishment that holds the license to serve alcohol for on-premises consumption.

Effective July 1, 2023.

Public Chapter 468
SB 894 – HB 929

Fees for Driver's License

Amends 55-50-312 by adding a new subsection to provide that a person under the age of 18 in custody of the department of children's services shall not be charged a fee for issuance, renewal, or reinstatement of a driver's license, instruction permit, intermediate driver's license, or photo identification card. The application must provide evidence that the person is in such custody.

Effective January 1, 2024 and applies to issuance, renewal, or reinstatement received after that date.

COUNTY GOVERNMENT

Public Chapter 21
SB 87 - HB 48

Metro Council Size Limit

Enacts a new section in Title 7, Chapter 1 to limit the size of a metropolitan council to twenty (20) voting members.

Effective March 9, 2023.

Public Chapter 37
SB 158 - HB 182

Ethics

Amends 8-17-104. By no later than January 1, 2024, each entity covered by this chapter shall notify the ethics commission, either in writing or electronically by email, of the primary person responsible for administering and enforcing the entity's ethical standards. The entity also shall provide the commission with the person's contact information, including the person's business address, phone number, and email address. The entity shall notify the commission of any change in such responsibility within thirty calendar days of such change and shall provide the name and contact information for an interim official serving in this capacity until such time as a permanent successor can be identified. By no later than January 31, 2024, and on each January 31 thereafter, the commission shall notify the speaker of the house of

representatives and the speaker of the senate, as well as the comptroller of the treasury, of each entity that is not in compliance with this part.

Effective March 14, 2023.

Public Chapter 45
SB 367 - HB 483

Energy Sources

Amends 7-51-2102(a). Prohibits a political subdivision from adopting a policy that prohibits, or has the effect of prohibiting, based upon the type or source of energy to be delivered to or used by an individual customer, the sale or installation of an appliance utilized for cooking, space heating, water heating, or another end use.

Effective March 14, 2023.

Public Chapter 83
SB 146 - HB 129

Collateral on Government Deposits

Amends 9-1-107(a)(2). Removes the ability to use collateral consisting of a promissory note secured by a first mortgage or first deed of trust upon a residential property located in Tennessee for deposits in excess of the limits of insurance on those accounts.

Effective July 1, 2023.

Public Chapter 142
SB 172 - HB 159

Weapons on School Property – Voting

Amends 39-17-1309(b). Exempts from the offense of possessing on school property the possession of a pocketknife by a nonstudent adult on election day if the knife remains concealed at all times while the adult is on school property for the sole purpose of voting in an election for which the school is the adult's designated polling place. "Pocket knife" means a knife with one or more blades that fold or collapse into the knife's attached handle and that can be carried inside a person's pocket when collapsed or folded.

Effective July 1, 2023.

Public Chapter 194
SB 451 – HB 165

Service Dogs

Amends 62-7-112 to require places of public accommodation, amusement, or recreation to allow entry of service dogs subject to certain conditions. Also amends 39-16-304 relative to fraudulent misrepresentations regarding service dogs.

Effective July 1, 2023.

Public Chapter 202
SB 791 - HB 954

Sports Gaming Revenue

Amends 4-49-104 to authorize local governments to use tax revenue received from the Tennessee Sports Gaming Act for emergency services as well as for local infrastructure projects.

Effective July 1, 2023.

Public Chapter 207
SB 1034 - HB 1134

Official Bonds of County Officials

Amends numerous statutes to remove the duty of the county legislative body to approve the official bonds of county officials and shifts the duty to approve the bonds to the county mayor. Does not remove the authority of the county legislative body to require bond amounts in excess of the statutory minimum as provided by law. Clarifies that proof of insurance (in lieu of a bond) must be recorded with the register of deeds and filed with the county clerk. Deletes the requirement of the register of deeds to maintain a special record book to record bonds.

Effective July 1, 2023.

Public Chapter 213
SB 27 – HB 23

Open Meetings

Amends Title 8, Chapter 44, Part 1, to add a new section to require local government legislative bodies to make its meeting agendas accessible to the public at least 48 hours prior to the meeting. Provides that posting the agendas on the local government's website satisfies this requirement. Authorizes local government bodies to consider matters not on the posted agenda as long as the bodies follow their bylaws or properly adopted rules and procedures and comply with all other applicable state laws.

Effective April 25, 2023.

Public Chapter 256
SB 292 – HB 275

Needle Exchange Programs

Amends 68-1-136 to prohibit conducting needle exchange programs within one thousand feet (1,000') of a school or public park.

Effective July 1, 2023.

Public Chapter 295
SB 391 - HB 249

Writs of Possession

Amends 27-5-108 to provide that for a writ of possession, if no appeal is taken within the time provided (10 days), that execution shall issue by operation of law.

Effective July 1, 2023.

Public Chapter 300
SB 551 – HB 448

Public Comment Periods

Amends Title 8, Chapter 44, Part 1, to add a new section to require governing bodies to reserve a period for public comment to provide the public with the opportunity to comment on matters that are germane to the items on the agenda for the meeting. Authorizes governing bodies to put reasonable restrictions on the period for public comment, such as the length of the period, the number of speakers, and the length of time that each speaker will be allowed to provide comment. Also authorizes governing bodies to require a person to give notice in advance of the desire to offer comments at a meeting. Directs governing bodies to take all practicable steps to ensure that

opposing viewpoints are represented fairly, if any. Requires notices for a public meeting to indicate the manner in which a person may indicate the person's desire to provide public comment at the meeting. Provides two exceptions to the public comment requirement: (1) A meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or (2) A meeting for which there are no actionable items on the agenda.

Effective July 1, 2023.

Public Chapter 309
SB 681 – HB 774

Employee Wages and Benefits

Amends 7-51-1802 to prohibit a local government from adopting or imposing a requirement upon an employer pertaining to hours worked, scheduling that an employer is required to provide employees, or employee output during work hours except as otherwise provided by state or federal law. A local government entity may set and regulate such hours, scheduling, and output for its own employees.

Amends 50-2-112(a)(1) to preempt all additional wage or employment benefit mandates imposed on private employers by a local government unless required by state or federal law. A local government shall not require, as a condition to doing business with the local government, a private employer to pay its employees and hourly wage in excess of the minimum hourly wage required by state and federal law and shall not impose a wage or benefits mandate on a private employer. A local government is also prohibited from seeking to control wages or employees benefits with contractors doing business with the local government. A local government shall not evaluate qualifications of bidders on the basis of wages or employee benefits with contractors doing business with the local government. A local government may offer its own employees wages and employment benefits.

Amends 50-2-112(b) to define “employment benefits”, “local government”, and “wage or employment benefit mandate”.

Effective April 28, 2023.

Public Chapter 312
SB 1377 – HB 799

Energy Conservation Code

Deletes 13-19-101 and 13-19-106 relative to local adoption of an energy conservation code. Amends 13-19-103 relative to exemptions to the state energy conservation code. Also deletes 4-3-734. Amends 68-120-101(b)(2)(A) to add another exemption to state minimum construction standards for local jurisdictions that certify in writing that they have adopted the International Energy Conservation Code, published by the International Code Council, for one-family and two-family construction.

Effective July 1, 2023.

Public Chapter 320
SB 1338 – HB 1211

Broadband Accessibility Grant Program

Amends 4-3-708 to make numerous changes relative to the administration of the program by the commissioner of economic and community development.

Effective April 28, 2023.

Public Chapter 337
SB 269 – HB 317

Legal Holidays

Amends 15-1-101 to add Juneteenth to the list of legal holidays.

Effective May 5, 2023.

Public Chapter 364
SB 832 – HB 864

Metropolitan Governments

Enacts a new section at 7-2-109 to provide that any vote relating to improvements, renovations, or the demolition and replacement of existing facilities owned by the metropolitan government that are to be used for substantially the same use as the use prior to improvement, renovation, or demolition and replacement, including the lease of the property to a private entity for the purpose of making the improvement, renovation, or demolition and replacement, or operation of the facility, must be the same voting requirement applicable to ordinances of the legislative body in general.

Effective May 5, 2023.

Public Chapter 376
SB 723 – HB 296

Codes Inspectors

Amends 68-120-118 to add a new subsection (g) to provide that a person entering into employment as a municipal or county building, plumbing, mechanical, or electrical inspector with a jurisdiction that is exempt under § 68-120-101(b)(1)(B), may perform field inspections as of the date of employment, but shall obtain either a commercial or residential certification, or both, in their respective discipline within twelve (12) months of the date of employment. Enacts a new section at Title 68, Chapter 120, Part 1 authorizing local governments, by a majority vote, to adopt an ordinance or resolution allowing the local government to accept electrical inspections, whether residential or commercial, issued by engineers who are registered in accordance with title 62, chapter 2. Also sets out requirements for the local governments and state fire marshal relating to such electrical inspectors and inspections.

Effective May 11, 2023.

Public Chapter 378
SB 280 - HB 328

Tennessee Local Development Authority

Amends Title 4, Chapter 31, Part 5. Enacts the “Tennessee Local Development Authority Public Safety Protection Act of 2023.” Authorizes the Tennessee Local Development Authority to make loans to a county for the acquisition of equipment for a county’s public safety officers or a volunteer fire department’s public safety officers pursuant to a loan agreement between

the county and the authority. These loans must be made from the proceeds of bonds or notes issued by the authority of the state for these purposes. The Act defines equipment as including, but not limited to:

(1) For firefighters, uniforms, fire engines and other vehicles, ladders, hooks, hoses, and all other equipment necessary for containing and extinguishing fires;

(2) For law enforcement officers, uniforms, vehicles, weapons, holsters, handcuffs, restraints, batons, protective gear, and all other equipment necessary for the apprehension of suspects and criminals and the investigation and detection of crime;

(3) For emergency medical services personnel, uniforms, vehicles, stretchers, medical devices, medical supplies, first aid kits, automatic external defibrillators, and all other equipment necessary for the provision of emergency care; and

(4) For emergency communications dispatchers, uniforms, radios, antennas, base stations, call boxes, dispatch consoles, pagers, public safety systems, and all other equipment for the provision of emergency dispatching.

Effective May 11, 2023. Applies to loan agreements executed, amended, or renewed on or after July 1, 2023.

Public Chapter 390

SB 907 - HB 814

Fire Safety for Mobile Food Units

Amends Title 68, Chapter 102, Part 1. Provides that the State Fire Marshal shall create a state fire permit that mobile food units may obtain annually to demonstrate fire safety and electrical code compliance to local governments. A local government must recognize the state fire permit in its jurisdiction and cannot require a mobile food unit with a state fire permit to hold a local fire permit or pass a local fire inspection. Allows the State Fire Marshal to charge a reasonable fee for the permit. Does not prevent a local government from requiring a mobile food unit that does not hold a state fire permit to submit to local fire inspections and to obtain local fire permits; or require a mobile food unit to obtain a state fire permit.

Effective May 11, 2023.

Public Chapter 394

SB 1085 – HB 879

Housing Authorities

Enacts a new subsection at 13-20-104 to provide the conditions under which housing authority-related entities may form a self-insurance pooling arrangement under § 29-20-401.

Effective May 11, 2023.

Public Chapter 398

SB 851 – HB 938

Annexation

Amends 6-51-201 to authorize certain owners of real property used primarily for agricultural purposes who reside in a territory previously annexed by ordinance that was not annexed through a referendum or a request of the property owner to petition the municipality to deannex such property. Also amends 6-51-204 to revise the effective dates upon which

municipal jurisdiction ceases to include a reference to the petitions authorized in 6-51-201.

Effective July 1, 2023.

Public Chapter 418
SB 1532 – HB 1545

Appropriations

Makes appropriations for the fiscal year beginning July 1, 2023, including major investments in school safety, additional K-12 funding, investments for airports, and corrections.

Effective May 16, 2023.

Public Chapter 429
SB 637 – HB 1367

Opioids

Amends 20-13-203 and 33-11-103(p) to add additional companies to the statewide opioid settlement agreement for which the attorney general and reporter has the authority to release pending or future claims. Revises references to "Johnson & Johnson" to "Johnson & Johnson, Allergan Finance, LLC, CVS Health Corporation, Teva Pharmaceutical Industries Ltd., Walgreen Co., Walmart Inc., and K-VA-T Food Stores, Inc.".

Effective May 11, 2023.

Public Chapter 430
SB 648 – HB 1279

Convention Center Facilities

Amends 7-89-102 relating to the purpose of convention center authorities. Amends 7-89-108 to add the comptroller, state treasurer, and secretary of state as non-voting, ex officio members of the board. Also amends 7-89-112 relating to the authorized use of excess tax revenues collected in tourism development zones.

Effective May 11, 2023.

Public Chapter 451
SB 491 - HB 1351

Suits Against Counties for Wrongs of Deputy Sheriffs

Amends 8-8-302 to provide that an action brought pursuant to this section must be filed within one year after the cause of action accrued.

Effective July 1, 2023.

Public Chapter 453
SB 559 – HB 170

Pending Ordinance Doctrine

Enacts a new chapter at Title 29 to declare that the general assembly rejects the pending ordinance doctrine, described by the Tennessee supreme court in its May 14, 2007, opinion in the case of *Harding Academy v. Metropolitan Government of Nashville and Davidson County*, and to declare the doctrine to be contrary to the public policy interests of property owners in this state.

Effective July 1, 2023.

Public Chapter 454
SB 591 - HB 764

Police Advisory and Review Committee

Amends 38-8-301 and 38-8-312. Abolishes community oversight boards and creates police advisory and review committees. Sets forth numerous rules and requirements that must be followed by such committees.

Effective July 1, 2023.

Public Chapter 475
SB 1049 – HB 1077

Food Consumed at Farmers Markets

Enacts new sections at Title 68, Chapter 14, Part 7 to provide conditions under which a vendor at a farmers' market is not required to obtain a license or permit to offer samples for consumption on the premises of the farmers market and to provide for permits, fees and regulations related to farmers market food units.

Effective May 17, 2023, for purposes of promulgating rules and effective January 1, 2024, for all other purposes.

Public Chapter 477
SB 1111 – HB 1380

Mature Minor Doctrine

Enacts a new section at Title 63, Chapter 1, Part 1, and amends 14-4-103 to provide that a healthcare provider shall not provide a vaccination, including a COVID-19 vaccine, to a minor unless the healthcare provider first receives informed consent from a parent or legal guardian of the minor.

Effective May 17, 2023.

Public Chapter 479
SB 1147 – HB 1346

Agenda 21

Enacts a new section at Title 4, Chapter 1, Part 4, to provide that neither the state nor its political subdivisions shall adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to, the United Nations or a subsidiary entity of the United Nations.

Effective May 17, 2023.

COURTS & COURT CLERKS

Public Chapter 20
SB 258 - HB 77

DUI - Ignition Interlock

Amends 55-10-411(h)(2). Adds to the requirements of a functioning ignition interlock that, on a new installation occurring on or after January 1, 2024, it employs global positioning system (GPS) technology that will geotag the motor vehicle's location whenever an initial startup test, a random retest, or a skipped test occurs, or when circumvention of the device is detected. GPS technology cannot be used for continuous tracking of the vehicle.

Effective January 1, 2024.

Public Chapter 22
SB 147 - HB 128

Statute of Limitation

Amends 40-2-101. Increases the statute of limitation for prosecution of official misconduct and destruction of and tampering with governmental records to six years from the date of the offense for offenses committed on or after July 1, 2023.

Effective July 1, 2023.

Public Chapter 43
SB 333 - HB 7058

State Control Numbers on Expunction Orders

Amends 40-32-101 to require expunction orders sent to the TBI to contain the state control number of the person seeking the expunction.

Effective July 1, 2023.

Public Chapter 62
SB 147 - HB 128

Recovery of Costs on Appeal

Amends Title 20, Chapter 12. Adds that recoverable costs on appeal include, but are not limited to, the cost of preparing and transmitting the record; the cost of a transcript of the evidence or proceedings; the cost of producing necessary copies of briefs and the record; premiums paid for bonds to preserve rights pending appeal and costs incurred to obtain such bonds, including the cost of letters of credit or other costs incurred to provide security for such bonds pending appeal; litigation taxes; and any other fees of the appellate court or clerk.

Effective March 23, 2023.

Public Chapter 103
SB 333 - HB 7058

Elder Abuse Notification

Amends 39-15-506 to provide that following a conviction for a violation of 39-15-502, 39-15-507(b) or (c), 39-15-508, 39-15-510, 39-15-511, or 39-15-512, or an attempt to commit any of those offenses, or at the discretion of the court for a conviction of 39-15-507(d), the clerk of the court shall notify (instead of the department of health) the health facilities commission, created by 68-11-1604, of the conviction within ninety (90) calendar days of the date 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.

Effective March 31, 2023.

Public Chapter 124
SB 618 - HB 985

Social Security Numbers in Parenting Plans

Amends 20-6-102 to provide that such section (restricting the filing of certain sensitive personal information) does not apply to parenting plans filed pursuant to Title 36, Chapter 6.

Effective April 4, 2023.

Public Chapter 137
SB 362 - HB 412

Refusal to Submit to Breath/Blood Test Expunction

Amends 40-32-101 to provide that a person who has been charged with an implied consent violation under 55-10-406 may petition the court to have their records expunged, without cost, if the violation was dismissed without cost. A person is not eligible for expunction if, at the time of the offense of the implied consent violation, the person held: (i) a commercial driver license or a commercial learner permit, as defined in 55-50-102, and the offense was committed within a motor vehicle, as defined in 55-50-102; or (ii) any driver license and the offense was committed within a commercial motor vehicle, as defined in 55-50-102.

Effective April 6, 2023.

Public Chapter 147
SB 476 - HB 1253

Witness Expenses

Amends 40-25-129. Revises present law to require the department of correction, through the judicial accountant, to advance or reimburse witness expenses necessary to the prosecution of a criminal case as requested by the district attorney general and approved by the court. In such cases, a determination of indigency is not required; however, the county shall seek to recover the costs of the advance or reimbursement of witness expenses from a convicted defendant.

Effective April 13, 2023.

Public Chapter 226
SB 1320 - HB 1126

Dog Attacks

Amends 44-8-408 to provide that in addition to the other penalties provided by law, a person convicted of a violation in which a dog running at large causes bodily injury, serious bodily injury, death of another, or damage to the property of another must be ordered by the court to make full restitution for all damages that arise out of or are related to the offense, including incidental and consequential damages incurred by the person or property owner.

Effective July 1, 2023.

Public Chapter 241
SB 400 - HB 1186

Juvenile Magistrates

Amends 37-1-107 relative to the hearing available in a juvenile court case heard by a magistrate by changing the right from a de novo hearing by the juvenile court judge to a review by the juvenile court judge with a presumption of correctness as to the magistrate's findings, conclusions, and recommendations.

Effective April 25, 2023.

Public Chapter 253
SB 264 - HB 312

Adoption Records Forwarded to DCS

Amends 36-1-126 to provide that for children not in the custody of DCS, or upon request from DCS for children in the custody of DCS, upon entry of an order granting adoption, the clerk of the court where the adoption

proceeding was initiated or filed shall forward a certified copy of the order to the adoptions unit in the state office of DCS in Nashville.

Amends 36-1-126 relative to the records of dismissed/unsuccessful adoptions.

Effective July 1, 2023.

Public Chapter 263
SB 528 - HB 551

Adoptions

Amends numerous sections relative to adoption proceedings. Including, but not limited to, provisions relative to overturning or collaterally attacking an adoption, reducing the revocation period, grounds for termination, claims from the biological father, kinship foster care placement, etc.

Provides various effective dates.

Public Chapter 264
SB 611 - HB 1106

Transfer from Juvenile Court

Amends 37-1-134 to allow a juvenile court to transfer a juvenile 16 years of age or older to a criminal court of competent jurisdiction to be tried as an adult for committing the offense of escape from a youth development center approved, certified, or licensed by the department of children's services.

Amends 37-5-206 to require the superintendent of the youth development center to notify the district attorney general in the district in which the escape was affected that the escape has occurred and the facts relating thereto.

Effective July 1, 2023.

Public Chapter 293
SB 534 - HB 164

Voluntary Delivery of Infant

Amends 36-1-119 to provide that if the child was voluntarily left at a facility or in a newborn safety device, the child has resided in the home of the petitioners for at least three (3) months, and the court has received the final court report concerning the circumstances of the child and the petitioners and is satisfied that the adoption will be in the best interest of the child, then the court may waive the six-month waiting period after the filing of the adoption petition and may enter an order of adoption.

Amends 36-1-142 to provide that if an infant is abandoned pursuant to 68-11-255, then DCS shall file a petition seeking termination of parental rights within ten (10) calendar days after the ninety-day period established in 36-1-142(d) is completed. The court shall expedite the case and shall ensure that the hearing on the termination petition is heard within thirty (30) days of the date the petition is filed, unless the court determines an extension is in the best interest of the child.

Effective July 1, 2023.

Public Chapter 297
SB 489 - HB 337

Small Estate Probate Act

Amends Title 30, Chapter 4 to enact the Small Estate Probate Act. Provides that whenever a decedent leaves a small estate (value of the probate property does not exceed fifty thousand dollars (\$50,000)), it may be administered in the following manner: (1) After the expiration of forty-five (45) days from the date of the decedent's death, as evidenced by a copy of the decedent's death certificate, provided that no petition for the appointment of a personal representative of the decedent's estate has been filed in that period of time for the decedent's estate, either: (A) One (1) or more of the decedent's competent adult heirs shall file a petition for the issuance of limited letters of administration of a small estate; or (B) If the decedent died testate and it is determined that distribution of the small estate pursuant to the decedent's will is different than distribution by intestate distribution, and it is desired that the small estate be distributed according to the decedent's will, the person named as the personal representative in the decedent's will shall either: (i) File a petition for the probate of the decedent's will as a muniment of title to the property of the decedent pursuant to 32-2-111 and for the issuance of limited letters testamentary of a small estate; or (ii) File the original of the decedent's will together with affidavits of the attesting witnesses or the affidavits of the two (2) disinterested persons attesting to the decedent's handwriting, if the decedent's will is holographic, with the clerk who shall record the will and affidavits. The recording of the decedent's will, and accompanying affidavits is deemed sufficient to probate the decedent's will for the purposes of this Chapter 4.

Amends numerous other provisions relative to small estates (applications for letters of administration; mandatory bond requirement and exceptions; clerk fees; no notice to creditors nor permitted claims; discharge; form for issuance of limited letters of administration or testamentary; notice to persons indebted or having possession of property of the estate; and conversion into probate administration).

Effective April 28, 2023.

Public Chapter 298
SB 478 - HB 338

Notifications by Personal Representatives

Amends 30-2-301 to allow copies of a will, paragraphs of a will, or letters of administration sent pursuant to 30-2-301(b) to be sent by first class mail, electronic mail, or personal delivery.

Effective July 1, 2023.

Public Chapter 315
SB 1068 - HB 1000

Illegal Voting

Amends 40-32-101 to allow an individual to petition for the expunction of a conviction for illegal registration or voting.

Effective July 1, 2023.

Public Chapter 318
SB 963 - HB 1081

Enhancement Factors

Amends 40-35-114 to add to the current list of advisory factors that a court shall consider, but is not bound by, in determining whether to enhance a defendant's sentence whether the defendant committed an assaultive offense, criminal homicide, kidnapping, false imprisonment, robbery, or a sexual offense while engaged in the performance of official duties as a law enforcement officer.

Effective July 1, 2023.

Public Chapter 329
SB 13 - HB 26

Fine Stays

Amends 40-24-101 to provide that upon request by an individual on a payment or installment plan with the court clerk, the court clerk shall not require an individual to pay any outstanding court-assessed fines, fees, taxes, or costs arising from a criminal proceeding during the one-hundred-eighty-day period following the individual's release from a term of imprisonment sentence of one (1) year or more for a felony offense. If otherwise unavailable to the court, the individual shall provide documentation of the individual's release date when making this request. Provides this provision does not apply to restitution owed to a victim. Provides this provision does not apply to fines, fees, taxes, or costs that have been sent to a collection agency per 40-24-105(d).

Effective May 5, 2023.

Public Chapter 330
SB 19 - HB 1359

Prosecutions Abated by Death

Amends 40-32-101 to provide that a personal representative of a decedent may file a petition for expunction of records related to a charge that has been abated by the death of the decedent.

Effective May 5, 2023.

Public Chapter 334
SB 183 - HB 398

Juvenile Torturing Dogs/Cats

Amends 39-14-212 to require a psychiatric evaluation and treatment for any child adjudicated delinquent for intentionally torturing a domestic dog or cat.

Effective July 1, 2023.

Public Chapter 362
SB 932 - HB 830

Admission to Bail

Amends 40-11-115 and 116. A person charged with a Class A or Class B felony, aggravated assault, aggravated assault against a first responder, or domestic assault is prohibited from being released on their own recognizance without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges.

Effective July 1, 2023.

Public Chapter 363
SB 921 - HB 885

Termination of Parental Rights

Amends numerous sections relative to adoption and placement of children. Including, but not limited to, provisions relative to abandonment, court ordered home studies, termination of parental rights, adoption petitions, child's consent to adoption, visitation after adoption, proving abuse, removing a child from the custody of prospective adoptive parents, putative fathers, and grounds to initiate termination.

Effective May 5, 2023.

Public Chapter 366
SB 880 - HB 1225

Child Support Violations

Amends 36-5-104 to provide that if an individual fails to comply with the order or decree of support and maintenance for a minor child then the court has the discretion to: (1) Require the obligor to remove litter from the state highway system, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of or in addition to any of the penalties otherwise provided. An obligor sentenced to remove litter from the state highway system, public playgrounds, public parks, or other appropriate locations or to work in a recycling center must be allowed to do so at a time other than the obligor's regular hours of employment; and (2) Order the department of safety to issue the obligor a restricted driver license as the court deems appropriate.

Effective May 5, 2023.

Public Chapter 370
SB 1218 - HB 100

Litigation Taxes in Adoption Cases

Amends 67-4-604 to exempt adoption proceedings from the state litigation tax. Amends 67-1-602 to clarify that counties continue to have the authority to levy a local litigation tax on adoption proceedings.

Effective July 1, 2023.

Public Chapter 373
SB 535 - HB 163

Abandonment

Amends 36-1-102 to revise the definition of what constitutes abandonment for the purposes of terminating parental or guardian rights in order to make a child available for adoption.

Effective July 1, 2023.

Public Chapter 393
SB 919 - HB 854

Parental Rights Hearings

Amends 36-1-113 relative to hearings regarding terminating parental rights. Amends 36-1-117 relative to the parental rights of the putative father.

Effective May 11, 2023.

Public Chapter 396
SB 1420 - HB 905

Additional Courts

Amends 16-2-506 to create an additional criminal court in the 13th judicial district, an additional circuit court in the 19th judicial district, and an additional circuit court in the 22nd judicial district.

Effective May 11, 2023.

EDUCATION

Public Chapter 206
SB 980 – HB 1086

Schools, Charter

Amends 49-13-107 to add governing body or charter management organization as an operator of a charter school.

Amends 49-13-110 to provide that if an LEA's local board of education changes the grade bands for LEA schools as defined in 49-6-301, then the local board of education shall notify each public charter school at least 120 days before the grade band changes are implemented to allow the public charter school time to seek an amendment to the charter school's charter agreement.

Amends 49-13-113 to provide that a charter school authorized by the commission is open to students residing within the geographic boundaries of the LEA in which the charter school is located. If the charter school's authorizer has a policy allowing out-of-district enrollment, then the public charter school may enroll students outside the district, but total enrollment of out-of-district students shall not exceed 25% of the charter school's total enrollment. State school funds must follow into the LEA to which the student transfers. Tuition may be charged by the LEA in which the public charter school is located to which a student transfers, as provided in 49-6-3003.

Amends 49-13-113(d) by providing that a public charter school may give enrollment preference to students who are economically disadvantaged, as defined in 49-3-104. A public charter school may give enrollment preference to children of the public charter school's employees and or children of the public charter school's governing body, not to exceed 10% of total enrollment.

Amends 49-13-122 by adding the requirement that each authorizer, by August 1, 2023, adopt a progressive intervention policy that sets out the process for charter school intervention if the public charter school meets the criteria for revocation, is not in compliance with the charter agreement, or if the public charter school is not in compliance with the Tennessee Charter Schools Act of 2002. The progressive intervention policy must be followed except in emergency situations.

Effective April 24, 2023.

Public Chapter 343
SB 906 – HB 1357

LEAs and Teacher's Pay

Amends 49-5-714 to provide that if a teacher is absent from work due to a personal injury caused by a violent assault committed during the teacher's employment activities, the LEA shall continue to pay the teacher's full salary and benefits until the teacher is released by the teacher's physician to return to work or is determined to be permanently and totally disabled from returning to work. If the teacher is eligible for workers' compensation or similar type benefits, the teacher must file a claim for those benefits. The LEA must pay the difference between the teacher's full salary and the workers' compensation or similar benefits received. A teacher shall not receive more than the teacher's full salary and benefits while on leave. A leave of absence for personal injury resulting from an assault or other violent criminal act shall not be charged against to the teacher's sick leave, personal leave, or professional leave. An LEA is not required to pay the full salary or full benefits, or the difference between full salary and benefits and workers' compensation under this section for more than one year. This law does not supersede any policy, benefits package, or contract that provides greater benefits of leave for teachers injured in the course of employment activities.

Effective July 1, 2023.

Public Chapter 367
SB 274 - HB 322

School Safety and School Safety Plans

Amends 49-6-802. Replaces the Commissioner of Education with the Commissioner of Safety as the person responsible for establishing a state-level safety team to assist LEAs and schools in preparing their district-level safety plans and building-level emergency response plans.

Amends 49-6-804. Safety plans and security systems.

Requires each LEA, and to the extent applicable, each public charter school, to adopt a comprehensive district-wide school safety plan and building-level school safety plans regarding crisis intervention, emergency response, and emergency management.

The plans must be developed by a district-wide school safety team and a building-level school safety team established pursuant to this part and must follow the template developed by the state-level safety team. Each district-wide school safety team and building-level school safety team shall consider including in the district-wide school safety plan or building-level school safety plan the implementation of a mobile panic alert system that is capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responder agencies and that integrates with local public safety answering point infrastructure to transmit 911 calls and mobile activations. An LEA or public charter school having only one school building shall develop a single building-level school safety plan, which must also fulfill all requirements for the development of a district-wide plan. Each LEA and public charter school must review each of the plans it adopts annually.

Each private school and each church-related school must adopt a building level school safety plan regarding crisis intervention, emergency response, and emergency management. Each private school and each church-related school must review its plan annually. By October 1, 2023, and by each October 1 thereafter, each private school and each church-related school must provide the school's building-level school safety plan to each local law enforcement agency with jurisdiction, as well as any law enforcement agency or other emergency response organization participating in an armed intruder drill under 49-6-807.

Meetings concerning school security, the district-wide school safety plans, or the building-level school safety plans shall not be subject to the open meetings laws. Though closed to the general public, reasonable notice must be provided to the general public prior to such a meeting held by an LEA or a public charter school. The local board of education or public charter school governing body shall not discuss or deliberate on any issues or subjects other than school security or the school safety plans adopted pursuant to this section during such a meeting.

By July 1, 2023, and by each July 1 thereafter, each LEA and public charter school shall provide the following to each local law enforcement agency with jurisdiction, the department of education, and the department of safety:

- (1) The LEA's, and to the extent applicable, the public charter schools, district-wide school safety plan;
- (2) The building-level school safety plan for each school in the LEA or each public charter school; and
- (3) The floor plans for all school buildings within the LEA or used by the public charter school.

Each LEA and public charter school shall also provide the school safety plans to a law enforcement agency or other emergency response organization participating in an armed intruder drill under 49-6-807.

Upon the request of a local law enforcement agency with jurisdiction, the department of education, or the department of safety, the LEA or public charter school shall provide any other plans, information, or records regarding school security.

During a drill or in an emergency situation, each LEA or public charter school shall, to the greatest extent practicable, provide a responding law enforcement agency with access to security systems that may be required for the law enforcement agency's response.

Amends 49-6-805. Requires the template prepared by the state-level safety team include as a component policies and procedures to ensure that all individuals providing direct services to students or school staff in response to a school crisis have received the appropriate background checks in compliance with state law.

Amends 49-6-807 adding requirements for annual armed intruder drills; incident command drills; and emergency safety bus drills.

Adds 49-6-817. Among other things, requires school building entrances and exterior doors to be locked or continuously monitored by a school employee who is physically present at the door. Authorizes state and local law enforcement personnel to inspect doors serving as an entrance to, or exit from, an LEA or public charter school building to determine whether the door is locked as required. Requires law enforcement to report finding unlocked doors to (1) The LEA's director of schools or the leader of the public charter school; (2) The chair of the local board of education or public charter school governing body; (3) The head of the parent-teacher organization for the LEA or public charter school, if any; (4) The school principal; (5) The department of safety; (6) The department of education; and (7) Each local law enforcement agency with jurisdiction.

Adds 49-6-818 adding requirements for school buildings constructed or remodeled after July 1, 2023.

Amends 49-6-4302 to require the department of safety, in collaboration with the department of education, to develop a school security assessment for use in Tennessee public schools. The departments must provide training to local law enforcement agencies and school administrators on the use of the school security assessment to identify school security vulnerabilities.

Amends 10-7-504 to provide that all school security reports, memoranda, plans, notes, threats, and procedures, including drafts that are incorporated in reports created or received by the department of safety, must be treated as confidential and shall not be open for inspection by members of the public. Provides that this shall not be construed to limit access to those records by law enforcement agencies, courts, or other governmental agencies performing official functions.

Amends various sections of Title 62, Chapter 35 dealing with private protective services.

For purposes of promulgating rules, this act takes effect on May 10, 2023. For all other purposes, this act takes effect on July 1, 2023.

Public Chapter 399
SB 1458 – HB 983

Paid Leave for Teachers, Principals, and School Personnel

Amends Title 8, Chapter 50, Part 8 by adding a new section. Provides eligible employees of an LEA with six weeks of paid leave after the birth, stillbirth, or adoption of a child upon the employee giving at least 30 days advance notice to the LEA. Employees using leave under this section shall not be required to use sick, annual, or similar leave, but this leave will be counted towards an employee's FMLA leave. No more than six weeks of paid leave will be granted pursuant to this section within a 12-month period. The leave granted under

this section does not need to be taken consecutively as long as the leave is used within a 12-month period. The state shall reimburse an LEA that provides paid leave pursuant to this section in an amount equal to leave paid by the LEA under this section.

Effective May 11, 2023.

Public Chapter 438
SB 102 – HB 158

Implicit Bias Training

Amends Title 49 relative to implicit bias training. Prohibits an LEA, public charter school, public institution of higher education, the state board of education, and the department of education from requiring an employee of an LEA, charter school, or public institution of higher education to participate in implicit bias training. Prohibits an LEA, public charter school, or public institution of higher education from taking any adverse action against employees who refuse to participate in implicit bias training.

Effective May 17, 2023.

Public Chapter 448
SB 466 – HB 1269

Use of Pronouns by Teachers and School Personnel

Amends Title 49, Chapter 6, Part 51 by adding a new section. Provides that a teacher of a public school or LEA is not 1) required to use a student's preferred pronoun when the student's preferred pronoun is not consistent with the student's biological sex; 2) civilly liable for using a pronoun that is consistent with a student's biological sex; and 3) subject to any adverse employment actions for not using the student's preferred pronoun if the student's preferred pronoun is not consistent with the student's biological sex. A public school or LEA is not civilly liable if a teacher or employee refers to a student using a pronoun that is not consistent with the student's biological sex, even if the pronoun is not the student's preferred pronoun.

Effective May 17, 2023.

ELECTIONS

Public Chapter 59
SB 865 - HB 486

Political Campaign Committees

Amends TCA 2-10-105 to provide that each political campaign committee for a local election or candidate shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of the committee.

Amends TCA 2-10-108 to provide that sworn complaints on statements a local political campaign committee must be filed in the office of the registry of election finance.

Effective July 1, 2023.

Public Chapter 108
SB 160 - HB 183

Campaign Finance

Amends numerous sections relative to campaign finance, including, but not limited to, provisions related to transfers of funds or assets from a candidate's campaign account or a political action committee controlled by a candidate for a federal election to a candidate's campaign account or a political campaign committee controlled by the candidate for the candidate in an election for a state or local public office. Amends definition of "political campaign committee." Amends provisions relative to campaign accounts, campaign funds, campaign contributions, penalties imposed for violations and sworn complaints relative to statements filed regarding an election.

Provides various effective dates.

Public Chapter 204
SB 854 - HB 882

Recounts

Amends 2-8-116 to allow a candidate to request a list of all voters who changed their residential address to vote under 2-7-140, upon demand and payment of the regular legal fee.

Amends 2-17-117 to require recounts include the verification of any address of residence changed by a voter under 2-7-140 in such election.

Effective April 24, 2023.

Public Chapter 262
SB 477 - HB 632

Convenient Voting Centers

Amends 2-3-302 to remove a restriction on the county election commissions allowed under the statute to create convenient voting centers to only use them for federal, state, and local elections held in 2022.

Effective April 28, 2023.

Public Chapter 317
SB 760 - HB 1039

Reapportionment

Amends 2-3-102 to provide that after each decennial reapportionment, the state coordinator of elections shall submit a list of registered voters that has been submitted by each county to the comptroller of the treasury. The comptroller of the treasury shall compare the list of registered voters received to the comptroller's geographic information system data to ensure that registered voters have been assigned to the correct congressional, state house, state senate, and county governing body districts.

Effective April 28, 2023.

Public Chapter 346
SB 1007 - HB 1254

Computerized Voter Lists

Amends 2-7-112 to provide that the county election commission shall use either a computerized voter signature list or an electronic poll book that has been approved for use by the coordinator of elections. A computerized voter signature list must include the voter's name, current address of residence, voter identification number, birth date, and a space for the voter's signature, elections voted, application or ballot stub number, or both, and the precinct

registrar's initials. The electronic poll book must contain the same information as on the computerized voter signature list in an electronic format and provide a place on its screen for the precinct registrar to record elections voted, application or ballot stub number, or both, the precinct registrar's initials, and the voter's signature. If a place for the voter's signature is not available on the electronic poll book screen, the voter shall sign the printed application.

Deletes provision that allowed each state primary board to prescribe a color for its party's primary ballots.

Effective May 5, 2023.

Public Chapter 444
SB 346 – HB 933

High School Seniors

Amends 2-2-11 to require each high school to inform a senior upon reaching 18 that the student may be eligible to vote and provide them information about registering.

Effective May 17, 2023.

Public Chapter 473
SB 978 – HB 828

Primary Election Warnings

Amends 2-7-115 to require the officer of elections to post at each polling place a sign warning that it is a violation of the law and punishable as a crime to vote in a political party's primary without being a bona fide member of or affiliated with that political party, or to declare allegiance to that party without the intent to affiliate with that party.

Effective May 17, 2023.

EMERGENCY SERVICES

Public Chapter 101
SB 984 - HB 893

Assessment on Ambulance Service Providers

Amends 71-5-1504. Makes changes to the methodology used to calculate the assessment and extends the ground ambulance service annual assessment to June 30, 2024.

Effective July 1, 2023.

Public Chapter 372
SB 457 - HB 155

EMS Personnel Pay Supplement

Amends Title 68, Chapter 140, Part 3. Provides an \$800.00 salary supplement for full-time emergency medical services personnel who successfully complete 40 hours of annual in-service training appropriate to the emergency medical services personnel's rank and responsibility.

Effective January 1, 2024.

Public Chapter 465
SB 856 - HB 976

Firefighters - "James 'Dustin' Samples Act"

Amends Title 7, Chapter 51, Part 2 to enact the "James 'Dustin' Samples Act." Provides if a firefighter is diagnosed with post-traumatic stress disorder by a mental health professional as a result of responding to one or more incidents with at least one of the listed factors, then the injury is presumed to have been incurred in the line of duty and is compensable under the Workers' Compensation Law, compiled in Title 50, Chapter 6, unless it is shown by a preponderance of the evidence that the post-traumatic stress disorder was caused by non-service-connected risk factors or non-service-connected exposure. Defines "firefighter" as a regular or full-time, paid employee of the fire department of a municipality, county, municipal form of government, or other political subdivision of this state whose duties require the employee to actively engage in fire suppression, rescue services, or other emergency response tasks.

Amends Title 50, Chapter 6, Part 1, by adding a new section which requires the Department of Labor and Workforce Development to establish and administer a grant program to mitigate the costs to an employer of providing workers' compensation for firefighters diagnosed with posttraumatic stress disorder by a mental health professional. This law is repealed December 31, 2028.

Effective January 1, 2024.

ENVIRONMENT

Public Chapter 86
SB 271 - HB 319

Brownfields

Amends numerous sections to removes various present law qualifications that limit the location of brownfield redevelopment projects to economically disadvantaged areas and urban areas so that all brownfield sites may be considered for redevelopment projects. Expands the definition of brownfield sites to include property that has been the subject of mitigation as a brownfield project. Expands list of qualified costs on which brownfield redevelopment funds may be spent.

Effective July 1, 2023.

FIREARMS

Public Chapter 149
SB 515 - HB 723

Handguns on College Campus

Amends 39-17-1309. Expands employees allowed to carry a handgun on property owned, operated, or controlled by a public institution of higher education to include all faculty, staff, and other persons who: (1) Are retired federal, state, or local law enforcement officers; (2) Served as a federal, state, or local law enforcement officer for at least twenty years prior to retirement; (3) Retired in good standing as certified by the chief law enforcement officer

of the organization from which the officer retired; and (4) Are employed on a part-time basis by a public institution of higher education.

Effective July 1, 2023.

HIGHWAYS

Public Chapter 159 SB 273 - HB 321

Transportation Modernization Act of 2023

Amends various sections at Title 54, Chapter 1, relative to TDOT procurement and construction practices. Enacts a new part at Title 54, Chapter 2, Part 2 to establish the transportation modernization fund, which includes \$300 million in grants for local governments. Provides that use of such grants cannot supplant local dollars. Revises sections in Title 54, Chapter 3, relative to user fee facilities. Amends 55-4-116 to increase electric vehicle fees. Also amends 12-2-112 relative to conveyance of surplus state land.

Effective April 17, 2023.

Public Chapter 224 SB 782 – HB 798

Underground Utility Damage Enforcement Board

Amends 65-31-114 to add two additional members to the executive committee.

Effective April 25, 2023.

Public Chapter 274 SB 952 – HB 802

Underground Utility Damage Prevention Act

Amends 65-31-102 to add definitions for “electronic white lining” and “hand digging” and to revise the definition of “excavate or excavation.” Amends 65-31-106 to authorize the use of electronic white lining to mark areas of excavation or demolition and to add a new subdivision (e), which provides certain exemptions to the notice requirements in that section. Also amends 65-31-107 to authorize the one call service to collect data concerning notice issues related to excavation projects encompassing more than two thousand feet (2,000') within a contiguous geographical area, or that will take more than ninety (90) days to complete. Authorizes the one-call service to utilize such data to recommend alternatives to the board that would alleviate the number of repeated additional notices required on such excavation projects by 65-31-106.

Effective April 28, 2023.

Public Chapter 287 SB 1357 – HB 616

Transportation of Logs or Pulpwood

Amends 55-9-405 to require certain lights and flags on a motor vehicle or trailer transporting a load of logs or pulpwood that protrudes at least four feet (4') beyond the end of the body or bed of the motor vehicle or trailer.

Effective October 1, 2023.

JAILS

Public Chapter 240

SB 923 - HB 910

Residency Requirements

Amends 8-50-107(d)(2)(A) to provide that a local government shall not dismiss, discipline, fine, or penalize a jailer or correctional officer employed by a local government, or deny employment to a person applying to be a jailer or correctional officer, based on where the jailer or correctional officer or person applying to be a jailer or correctional officer resides.

Effective April 25, 2023.

Public Chapter 301

SB 562 - HB 452

Inmates – Electronic Monitoring

Amends Title 41, Chapter 2 to provide that, except as otherwise provided, beginning January 1, 2024, a prisoner of a county workhouse or jail who is released from custody on work release or otherwise allowed to leave the grounds of the county workhouse or jail for employment or to perform work in the community, whether the work is paid or unpaid, must use an electronic monitoring device at all times when the prisoner is not on the grounds of the county workhouse or jail. The entity employing the prisoner or utilizing the prisoner for work shall pay the costs of the electronic monitoring device. This requirement does not apply if the prisoner, at all times while not on the grounds of the county workhouse or jail: (1) Is supervised by an armed law enforcement or corrections officer; and (2) Remains in the direct eyesight of an armed law enforcement or corrections officer.

Effective April 28, 2023.

Public Chapter 347

SB 1056 - HB 1459

Report of Offenses Committed in Jail/Workhouse

Enacts 39-16-202. Requires the jail administrator, workhouse superintendent, or the officer in charge of the jail or workhouse, who knows that a listed offense has occurred within the jail or workhouse shall report the offense to the district attorney general for the judicial district in which the penal institution is located and the district attorney general who prosecuted the offense for which the offender is incarcerated within 5 business days of becoming aware of the offense being committed. The listed offenses are as follows: aggravated assault, first degree murder, second degree murder, voluntary manslaughter, criminally negligent homicide, aggravated rape, rape, aggravated sexual battery, sexual battery, indecent exposure. The failure to report is a Class A misdemeanor.

Effective July 1, 2023.

Public Chapter 416

SB 1349 - HB 1444

Release Eligibility Status — Calculations

Amends 40-35-501, by adding the following: Notwithstanding this section to the contrary, there is no release eligibility for a person committing the offense of vehicular homicide, as defined in 39-13-213, and leaving the scene

of the accident, as defined in 55-10-101 (a), on or after July 1, 2023. The person shall serve 100% of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person shall be permitted to earn any credits for which the person is eligible, and the credits may be used for the purpose of increased privileges, reduced security classification, or for a purpose other than the reduction of the sentence imposed by the court.

Effective July 1, 2023.

Public Chapter 427
SB 496 - HB 385

Sentence Reduction Credits – State Inmates

Amends 41-21-236(e). Provides that sentence reduction credits for good institutional behavior as authorized by this section may also be awarded to all convicted felons for the time incarcerated prior to the imposition of sentence. The total credit that a convicted felon may receive is calculated by determining the number of days actually served in jail prior to imposition of sentence and by adding to that number the sentence reduction credits awarded for good institutional behavior, if any, based upon the number of days served.

The sentence reduction credits for convicted felons may be awarded at the rate of 8 days for each month served prior to imposition of sentence. In order to award these credits, the superintendent or jail administrator must provide the department with written documentation evidencing the inmate's good institutional behavior and stating the number of sentence reduction credits, if any, the felon should be awarded. The department shall award the number of sentence reduction credits recommended in the superintendent's or jail administrator's written documentation.

A convicted felon does not have a right to these credits or a right to appeal the superintendent's or jail administrator's determination concerning the number of sentence reduction credits a particular felon should be awarded.

Effective July 1, 2023.

Public Chapter 458
SB 806 - HB 1476

Sentence Reduction Credits – State Inmates

Amends 41-21-236(a). Provides that the criteria established by the department for awarding credits for good institutional behavior pursuant to this subsection must include a requirement that the inmate complete a department-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. The department is responsible for administering the risk and needs assessment to an inmate, regardless of where the inmate is housed, unless the local jail is administering the risk and needs assessment pursuant to 41-8-106.

Effective July 1, 2023.

Public Chapter 469
SB 927 - HB 1484

Inmate Medical

Amends 41-4-115(a). Provides that the county legislative bodies alone have the power, and it is their duty, to provide medical care for all prisoners confined in the jail in their respective counties, except for federally or state funded medication for HIV positive patients pursuant to subsection (h). The county legislative bodies shall allow the county jail physician such compensation, to be paid by their respective counties, as may be fixed by the county legislative body agreed upon in writing between the county and the attending jail physician or as may be fixed by the county legislative body.

Amends 41-4-115(h). Provides that notwithstanding subsection (a), subject to the availability of federal or state funds and the satisfaction of requirements for use of such federal or state funds, the department of health may use federal or state funding for the payment of medication for inmates who are HIV positive.

Effective May 17, 2023.

Public Chapter 483
SB 1274 - HB 1270

Community Corrections

Amends 40-36-103(1) to establish a mechanism for using state funds to contract with local governments and qualified private entities to develop community-based alternatives to incarceration that provide a treatment-centered pathway and community-based supervision for offenders, thereby reserving state penal institution, local jail, or workhouse bed space for other offenders.

Amends 40-36-106(e) to prevent the Department of Correction, or any other state agency, from penalizing financially or otherwise, an organization under contract with a governmental entity for providing a service when the judge sentences a person to be supervised by the organization under contract with a governmental entity.

Effective June 30, 2023.

LAW ENFORCEMENT

Public Chapter 27
SB 265 - HB 313

Law Enforcement Officer Qualifications

Amends 38-8-107. Requires the POST commission to evaluate the qualifications of a person certified as a law enforcement officer in another state by reviewing the person's training in the other state, practical experience in law enforcement, and education. After evaluating the person's training, experience, and education, the commission may issue a certificate if the person has satisfactorily complied with all other requirements of this chapter. The commission shall not issue a certificate or otherwise certify a person who is decertified in another state if the person's decertification is the result of criminal or other misconduct. Prior to requesting certification for a

person, an employing agency must complete a check of the National Decertification Index, or other database, as part of a thorough investigation conducted by the employing agency.

Effective March 10, 2023.

Public Chapter 41
SB 256 - HB 75

Drug Overdose - Immunity from Prosecution

Amends 63-1-156(b). Adds immunity from being arrested, charged, or prosecuted may be applied for by a person who experiences subsequent drug overdoses at the discretion of the responding law enforcement officer or the district attorney general's office.

Effective July 1, 2023.

Public Chapter 65
SB 514 - HB 724

Constables - Psychological Test

Amends 8-10-102(b). Adds that a person seeking the office of constable shall file with the county election commission a letter from a psychologist licensed in this state who has conducted a cognitive and psychological test on the candidate stating that the candidate is mentally and cognitively fit to perform the duties of a constable. In the event that the candidate seeks election to the office of constable by the county legislative body to fill a vacancy in office, the same letter must be filed with the county clerk prior to the election.

Effective July 1, 2023.

Public Chapter 87
SB 315 - HB 1456

SROs in Private Schools

Amends Title 49, Chapter 6, Part 42. Notwithstanding another law to the contrary, a county or municipality may enter into a contract or memorandum of understanding with a nonpublic school authorizing the county's or municipality's law enforcement agency to provide school resource officers to the nonpublic school.

Effective March 31, 2023.

Public Chapter 138
SB 449 - HB 522

Protection Details

Amends Title 4, Chapter 7, Part 1. If the commissioner of safety or the governor has assigned a protection detail for purposes of protecting or escorting a person when required for security, threat assessments, or safety precautions for the prison or general welfare of the public, then the following is authorized: (1) Officers of the Tennessee highway patrol may utilize their agency's vehicles and emergency equipment for purposes of carrying out its duties under the assigned protection detail; and (2) Officers of local law enforcement agencies may utilize their local law enforcement agency's vehicles and emergency equipment for purposes of assisting the Tennessee highway patrol in carrying out its duties under the assigned protection detail. Also requires that operators of emergency vehicles utilized in a protection

detail must be adequately trained for such operation and may operate such vehicles exercising the privileges set forth in § 55-8-108.

Effective April 6, 2023.

Public Chapter 139
SB 419 - HB 557

Child Forensic Interviews

Amends 24-7-123 and 37-1-127. Expands the admissibility of a forensic interview to include statements made by a child under 18 years of age rather than under 13 years of age and expands the content of statements made by a child during forensic interviews.

Effective April 6, 2023.

Public Chapter 193
SB 439 - HB 445

Use of Surveillance Cameras on Interstate Highways

Amends 55-8-198(f). Provides that in accordance with applicable state and federal laws governing the use or management of highway rights-of-way and subject to the approval of the Federal Highway Administration as required by federal law, the Department of Transportation is authorized, but not required, to permit the installation of surveillance cameras operated by law enforcement agencies on federal interstate highways and state roads as a non-highway use of the highway right-of-way for the purpose of aiding in criminal investigations or searches for missing or endangered persons to the extent that such use is consistent with the continued use, operations, maintenance, and safety of the highway facility and does not interfere with the free and safe flow of traffic; provided, that these cameras shall not be used to enforce or monitor state or local traffic violations or issue citations for such violations. Prior to the installation and operation of a surveillance camera by a local law enforcement agency, the local law enforcement agency shall seek approval from the Department of Transportation. The local law enforcement agency must demonstrate compliance with a list of statutory requirements.

Effective July 1, 2023.

Public Chapter 212
SB 22 - HB 415

Adult Sexual Assault Response Teams

Enacts the "Sexual Assault Response Team Act." Among other things requires, by January 1, 2024, that each local law enforcement agency must begin collaboration between existing law enforcement agency resources and available community resources as an adult sexual assault response team (SART), which will assist in identifying gaps in service and improving response systems for sexual assault involving adult victims that occur within the agency's jurisdiction. A team may meet, in person or by telephone or virtual means, periodically as needed.

Effective April 25, 2023.

Public Chapter 243
SB 1318 - HB 1198

Silas Gable Flatt Law

Enacts the “Silas Gable Flatt Law.” Makes it is an offense for a person to knowingly provide a motor vehicle to another person who the provider of the vehicle knows or reasonably should know is under the influence of an intoxicant, marijuana, controlled substance, controlled substance analogue, drug, substance affecting the central nervous system, or combination thereof.

Effective July 1, 2023.

Public Chapter 249
SB 14 - HB 24

Sexual Assault Evidence Collection Kits

Amends 38-6-113 to provide that until January 1, 2025, the Tennessee bureau of investigation must provide quarterly updates on the bureau’s efforts to hire and train employees within the forensic services division and the average amount of time taken to perform forensic analysis on evidence in cases involving offenses under Title 39, Chapter 13, Part 5, to the judiciary committee of the senate and the criminal justice committee of the house of representatives.

By January 1, 2025, the bureau must submit a report to the judiciary and finance, ways and means committees of the senate and the criminal justice and finance, ways, and means committees of the house of representatives detailing any additional resources and personnel that would be required in order to perform forensic analysis on evidence in cases involving offenses under Title 39, Chapter 13, Part 5, within 60 days of the bureau’s receipt of the evidence from a law enforcement agency.

Effective April 28, 2023.

Public Chapter 260
SB 418 - HB 1022

Failure to Appear – Criminal History

Amends 40-11-139 to provide that if a court issues a bench warrant due to a defendant’s failure to appear on a felony or on a Class A or Class B misdemeanor that is violent or sexual in nature as determined by the court, or if a defendant is charged with a failure to appear, then the defendant shall be placed on any available state or federal list or database as a fugitive from justice, without limitation, within ten days of the defendant’s failure to appear. A surety is not liable for any undertaking if the defendant has not been placed on such a database within the time required by law. The surety is only responsible for costs in accordance with 40-11-201.

Amends 40-11-142 to expand the officer’s and the officer’s agency’s duty to exercise due diligence in determining the existence of any prior arrest or conviction, after an officer arrests a person, but prior to the determination of bail for the arrest offense by the judge or magistrate. Requires that the results of the investigation be made a part of the person’s law enforcement file.

Effective July 1, 2023.

Public Chapter 326
SB 1019 - HB 1492

Drones

Amends Title 38, Chapter 8, Part 1. By January 1, 2024, except as otherwise provided, each law enforcement agency shall develop and enforce a policy that prohibits an officer from using a drone or other substantially similar device as a weapon under any circumstances while in the exercise of the officer's official duties. A law enforcement agency shall permit an officer qualified to operate a drone to utilize a drone or a substantially similar device for the purpose of remotely detonating a bomb or similar incendiary or explosive device.

Effective April 28, 2023.

Public Chapter 335
SB 195 – HB 472

Animal Cruelty

Amends 39-14-202(a) to revise the requirements relating to the provision of shelter for dogs living primarily outside.

Effective July 1, 2023.

Public Chapter 354
SB 201 - HB 92

Jabari Bailey Highway Safety Act

Amends 55-8-132. Enacts the "Jabari Bailey Highway Safety Act.". Requires drivers to change lanes or reduce speed upon approaching a stationary vehicle that has flashing hazard lights activated. Increases fines for failing to change lanes or reduce speed upon approaching a stationary emergency, police, recovery, highway maintenance, solid waste, utility service, or other vehicle that has flashing lights activated.

Effective July 1, 2023.

Public Chapter 365
SB 1491 - HB 1013

Criminal Offenses – Definitions & Assault Offense

Amends 39-11-106(a)(24). Clarifies that a sheriff and sheriff's deputy are law enforcement officers for purposes of the criminal code.

Amends 39-13-116(d)(1)(B). Adds deputy jailer to the list of persons who are considered first responders for the purposes of enhancement of the crime of assault against first responder.

Effective July 1, 2023.

Public Chapter 383
SB 720 - HB 458

Boating Under the Influence

Amends 69-9-217. Makes numerous changes to the statute. Among other things, Provides that, except as may be required by a search warrant or other court order, if the person placed under arrest is requested by a law enforcement officer to submit to one or more tests for the purpose of determining the alcoholic or drug content of the person's blood, including, but not limited to, one or more breath tests or blood tests, or both types of tests, advised of the consequences for refusing to do so, and refuses to submit, then the operator shall be charged with a violation of the statute.

This does not prohibit a law enforcement officer from seeking a search warrant or court order for one or more breath tests or blood tests, or both types of tests.

Amends 69-9-219. Makes extensive changes to the penalties for a violation of BUI statute.

Effective July 1, 2023.

Public Chapter 387
SB 606 - HB 706

Reemployment After Retirement

Amends Title 8, Chapter 36, Part 8, by adding the following new section which provides that within a one-year period, a retiree who is reemployed in a position covered by the Tennessee consolidated retirement system pursuant to this part must not: (1) switch from one reemployment provision under this part to another; or (2) simultaneously be reemployed under more than one reemployment provision under this part.

Amends 8-36-809. Rewrites the statute. Provides that a retired member of the TCRS or a superseded system, or a local retirement fund established pursuant to Title 8, Chapter 35, Part 3, may be reemployed in a position covered by the retirement system as a law enforcement officer without the loss or suspension of the retired member's TCRS benefits, provided that the following conditions are met:

- (1) The retired member, as of the date of reemployment, must have successfully completed annual training required by Title 38, Chapter 8, Part 1, and as required by the POST commission;
- (2) The retired member is not reemployed until the expiration of at least 60 calendar days from the member's effective date of retirement;
- (3) During the reemployment, the retirement benefit payable to the retired member must be reduced to 70% of the retirement allowance the member would have otherwise been entitled to receive;
- (4) The retired member's reemployment must not exceed one year; provided, that the retired member may be reemployed for additional one-year periods if the conditions contained in this section are met for each period of reemployment;
- (5) To fund the liability created by this section, the retired member's new employer shall pay to the TCRS during each period of reemployment the greater of:
 - (A) A payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or
 - (B) An amount equal to 5% of the retired member's pay rate;
- (6) The retired member is not eligible to accrue additional retirement benefits as a result of the member's reemployment;
- (7) Upon the reemployment of the retired member, the retired member's new employer shall:
 - (A) Notify the retirement system of the member's reemployment with any documents or information required by the retirement system; and

(B) Certify in writing to the retirement system that the retired member has the requisite experience and training for the position to be filled and that no other qualified persons are available to fill the position; and
(8) The retiree is not drawing disability retirement benefits under chapter 36, part 5 of this title.

Effective July 1, 2023. TCA 8-36-809 is repealed on June 30, 2025.

PURCHASING

Public Chapter 223 SB 776 – HB 1070

Public Contracts

Amends Title 4, Chapter 56, Part 1 and Title 12, Chapter 4, Part 1 to prohibit state and local agencies from purchasing or acquiring a drone produced by a manufacturer banned under Section 889 of the National Defense Authorization Act of 2019, as amended. A contract or agreement for the purchase or acquisition of a drone in violation of these sections is void and unenforceable.

Effective July 1, 2023, and applies to contracts or agreements entered into, amended, or renewed, on or after that date.

RECORDS

Public Chapter 157 SB 86 - HB 734

Requestor's Occupation

Amends 10-7-503 to provide that a requestor is not entitled to special or more expeditious access to records due to the requestor's occupation or association with a specific profession.

Effective April 17, 2023.

Public Chapter 230 SB 686 – HB 99

Records Commission

Amends 10-7-402 to provide that any member of the records commission who does not receive a fixed annual salary from the state or the county may be paid a per diem of \$150 for each day of actual meeting (increased from \$25).

Effective April 25, 2023.

RETIREMENT

Public Chapter 132 SB 990 – HB 884

Base Benefit Improvements

Amends 8-35-206 to provide that a local government employer participating that desires to establish a benefit improvement authorized under Chapters 34-37 of Title 8 shall pay the estimated increased pension liability created by the improvement; provided, however, that, in accordance with § 8-37-505, the failure to pay the liability may result in the withholding of the liability amount, in whole or in part, from any state-shared taxes. The employer shall not establish a benefit improvement unless the employer's funded status in

the retirement system will be seventy percent (70%) or more after implementation of the benefit improvement. The employer shall pay the estimated increased pension liability through one (1) of the following methods: (i) A lump sum; (ii) An increase in the employer's contribution rate over the course of the fiscal year (July 1-June 30) following the adoption of the resolution by the employer; or (iii) Amortizing the unfunded accrued liability over a period of time not to exceed ten (10) years from the date of the adoption of the resolution by the employer.

Effective July 1, 2023.

Public Chapter 425
SB 414 - HB 975

School Employees

Amends 8-36-805, 8-36-821 and 8-36-822 relative to retired members of TCRS returning to work as teachers, substitute teachers and bus drivers.

Effective May 11, 2023.

Public Chapter 476
SB 1086 - HB 1036

Retirement Allowances, Audits and Participation

Amends 8-35-111 to provide that, for the purposes of regulating multiple memberships in public retirement systems, a public employee retirement system does not include a defined benefit pension plan established and maintained by a local government employer that is supplemental to the employer's participation in TCRS, and was established prior to the effective date of this act, where the total combined employer and employee contributions do not exceed 7% of the employee's salary, and the supplemental benefits are subject to the limitations set forth in 8-36-102. At the request of TCRS, the local government shall conduct a periodic audit using an auditing or accounting firm to demonstrate compliance with the limitations set forth in 8-36-102 and any applicable limitation pursuant to federal law, regulation, or ruling, with the cost of the audit to be paid by the local government.

Amends 8-35-112 to provide that the provisions governing mandatory membership in retirement systems as a condition of employment do not apply to retired members of the retirement system or of a superseded system who return to service in a position covered by the retirement system, as provided in Title 8, Chapter 36, Part 8, that does not allow the retired member to accrue additional retirement benefits.

Effective May 17, 2023.

TAXES

Public Chapter 377
SB 275 – HB 323

Food Sales Tax Holiday and Other Taxes

Amends 67-6-393 to exempt the retail sale of food from sales tax from August 1st to October 31st.

Amends Title 67, Chapter 6, Part 9 relative to transactions subject to sales and use taxes.

Amends numerous other provisions relative to taxation, including, but not limited to, provisions relative to business taxes and franchise and excise taxes.

Provides various effective dates.

Public Chapter 480
SB 1154 – HB 1426

Sports Authorities

Amends 67-6-330 to provide that, on or after January 1, 2027, the sales tax exemption in that section does not apply to amusement or recreational activities conducted, produced, or provided at a facility owned by a sports authority organized pursuant to Title 7, Chapter 67, during a period in which the facility is eligible to receive a distribution of state sales tax revenue pursuant to 67-6-103(d).

Effective July 1, 2023.

TAXATION – PROPERTY

Public Chapter 184
SB 148 - HB 130

State Board of Equalization

Amends 4-3-5105(11)(A)(i) and deletes 67-5-1502 to remove the authority of the state board of equalization to create an assessment appeals commission.

Amends 51-5-1504 – 1513 and 67-5-1809 to remove the reference to the assessment appeals commission.

Effective July 1, 2023. Does not apply to appeals pending before and filed with the assessment appeals commission before July 1, 2023.

Public Chapter 245
SB 1510 - HB 1216

Lien Rights of Non-Governmental Entity

Amends 67-5-2505 to provide that whenever a county acquires property at a tax sale, a nongovernmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by such property retains such right; provided, that the nongovernmental entity may only enforce such contractual rights against the county through the exercise of its lien rights against the property. A county is liable for the payment of the fees and assessments if the county makes actual use of the property purchased at the tax sale. Applies only to Hardeman County and Cumberland County.

Effective April 25, 2023.

Public Chapter 259
SB 397 - HB 33

Property Assessment

Amends Title 67, Chapter 5, Part 6. Requires that countywide emergency response frameworks must include assessors of property at the option of an

assessor to monitor events related to disasters or emergencies that have affected or have the potential to affect the condition of real or tangible personal property within individual assessors' jurisdictions. Assessors of property and county emergency management officials shall coordinate when their respective jurisdictions conduct joint preliminary damage assessments. Final copies of joint preliminary damage assessments must be made available to assessors upon request. Assessors of property, through coordination with county emergency management officials, have unrestricted rights in the performance of official duties to enter and inspect property within disaster areas to include all property having been affected or potentially affected by disaster or other related events.

Amends 67-5-303 to provide that all records held, maintained, or created by county and municipal public agencies must be made available to assessors of property for the purposes of property valuation and all other official duties.

Amends 67-5-603(d) to add that in the case of damage as a result of a disaster declared by the president of the United States, the annual assessment of an affected building or improvement in a county included in the presidential declaration must be prorated as otherwise provided in law for the actual time the building or improvement is destroyed and not replaced, or the actual time the building or improvement is substantially damaged, notwithstanding the building or improvement is restored or replaced by September 1; provided, the total time the building or improvement is destroyed or damaged and not replaced or restored, exceeds thirty days. The owner must apply for this relief to the assessor of property by September 1, using a form approved by the director of the state division of property assessments. This subsection (d) shall not take effect as to any particular county or municipality unless approved by a two-thirds vote of its governing body following the disaster being declared by the president of the United States.

Amends 67-5-606 by adding a new subsection. Provides that in the case of damage as a result of a disaster declared by the president of the United States, the annual assessment of commercial and industrial tangible personal property that is destroyed, demolished, or substantially damaged as a result of being located in a county included in the presidential declaration shall be prorated as otherwise provided by law, for the actual time the qualifying personal property is not replaced or restored notwithstanding that such personal property is replaced or restored by September 1, if the total time the qualifying personal property is not replaced or restored exceeds thirty days. The owner must apply for this relief to the assessor of property by September 1 of the following year using a form approved by the director of the state division of property assessments. The owner shall provide the assessor of property with a listing of the destroyed, demolished, or substantially damaged personal property for which the proration is sought. This subsection shall not take effect as to any particular county or

municipality unless approved by a two-thirds vote of its governing body following the disaster being declared by the president of the United States.

Effective April 28, 2023. Applies to the tax year beginning on January 1, 2023.

Public Chapter 271
SB 871 - HB 366

Property Tax Freeze Act

Amends 67-5-705(d). Adds that a municipality that is located in a county that has already adopted the tax freeze program must use the same income limit adopted by the county if the municipality also adopts the tax freeze program and the county has adopted the income limit as set forth in subdivision (f)(3)(A)(iii). Further adds that a municipality that adopts or has adopted the tax freeze program must use the income limit adopted by the county if the county trustee is accepting tax freeze applications on behalf of the municipality, or is acting as the collecting official on behalf of the municipality, and the county has adopted the income limit as set forth in subdivision (f)(3)(A)(iii).

Amends 67-5-705(f). Adds an additional income limit of sixty thousand dollars if approved by the local legislative body in accordance with subsection (d). Such income limit, if adopted by the local legislative body, shall not take effect until the tax year following adoption by the local legislative body. The income limit is subject to the cost-of-living adjustments for social security.

Effective July 1, 2023.

Public Chapter 341
SB 384 - HB 804

Tangible Personal Property Schedules

Amends 67-5-903(b). Raises the minimum depreciated value of tangible personal property otherwise reportable on the form from \$1,000 to either \$2,000 or less, or \$10,000 or less but greater than \$2,000, that the taxpayer may certify in lieu of detailing acquisition cost on the reporting schedule. If the taxpayer certifies that the depreciated value of tangible personal property otherwise reportable on the form is \$2,000 or less, then the assessor must accept the certification, subject to audit, and fix the value of tangible personal property assessable to the taxpayer at \$2,000. If the taxpayer certifies that the depreciated value of tangible personal property otherwise reportable on the form is \$10,000 or less but greater than \$2,000, then the assessor must accept the certification, subject to audit, and fix the value of tangible personal property assessable to the taxpayer at \$10,000.

Effective July 1, 2024.

Public Chapter 456
SB 711 - HB 898

Classification of Agricultural and Forest Land

Amends 67-5-1005(a) to provide that in determining whether land is agricultural land, the assessor of property shall take into account whether the land is enrolled in a conservation program administered by the United States Department of Agriculture, whether the land is in a conservation easement as defined by 66-9-303, or whether the land is restricted by 68-

212-225, if, at the time of its enrollment, the land was classified as agricultural land by the assessor of property.

Amends 67-5-1006(b) to provide that in determining whether land is forest land, the assessor of property shall take into account whether the land is enrolled in a conservation program administered by the United States Department of Agriculture, whether the land is in a conservation easement as defined by 66-9-303, or whether the land is restricted by 68-212-225, if, at the time of its enrollment, the land was classified as forest land by the assessor of property.

Effective May 17, 2023.

UTILITIES

Public Chapter 154 SB 1389 - HB 946

Clean/Renewable Energy Requirements

Enacts a new Part 24 in Title 7, Chapter 51 to provide that a political subdivision that imposes requirements or expectations related to the source of clean energy used by a public utility shall include a statutory list of sources as permissible sources (e.g., hydropower, nuclear, natural gas, fuel cells, geothermal, etc.). Provides that a political subdivision that imposes requirements or expectations related to the source of renewable energy used by a public utility shall include a statutory list of sources as permissible sources (e.g., hydropower, renewable natural gas, biomass, geothermal, etc.).

Effective July 1, 2023.

Public Chapter 276 SB 975 - HB 921

Municipal Energy Authorities/Plants

Amends 7-36-112 to increase the bid limit for Municipal Energy Authorities and to alter the purchasing requirements. Amends 7-52-117 to do the same for Municipal Electric Plants.

Enacts a new section in Title 12, Chapter 3, Part 12 to provide that where any local or private act, charter, or general law requires that a local governmental unit purchase by competitive procurement method, the local governmental unit may, notwithstanding the local or private act, charter, or general law, purchase, without public advertisement or competitive soliciting, under contracts or price agreements entered into by the state building commission.

Effective April 28, 2023.

Public Chapter 463 SB 845 - HB 947

Tennessee Board of Utility Regulation

Amends numerous sections relative to utilities and utility regulation. Amends 7-82-701 to create the Tennessee board of utility regulation in the office of the comptroller of the treasury. Transfers the supervision of all entities under the utility management review board and the water and wastewater financing board to the Tennessee board of utility regulation. Utilities supervised by the new Tennessee board of utility regulation include, but are

not limited to: a water, wastewater or natural gas systems of a county; certain treatment authorities; utilities created under the Municipal Energy Authority Act; or utility districts.

Effective July 1, 2023.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

DAVIDSON

Public Chapter 410

SB 1335 – HB 1197

Metropolitan Sports Authorities

Amends 7-67-108(a)(4) to vacate and reconstitute the board of directors of metropolitan sports authorities in counties having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or any subsequent federal census, effective January 1, 2024. Provides that the new board shall consist of 13 members as provided in the section.

Effective May 11, 2023.

Public Chapter 430

SB 648 – HB 1279

Music City Center

Amends provision in Title 7, Chapter 89, Part 1 relative to tax revenues for and members of the board of directors of the Music City Center.

Effective May 11, 2023.

Public Chapter 488

SB 1326 – HB 1176

Metropolitan Airport Authority

Amends 42-4-105 to reconstitute the board of a metropolitan airport authority located in a county with a population of more than 500,000, according to the 2020 federal census or a subsequent federal census. Amends 42-4-102(a) to declare the acquisition of any land pursuant to the chapter to be for a public purpose. Amends 42-4-106(b) to provide for the appointment of additional officers, including secretary, auditor, legal counsel, treasurer, and chief engineer. Amends 42-4-106(d) to require the president to submit the authority's annual operating budget to the governor, speaker of the house, and speaker of the senate. Amends 42-4-107 to authorize the authority to exercise the power of eminent domain, regulate aircraft hazards and compatible land uses. Also amends 42-4-107 to authorize the authority to construct, authorize, widen, narrow, relocate, vacate, change in the use, accept, acquire, sell, or lease any street or other public way, ground, place or space, or public utility, whether publicly or privately-owned, pursuant to an agreed upon license agreement or prescriptive or express easement, or any portion thereof; provided, that the authority owns all of the real property abutting the street or other public way, ground, place or space, or public utility, or owns all of the real property abutting the portions thereof that are to be constructed, authorized, widened, narrowed, relocated, vacated, changed in use, accepted, acquired, sold, or leased. Also amends 42-4-108 (eminent domain) and 42-4-112 (regulation of airport hazards).

Effective May 19, 2023, for purposes of appointing commissioners to the new board and effective July 1, 2023, for all other purposes.

FRANKLIN

Public Chapter 225 SB 1102 – HB 919

Utility District Commissioners

Amends 7-82-307 to provide that the statute does not prohibit utility commissioners from serving more than two (2) consecutive terms.

Effective April 25, 2023.

HENRY

Public Chapter 262 SB 477 – HB 632

Convenient Voting Centers

Amends 2-3-302 to allow Henry County to establish a convenient voting center pilot program.

Effective April 28, 2023.

MARION

Public Chapter 225 SB 1102 – HB 919

Utility District Commissioners

Amends 7-82-307 to provide that the statute does not prohibit utility commissioners from serving more than two (2) consecutive terms.

Effective April 25, 2023.

SHELBY

Public Chapter 272 SB 935 – HB 1129

NBA Arena Fund

Amends 67-4-1907 to extend provisions related to the allocation of revenue from the surcharge or tax on the lease or rental of passenger motor vehicles as it pertains to costs related to the NBA Arena Fund until June 30, 2059.

Effective April 28, 2023.

Public Chapter 405 SB 891 – HB 1085

NBA Franchises

Amends 67-6-103 regarding tax allocations to a municipality with a sports authority with an NBA franchise as a tenant.

Effective July 1, 2023.

WASHINGTON

Public Chapter 397 SB 839 – HB 937

Convenient Voting

Amends 2-3-302 to allow the creation of convenient voting centers.

Effective May 11, 2023.

WAYNE

Public Chapter 82

SB 126 – HB 111

Solid Waste Fees

Amends 68-211-835 to provide that the solid waste disposal fee shall be subject to the same penalty and interest as delinquent property taxes if not paid within thirty (30) days after notice of such fee is mailed. The unpaid fees, penalty, interest and cost shall be a lien on the real estate and improvements thereon upon filing of a notice with the office of the register of deeds.

Effective March 31, 2023.

PART III - PRIVATE ACTS

ANDERSON

Private Chapter 13 SB 1471 - HB 1534

County Service Officer
Repeals Private Acts of 1947, Chapter 396.

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

BLOUNT

Private Chapter 28 SB 1548 - HB 1560

Blount Memorial Hospital
Amends Private Acts of 1945, Chapter 187. Alters the conditions under which the county is authorized to own and operate a nonprofit hospital.

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

HAMBLEN

Private Chapter 1 SB 1362 - HB 754

Road Commission
Amends Private Acts of 1949, Chapter 313. Adjusts the compensation of the road commissioners to be \$200 or greater, instead of equal to \$200 a month; adjusts the compensation of the chairman to be \$350 or greater, instead of equal to \$350 a month.

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

MADISON

Private Chapter 14 SB 1542 - HB 1550

Hotel/Motel Tax
Amends the Private Acts of 1980, Chapter 324. Extends the deadline by which a tourism construction project must be initiated, from December 31, 2023, to December 31, 2024, as a condition to receiving funding for such project from the proceeds of the Madison County and City of Jackson hotel-motel tax.

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

MAURY

Private Chapter 20 SB 1550 - HB 1563

Sheriff's Office Civil Service Law
Amends Private Acts of 2007, Chapter 26. Makes numerous changes to the sheriff's civil service law.

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

MONROE

Private Chapter 11 SB 1543 - HB 1551

Board of Education

Enacts the Private Acts of 2023, Chapter 11. Repeals Private Acts of 1963, Chapter 117. Increases the membership of the county board of education to ten.

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

OBION

Private Chapter 25 SB 1558 - HB 1569

Obion County Highway Commission

Repeals Private Acts of 1984, Chapter 202.

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

OVERTON

Private Chapter 23 SB 1555 - HB 1567

General Sessions Court

Enacts Private Acts of 2023, Chapter 23. Establishes that the general sessions court has concurrent jurisdiction with chancery and circuit courts relating to cases of adoption.

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

ROBERTSON

Private Chapter 26 SB 1529 - HB 1538

County Highway Commissioners

Amends Private Acts of 1947, Chapter 380. Increases from \$500 to \$525 the monthly compensation of the highway commissioners and chairman of the commission.

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

RUTHERFORD

Private Chapter 6 SB 1530 - HB 1541

Juvenile Detention Center

Amends Private Acts of 2022, Chapter 65. Increases membership of the county board of juvenile detention commissioners from four to six.

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

SULLIVAN

Private Chapter 33 SB 1559 - HB 1573

General Sessions Court

Amends Private Acts of 1947, Chapter 349. Removes the prohibition on the general sessions court from hearing a case in which the defendant is charged with driving a motor vehicle under the influence of an intoxicant or drug.

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

SUMNER

Private Chapter 29 SB 1551 - HB 1561

Eminent Domain

Enacts Private Acts of 2023, Chapter 29. Prohibits public entities in Sumner County from using eminent domain to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use, unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street.

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

WHITE

Private Chapter 15 SB 1540 - HB 1555

General Sessions Court

Enacts Private Acts of 2023, Chapter 15. Establishes that the general sessions court has concurrent jurisdiction with chancery and circuit courts relating to cases of adoption.

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

WILLIAMSON

Private Chapter 9 SB 1513 - HB 1536

Franklin Special School District

Amends Private Acts of 1949, Chapter 563. Authorizes the district to issue bonds or notes in an amount not to exceed \$20 million and to authorize the issuance of tax anticipation notes from time to time.

Effective April 12, 2023.