



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: *Erinise*
Erinise Roehrich-Patrick
Executive Director

DATE: 10 June 2015

SUBJECT: Amendments to 2015 Work Program

The amendments to the 2015 work program listed below will add studies directed by legislation passed by the 109th General Assembly or otherwise requested by the legislature. Research plans for each study are attached and include copies of the legislation. Seven amendments are submitted for your consideration:

Amendment 1

Adds three studies directed by legislation passed by the 109th General Assembly:

- Public Chapter 326, Acts of 2015, directs the Commission to study whether homestead exemption amounts in TCA Title 26, Chapter 2, should be increased to reflect the cost of living.
Due Date: January 1, 2016.
- Public Chapter 395, Acts of 2015, directs the Commission to study the effect of hotel occupancy taxes on the economy and on tourism and the hospitality industry and amends Tennessee Code Annotated, Section 67-4-1401(6), to change the definition of "person" in the section to mean any individual or group of individuals that occupies the same room. The original legislation, Senate Bill 850 by Tate and House Bill 951 by Mark White, would have also required that 80% of the proceeds of any tax or expansion of the tax adopted after passage of the bill to be spent to promote tourism or tourism development, but this requirement was not included in the final version.
Due Date: February 15, 2016.
- Public Chapter 478, Acts of 2015, directs the Commission to evaluate the state's final plan submitted by the Department of Environment and Conservation to the EPA to establish and enforce carbon dioxide emission control measures adopted to implement

the obligations of the state under federal emission guidelines, including its effects on the state's electric power sector, consumers, employment, economic development, competitive position, state and local governments, and state law. The original legislation, Senate Bill 1325 by McNally and House Bill 868 by Keisling, would have required legislative approval of the plan and would have required the department to evaluate its own plan.

Due Date: Next regularly scheduled meeting of the Joint Government Operations Committee following the report's development. Given that the study cannot begin until the department's plan is submitted and that the plan cannot be prepared until the EPA regulation requiring it is finalized, which is not expected until later this year and which allows states at least one year to submit their plans, the due date is expected to be sometime in January or February 2017.

Amendment 2

Adds a study of Senate Bill 466 and its companion, House Bill 985:

- Senate Bill 466 by Bell and House Bill 985 by Rogers. County Government—As introduced, disqualifies any county government employee from serving as a member of the county legislative body; exempts current members of the county legislative body.

Referred by both the Senate State and Local Government Committee and the House Local Government Committee.

Due Date: January 2016.

Amendment 3

Adds a study of Senate Bill 549 and its companion, House Bill 775:

- Senate Bill 549 by Niceley. Zoning—As introduced, requires any zoning amendment affecting a parcel of private property to take effect only upon written consent of the owner of that property.

Referred by Senate State and Local Government Committee of the 109th General Assembly. Chairman Tim Wirgau, House Local Committee, also requested a study of the companion bill, House Bill 775 by Daniel.

Due Date: January 2016.

Amendment 4

Adds a study of House Bill 477:

- House Bill 477 by Beck. Public Buildings—As introduced, requires that edges of steps into certain public buildings constructed, purchased, or leased by the state or its political subdivisions after July 1, 2015, be marked with yellow paint to assist persons with vision impairment.

Referred by the House State Government Committee. Its companion, Senate Bill 836 by Yager, passed without amendment.

Due Date: January 2016.

Amendment 5

Adds a study of House Bill 967:

- House Bill 967 by Shaw. Public Contracts—As introduced, enacts the "Tennessee First Act." The bill would have allowed the state to give preference to Tennessee bidders when the lowest bidder is from a contiguous state that gives its own resident contractors preference.

Referred by the House State Government Subcommittee. Its companion, Senate Bill 1081 by Harris, was referred to the Senate State and Local Committee.

Due Date: January 2016.

Amendment 6

Adds a study of House Bill 241:

- House Bill 241 by Todd. Public Defenders—As introduced, deletes the provision whereby a local government is required to provide to attorneys representing indigent criminal defendants 75 percent of the local funding it provides to the district attorney general.

Referred by the House Civil Justice Subcommittee. Its companion, Senate Bill 1324 by McNally, was assigned to the general subcommittee of Senate Judiciary.

Due Date: January 2016.

Amendment 7

Adds a study requested by Chairman Lundberg, House Civil Justice Committee:

- Study changes over the last ten years in court fees in Tennessee counties and all bills passed by the legislature to increase court fees and answer these questions: What are the fees? What are they used for? Is information available showing whether these fees are being used for their intended purpose? Does TACIR have any policy recommendations regarding this practice?

Requested by letter of 13 April 2015.

Due Date: January 2016.