

Legislative Report

Tennessee Commission on Children and Youth

February 3, 2017

CAMPAIGNS & LOBBYING

HB394 **Restrictions on lobbying by state employees.**

Sponsors: Rep. Sexton, Cameron

Summary: Prohibits state employees from lobbying for 12 months following departure from office or employment.

House Status: 02/02/17 - Filed for Introduction

COMMERCIAL LAW

SB326/HB380 **Prohibition of juveniles in solitary confinement.**

Sponsors: Sen. Harris, Lee , Rep. Lovell , Mark

Summary: Prohibits any child who is alleged to have committed a delinquent act or be unruly shall not be subject to solitary confinement while the child is detained in a juvenile facility.

Senate Status: 02/02/17 - Filed for Introduction

House Status: 02/02/17 - Introduced in the House

CORRECTIONS

HB182 **Subsidies for housing state prisoners.**

Sponsors: Rep. Hulse, Bud

Summary: Adds language that requires subsidies paid to counties for housing state prisoners to be paid from the date of conviction. The clerk of the court in which a person to be housed by the county is convicted, shall transmit documentation of the conviction to the department not later than five business days after the date of conviction.

House Status: 02/01/17 - Introduced in the House

SB129/HB159 **Ability for a sheriff to contract with a substance abuse treatment program.**

Sponsors: Sen. Green, Mark , Rep. Johnson, Curtis

Summary: Permits the sheriff of any county or the chief administrator of any municipal jail to contract with any substance abuse treatment program licensed or certified by the department of mental health and substance abuse services to provide substance abuse treatment services to inmates housed in the county or municipal jail.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 02/01/17 - Introduced in the House

SB130/HB160 **Pilot program providing substance abuse treatment to inmates.**

Sponsors: Sen. Green, Mark , Rep. Johnson, Curtis

Summary: Creates a pilot program under which a sheriff, in consultation with the department of mental health and substance abuse services, will create and administer a program of substance abuse treatment services for eligible inmates.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 02/01/17 - Introduced in the House

SB221/HB4 **Release of parolee after dismissal of charge for offense committed while on parole.**

Sponsors: Sen. Harris, Lee , Rep. Parkinson, Antonio
Summary: Requires the board of probation and parole to meet and order the release of a parolee whose parole has been revoked and who has been reincarcerated as the result of being charged with an offense committed while on parole if that charge is dismissed.
Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.
House Status: 01/24/17 - Referred to House Criminal Justice Subcommittee.

CRIMINAL LAW

HB8 Public employees - eligibility for pretrial diversion.

Sponsors: Rep. Lamberth, William
Summary: Includes public employees on the list of those ineligible for suspended prosecution and pretrial diversion for a misdemeanor offense committed in the course of the person's employment, under the same provisions currently applicable to elected and appointed state and local officials so charged.
House Status: 01/24/17 - Referred to House Criminal Justice Subcommittee.

HB99 Partial expunction of criminal records.

Sponsors: Rep. Lamberth, William
Summary: Clarifies that partial expunction of criminal records are the removal of electronic records from relevant national, state, and local databases. Adds \$5.00 to seat belt violation fines to cover court clerk costs.
House Status: 02/01/17 - Referred to House Criminal Justice Subcommittee.

HB101 Abortions after twenty weeks of pregnancy.

Sponsors: Rep. Weaver, Terri
Summary: Rewrites language to prohibit abortions after three months, but before twenty weeks of pregnancy or viability of the fetus. An abortion performed after twenty weeks of pregnancy or during viability of the fetus, will not be grounds for criminal abortion if the life and health of the mother is at risk.
House Status: 02/01/17 - Referred to House Health Subcommittee.

HB109 Changes to marijuana simple possession offense.

Sponsors: Rep. Parkinson, Antonio
Summary: Increases the amount of marijuana possessed or exchanged under the offenses of simple possession or casual exchange from less than one-half ounce to less than one ounce. Prohibits the inference of purpose of selling when the marijuana possessed or exchanged was less than one ounce.
House Status: 01/30/17 - Introduced in the House

HB117 Help Find the Missing Act.

Sponsors: Rep. Windle, John
Summary: Enacts the "Help Find the Missing Act." Requires every county medical examiner and coroner to make available all data relating to cases of missing or deceased persons whose identities are in inquiry. When a person previously reported missing has been found, the respective law enforcement agency shall erase all records and report to the TBI that the person has been found and that the records and documents have been so erased or destroyed.

House Status: 01/30/17 - Introduced in the House

HB135 Life sentence parole eligibility.

Sponsors: Rep. White, Mark

Summary: Allows a defendant who is sentenced to life imprisonment to become release eligible after service of 60 percent of 60 years, and in no event less than 25 years including sentence reduction credits. Allows a defendant convicted under prior law to request parole eligibility be determined pursuant to this act.

House Status: 02/01/17 - Introduced in the House

HB173 Preemption of certain criminal offenses.

Sponsors: Rep. Lamberth, William

Summary: Specifies that state law preempts local government ordinances and resolutions with respect to the regulation of and appropriate sanctions for conduct involving drugs and other substances.

House Status: 02/01/17 - Introduced in the House

HB221 Creates a domestic abuse registry within the Tennessee bureau of investigation.

Sponsors: Rep. Ragan, John

Summary: Requires persons committing domestic assault or against whom a permanent order of protection has been entered to be placed on a domestic abuse registry maintained by the TBI for a period of 10 years from the expiration of the order or sentence for the conviction. If a conviction is expunged, the name and other identifying information of that person is also removed from the registry upon the person sending the TBI a copy of the expunction order. Requires that the domestic registry must be made available to the public on the TBI website.

House Status: 02/01/17 - Introduced in the House

HB363 Possession of firearms in certain places.

Sponsors: Rep. Zachary, Jason

Summary: Authorizes a handgun carry permit holder to carry a handgun into government-operated buildings unless there are metal detectors and armed security guards stationed at all public entrances.

House Status: 02/02/17 - Introduced in the House

HB404 Satellite-based monitoring for while on parole for conviction of certain sexual offenses against a child.

Sponsors: Rep. Littleton, Mary

Summary: Requires the board of parole to order any person convicted of rape of a child, aggravated rape of a child, or a child sexual predator offense who does not maintain either a primary or secondary residence to enroll in a satellite-based monitoring and supervision program for the entire time the person is on parole.

House Status: 02/02/17 - Filed for Introduction

HB418 Reduces expunction fee for criminal convictions.

Sponsors: Rep. Akbari, Raumesh

Summary: Reduces the expunction fee for criminal convictions from \$350 to \$180. Changes allocation of fee proceeds.

House Status: 02/02/17 - Filed for Introduction

SB6 **Classifies second degree murder of law enforcement officer as hate crime.**

Sponsors: Sen. Green, Mark ,

Summary: Classifies second degree murder and voluntary manslaughter of a law enforcement officer as hate crimes. Punishes these offenses one classification higher than the classification established in the statute, which created the offenses.

Senate Status: 01/11/17 - Held on Senate clerk's desk, pending committee appointments.

SB16/HB128 **Certificates of employability.**

Sponsors: Sen. Harris, Lee , Rep. Thompson , Dwayne

Summary: Clarifies that a person petitioning for a certificate of employability does not have to be in the process of restoring the person's rights of citizenship.

Senate Status: 02/02/17 - Set for Senate Judiciary Committee 02/08/17.

House Status: 02/01/17 - Introduced in the House

SB18/HB24 **Citizen's Right to Fight Blight Act of 2017.**

Sponsors: Sen. Harris, Lee , Rep. Deberry Jr., John

Summary: Exempts a property owner, lessee, or anyone acting under the direction of an owner or lessee, from criminal trespass for removal of trash or debris or maintenance of blighted property owned by the city or county. Specifies that such property must be situated immediately adjacent to the property owned by the city or county. Voids liability for city or county for any injury or damage to property.

Senate Status: 02/02/17 - Set for Senate Judiciary Committee 02/08/17.

House Status: 01/31/17 - Referred to House Local Government Subcommittee.

SB113/HB44 **Creates the Help Find the Missing Act.**

Sponsors: Sen. Bailey, Paul , Rep. Windle, John

Summary: Requires every county medical examiner and coroner to furnish the TBI and the National Missing and Unidentified Persons System with copies of fingerprints on standardized eight inch by eight inch fingerprint cards or the equivalent digital image, personal descriptions, and other identifying data, including date and place of death, of all deceased persons whose deaths are in a classification requiring inquiry by the medical examiner or coroner where the deceased is not identified. Requires TBI to make available personal descriptions and other identifying data, including date and place of death, of such deceased persons to all law enforcement agencies in the state, and upon request, to law enforcement agencies outside of the state. Also requires a dental examination of the deceased and requires those records to be forwarded to the TBI. Requires the TBI to compare the fingerprints and other descriptive data received from the county medical examiner to info that the TBI has on file in order to attempt to identify the deceased. Specifies other requirements for the TBI concerning missing persons.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 02/01/17 - Referred to House Criminal Justice Subcommittee.

SB131 **Amends various firearms provisions.**

Sponsors: Sen. Green, Mark ,

Summary: Allows a person who is not otherwise prohibited from possessing a firearm to possess a

firearm either openly or concealed. Clarifies that a person commits an offense who possesses a firearm and has been convicted of a dangerous felony unless such individual has had his or her civil rights restored. Specifies that a person possessing a firearm who has been convicted of a dangerous felony commits a Class E felony offense. Removes privated educational institutions from the statute prohibiting the possession or carrying of firearms or weapons on school property. Clarifies that the board of directors or other managing body of a private school may elect to prohibit possession or carrying of weapons on campus by posting signage in conformity with the signage required for public schools. Adds additional language to the statute regarding affirmative defense to carrying weapons on school property to include a person demonstrating that the required signage was not posted in conformity with the requirements of state law. Deletes language prohibiting the carrying of weapons in public parks, playgrounds, civic centers and other public buildings. Amends various other firearms provisions. (16 pp.)

Senate Status: 02/01/17 - Referred to Senate Judiciary Committee.

SB147/HB40 Creation of the Open Carry Firearms Freedom Act.

Sponsors: Sen. Beavers, Mae , Rep. VanHuss, James

Summary: Enacts the Open Carry Firearms Freedom Act. Under this bill, no permit would be required for the open carrying of a handgun. The existing permit provisions would still apply to carrying a concealed handgun.

Senate Status: 02/01/17 - Referred to Senate Judiciary Committee.

House Status: 02/01/17 - Referred to House Civil Justice Subcommittee.

SB192/HB337 Classification of the synthetic opioid U-47700.

Sponsors: Sen. Overbey, Doug , Rep. Ramsey, Bob

Summary: Classifies the synthetic opioid "U-47700" as a Schedule I controlled substance.

Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

House Status: 02/02/17 - Introduced in the House

SB197/HB274 Rules for sentencing juveniles convicted in criminal court.

Sponsors: Sen. Overbey, Doug , Rep. McCormick, Gerald

Summary: Establishes factors a court must consider when sentencing a juvenile who has been transferred and convicted in adult court, such as age, level of participation in the crime, family environment, intellectual capacity, etc. Sets a maximum number of years, depending on whether the crime results in death or not, a juvenile can be required to serve for adult crimes. Makes the provisions retroactive to juveniles serving adult sentences prior to effective date.

Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

House Status: 02/01/17 - Introduced in the House

SB200/HB294 Aggravated stalking offense when victim is under 12 years of age.

Sponsors: Sen. Overbey, Doug , Rep. Swann, Art

Summary: Broadens offense of aggravated stalking to include stalking a victim who is less than 12 years of age if the offender is 18 years of age or older at any time during the person's course of conduct.

Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

House Status: 02/01/17 - Introduced in the House

SB206/HB168 Elevation of offense for knowingly assaulting a law enforcement officer.
Sponsors: Sen. Gardenhire, Todd , Rep. McCormick, Gerald
Summary: Elevates the offense for knowingly assaulting a law enforcement officer from Class A misdemeanor offense of assault to Class E felony offense of aggravated assault.
Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.
House Status: 02/01/17 - Introduced in the House

SB229 Notification requirements for domestic violence offenders regarding firearms.
Sponsors: Sen. Massey, Becky ,
Summary: Requires the court to give a defendant pleading guilty to a domestic violence offense notice of the firearm dispossession consequences of a domestic violence conviction. Specifies procedure for a person convicted of domestic violence to terminate possession of all firearms, including completing an affidavit of firearms dispossession form and returning it to the court. Requires the domestic violence state coordinating council, in consultation with the administrative office of the courts, to develop the affidavit of firearms dispossession form and requires such form to be posted on the website of the administrative office of the courts.
Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

SB244/HB108 Fetal heartbeat testing prior to an abortion.
Sponsors: Sen. Beavers, Mae , Rep. VanHuss, James
Summary: Requires fetal heartbeat testing prior to an abortion and prohibits abortions from the point a fetal heartbeat is detected. Exceptions to criminal abortion include medical emergencies that complicate the condition of the pregnant woman as to necessitate an immediate abortion of her pregnancy to avert her death or save the impairment of major bodily function.
Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.
House Status: 01/30/17 - Introduced in the House

SB265/HB297 Reduces offense of possession of small amount of marijuana.
Sponsors: Sen. Yarbrow, Jeff , Rep. Lovell , Mark
Summary: Adds language that makes it an offense for a person to knowingly possess a small amount of marijuana not in excess of one-eighth ounce/3.5 grams. A violation for this offense is a Class C misdemeanor and shall be punished by only a fine not to exceed fifty dollars.
Senate Status: 02/02/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

SB280/HB149 Prohibits a person charged with incest from participating in judicial diversion.
Sponsors: Sen. Lundberg, Jon , Rep. Hazlewood, Patsy
Summary: Prohibits a person charged with incest from participating in judicial diversion.
Senate Status: 02/02/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

SB287/HB148 Expands punishments for criminal gang offenses.
Sponsors: Sen. Lundberg, Jon , Rep. Hazlewood, Patsy
Summary: Expands offense of child abuse to include intentionally commanding, inducing, compelling, or otherwise causing, including by use of threats or violence, a minor to commit a gang offense.

Does not require the minor to be convicted for committing the offense. Specifies that first offense is a Class A misdemeanor and a second or subsequent violation is a Class E felony. Broadly captioned.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/01/17 - Introduced in the House

SB303/HB122 Exceptions to state law preemption in cases relating to the use and possession of tobacco products.

Sponsors: Sen. Ketron, Bill , Rep. Ramsey, Bob

Summary: Allows local governments, airports, and utility districts to regulate the use and possession of tobacco products in all public places, places of employment, and parks within the entity's jurisdiction as long as the regulations are more stringent than those in effect under state law.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 01/30/17 - Introduced in the House

SB311/HB402 Offenses for juveniles to be tried as adults.

Sponsors: Sen. Lundberg, Jon , Rep. Hicks, Gary

Summary: Amends language to include that a child who was sixteen years or more of age at the time of the alleged conduct, or the child was less than sixteen years of age, can be transferred to a criminal court of competent jurisdiction to be tried as an adult if the child was charged with the offense of; first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping, especially aggravated kidnapping, commission of an act of terrorism, or an attempt to commit any such offenses. The district attorney general may not seek, nor may any child receive, a sentence of death for the offense for which the child was transferred.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/02/17 - Filed for Introduction

SB319 Affirmative offense for non compliance of drug-free school zone.

Sponsors: Sen. Harris, Lee ,

Summary: Creates an affirmative defense to the enhanced punishment for selling drugs on the grounds of or within 1,000 feet of a school, child care center, library, recreational center, or park. Specifies that an instance of law enforcement, or an agent of law enforcement, suggesting, requesting, or luring the defendant into the prohibited area is included in the affirmative defense.

Senate Status: 02/02/17 - Filed for Introduction

SB360 Annual report on efforts to enforce the Prevention of Youth Access to Tobacco and Vapor Products Act.

Sponsors: Sen. Overbey, Doug ,

Summary: Requires the department of agriculture's annual report on efforts to enforce the Prevention of Youth Access to Tobacco and Vapor Products Act be posted on the department's website for dissemination to the public and submitted electronically to the general assembly on or before January 15 of each year.

Senate Status: 02/02/17 - Filed for Introduction

SB378/HB345 Criminal offense defendants with severe mental illness.

Sponsors: Sen. Briggs, Richard , Rep. Farmer, Andrew
Summary: Prohibits the death penalty as a punishment for defendants suffering from severe mental illness at the time of the offense.
Senate Status: 02/02/17 - Filed for Introduction
House Status: 02/02/17 - Introduced in the House

SB385 Exclusion to marijuana.

Sponsors: Sen. Massey, Becky ,
Summary: Creates a new subsection excluding from the definition of marijuana, a cannabidiol product approved as a prescription medication by the United States Food and Drug Administration.
Senate Status: 02/02/17 - Filed for Introduction

SJR35 General assembly's recognition of pornography as harmful to society.

Sponsors: Sen. Beavers, Mae ,
Summary: Recognizes pornography as a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
Senate Status: 02/01/17 - Referred to Senate Health & Welfare Committee.

EDUCATION

HB42 Department of education bicycle safety curriculum.

Sponsors: Rep. Butt, Sheila
Summary: Urges the department of education to include the proper use and positioning of bicycle helmets in its pilot bicycle safety curriculum. Broadly captioned.
House Status: 02/01/17 - Referred to House Education Instruction and Programs Subcommittee.

HB45 Opportunity for physical activity for students in K-12.

Sponsors: Rep. Dunn, Bill
Summary: Deletes the requirement for LEAs to provide students with certain periods of physical activity depending on grade level of student.
House Status: 02/01/17 - Referred to House Education Instruction and Programs Subcommittee.

HB72 Standards review and development committees and advisory teams.

Sponsors: Rep. Eldridge, Jimmy
Summary: Requires the standards review and development committees and advisory teams appointed by the state board of education to review the academic standards for English language arts, mathematics, science, and social studies every seven years, beginning in 2022.
House Status: 02/01/17 - Referred to House Education Instruction and Programs Subcommittee.

HB75 Notice for construction of or additions to school buildings.

Sponsors: Rep. Kane, Roger
Summary: Changes the number of days' notice that must be given by an LEA before accepting bids for construction of or additions to school buildings from 10 days to 10 business days.
House Status: 02/01/17 - Referred to House Education Administration and Planning Subcommittee.

HB76 Assessments required for home school students.

Sponsors: Rep. Kane, Roger

Summary: Requires home school students to take an assessment in grade 11 to graduate, which is the same as the current assessment requirement for traditional public high school students.

House Status: 02/01/17 - Referred to House Education Instruction and Programs Subcommittee.

HB111 Duties and powers of commissioner of education.

Sponsors: Rep. Pitts, Joe

Summary: Removes the prohibition on the commissioner of education's ability to waive regulatory or statutory requirements related to licensure of employees upon application by an LEA.

House Status: 01/30/17 - Introduced in the House

HB125 Time frame for release of the teacher preparation training report.

Sponsors: Rep. Brooks, Harry

Summary: Changes the deadline for the state board of education to release the teacher preparation training report from November 1 of each year to February 1 of each year.

House Status: 02/01/17 - Introduced in the House

HB262 Testing for local education agencies.

Sponsors: Rep. Butt, Sheila

Summary: Allows LEAs (local education agencies) to use the ACT and ACT Aspire suite of assessments as approved testing alternatives to the TCAP, TNReady, and end of course examinations.

House Status: 02/01/17 - Introduced in the House

HB272 Meningococcal vaccination exemption.

Sponsors: Rep. White, Dawn

Summary: Requires that the written statement to exempt a student from a Meningococcal vaccination for religious reasons be signed by the person authorizing the exemption.

House Status: 02/01/17 - Introduced in the House

HB287 Designation of "Celebrate Freedom Week" in public schools.

Sponsors: Rep. Byrd, David

Summary: Designates the week of September 17 as "Celebrate Freedom Week" in public schools. Requires the state board of education to adopt rules in regard to Celebrate Freedom Week.

House Status: 02/01/17 - Introduced in the House

HB288 Creating the Leader in Me® pilot program.

Sponsors: Rep. Byrd, David

Summary: Creates a three-year pilot program beginning with the 2018-2019 school year, to provide grants to elementary and middle schools to implement the Leader in Me® pilot program. Allows schools to apply to the department of education for a grant until January 1, 2018. Limits the total amount of grants provided by the department to \$2,000,000 in the 2018-2019 school year, \$2,000,000 in the 2019-2020 school year, and \$1,000,000 in the 2020-2021 school year. Requires the department to give the grants to no more than 50 schools and in all 3 grand divisions of the state equally, with preference first to priority schools, then to schools in LEAs with a fiscal capacity in the lowest 50% of all LEAs, and finally to all other schools that apply to participate. Requires that the grant given to each participating school be in an amount sufficient to pay for the full implementation of the Leader in Me® program. Requires the

office of research and education accountability (OREA) to study the pilot program and issue a report to the education committee of the senate and the education instruction and programs committee of the house of representatives on the effectiveness of the pilot program after the second year of the pilot program by no later than December 31, 2020. Gives instruction for the format of the report to the OREA.

House Status: 02/01/17 - Introduced in the House

HB307 Education of students incarcerated in detention centers.

Sponsors: Rep. Hawk, David

Summary: Requires the state board of education to promulgate rules to ensure the education of students incarcerated in detention centers licensed by the department of children's services by the LEA in which the detention center is located. Part of Administration Package.

House Status: 02/02/17 - Introduced in the House

HB308 Changes to student accountability measures.

Sponsors: Rep. Hawk, David

Summary: Makes various revisions to student accountability measures due to the implementation of The Every Student Succeeds Act (ESSA), such as revising the way the state board of education and the department of education determine school performance level. Redefines priority school from being a school representing the bottom 5 percent of schools in overall achievement to a school in the bottom 5 percent of schools in performance. Part of Administration Package.

House Status: 02/02/17 - Introduced in the House

HB309 The use of assessment data.

Sponsors: Rep. Hawk, David

Summary: Updates present law concerning the use of assessment data to correlate with the new 2017-2018 school year. Part of Administration Package.

House Status: 02/02/17 - Introduced in the House

HB310 Creation of the Tennessee High-Quality Charter Schools Act.

Sponsors: Rep. Hawk, David

Summary: States that local board organizers will receive profit compensation according to how many charter schools they oversee and authorize to open. Incentives will be rewarded to the charter schools for certain expectations met. Part of Administration Package.

House Status: 02/02/17 - Introduced in the House

HB322 Establishes a school transportation supervisor program.

Sponsors: Rep. Hawk, David

Summary: Establishes a school transportation supervisor program for the monitoring and oversight of transportation services for local education authorities and charter schools. Requires new school bus drivers to complete a training program prior to transporting students. Requires a driver to be at least 25 years of age and have at least five consecutive years of unrestricted driving experience to receive an initial school bus driver license endorsement. Part of Administration Package.

House Status: 02/02/17 - Introduced in the House

- HB335** **Publication of information on the Tennessee Promise scholarship program.**
Sponsors: Rep. Kumar, Sabi
Summary: Requires THEC to publish information that TSAC and THEC collect annually on the Tennessee Promise scholarship program in the Tennessee Postsecondary Education Fact Book so that it is readily available to the public.
House Status: 02/02/17 - Introduced in the House
- HB356** **Payroll deduction of dues to professional employees' organizations.**
Sponsors: Rep. Dunn, Bill
Summary: Adds language that allows a local board of education to provide its professional employees payroll deduction for dues of professional employees' organizations, but does not require an LEA to do so. If an LEA makes available to its professional employees payroll deduction for the dues of one professional employees' organization, then the LEA shall make available to its professional employees payroll deduction for the dues of any professional organization; provided, that the requested deduction is made in writing from the professional employee. A professional employee who authorizes a deduction of dues of a professional employees' organization, may at any time, revoke the authorization for payroll deduction. If an LEA provides payroll deduction of dues of a professional employees' organization for its professional employees, then the LEA may withhold up to ten percent of the dues deducted for administrative expenses.
House Status: 02/02/17 - Introduced in the House
- HB372** **Tom Cronan Physical Education Act**
Sponsors: Rep. Kane, Roger
Summary: Requires each student in elementary school to participate in a physical education class that meets at least twice per week for no less than 60 minutes total. Requires that the teacher of these classes be licensed with an endorsement in physical education. Allows students with medical conditions or disabilities to be excused from this requirement by a physician's certification in writing. Requires each LEA to file an annual report verifying that it has met these requirements.
House Status: 02/02/17 - Introduced in the House
- HB388** **Immunizations for school children.**
Sponsors: Rep. Brooks, Kevin
Summary: Requires that both LEAs to ensure that schools provide and requires nonpublic schools provide parents and guardians with information on the influenza disease and the effectiveness of the vaccination at the beginning of every school year.
House Status: 02/02/17 - Filed for Introduction
- HB392** **Installation of cameras on school buses.**
Sponsors: Rep. Brooks, Kevin
Summary: Permits an LEA to purchase exterior cameras for school buses to record images of motor vehicles that fail to stop upon approaching a school bus with lights flashing and stop sign extended. Registered owner of vehicle will be held responsible for violation as reviewed by the appropriate law enforcement agency and will be given a notice of violation. Details allocation of revenue from fine proceeds. Requires LEA ensure warning sign of camera™s is visible and to report on a monthly basis the data concerning cameras installation and violation

enforcement.

House Status: 02/02/17 - Filed for Introduction

HB409 Employees carrying concealed weapons on the property of schools in distressed rural counties.

Sponsors: Rep. Byrd, David

Summary: Clarifies that the curriculum required before an employee is permitted to carry a handgun on the property of schools in distressed rural counties may be adapted by the instructing law enforcement agency from an existing curriculum approved by POST.

House Status: 02/02/17 - Filed for Introduction

HB414 State board of education's duties over teacher preparation programs.

Sponsors: Rep. White, Mark

Summary: Requests that the Tennessee Code Commission copy the language in Tennessee Code Annotated, Section 49-5-108, having to do with the jurisdiction of the state board of education, and add it to Tennessee Code Annotated, Title 49, Chapter 1, Part 3 as a new, appropriately designated section.

House Status: 02/02/17 - Filed for Introduction

SB2 Annual school improvement plans - assessments included.

Sponsors: Sen. Johnson, Jack ,

Summary: Specifies that for purposes of annual school improvement plans, each school and LEA may choose either the ACT scores or SAT test scores as one of the assessments for student proficiency.

Senate Status: 01/30/17 - Referred to Senate Education Committee.

SB4/HB357 Board of education prohibited from adopting standards for character learning.

Sponsors: Sen. Gresham, Dolores , Rep. Dunn, Bill

Summary: Prohibits board of education from establishing standards or competencies regarding social or emotional learning in public schools.

Senate Status: 01/30/17 - Referred to Senate Education Committee.

House Status: 02/02/17 - Introduced in the House

SB9/HB12 Community service hours for blood donation for TN Promise Scholarship recipients.

Sponsors: Sen. Green, Mark , Rep. Reedy, Jay

Summary: Gives one hour of community service credit to recipients of the Tennessee Promise Scholarship who make a blood donation. Requires TSAC to promulgate by rule the documentation required in order for a student to obtain community service credit for a blood donation.

Senate Status: 01/30/17 - Referred to Senate Education Committee.

House Status: 02/02/17 - Set for House Education Administration and Planning Subcommittee 02/07/17.

SB14/HB174 Creates a list of rights and protections afforded to educators.

Sponsors: Sen. Green, Mark , Rep. Reedy, Jay

Summary: Creates a list of rights and protections afforded to educators. Specifies that an "educator" means any teacher, principal, supervisor or other individual required by law to hold a valid

license of qualification for employment in the public schools.

Senate Status: 01/30/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB34/HB329 Eligibility for HOPE teacher's scholarship.

Sponsors: Sen. Harris, Lee , Rep. Cooper, Barbara

Summary: Decreases the amount of time that teachers are required to teach math or science in a public school in order to be eligible for a Tennessee HOPE teacher's scholarship from two years to one year.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 02/02/17 - Introduced in the House

SB52/HB164 Reporting on driver education courses in public schools.

Sponsors: Sen. Dickerson, Steven , Rep. Smith, Eddie

Summary: Requires the department of education to annually report on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house. Broadly captioned.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 02/01/17 - Introduced in the House

SB116/HB9 Smoking on campuses of public institutions of higher education.

Sponsors: Sen. Briggs, Richard , Rep. Brooks, Harry

Summary: Allows the administrative head of each public institution of higher education to adopt policies prohibiting smoking on campuses, except for designated smoking locations. Clarifies that the administrative head is not required to provide an indoor smoking area in each student's dormitory or other facility.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 02/02/17 - Set for House Agriculture & Natural Resources Subcommittee 02/08/17.

SB136/HB192 Fire drills in public schools.

Sponsors: Sen. Jackson, Ed , Rep. Sanderson, Bill

Summary: Requires fire drills to occur during the first 14 full days of the school year instead of the first 30 days. Also, subsequently requires one every two months onward to maintain four fire drills a year.

Senate Status: 02/01/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB137/HB127 Age requirement for school bus endorsement on driver license.

Sponsors: Sen. Harris, Lee , Rep. Favors, JoAnne

Summary: Increases the age limit from 21 to 25 for a person's eligibility to receive the school bus endorsement on a driver license. Grandfathers in persons between the ages of 21 and 25 years who are seeking a renewal of an existing endorsement held by the applicant as of June 30, 2017.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

- SB149/HB89 Restrictions for hiring school bus drivers.**
Sponsors: Sen. Haile, Ferrell , Rep. Rogers, Courtney
Summary: Places restrictions on receiving school bus driver license endorsements or being hired as a school bus driver for drivers who have previously committed serious traffic violations, including excessive speeding or reckless driving.
Senate Status: 02/01/17 - Referred to Senate Education Committee.
House Status: 01/30/17 - Introduced in the House
- SB158/HB94 AEDs- The Lovin Law.**
Sponsors: Sen. Watson, Bo , Rep. Gravitt, Marc
Summary: Requires LEAs to place at least one automated external defibrillator (AED) device in each school. Enacts the "Lovin Law" which requires a owner or operator of a public or private facility that occupies 500 or more people, to make available at least one functional AED for emergency use, and ensure that at least one employee of the establishment is properly trained on how to operate and inspect the AED.
Senate Status: 02/01/17 - Referred to Senate Health & Welfare Committee.
House Status: 01/30/17 - Introduced in the House
- SB161/HB126 Creation of the Opportunity Scholarship Pilot Program.**
Sponsors: Sen. Kelsey, Brian , Rep. Brooks, Harry
Summary: Enacts the "Opportunity Scholarship Pilot Program," which awards scholarships to eligible students in certain LEAs (local education agencies), identified on a list approved by the state board of education as having at least thirty schools in the bottom five percent of schools in overall achievement as determined by the performance standards and other criteria set by the state board.
Senate Status: 02/02/17 - Referred to Senate Education Committee.
House Status: 02/01/17 - Introduced in the House
- SB168/HB131 LEAs- Audit reports.**
Sponsors: Sen. Gresham, Dolores , Rep. Dunn, Bill
Summary: Changes the time period an LEA must submit a copy of their audit report on school funds to the commissioner of education, from ten days to fifteen business days.
Senate Status: 02/02/17 - Referred to Senate Education Committee.
House Status: 02/01/17 - Introduced in the House
- SB196 Establishes a progressive truancy intervention program in K-12 schools.**
Sponsors: Sen. Overbey, Doug ,
Summary: Establishes a progressive truancy intervention program in K-12 schools that involves tiers of pre-juvenile court programs designed to keep a truant child out of the juvenile court system. Specifies additional interventions that may consist of school-based community services, participation in a school-based restorative justice program, referral to a school-based teen court, or Saturday courses designed to improve attendance and behavior. Prohibits in-school suspension or out-of-school suspension from being used as part of the progressive truancy interventions adopted by schools for unexcused absences from class or school.
Senate Status: 02/02/17 - Referred to Senate Education Committee.

SB202/HB283 Educational funding for children in state custody.

Sponsors: Sen. Tracy, Jim , Rep. Johnson, Curtis

Summary: Adds language to provide residential mental health facilities that contract with the department of children's services for children in state custody, to receive educational funding from DCS. Outlines that a residential mental health facility can only receive educational funding if the facility is; approved to operate as a Category I special purpose school pursuant to the state board of education rules and regulations, and the facility provides a minimum of sixteen and a half hours per week of educational instructional services. Also adds language that if a child in state custody receives services from a contracted residential mental health facility but continues to attend their local school, then the contracted facility shall not receive the educational funding for that child from DCS.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB204/HB263 Limits state-mandated standardized testings times based on grade level.

Sponsors: Sen. Bowling, Janice , Rep. Butt, Sheila

Summary: Requires that no student be administered state-mandated standardized tests for a total time period per academic year greater than the specific grade level of the student. Limits state-mandated standardized testing to a maximum of 8 hours per academic year. Excludes ACT, SAT, or other assessments used to assess postsecondary readiness . Excludes locally administered assessments. Excludes students with disabilities for whom additional testing time is appropriate based on the student's IEP.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB217/HB147 Policies regarding patrol area of school resource officers.

Sponsors: Sen. Tate, Reginald , Rep. Parkinson, Antonio

Summary: Allows an LEA to file annually with the commissioner of education written policies and procedures developed and adopted by the board, in consultation with local law enforcement, to authorize a school resource officer to patrol within a three-mile radius of the officer's assigned school.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB219/HB360 Publication date of TN Postsecondary Education Fact Book.

Sponsors: Sen. Massey, Becky , Rep. Zachary, Jason

Summary: Requires publication of the Tennessee Postsecondary Education Fact Book by March 1 each year instead of by March 15. Broadly captioned.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/02/17 - Introduced in the House

SB222/HB410 Physical activity requirements for students.

Sponsors: Sen. Bowling, Janice , Rep. Byrd, David

Summary: Removes the requirement of a minimum of three 15-minute periods of non-structured physical activity per day for students in grades K-1. Also removes the requirement of a minimum of two 20-minute periods of non-structured physical activity at least four days a week for grades

2-6. Requires LEAs with elementary school students to integrate a minimum of two 20-minute periods of non-structured physical activity at least four days each week. Clarifies that the definition of "non-structured physical activity" means a temporary withdrawal or cessation from usual school work or sedentary activities during which an opportunity for rigorous physical activity is provided and does not mean walking to and from class. Also defines "physical education program."

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/02/17 - Filed for Introduction

SB232 Educator license endorsements.

Sponsors: Sen. Harris, Lee ,

Summary: Requires the state board of education to create an endorsement in computer science for all teachers who hold a valid license and demonstrate sufficient content knowledge in the course material, as determined by the state board of education.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

SB245/HB112 Career and technical education - soft skills.

Sponsors: Sen. Tracy, Jim , Rep. Forgety, John

Summary: Requires the state board of education to develop standards for a one-semester elective course in career and technical education in soft skills, needed for the workplace for students in grades nine through twelve. Soft skills means attributes that enable a person to build effective interpersonal relationships and to interact successfully with others in the business community. Requires each LEA to include an elective soft skills course in its career and technical education program beginning with the 2018-2019 school year. Students outside of the career and technical education program can enroll in the soft skill course, if space is available.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 01/30/17 - Introduced in the House

SB246/HB118 Possession of pagers by students.

Sponsors: Sen. Tracy, Jim , Rep. Forgety, John

Summary: Deletes language pertaining to students having an electronic pager without permission, which is a violation of the School Security Act of 1981.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 01/30/17 - Introduced in the House

SB247/HB124 LEAs to survey students regarding availability of internet access in their homes.

Sponsors: Sen. Tracy, Jim , Rep. Forgety, John

Summary: Requires each LEA to survey students, within one month of the start of the 2017-2018 school year, as to the availability of internet access in their homes and report results to the department of education. Requires the department of education to report the results to the governor, the education committee of the senate, and the education administration and planning committee of the house of representatives by December 15, 2017. Broadly captioned.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB248/HB22 Postsecondary credit courses for high school students.

Sponsors: Sen. Tracy, Jim , Rep. Brooks, Harry
Summary: Requires, beginning with the 2018-2019 school year, each LEA to offer students in each of its high schools the opportunity to take at least six early postsecondary credit courses, including Advanced Placement, International Baccalaureate, or dual credit courses. Specifies that these opportunities may be provided through traditional classroom instruction, online or virtual instruction, blended learning, or other educationally appropriate methods.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/02/17 - Set for House Education Instruction and Programs Subcommittee 02/08/17.

SB249/HB97 Offerings of rigorous high school classes that prepare students for college.

Sponsors: Sen. Tracy, Jim , Rep. Brooks, Harry

Summary: Requires the department of education to form a partnership with a national nonprofit education organization to increase the offerings of rigorous high school classes that prepare students for college and that provide college credit through examination. Specifies that the partnership shall be known as the Tennessee College Credit Partnership (TCCP). Also specifies that the partnership shall make available professional development to enable teachers of postsecondary credit courses to have the necessary content knowledge and instructional skills to prepare students for success on the course examinations and mastery of postsecondary course content. Requires, subject to appropriations, the state to fund payment of college credit examination fees and career and technical certification or licensure examination fees.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/02/17 - Set for House Education Instruction and Programs Subcommittee 02/08/17.

SB263/HB267 Payment of chartering authority application fee.

Sponsors: Sen. Tracy, Jim , Rep. Brooks, Harry

Summary: Authorizes a chartering authority to require a charter school sponsor to pay an application fee of \$2,500. Authorizes an LEA to receive an annual authorizer fee of up to three percent of the charter school's per student state and local funding if the LEA is the public charter school's chartering authority.

Senate Status: 02/02/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB266/HB385 Drinking water in schools built before June 19, 1986.

Sponsors: Sen. Harris, Lee , Rep. Powell, Jason

Summary: Requires principals of schools built before June 19, 1986, to flush fixtures used for drinking water and food preparation for at least 60 seconds before the arrival of children each school day.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/02/17 - Filed for Introduction

SB276/HB343 Student representative on state university boards to be a voting member.

Sponsors: Sen. Overbey, Doug , Rep. Terry, Bryan

Summary: Changes the status of the student representative on state university boards within the board of regents to a voting member rather than a nonvoting member. Establishes a selection process for the student representative. Requires that the selection process for the student representative begins with the recommendation of three student candidates by the student government association at each state university.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/02/17 - Introduced in the House

SB334/HB354 Assigning of schools or grade configurations to the ASD.

Sponsors: Sen. Harper, Thelma , Rep. Beck, Bill

Summary: Permits the commissioner of education to assign certain schools or grade configurations within certain schools to the ASD unless the parents of 60 percent of the children enrolled at the school object by signing a petition, at which time the LEA may agree to certain alternate interventions for the school.

Senate Status: 02/02/17 - Filed for Introduction

House Status: 02/02/17 - Introduced in the House

SB340 Creation of the Local School District Empowerment Act.

Sponsors: Sen. Niceley, Frank ,

Summary: Creates a pilot program called the "Local School District Empowerment Act," which reestablishes the office of elected school superintendent. Requires the department of education to study the efficiency of the new program. Adjusts duties of local boards of education in systems in which the office of elected school superintendent is reestablished to correlate with the superintendent.

Senate Status: 02/02/17 - Filed for Introduction

SB341 Referrals to private counselors by school counselors.

Sponsors: Sen. Niceley, Frank ,

Summary: Authorizes school counselors to refer students to private counselors with parental consent. Prohibits the LEA or counselor from covering the cost of the student's referral or services.

Senate Status: 02/02/17 - Filed for Introduction

SB366/HB346 Tuition discounts for children of retired teachers.

Sponsors: Sen. Overbey, Doug , Rep. Farmer, Andrew

Summary: Reduces from 30 to 25 the number of full-time creditable service years a retired teacher needed to have served in a Tennessee public school for the teacher's child to qualify for tuition discount.

Senate Status: 02/02/17 - Filed for Introduction

House Status: 02/02/17 - Introduced in the House

SB379/HB368 Rate of compensation for retired teachers without active teaching licenses.

Sponsors: Sen. Briggs, Richard , Rep. Zachary, Jason

Summary: Establishes that the rate of compensation for a retired teachers who work as substitute teachers without active teaching licenses, must not be less than the rate of compensation set by the LEA for retired teachers with active teaching licenses. Applies to retired teachers who retired after June 30, 2011.

Senate Status: 02/02/17 - Filed for Introduction

House Status: 02/02/17 - Introduced in the House

SB380/HB336 Tennessee Choice & Opportunity Scholarship Act.

Sponsors: Sen. Gardenhire, Todd , Rep. Dunn, Bill

Summary:

Enacts the Tennessee Choice & Opportunity Scholarship Act, which establishes a scholarship program for students wanting to attend private K-12 schools. In order for a student to be eligible for the scholarship program, the student must reside in Tennessee and be zoned to attend or enrolled in a public school that is identified as being in the bottom five percent of schools in overall achievement as determined by the state board of education. The student must be above five years of age or will become five years of age on or before August 15 of each year. Eligibility for the program can extend until the student graduates from high school, but the student must be less than twenty-two years of age by August 15 of each year. The student must be a member of a household whose annual income during the year prior to initial receipt of a scholarship met the requirements for free or reduced price lunch, and was previously enrolled in a Tennessee public school during the two semesters immediately preceding the semester in which the student receives a scholarship for enrolling in a Tennessee school for the first time or received a scholarship in the previous school year. The annual scholarship amount a student can be eligible for, is the cost of tuition and fees that would otherwise be charged by the school, or the amount representing the per pupil state and local funds generated and required through the basic education program for the LEA in which the student resides and is zoned to attend. The total number of scholarships awarded statewide for the 2017â€“2018 school year, shall not exceed five thousand scholarships. For the 2018â€“2019 school year, no more than seven thousand five hundred scholarships. For the 2019â€“2020 school year, no more than ten thousand scholarships. For the 2020â€“2021 school year and thereafter, no more than twenty thousand scholarships shall be awarded. Allows private schools in Tennessee to voluntarily agree to participate in the program and enroll eligible students, but the participating private school must provide notice, on an annual basis, of intent to participate in the program to the department of education through an application developed by the department. The participating school must be identified as a category I, II, or III school, annually administer to scholarship students state assessments as provided or nationally recognized norm-referenced tests; provide the parents of scholarship students the results of their individual student's annual assessments, provide the department of education with graduation rates of scholarship students as well as other student information, and comply with nondiscrimination policies. Requires participating schools to submit to the department a financial audit conducted by a certified public accountant, and provide lunch to scholarship students at no cost or at a reduced cost pursuant to the same income qualifications established under the National School Lunch Program. Requires the department of education to determine and approve school and student eligibility and participation; if the number of eligible students who submit applications exceeds the permissible number of scholarships available statewide or the available seats at participating schools for any grade level, the department shall conduct a random selection process to award scholarships that provides each eligible student with an equal opportunity for selection. The department may suspend or terminate a school's participation in the program, if the department determines the school has failed to comply with the requirements outlined in code section 49-1-1203 (A) of the bill. If a participating school is suspended or terminated from the program, or if the school otherwise withdraws from the program, scholarship students enrolled at the school may transfer to another participating school without loss of scholarship eligibility and such students shall be given preference for enrollment.

House Status:

02/02/17 - Introduced in the House

SB381/HB395 Restraint systems required on school buses.

Sponsors:

Sen. Gardenhire, Todd , Rep. Favors, JoAnne

Summary:

Requires any school bus ordered or purchased on or after July 1, 2018, to be equipped with a

restraint system. Also requires any school bus that is currently used to transport students be equipped with a restraint system by July 1, 2023.

House Status: 02/02/17 - Filed for Introduction

ENVIRONMENT & NATURE

HB158 Level of flouride in sample of water from public water system.

Sponsors: Rep. Marsh, Pat

Summary: Requires public water systems for which a monthly fluoride test is confirmed by quarterly laboratory analysis to exceed 1.5 mg/L to have each monthly test analyzed by a laboratory until fluoride levels are below 1.5 mg/L for three consecutive months. Requires the public water system to notify all of its customers that a water sample tested exceeded one and one-half milligrams per liter of fluoride.

House Status: 02/01/17 - Introduced in the House

FAMILY LAW

HB92 Termination of parental rights - parent convicted of attempted first degree murder.

Sponsors: Rep. Lovell, Mark

Summary: Authorizes the court to terminate parental rights of one parent if that parent is convicted of attempted first degree or second degree murder or attempted voluntary manslaughter of the child's other parent or legal guardian.

House Status: 02/01/17 - Referred to House Civil Justice Subcommittee.

HB110 Voluntary acknowledgement of parentage later rescinded due to fraud.

Sponsors: Rep. Parkinson, Antonio

Summary: States that a person who executed a voluntary acknowledgement of paternity that was later rescinded due to fraud, duress, or material mistake of fact shall not be subject to license denial, suspension, or revocation, or contempt of court orders to enforce child support.

House Status: 01/30/17 - Introduced in the House

HB348 Equitable division of marital property.

Sponsors: Rep. Farmer, Andrew

Summary: Allows a court, with competent evidence, to apply control discounts, control premiums, and discounts for lack of marketability when determining the value of a closely held business or similar asset for purposes of property division in a divorce, even if the sale of the asset is not reasonably foreseeable.

House Status: 02/02/17 - Introduced in the House

HB349 Changes standard for termination of parental rights.

Sponsors: Rep. Farmer, Andrew

Summary: Changes standard for when a court may terminate parental rights to a child who was conceived as the result of the parent's rape of the mother from a criminal conviction to clear and convincing evidence that the rape occurred.

House Status: 02/02/17 - Introduced in the House

HB382 Voluntary acknowledgement of parentage rescinded due to fraud.

Sponsors: Rep. Parkinson, Antonio

Summary: Prevents the use of license denial, suspension, or revocation or contempt of court orders to enforce child support owed by a person who executed a voluntary acknowledgment of paternity that was rescinded due to fraud, duress, or material mistake of fact.
House Status: 02/02/17 - Introduced in the House

HB407 Interest on child support arrearages.

Sponsors: Rep. Carter, Mike
Summary: Eliminates the section pertaining to accrual of interest on child support arrearages.
House Status: 02/02/17 - Filed for Introduction

HB422 Determination of retroactive child support

Sponsors: Rep. Sparks, Mike
Summary: Requires a court to use the average monthly income of each parent in the corresponding year for which retroactive child support is ordered when calculating a parent's retroactive child support obligation unless there is clear and convincing evidence to support the use of a different period of time.
House Status: 02/02/17 - Filed for Introduction

SB50 Order of protection remains in effect until appropriate divorce court takes action.

Sponsors: Sen. Dickerson, Steven ,
Summary: Rewrites previous language and requires an order of protection, if one is in effect at the time a petitioner or respondent files for divorce, to remain in effect until the appropriate divorce court modifies, dissolves, or makes the order part of the divorce decree. If the court modifies the order or makes the order of protection part of the divorce decree, the court shall issue a separate order of protection. Requires the clerk to immediately forward a copy of any order of protection issued and any subsequent modifications to the petitioner, respondent, and the local law enforcement agencies having jurisdiction in the area where the petitioner resides.
Senate Status: 01/30/17 - Introduced in the Senate

SB233 Changes in the process of determination of a parent's ability to parent a child.

Sponsors: Sen. Harris, Lee ,
Summary: Permits the court to require either or both parents to provide healthcare or mental health records to determine parent's ability to parent the child. Also permits court to require either or both parents to undergo an examination. If the court makes a finding that a parent's mental health records are necessary for the proceedings, the court shall conduct an in camera review of the parent's records for the purpose of redacting irrelevant or prejudicial material. Permits the court to appoint a neutral third party to complete the in camera task. Requires that the records relating to the parent's ability to parent the child to be provided to both parties for use in a comparative fitness analysis. Permits the court to order an examination of a party under Rule 35 of the Tennessee Rules of Civil Procedure. Allows the court to draw a negative inference that the information would be adverse if a parent declines an Rule 35 examiner's request. Adds a parent's ability to instruct, inspire, and encourage the child to develop skills necessary to become a successful adult to the list of factors a court must consider when making a child custody determination.
Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

SB264 Supported Decision Making Agreement Act.

Sponsors: Sen. Massey, Becky ,
Summary: Enacts the Supported Decision Making Agreement Act, which allows for an adult with a disability to seek assistance in making certain decisions without forfeiting their self-determination as the ultimate decision-maker in their life.
Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

SB267/HB276 Performance of marriage by federal administrative law judges.

Sponsors: Sen. Overbey, Doug , Rep. McCormick, Gerald
Summary: Adds federal administrative law judges to the list of persons able to solemnize the rite of matrimony.
Senate Status: 02/02/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

SB362 Adoption - time frame for filing documents necessary to execute a surrender or parental consent.

Sponsors: Sen. Haile, Ferrell ,
Summary: Allows a parent to complete documents and forms necessary to execute a surrender or parental consent prior to the birth of a child. Deems invalid a surrender or parental consent filed prior to a child's birth until after the birth of the child and the expiration of any applicable waiting period.
Senate Status: 02/02/17 - Filed for Introduction

HJR32 Child Abuse Prevention Month.

Sponsors: Rep. Williams, Ryan
Summary: Designates April 2017 as "Child Abuse Prevention Month" in Tennessee.
House Status: 01/31/17 - Referred to House Civil Justice Committee.

GOVERNMENT ORGANIZATION

SB30/HB33 Defining of terms in the TCA relative to gender.

Sponsors: Sen. Bowling, Janice , Rep. Ragan, John
Summary: Requires that the words "husband", "wife", "father" and "mother" be interpreted with their biological meaning as they appear in the TCA. Prevents the extension of the meaning of these words beyond a biological difference between men and women, except when a contrary intention is made clear.
Senate Status: 01/30/17 - Referred to Senate Judiciary Committee.
House Status: 01/12/17 - Introduced in the House

SB31/HB93 Appointment of delegates to a constitutional convention.

Sponsors: Sen. Kelsey, Brian , Rep. Powers, Dennis
Summary: Removes limitation on the number of delegates that may be appointed to a constitutional convention and specifies that the individuals who are appointed have to equally represent the three grand divisions of the state.
Senate Status: 02/02/17 - Set for Senate State & Local Government Committee 02/07/17.
House Status: 02/01/17 - Referred to House State Government Subcommittee.

SB59/HB244 Sunset- Board of examiners in psychology.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy

Summary: Extends the board of examiners in psychology four years to June 30, 2021.
Senate Status: 02/02/17 - Set for Senate Government Operations Consent Calendar 02/08/17.
House Status: 02/01/17 - Introduced in the House

SB68/HB224 Sunset- department of children's services.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the department of children's services to June 30, 2021. Requires the department to report back to the government operations committee on the department's response to the findings in the performance audit report by December 31, 2017.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

SB72/HB250 Sunset- department of mental health and substance abuse services.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the department of mental health and substance abuse services four years to June 30, 2021.
Senate Status: 02/02/17 - Set for Senate Government Operations Regular Calendar 02/08/17.
House Status: 02/01/17 - Introduced in the House

SB76/HB237 Sunset- health services and development agency.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the health services and development agency to June 30, 2019. Requires the agency to update sunset review committee of the agency's progress in complying with Chapter 1043 of the Public Acts of 2016.
Senate Status: 02/02/17 - Set for Senate Government Operations Consent Calendar 02/08/17.
House Status: 02/01/17 - Introduced in the House

SB77/HB241 Sunset- human rights commission.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the human rights commission to June 30, 2021. Requires the division of state audit to perform a limited audit to address findings in the commission's 2016 performance audit report.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

SB82/HB198 Sunset - local government insurance committee.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the local government insurance committee to June 30, 2020.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

SB84/HB218 Sunset - second look commission.

Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the second look commission four years to June 30, 2021.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House

- SB92/HB240** **Sunset - state textbook and instructional materials quality commission.**
Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the state textbook and instructional materials quality commission to June 30, 2019. Requires the commission to appear before sunset review committee in 2017 to address issue of non-educators serving on textbook advisory committees.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House
- SB94/HB238** **Sunset - statewide community services agency.**
Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the statewide community services agency to June 30, 2018. Requires the agency to appear before sunset review committee in 2017 to discuss progress made in addressing findings in its 2016 audit.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House
- SB95/HB215** **Sunset - statewide planning and policy council for the department of intellectual and developmental disabilities.**
Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the statewide planning and policy council for the department of intellectual and developmental disabilities to June 30, 2022.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House
- SB96/HB249** **Sunset - statewide planning and policy council for the department of mental health and substance abuse services.**
Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the statewide planning and policy council for the department of mental health and substance abuse services to June 30, 2021.
Senate Status: 01/30/17 - Introduced in the Senate
House Status: 02/01/17 - Introduced in the House
- SB97/HB210** **Sunset - TACIR.**
Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the Tennessee advisory commission on intergovernmental relations four years to June 30, 2021.
Senate Status: 02/02/17 - Set for Senate Government Operations Consent Calendar 02/08/17.
House Status: 02/01/17 - Introduced in the House
- SB105/HB259** **Sunset - Tennessee health information committee.**
Sponsors: Sen. Bell, Mike , Rep. Faison, Jeremy
Summary: Extends the Tennessee health information committee to June 30, 2018.
Senate Status: 02/02/17 - Set for Senate Government Operations Regular Calendar 02/08/17.
House Status: 02/01/17 - Introduced in the House

SB199/HB384 Tennessee Council on Autism Spectrum Disorder.

Sponsors: Sen. Overbey, Doug , Rep. Williams, Ryan

Summary: Terminates the autism spectrum disorder taskforce and creates the Tennessee council on autism spectrum disorder. The council shall consist of the commissioner of intellectual and developmental disabilities or the commissioner's designee, the commissioner of health or the commissioner's designee, the commissioner of education or the commissioner's designee, the commissioner of human services or the commissioner's designee, the commissioner of commerce and insurance or the commissioner's designee, the deputy commissioner of the bureau of TennCare or the deputy commissioner's designee, the commissioner of mental health and substance abuse services or the commissioner's designee, one representative of the council on developmental disabilities, and six adults who have a diagnosis of autism spectrum disorder or who are either family members or primary caregivers of persons with a diagnosis of autism spectrum disorder. Two of the adult members shall represent each grand division of the state, and these persons shall be appointed by the governor. Persons appointed from the western grand division shall serve until June 30, 2019. Persons appointed from the middle grand division shall serve until June 30, 2020. Persons appointed from the eastern grand division shall serve until June 30, 2021. No member of the council can serve more than two consecutive three-year terms. The council shall meet quarterly and may meet more often upon a call of the chair, who is appointed by the governor. No council member shall receive compensation or reimbursement for actual travel and other expenses incurred in attending any meeting or performing any duties. Provides additional guidelines on the duties of the council.

Senate Status: 02/02/17 - Set for Senate Government Operations Regular Calendar 02/08/17.

House Status: 02/01/17 - Filed for Introduction

SB296 Deadline for reports issued by the office of research and education accountability.

Sponsors: Sen. Briggs, Richard ,

Summary: Establishes July 1 of each year as the deadline for the office of research and education accountability to report its findings to the general assembly.

Senate Status: 02/02/17 - Introduced in the Senate

SB320 General assembly legislative software for public use.

Sponsors: Sen. Harris, Lee ,

Summary: Authorizes the public to access the same legislative dashboard as the members of the general assembly. Requires the office of legislative information systems to ensure that the information provided on the dashboard does not violate attorney-client privilege laws.

Senate Status: 02/02/17 - Filed for Introduction

SB321 General assembly legislative software for public use.

Sponsors: Sen. Harris, Lee ,

Summary: Authorizes the public to access the same legislative dashboard as the members of the general assembly. Requires the office of legislative information systems to ensure that the information provided on the dashboard does not violate attorney-client privilege laws.

Senate Status: 02/02/17 - Filed for Introduction

SB322 Voting records of the general assembly.

Sponsors: Sen. Harris, Lee ,

Summary: Requires that the joint legislative services committee publish the voting records of each

member of the general assembly to the official state website. Specifies that a member's voting record includes all bills voted upon in their respective house, as well as the bill number, subject matter of the bill, the member's vote, and the total floor vote. Requires that the member's voting record remain on the state website until the end of the subsequent two year general assembly at the minimum.

Senate Status: 02/02/17 - Filed for Introduction

HJR24 Convention of the states to propose a balanced budget amendment.

Sponsors: Rep. Powers, Dennis

Summary: Calls for a convention of the states to plan for an Article V convention to propose a balanced budget amendment to the United States Constitution; creates a balanced budget amendment convention committee.

House Status: 02/02/17 - Set for House State Government Subcommittee 02/08/17.

SJR9 Constitutional convention of states regarding balanced budget amendment.

Sponsors: Sen. Kelsey, Brian ,

Summary: Calls for a convention of the states to plan for an Article V convention to propose a balanced budget amendment to the United States Constitution; creates a balanced budget amendment convention committee.

Amendment Summary: Senate Judiciary Committee amendment 1 (002289) allows leadership of house and senate to appoint members to attend convention.

Senate Status: 02/02/17 - Set for Senate Floor 02/06/17.

GOVERNMENT REGULATION

HB191 Restrictions on amusement park rides.

Sponsors: Rep. Deberry Jr., John

Summary: Places additional restrictions on amusement park operators, such as more inspections, requirements for ride operators, and prominent display of a proof of inspection. Authorizes persons injured in amusement park accidents to seek legal action against the park owner or ride operator.

House Status: 02/01/17 - Introduced in the House

HB326 UAPA - rules that may constitute unreasonable restraints of trade.

Sponsors: Rep. Hawk, David

Summary: Authorizes commissioners and chief executive officers of administrative departments under which regulatory boards operate to review and either approve or veto rules that may constitute unreasonable restraints of trade.

House Status: 02/02/17 - Introduced in the House

SB7 Capping the total value of certain public assistance at the level of average household income in the state.

Sponsors: Sen. Green, Mark ,

Summary: Places a cap on the total value of public assistance benefits a household can receive, that is not to exceed the median household income for the State of Tennessee. States that once a household reaches the median income level, the household is ineligible for further public assistance. The department of finance and administration shall develop a system for calculating the value of public assistance a household is receiving and monitor affected households.

Senate Status: 01/30/17 - Referred to Senate Health & Welfare Committee.

- SB141/HB84 Departments of the state receiving federal funds.**
Sponsors: Sen. Tracy, Jim , Rep. Hawk, David
Summary: Requires any department of state government receiving federal financial assistance to notify the comptroller of the treasury and the commissioner of finance and administration within three days of receiving a noncompliance notice for; repayment of federal financial assistance, reduction in future federal financial assistance, withholding of advance payments otherwise due to the department, whole or partial suspension or termination of a federal award, and any other legal remedies available to a federal awarding agency.
Senate Status: 02/01/17 - Referred to Senate State & Local Government Committee.
House Status: 02/01/17 - Referred to House State Government Subcommittee.
- SB144/HB81 Appropriation of funds for nonprofit organizations by local governments.**
Sponsors: Sen. Lundberg, Jon , Rep. Crawford , John
Summary: Requires any nonprofit organization seeking financial assistance to file an annual report, detailing all receipts and expenditures in a form prescribed by the comptroller of the treasury. Also requires any nonprofit seeking financial assistance from a municipality to file with the city's clerk office, the entity's most recently completed annual audit or an annual report detailing all receipts and expenditures, description of the program that serves the residents of the municipality, and purpose for the financial assistance. Subjects the nonprofit's report to be audited by the department of audit.
Senate Status: 02/01/17 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/17 - Referred to House State Government Subcommittee.
- SB155/HB271 Prohibits sanctuary cities.**
Sponsors: Sen. Green, Mark , Rep. Goins, Tilman
Summary: Prohibits the adoption of sanctuary policy within cities in the state of Tennessee. Requires the attorney general to receive complaints related to violations of this policy. Requires the state to withhold all funding from any entity that is found to have violated this policy. Defines terms relative to the sanctuary of illegal immigrants and the enforcement of federal immigration laws.
Senate Status: 02/01/17 - Referred to Senate State & Local Government Committee.
House Status: 02/01/17 - Introduced in the House
- SB183 Copy of emergency rules prior to effective date.**
Sponsors: Sen. Overbey, Doug ,
Summary: Requires an agency to provide a copy of an emergency rule to any person upon request prior to the rule's effective date.
Senate Status: 02/02/17 - Referred to Senate Government Operations Committee.
- SB189 Providing copies of emergency rules filed.**
Sponsors: Sen. Overbey, Doug ,
Summary: Requires an agency to provide a copy of emergency rules filed with the secretary of state to any person upon request. Requires an agency to take steps to make emergency rules known to persons affected by the rules.
Senate Status: 02/02/17 - Referred to Senate Government Operations Committee.

HEALTH CARE

HB137 Establishes a prescription drug donation repository program.

Sponsors: Rep. Sexton, Cameron

Summary: Allows the board of pharmacy, in conjunction with the department of health, to establish and maintain a prescription drug donation repository program under which any person may donate prescription drugs and supplies for use by an individual who meets eligibility criteria specified by the board by rule. Allows the board to contract with a third party to implement and administer the program.

House Status: 02/01/17 - Introduced in the House

SB150/HB292 Treatment of STDs by nurse practitioners and physician assistants to minors.

Sponsors: Sen. Green, Mark , Rep. Reedy, Jay

Summary: Authorizes nurse practitioners and physician assistants to treat minors with sexually transmitted diseases, including the prescription of drugs relating to a sexually transmitted disease.

Senate Status: 02/01/17 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/17 - Introduced in the House

SB190/HB145 Telephone and electronic orders by a physician considered verbal orders.

Sponsors: Sen. Overbey, Doug , Rep. Terry, Bryan

Summary: Requires authentication of orders from physicians given electronically or by telephone in the same manner that verbal orders are currently authenticated. Broadly captioned.

Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/01/17 - Introduced in the House

SB195/HB338 Health insurance coverage for telehealth services at a school clinic or at a public elementary or secondary school.

Sponsors: Sen. Overbey, Doug , Rep. Ramsey, Bob

Summary: Requires health insurance entities to reimburse healthcare services providers for telehealth services to a patient at a school clinic or at a public elementary or secondary school in a manner that is consistent with reimbursement for in-person encounters.

Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.

House Status: 02/02/17 - Introduced in the House

SB268 Notifications to the board of pharmacy.

Sponsors: Sen. Overbey, Doug ,

Summary: Increases the amount of time to notify the board of pharmacy by any pharmacy with disciplinary action placed against them from 14 business days to 21 business days. Broadly captioned.

Senate Status: 02/02/17 - Introduced in the Senate

SB359 Determination of cause of death by suicide by medical examiner.

Sponsors: Sen. Johnson, Jack ,

Summary: Requires a medical examiner to not list suicide as the cause of death of a person, unless the death is the result of a willful and voluntary act of a person who understands the physical

nature of the act, and intends by it to accomplish the person's own death by self-termination while in the possession and enjoyment of the person's mental faculties. Allows, if the cause of death is determined to be suicide, the deceased's spouse, parent, guardian, next of kin, or estate administrator to seek reconsideration of the findings of the medical examiner within one year from the date the death certificate is filed, by written statement, with the office of vital records. Within thirty days after receiving notice of the reconsideration request, the medical examiner who signed the death certificate shall have an in-person meeting or teleconference with the requesting party seeking reconsideration, there, the requesting party can present the reasons supporting the finding that the death should be recorded as accidental or undetermined.

Senate Status: 02/02/17 - Filed for Introduction

SB369/HB378 Peer review organizations for health care providers.

Sponsors: Sen. Overbey, Doug , Rep. Farmer, Andrew

Summary: Clarifies that quality improvement committees apply to osteopathic doctors. Updates references to the repealed Tennessee Peer Review Act of 1967.

Senate Status: 02/02/17 - Filed for Introduction

House Status: 02/02/17 - Introduced in the House

HJR53 Study of vitamin D deficiency in pregnant women.

Sponsors: Rep. Pitts, Joe

Summary: Requests the board of medical examiners and the board of osteopathic examination to study Vitamin D deficiency in pregnant women and report to the health and welfare committee of the senate and the health committee of the house of representatives by January 15, 2018.

House Status: 01/26/17 - Filed for Introduction

HJR65 Supports use of government-approved marijuana plant products for medicinal purposes.

Sponsors: Rep. Kumar, Sabi

Summary: Supports use of government-approved marijuana plant products for medicinal purposes if approved by physician based on medical evidence.

House Status: 02/01/17 - Filed for Introduction

SJR53 Expresses support for adult immunizations.

Sponsors: Sen. Crowe, Rusty ,

Summary: Expresses the general assembly's support of adult immunizations and applauds the efforts of providers and policy-makers to remove barriers to vaccination and to protect adults from vaccine-preventable diseases.

Senate Status: 02/02/17 - Referred to Senate Health & Welfare Committee.

INSURANCE AUTOMOBILES

HB77 Insurance requirements applicable to off-highway vehicles.

Sponsors: Rep. Kane, Roger

Summary: Clarifies that off-highway vehicles operated on public roads are covered under the definition of "uninsured motor vehicle" for purposes of being covered under an uninsured motorist policy.

House Status: 02/01/17 - Referred to House Insurance & Banking Subcommittee.

INSURANCE HEALTH

HB139 Medication synchronization.

Sponsors: Rep. Sexton, Cameron

Summary: Prohibits an individual or group health insurance policy or contract from using prorated dispensing fees or denying coverage for dispensing of medication in accordance with the synchronization of medication. Requires health insurance policies to apply prorated cost-sharing to dispensing of medication in accordance with synchronization of medication.

House Status: 02/01/17 - Introduced in the House

HB327 **Entering into or renewing contracts with pharmacy benefits managers.**

Sponsors: Rep. Johnson, Curtis

Summary: Prohibits a state agency from entering into or renewing a state pharmacy benefits management contract with a pharmacy benefits manager that requires that a covered individual use a retail pharmacy, mail order pharmacy, specialty pharmacy in which the pharmacy benefits manager has an ownership interest or that has an ownership interest in the pharmacy benefits manager.

House Status: 02/02/17 - Introduced in the House

HB405 **Discrimination by managed health insurance issuer with respect to participation, referral, reimbursement of covered services by provider.**

Sponsors: Rep. Terry, Bryan

Summary: Includes pharmacists in the scope of services covered under the Health Maintenance Organization Act of 1986, which discusses discrimination by managed health insurance issuers.

House Status: 02/02/17 - Filed for Introduction

SB289 **Disability income protection insurance.**

Sponsors: Sen. Gardenhire, Todd ,

Summary: Creates a new section addressing "group disability income protection policy". The group disability income protection policy means a group short-term disability income protection policy or a group long-term disability income protection policy instituted by an employer that provides income replacement benefits to an employee who is unable to work for an extended period of time because of an injury or sickness; and requires premium payments by the employee who is covered under the policy. Allows an employer to pre-enroll its employees in a group disability income protection policy if: The employer discloses to the employees the terms of the group disability income protection policy, including, but not limited to, the benefits, exclusions, and premiums payable under the policy, and the employer provides employees with notice at least thirty days prior to, and again at least ten days prior to, the initial payroll deduction of the employee's premiums. Allows an employer to pre-enroll its employees in a group disability income protection policy that is a short-term policy if the policy: Replaces income of at least forty percent of the state's average weekly wage, as determined by the department of labor and workforce development, but does not exceed the maximum weekly benefit amount provided under the short-term disability income protection policy; and offers benefits for at least six months, and has an elimination period of no more than thirty days. Provides additional guidelines for employers pre-enrolling employees in a long-term policy in code section 56-7-3503 (B) of the bill.

Senate Status: 02/02/17 - Introduced in the Senate

SJR44 **Expresses support for conversion of Medicaid funding to a block grant.**

Sponsors: Sen. Green, Mark ,

Summary: Expresses support for conversion of Medicaid funding to a block grant and opposes expansion of Medicaid under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-

148.

Senate Status: 02/01/17 - Referred to Senate Commerce & Labor Committee.

JUDICIARY

SB5/HB10 Periodical realignment of judicial districts to correspond to new state population centers.

Sponsors: Sen. Stevens, John , Rep. Lamberth, William

Summary: Introduces a realignment of judicial districts to correlate with population shifts. The assessment will begin two years before the August 2022 trial judge election and will continue every eight years thereafter.

Senate Status: 01/30/17 - Referred to Senate Judiciary Committee.

House Status: 01/24/17 - Referred to House Civil Justice Subcommittee.

SB41/HB3 Licensed clinical social workers exempt from subpoena to trial.

Sponsors: Sen. Southerland, Steve , Rep. Goins, Tilman

Summary: Makes licensed clinical social workers exempt from subpoena to trial but subject to subpoena to a deposition.

Senate Status: 01/30/17 - Introduced in the Senate

House Status: 01/24/17 - Referred to House Civil Justice Subcommittee.

SB164 Creates two adult recovery court senior judge positions.

Sponsors: Sen. Johnson, Jack ,

Summary: Establishes two adult recovery court senior judge positions to be appointed by the supreme court from a list of retired certified recovery court judge applicants compiled by the department of mental health and substance abuse services to hold adult recovery court, such as drug courts, DUI courts, mental health courts and veterans treatment courts, when an adult recovery court judge is unable to hold court due to resignation, retirement, death or other unavailability. Defines "adult recovery court" to mean a specialty court to which a non-violent defendant charged with a felony or misdemeanor is diverted from the regular court system if it is determined that chemical dependency was an underlying reason for the offense or that a treatment program under the supervision of an adult recovery court would give the defendant the best chance of recovery from the underlying cause or causes of the criminal conduct.

Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

SB213/HB377 Administrative office of the courts employee background checks.

Sponsors: Sen. Overbey, Doug , Rep. Moody, Debra

Summary: Authorizes the administrative director of the courts to obtain a criminal history background check through the TBI and FBI on any applicant for employment. Requires such background checks to include fingerprint checks against state and federal criminal records maintained by the TBI and FBI. Allows the administrative director to establish the job titles or classifications to which the background check requirement applies and requires the office to pay for the cost of the background checks.

Senate Status: 02/02/17 - Set for Senate Judiciary Committee 02/08/17.

House Status: 02/02/17 - Introduced in the House

SB358 Orders of protection changes.

Sponsors: Sen. Johnson, Jack ,

Summary: Allows responded of an ex parte order to waive the right to a hearing within 15 days given that they acknowledge the order remains in effect until the hearing and the court finds that the interest of justice require the continuance of hearing.

Senate Status: 02/02/17 - Filed for Introduction

HJR72 Constitutional amendment - popular election of attorney general.

Sponsors: Rep. VanHuss, James

Summary: Proposes amendment of Article VI, Section 5 of the state constitution to provide for popular election of the attorney general and reporter for a regular term of six years.

House Status: 02/02/17 - Filed for Introduction

SJR57 Constitutional amendment - popular election of attorney general.

Sponsors: Sen. Beavers, Mae ,

Summary: Proposes amendment of Article VI, Section 5 to provide for popular election of the attorney general and reporter for a regular term of six years.

Senate Status: 02/02/17 - Referred to Senate Judiciary Committee.

LABOR LAW

HB80 TN Minimum Wage Act.

Sponsors: Rep. Hardaway, G.A.

Summary: Enacts the "Tennessee Minimum Wage Act." Establishes a minimum wage of \$15.00 as of July 1, 2017. Provides a minimum wage for employees in the service industry who receive tips and employees that are compensated solely by gratuities. Defines a "service or tipped employee" to mean any employee engaged in an occupation which the employee customarily and regularly receives more than \$30.00 a month in tips. Authorizes the department of labor and workforce development to promulgate rules in compliance with federal law.

House Status: 02/01/17 - Referred to House Consumer & Human Resources Subcommittee.

LOCAL GOVERNMENT

HB113 Putnam County - prohibits smoking on the grounds of an urban park center.

Sponsors: Rep. Williams, Ryan

Summary: Allows municipalities located in Putnam County to prohibit smoking by local ordinance on the grounds of an urban park center.

House Status: 01/30/17 - Introduced in the House

SB278/HB279 Local regulation of products containing nicotine.

Sponsors: Sen. Lundberg, Jon , Rep. Sexton, Cameron

Summary: Allows local authorities to regulate the use of tobacco products in public places, places of employment, and parks. Clarifies that such regulation by local authorities cannot be less restrictive than that required by state law.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/01/17 - Introduced in the House

MEDIA & PUBLISHING

HB344 Minor victims of crime.

Sponsors: Rep. Terry, Bryan

Summary: Adds language that a victim of a criminal offense who is a minor shall not have their; name, home and work addresses, electronic mail, telephone numbers, social security number, any

photographic or video depiction of the minor victim, open for inspection by members of the public. Authorizes the parents of the minor victim to petition a court of record to waive the confidentiality and allow the minor victim's name to be public record.

House Status: 02/02/17 - Introduced in the House

MISCELLANEOUS

HB406 Public Participation Protection Act.

Sponsors: Rep. Carter, Mike

Summary: Establishes protection of persons exercising rights of expression, including constitutional rights of expression on matters of public concern. Specifies civil procedures that encourage and safeguard the constitutional rights of persons to participate in government to the maximum extent permitted by law and also protect the rights of persons to file meritorious lawsuits for demonstrable injury.

House Status: 02/02/17 - Filed for Introduction

PROFESSIONS & LICENSURE

SB1 Board for Professional Counselors - rules adopted.

Sponsors: Sen. Johnson, Jack ,

Summary: Prohibits the Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists from adopting any rule that incorporates by reference a national association's code of ethics, including, but not limited to, the American Counseling Association Code of Ethics.

Senate Status: 01/30/17 - Referred to Senate Health & Welfare Committee.

SB154 Pain management or pain medicine certification by osteopathic physicians.

Sponsors: Sen. Green, Mark ,

Summary: Amends language to clarify that a pain management specialist is a licensed physician that holds certification and the minimum number of continuing medical education hours, in pain medicine or pain management. Specifies that a licensed physician may only practice interventional pain management if the licensee is board certified through the American Osteopathic Association or American Board of Physician Specialties in either anesthesiology, neuromusculoskeletal medicine, orthopedic surgery, physical medicine and rehabilitation, radiology; or has completed a ABMS subspecialty board in pain medicine or an ACGME accredited pain fellowship. Gives additional requirements in section 3 of the bill.

Senate Status: 02/01/17 - Referred to Senate Health & Welfare Committee.

SB184/HB289 Administration of the Genetic Counselors' Licensing Act.

Sponsors: Sen. Overbey, Doug , Rep. Kumar, Sabi

Summary: States that the board of medical examiners is authorized to promulgate rules and regulations to administer the Genetic Counselors' Licensing Act.

Senate Status: 02/02/17 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/17 - Introduced in the House

SB293 Physicians authorized to treat pregnant minors without parental consent.

Sponsors: Sen. Briggs, Richard ,

Summary: Authorizes a physician to provide peripartum analgesia and peripartum care to a minor who is

at least 14 years of age without the knowledge or consent of a parent.

Senate Status: 02/02/17 - Introduced in the Senate

SB298/HB413 Adverse actions against physicians.

Sponsors: Sen. Briggs, Richard , Rep. Hawk, David

Summary: Creates a new section specifying that "continuing medical education" means continued postgraduate medical education required by the board of medical examiners or the board of osteopathic examination intended to provide medical professionals with knowledge of new developments in their field. Specifies "maintenance of certification" means any process requiring periodic recertification examinations or other activities to maintain specialty medical board certification. Specifies "maintenance of licensure" means the proprietary framework for physician license renewal established through the Federation of State Medical Boards or its successor organization, which includes additional periodic testing or requirements other than continuing medical education. Specifies "specialty medical board certification" means certification by a board that specializes in one particular area of medicine and typically requires additional examinations than the requirements of the board of medical examiners or board of osteopathic examination to practice medicine. Prohibits a licensed facility, board of medical examiners, or a health insurance entity from denying a physician or a physician's hospital's staff; from admitting privileges, employment, or reimbursements based solely on the physician's decision not to participate in any form of maintenance of licensure, including requiring any form of maintenance of licensure tied to maintenance of certification, or the absence of any form of specialty medical board certification or any maintenance of certification; unless it is a requirement set forth by a committee.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/02/17 - Filed for Introduction

PUBLIC EMPLOYEES

HB358 TSEA dues cannot be automatically deducted from state employees' payroll.

Sponsors: Rep. Sexton, Cameron

Summary: Removes provisions authorizing the Tennessee State Employees Association to automatically deduct association dues from the payroll of state employees.

House Status: 02/02/17 - Introduced in the House

SB156/HB166 TCRS members employed as substitute teachers.

Sponsors: Sen. Green, Mark , Rep. Pitts, Joe

Summary: Removes the 90-day limitation on a retired member of the Tennessee consolidated retirement system working as a substitute teacher.

Senate Status: 02/01/17 - Referred to Senate Education Committee.

House Status: 02/01/17 - Introduced in the House

SB211 Tennessee Public Safety Behavioral Health Act.

Sponsors: Sen. Green, Mark ,

Summary: Requires public safety employers to offer not less than 10 visits with a licensed professional counselor for the purpose of treating PTSD at no cost to a public safety employee. Requires public safety employers to establish, in conjunction with a licensed professional counselor, support programs in an effort to mitigate behavioral health issues within the public safety employee community. Orders employers to promote the use of licensed professional

counselors and other behavioral health professionals. Requires employers to maintain, and regularly provide public safety employees with a list of licensed professional counselors. Prevents employers to engage in the retaliatory treatment of public safety employees seeking or utilizing licensed professional counselors or behavioral health programs. Orders licensed professional counselors providing services to public safety employees to participate in training that familiarizes the counselors with the unique problems associated with each public safety profession.

Senate Status: 02/02/17 - Referred to Senate Health & Welfare Committee.

SB361 State employee defense protections extended to certain foster parents.

Sponsors: Sen. Haile, Ferrell ,

Summary: Redefines "state employee" for purposes of defending of state employees to include foster parents who contract with an agency under contract with the state.

Senate Status: 02/02/17 - Filed for Introduction

PUBLIC FINANCE

HB291 Time line for furnishing fiscal notes on bills.

Sponsors: Rep. Travis, Ron

Summary: Removes the requirement that a fiscal note be furnished not more than ten days after the introduction of certain bills or resolutions or a request for a fiscal note from a member. Requires a fiscal note to be furnished upon a standing committee of either house placing such bill or resolution on its calendar.

House Status: 02/01/17 - Introduced in the House

TAXES BUSINESS

SB15/HB25 Phases out the professional privilege tax over a four-year period.

Sponsors: Sen. Green, Mark , Rep. Daniel, Martin

Summary: Phases out the professional privilege tax by reducing the amount of the tax by \$100 each year, starting with the tax year that begins on or after June 1, 2017.

Senate Status: 01/30/17 - Referred to Senate Finance, Ways & Means Committee.

House Status: 01/31/17 - Referred to House Finance Subcommittee.

SB132/HB41 Phases out professional privilege tax.

Sponsors: Sen. Bowling, Janice , Rep. VanHuss, James

Summary: Phases out the professional privilege tax over a five-year period for tax years that begin on and after June 1, 2017.

Senate Status: 02/01/17 - Referred to Senate Finance, Ways & Means Committee.

House Status: 02/01/17 - Referred to House Finance Subcommittee.

SB205 Eliminates the professional privilege tax.

Sponsors: Sen. Bowling, Janice ,

Summary: Eliminates the professional privilege tax for the tax year ending on May 31, 2018, and subsequent tax years.

Senate Status: 02/02/17 - Referred to Senate Finance, Ways & Means Committee.

SB306/HB46 Professional privilege tax.

Sponsors: Sen. Kyle, Sara , Rep. Clemmons, John
Summary: Exempts individuals from the professional privilege tax for the first year in which they are licensed or registered in a taxable profession.
Senate Status: 02/02/17 - Introduced in the Senate
House Status: 02/01/17 - Referred to House Finance Subcommittee.

SB364/HB13 Phases out the professional privilege tax over a four-year period.

Sponsors: Sen. Roberts, Kerry , Rep. Reedy, Jay
Summary: Phases out the professional privilege tax over a four-year period, by reducing the amount of the tax by \$100 each year, for tax years that begin on and after June 1, 2017.
Senate Status: 02/02/17 - Filed for Introduction
House Status: 01/25/17 - Referred to House Finance Subcommittee.

TAXES SALES

SB307/HB374 Sales of reading materials required by educational institutions.

Sponsors: Sen. Kyle, Sara , Rep. Clemmons, John
Summary: Amends language expanding the sales tax exemption for purchases of textbooks. Specifies a "textbook" is a printed book that contains systematically organized educational information that covers the primary objectives of a course of study, or other reading material that is required for a course by any high school or other secondary educational institution or any postsecondary educational institution and that is purchased by a student who possesses a valid student identification card or other proof of current enrollment at any high school or postsecondary educational institution and who possesses a valid, current course syllabus containing the name of the required textbook.
Senate Status: 02/02/17 - Introduced in the Senate
House Status: 02/02/17 - Introduced in the House

SB368/HB369 Materials purchased by a local education agency.

Sponsors: Sen. Overbey, Doug , Rep. Carr, Dale
Summary: Exempts contractors and subcontractors from the sales or use tax on construction materials if the materials are purchased by a local education agency and are used in the construction or improvements of such entity.
Senate Status: 02/02/17 - Filed for Introduction
House Status: 02/02/17 - Introduced in the House

TENNCARE

HB290 TennCare advisory commission.

Sponsors: Rep. Kumar, Sabi
Summary: Deletes the entire section and requires the department of finance and administration to reestablish a TennCare advisory commission. The purpose of the commission is to review annually the health care operations including, but not limited to, cost-management analysis, benefits, enrollment, eligibility, costs, and performance of the TennCare program and to make recommendations to the governor regarding cost-containment strategies and cost-effective program improvements. The advisory commission will be separate and distinct from the bureau of TennCare but will be allowed access to all data concerning the operations, management, and program functions of the TennCare program, including information relevant

to the TennCare program held or maintained by other state agencies. Members of the advisory commission will provide nonpaid consulting services to the bureau of TennCare, but may be reimbursed for comprehensive travel. Members will be appointed by the speaker of the house of representatives and the speaker of the senate. The advisory commission will be composed of fifteen members; one member of the health and welfare committee of the senate, one member of the senate appointed by the speaker of the senate, one member of the health committee of the house of representatives appointed by the speaker of the house, one member of the house of representatives appointed by the speaker of the house, one member representing hospitals appointed by the speaker of the senate, one member representing hospitals appointed by the speaker of the house, one member representing physicians appointed by the speaker of the senate, one member representing physicians appointed by the speaker of the house, one member representing nursing homes appointed by the speaker of the senate, one member representing nursing homes appointed by the speaker of the house, one member representing providers of home and community-based services appointed by the speaker of the senate, one member representing providers of home and community-based services appointed by the speaker of the house, one member representing providers of behavioral health services appointed by the speaker of the senate, one member representing providers of behavioral health services appointed by the speaker of the house, and one member representing the advocacy community to be jointly appointed by the speaker of the senate and the speaker of the house. Initially, members will serve three-year terms. Creates term guidelines for appointments made by the speaker of the senate, and the speaker of the house in section (1) part (4) of the bill. Proposed modifications submitted by the commission that may result in increased program expenditures should be accompanied by recommendations to achieve commensurate savings in other program areas in order to achieve overall management of program costs. The commission can create subcommittees to study specific topics, relative to any area concerning TennCare. The commission shall present its recommendations in writing to the governor and the general assembly no later than November 10 of each year.

House Status: 02/01/17 - Introduced in the House

HB324 Time period for enrollee to mail documentation of material changes to information.

Sponsors: Rep. Hawk, David

Summary: Changes time period for a TennCare enrollee or applicant to mail documentation of material changes to information in a TennCare application from 30 to 15 days. Requires the court to notify the appropriate state facility if the court commits the defendant to a public hospital has available with suitable accommodations in lieu of the state facility. Prohibits the delivery of mental health information of a patient without the patient's consent. Requires the commissioner to consult the bureau of TennCare when determining the contents of the report of health statistics. Broadly captioned. Part of Administration Package.

House Status: 02/02/17 - Introduced in the House

TRANSPORTATION VEHICLES

HB401 Registration of buses used to transport students.

Sponsors: Rep. Forgety, John

Summary: Requires that a bus that is used exclusively for the transportation of students pursuant to a contract with an LEA be registered as a passenger motor vehicle instead of a motor vehicle operating for hire.

House Status: 02/02/17 - Filed for Introduction

SB285/HB186 TBI toxicology testing services fees.

Sponsors: Sen. Lundberg, Jon , Rep. Curcio , Michael

Summary: Allows TBI to collect a \$250 fee for administering and testing a blood alcohol or drug concentration test in offenses including simple possession or casual exchange of a controlled substance, or reckless driving.

Senate Status: 02/02/17 - Introduced in the Senate

House Status: 02/01/17 - Introduced in the House

SB323 Officer allowed to scan bus driver's portable electronic device for probable cause.

Sponsors: Sen. Harris, Lee ,

Summary: Authorizes law enforcement officers at the scene of a school bus crash to inspect portable electronic devices, but only to determine whether they were used immediately prior to the accident.

Senate Status: 02/02/17 - Filed for Introduction

SB324 Officer can scan driver's portable electronic device for probably cause.

Sponsors: Sen. Harris, Lee ,

Summary: Authorizes law enforcement to scan driver's portable electronic device if officer has probable cause to believe driver was using device the device to receive or transmit written messages and driver was involved in an accident resulting in death or serious bodily injury.

Senate Status: 02/02/17 - Filed for Introduction

SB384/HB397 Driver licenses printed in vertical format for persons under 21 years of age.

Sponsors: Sen. Massey, Becky , Rep. Dunn, Bill

Summary: Requires that driver licenses be printed in vertical or portrait format for persons under 21 years of age. Authorizes licensees to replace vertical format license with horizontal one upon reaching 21 years of age for the cost of a duplicate license.

House Status: 02/02/17 - Filed for Introduction

UTILITIES

SB301 Electric cooperatives providing broadband internet access.

Sponsors: Sen. Haile, Ferrell ,

Summary: Permits electric cooperatives to provide broadband internet access and related services without any limitations that are not otherwise placed on other private providers of telecommunication services.

Senate Status: 02/02/17 - Introduced in the Senate

WELFARE

HB43 Restrictions for welfare recipients.

Sponsors: Rep. Butt, Sheila

Summary: Prohibits recipients of electronic benefits transfer (EBT) cards from using the card to purchase food that is high in calories, sugar, and fat, as recommended by the United States department of agriculture. Bans people or businesses that take EBT cards from accepting the card if used to purchase food that is high in calories, sugar, and fat.

House Status: 02/01/17 - Referred to House Health Subcommittee.

- HB91 Requirements for recipients of food assistance (SNAP).**
Sponsors: Rep. VanHuss, James
Summary: Requires recipients of food assistance (SNAP), as a condition of participation and eligibility, to periodically submit proof that the recipient has been employed for at least 20 hours of work each week, has been engaged in at least 24 hours of community service each month, has participated at an employment center in classes to improve skills or in actively seeking employment for at least 20 hours each week, or is enrolled as a full-time student in a higher education institution or technical school. Specifies certain exemptions to this requirement.
House Status: 02/01/17 - Referred to House Health Subcommittee.
- HB323 Consumer-directed care.**
Sponsors: Rep. Hawk, David
Summary: Makes self-directed health care available to anyone receiving medicaid-reimbursed home and community based long-term care services, support in accord with state plan or federal waiver. Part of Administration Package.
House Status: 02/02/17 - Introduced in the House
- SB165/HB178 Medical assistance to those who take part in the medicaid program.**
Sponsors: Sen. Kelsey, Brian , Rep. Travis, Ron
Summary: Changes the administering agency for the medicaid program from the department of health to the department of finance and administration. Alters the reporting date for the annual actuarial study by the comptroller of the treasury from April 15 to April 1.
Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/17 - Introduced in the House
- SB166/HB359 Medical assistance to those who take part in the medicaid program.**
Sponsors: Sen. Kelsey, Brian , Rep. Zachary, Jason
Summary: Changes the administering agency for the medicaid program from the department of health to the department of finance and administration. Alters the reporting date for the annual actuarial study by the comptroller of the treasury from April 15 to April 1.
Senate Status: 02/02/17 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/17 - Introduced in the House
- SB191 Health care safety net.**
Sponsors: Sen. Overbey, Doug ,
Summary: Deletes language associated with the creation and implementation of the health care safety net's 24/7 hotline, designed to assist and direct individuals in need of medical care and services to available resources in their areas.
Senate Status: 02/02/17 - Referred to Senate Health & Welfare Committee.
- SB214 Annual Coverage Assessment Act of 2017.**
Sponsors: Sen. Overbey, Doug ,
Summary: Annual coverage assessment means, the annual assessment imposed on covered hospitals. Imposes an annual coverage assessment of 4.52 percent on each covered hospital licensed as of July 1, 2017 for fiscal year 2017-2018.
Senate Status: 02/02/17 - Referred to Senate Health & Welfare Committee.

SB365/HB227 Program Integrity Act of 2017.

Sponsors: Sen. Roberts, Kerry , Rep. Howell, Dan

Summary: Enacts the "Program Integrity Act of 2017", which requires the Tennessee education lottery corporation on a monthly basis to provide the department of human services the name, prize amount, and other available identifying information of any individual collecting a prize of more than five thousand dollars. Adds language to Title 71 that requires the department of human services on a quarterly basis to conduct data matches against information databases as required by federal law (the guideline for the specific data being collected can be found in section 3 (A) of the bill). Allows the department of humans services to join any multi-state cooperative for identifying individuals who currently receive benefits in other states. Requires the bureau of TennCare to implement an automated, electronic eligibility system for the purpose of verifying identity information for each respective applicant and enrollee prior to awarding SNAP assistance.

Senate Status: 02/02/17 - Filed for Introduction

House Status: 02/01/17 - Introduced in the House