



THE INFORMANT NEWSLETTER

A biweekly newsletter for the Tennessee constituent

TN Bills 9/18/17

****HB1209— "An act to amend Tennessee Code Annotated, Title 63, Chapter 1, Part 1, relative to the Addiction Treatment Act of 2015"**

Signed into Law: 06/06/17

Bill Contents: "As enacted, requires that any person treated for a drug-related overdose with an opioid antagonist by a first responder be taken to a medical facility by emergency medical services for evaluation, unless the person is competent to refuse medical treatment and chooses to refuse treatment. — Amends TCA Title 63, Chapter 1, Part 1."

Bill Text: <https://legiscan.com/TN/text/HB1209/2017>

Bill Summary: In Tennessee Code, Title 63, a section of the code has been removed which stated in section (B) "(b) Any person who in good faith seeks medical assistance for a person experiencing or believed to be experiencing a drug overdose shall not be arrested, charged, or prosecuted for a drug violation if the evidence for the arrest, charge, or prosecution of the drug violation resulted from seeking such medical assistance. Any person who is experiencing a drug overdose and who in good faith seeks medical assistance for or is the subject of a request for medical assistance shall not be arrested, charged, or prosecuted for a drug violation if the evidence for the arrest, charge, or prosecution of the drug violation resulted from seeking such medical assistance. This immunity from being arrested, charged, or prosecuted shall apply to the person experiencing a drug overdose only on the person's first such drug overdose. Any such person shall also not be subject to the following, if related to the seeking of medical assistance:

Impact of the Bill: If a person seeks medical attention for a drug overdose, he will not be arrested, charged, or prosecuted. If this happens a second time, the authorities have the right to arrest, charge, and prosecute the person. This bill has

the potential to save lives from overdosing by granting a one-time grace period.

HB1041 — ”As enacted, establishes a sentencing enhancement factor for defendants who are illegally or unlawfully in the United States.— Amends TCA Title 40”

Signed into law: 06/09/17

Bill Contents: “As enacted, establishes a sentencing enhancement factor for defendants who are illegally or unlawfully in the United States.— Amends TCA Title 40.”

Bill Text: <https://legiscan.com/TN/text/HB1041/2017>

Bill Summary: This bill adds a new subdivision into Tennessee code Title 40 relating to criminal procedures. Essentially, if an illegal alien is caught committing a crime and brought to trial, a judge now has the right to increase the sentencing for the criminal on the basis of being in the country illegally. Rep. Ron Grant (R-Rossville) introduced the bill and stated, “The safety of our citizens is of the utmost importance, this measure will join with other protective laws to ensure just that[.]”

Impact of Bill: Illegal aliens that commit crimes now potentially will be given longer sentences, pending a judge’s decision.

HB1149— As enacted, creates a process for requesting a reconsideration of cause of death determination on a death certificate; encourages county medical examiners who suspect that suicide is potential manner of death to consult the decedent’s treating mental health professional.— Amends TCA Title 38, Chapter 7 and Title 68, Chapter 3.

Signed into law: 06/13/17

Bill Contents: As enacted, creates a process for requesting a reconsideration of cause of death determination on a death certificate; encourages county medical examiners who suspect that suicide is potential manner of death to consult the decedent’s treating mental health professional.— Amends TCA Title 38, Chapter

7 and Title 68, Chapter 3.

Bill Text: <https://legiscan.com/TN/text/HB1149/2017>

Bill Summary: This bill clarifies the TN state government's position on possible suicide. If a medical examiner considers suicide is a possible cause of death, then the investigators should consult the decedent's mental health doctor for further information on the possibility of suicide. This bill does not require investigators to do this, but it clarifies the TN government's position is that this course of action should be taken.

Impact of Bill: Although no requirement is made in the bill, it is encouraged that investigators now consult the deceased's medical health doctor if suicide is a possible cause of death. This position by the government will hopefully help investigators solve these incidents to the best of their ability.

****SB0822— As enacted, authorizes the state and local governments to provide health insurance benefits to the immediate family members of first responders killed in the line of duty for a period of two years after the death of the first responder; requires the state to reimburse local governments that provide such benefits.— Amends TCA Title 8, Chapter 27.**

Bill Published: 06/14/17

Bill Contents: As enacted, authorizes the state and local governments to provide health insurance benefits to the immediate family members of first responders killed in the line of duty for a period of two years after the death of the first responder; requires the state to reimburse local governments that provide such benefits.— Amends TCA Title 8, Chapter 27.

Bill Text: <https://legiscan.com/TN/bill/SB0822/2017>

Bill Summary: This bill authorizes the state and local governments to provide health insurance benefits to the immediate family members of certain first responders. First responders in the bill are clarified as: "AMENDMENT #1 clarifies that "first responders" for purposes of this bill means paid, full-time law enforcement officers and firefighters who are employed by the state or a local government in this state; and includes capitol police officers and employees of the Tennessee highway patrol, Tennessee bureau of investigation, and Tennessee wildlife resource agency. This amendment removes the reference to other

emergency services personnel who respond to calls for emergency assistance from a 911 call from the definition of first responder. This amendment also reduces from three to two years the maximum time period that the state insurance committee or a local government, in approving a health insurance plan that covers first responders, may offer or continue to provide health insurance benefits to the surviving spouse and children of a first responder killed in the line of duty.” This bill allows certain health insurance benefits to cover the immediate family of the first responders clarified above.

Impact of Bill: This bill clarifies the certain jobs that receive “first-responder” health insurance benefits. Also, if a first-responder passes away in the line of duty, the immediate family will still receive the health insurance benefits.

****SB1472— As introduced, creates the Class E felony offense of purchasing, selling, possessing, or using a part, component, device, or attachment designed to accelerate the fire of a semi-automatic rifle and makes any semi-automatic rifle that includes an accelerated fire part, component, or device a prohibited weapon.— Amends TCA Title 39, Chapter 17, Part 13.**

Bill Introduced: 10/18/2017

Bill Contents: As introduced, creates the Class E felony offense of purchasing, selling, possessing, or using a part, component, device, or attachment designed to accelerate the fire of a semi-automatic rifle and makes any semi-automatic rifle that includes an accelerated fire part, component, or device a prohibited weapon.— Amends TCA Title 39, Chapter 17, Part 13.

Bill Text: <https://legiscan.com/TN/text/SB1472/2017>

Bill Summary: This bill was introduced in response to the Vegas mass shooting, where the shooter used a Bump stock attachment on his assault rifle. Senator Lee Harris, one of the lawmaker’s who introduced the bill, said, “If we want to limit the number of people a mass shooter can kill we should move quickly to ban the sale of bump stocks in Tennessee.”(<http://wate.com/2017/10/18/lawmakers-introduce-bill-to-ban-bump-stocks-in-tennessee/>)This bill makes the bump stock attachment illegal to purchase, sell, or possess a trigger crank, bump stock, or any other device that accelerates the fire of semi-automatic weapon.

Impact of Bill: Bump Stocks will be banned in the state of Tennessee. The goal is

to prevent mass shooting according to Senator Harris. The question the taxpayer must ask is “Will this be effective in preventing mass shootings?” So far it has been very rare for mass shootings to have a bump stock involved.

****HB1460— As introduced, authorizes local education agencies to establish recovery high schools.— Amends TCA Title 49, Chapter 6, Part 4.**

Bill Introduced: 10/16/2017

Bill Contents: As introduced, authorizes local education agencies to establish recovery high schools.— Amends TCA Title 49, Chapter 6, Part 4.

Bill Text: <https://legiscan.com/TN/text/HB1460/2017>

Bill Summary: This bill establishes “recovery high schools” in each region of Tennessee. A recovery high school is for students who have an alcohol/drug abuse or dependency. One study showed that there is a 30% relapse rate for kids coming out of recovery schools compared to a 70% relapse rate for kids who had the normal intervention. Recovery schools are designed to help kids not fall back into their old tendencies. Funding for this program is not specified in the bill.

Impact of Bill: This is a very well-intentioned bill. Drug/alcohol relapsing is clearly a big problem for many high-school students. One study showed that there is a 30% relapse rate for kids coming out of recovery schools compared to a 70% relapse rate for kids who had the normal intervention.

(<https://www.recovery.org/learn/sober-high/>)

Given that data, there are a few implications HB1460 could have. First, the funding for these “recovery schools” is unclear. It is not specified in the bill how much this will cost the taxpayers for the start up and running of these schools. Second, is there a better way to fight this epidemic than creating entire new schools. Possibly, new buildings, new transportation for kids, new staffers, and more are included to create these new recovery schools. The question the taxpayer must ask is if this is the most effective use of my money to fight this problem, or is there a better alternative than creating entire new institutions.

“The liberties of a people never were, nor ever will be, secure, when the transactions of their rulers may be concealed from them.”

— Patrick Henry
Founding Father of The United States of America



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