



THE INFORMANT NEWSLETTER

A biweekly newsletter for the Tennessee constituent

TN Bills 04/23/18–05/08/18

HB2315—“As enacted, prohibits state and local governmental entities and officials from adopting sanctuary policies; enacts other related provisions. —Amends TCA Title 4; Title 7; Title 8; Title 9; Title 38; Title 39 and Title 40.”

Bill Passed: 05/21/18

Bill Text: <https://legiscan.com/TN/text/HB2315/id/1802334/Tennessee-2017-HB2315-Chaptered.pdf>

Bill Summary: This bill requires local law enforcement to comply with detainer requests from U.S. Immigration and Customs Enforcement. Detainer requests ask a law enforcement agency to hold an arrested person up to 48 hours beyond the time typical for an offense so ICE can assume custody. These requests are usually used when federal officials determine that the individual has been convicted of a serious offense, poses a threat to national security, or a removal order is on file.

Bill Impact: HB2315 was passed without the Governor’s signature. Governor Haslam “would not sign the bill because he did not believe Tennessee had any sanctuary city-related issues and the bill was ‘a solution looking for a problem’ (https://ballotpedia.org/2018_Tennessee_legislative_session).”

HB2705—“Subject to local approval, authorizes the board of mayor and aldermen to appoint a town administrator. —Amends Chapter 207 of the Private Acts of 1996; as amended and rewritten.”

Bill Passed: 05/04/18

Bill Text: <https://legiscan.com/TN/text/HB2705/id/1803785/Tennessee-2017-HB2705-Chaptered.pdf>

Bill Summary: This bill allows the Mayor and Alderman of a town to appoint a town administrator. A town administrator serves at the will of the board and has various responsibilities that are outlined in the bill.

SB1783—“As enacted, increases the tax on unregistered or improperly registered freight motor vehicles; revises other provisions related to overloaded freight motor vehicles.— Amends TCA Title 55.”

Bill Passed: 05/04/18

Bill Text: <https://legiscan.com/TN/text/SB1783/id/1802059/Tennessee-2017-SB1783-Chaptered.pdf>

Bill Summary: This bill increases the tax on a vehicle on which the tax has not been paid yet is found in operation. The owner or operator will be required to register the vehicle and, in addition to the statutory registration taxes, will be subject to a tax assessed at the rate of ten cents per pound on each pound of weight for which no Tennessee tax has been previously paid.

HB2348—“As enacted, requires a prescriber to provide certain information prior to prescribing more than a three-day supply of an opioid or an opioid dosage that exceeds a total of a 180 morphine milligram equivalent dose to a woman of childbearing age.— Amends TCA Title 53 and Title 63.”

Bill Passed: 05/08/18

Bill Text: <https://legiscan.com/TN/text/HB2348/id/1802307/Tennessee-2017-HB2348-Chaptered.pdf>

Bill Summary: This bill requires a prescriber to counsel a woman of childbearing age on the possible risks and effectiveness of the opioid when more than a three-day supply is prescribed. A woman of childbearing age is defined age 15–44.

Bill Impact: This bill is attempting to solve one piece in the complicated puzzle of

the opioid epidemic. In 2016, there were 1,186 opioid-related deaths (<https://www.drugabuse.gov/drugs-abuse/opioids/opioid-summaries-by-state/tennessee-opioid-summary>). This is much higher than the national average. The counsel of doctors and prescribers explaining the risks of using opioids long-term has the potential to limit this epidemic. Critics of the bill argue that this requirement targets women of childbearing age because not all women will become pregnant or want to become pregnant, therefore educating them on this issue is not necessary.

What do you think?

SB2180—“As enacted, enacts the “Transparency in Higher Education Act, which requires each state institution of higher education to notify parents of enrolled students of the parent’s right to view student records under the federal Family Educational Rights and Privacy Act of 1974 on the institution’s website.— Amends TCA Title 49.”

Bill Passed: 05/08/18

Bill Text: <https://legiscan.com/TN/text/SB2180/id/1803342/Tennessee-2017-SB2180-Chaptered.pdf>

Bill Summary: This bill requires public colleges and universities to post to their institutional websites information about parents’ rights to student records under the Federal Educational Rights and Privacy Act of 1974.

Bill Impact: Under FERPA of 1974, once a student turns the age of 18, all rights given to the parent are transferred to the student. According the U.S. Department of Education, “education records”are records that contain information directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution.

Do you think student records should be restricted from parents or not?

SB1835—“As enacted, requires that each year at least 30 percent, instead of 70 percent, of the items on state assessments in grades 3–8 and end of course examinations in high school be fresh, nonredundant items that did not appear on the tests in the previous two years, instead of the previous

four years for grades 3–8 and the previous three years for high school tests.— Amends TCA Section 49–1–610.”

Bill Introduced: 05/08/18

Bill Text: <https://legiscan.com/TN/text/SB1835/id/1802765/Tennessee-2017-SB1835-Chaptered.pdf>

Bill Summary: This bill requires that at least 30 percent of the items on state assessments in grades 3–8 and end of course examinations in high school be items that did not appear on the tests in the previous two years. In the past the criteria was 70% instead of 30%. SB1835 also changes the cycles from four years to two years.

HB1140— “As enacted, establishes what constitutes a reasonable expectation of privacy for purposes of the offense of unlawful photographing in violation of privacy.— Amends TCA Title 39, Chapter 13; Title 39, Chapter 17 and Title 40, Chapter 35.”

Bill Passed: 05/08/18

Bill Text: <https://legiscan.com/TN/text/HB1140/id/1802108/Tennessee-2017-HB1140-Chaptered.pdf>

Bill Summary: This bill sets the criteria for privacy regarding photography. The specific criteria is in the bill text, but the main criteria is whether or not the photo depicts an individual in an embarrassing light.

Bill Impact: With the rise of snapchat and other photography-based apps, taking pictures in public is common throughout the country. Nearly everything is caught on some camera when an individual is in public. This bill clarifies the consequences for a picture that was taken for the purpose of offending/embarrassing a person or for the sexual arousal or gratification of the defendant.

Do you think this is a fair bill?

HB2251 — “As enacted, requires that a waiver amendment to the existing TennCare II waiver that requires elective abortion providers be excluded from participation as providers in the TennCare program be submitted to the federal centers for medicare and medicaid services for approval.— Amends TCA Title 68 and Title 71.”

Bill Passed: 04/18/18

Bill Text: <https://legiscan.com/TN/text/HB2251/id/1802144/Tennessee-2017-HB2251-Chaptered.pdf>

Bill Summary: This bill prohibits the use of state funds to support abortions.

Bill Impact: The Tennessee Department of Finance and Administration estimates abortion providers have received almost \$1 million in taxpayer funding from 2012–2017 (<http://clevelandbanner.com/stories/bell-bill-opposes-medicaid-funds-for-abortions,73813>). The bill amends the TennCare II waiver to exclude funding for facilities that perform elective abortions.

Should the government fund facilities that perform abortions?

“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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