



## THE INFORMANT NEWSLETTER

A biweekly newsletter for the Tennessee constituent

# TN Bills January 23rd-February 13th 2019

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### **SB1364— Highway Construction Funding**

**Bill Introduced:** 02/07/19

**Bill Text:** (<https://legiscan.com/TN/text/SB1364/id/1896942/Tennessee-2019-SB1364-Draft.pdf>)

**Bill Summary:** “Present law authorizes a county to use any unexpended funds that have accrued in the state treasury and that are available for the county’s use under the state-aid highway system as part of the required 25 percent local agency contribution for a road project implemented under the system, if the county provides at least 2 percent of the approved project costs from county funds, in-kind project work approved by the commissioner, or a combination of funds and approved project work.”-

(<http://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=SB1364&ga=111>)

**Bill Impact:** This bill is not changing much of the current status quo. Spending 2% of a county’s own funding on a highway construction project is the present policy. This policy, however, is set to expire this year. The bill removes this expiration date and sets the policy as permanent.

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### **HB0258— "The Sergeant Daniel Baker Act"**

**Latest Action:** Placed on s/c cal Constitutional Protections & Sentencing Subcommittee 02/13/19

**Bill Text:** <https://legiscan.com/TN/text/HB0258/id/1878500/Tennessee-2019-HB0258-Draft.pdf>

**Bill Summary:** This bill states that whenever the death penalty is imposed for first degree murder, upon the final judgement in trial court, the Tennessee Supreme Court shall automatically review the conviction and the sentence of death.

**Bill Impact:** This bill argues for a direct appeal. A direct appeal is an automatic appeal to the state's highest court for anyone sentenced to death (<https://capitalpunishmentincontext.org/resources/dpappealsprocess>). Presently, Tennessee is one of only two states in the U.S. to still use a two-step process (<https://www.tennessean.com/story/news/local/dickson/2019/02/20/sgt-daniel-baker-act-expedites-death-penalty-appeal-talks-continue/2926213002/>). The intention behind the bill is to condense the period of time between the date of the death and the court of last resort. Nathan Ridley of the Tennessee Association of Criminal Defense Lawyers criticized the idea stating, "I think it's more important to get it right than to get it fast...In a capital case, I think the defendant has a right to a perfect trial. I think we owe all of our citizens that" (The Tennessean). It is important to note that the proposed change does not alter any of the rules that the Supreme Court has outlined for courts to follow when dealing with death penalty cases.

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## **SB0486— "Tennessee Medical Cannabis Act"**

**Latest Action:** Referred to Senate Judiciary Committee 02/07/19

**Bill Text:** <https://legiscan.com/TN/text/SB0486/id/1888255/Tennessee-2019-SB0486-Draft.pdf>

**Bill Summary:** "This bill establishes a framework within which to authorize access to medical cannabis on a regulated basis for patients with qualifying medical conditions and that licenses and regulates the processes for cultivation, production, distribution, transport, selling, and acquiring cannabis for medical use and research." (<http://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=SB0486&ga=111>)

**Bill Impact:** 33 states have legalized medical marijuana (<https://www.webmd.com/a-to-z-guides/qa/what-us-states-have-legalized-medical-marijuana>). Proponents of legalization argue that this could help reduce the opioid crisis in Tennessee, citing facts such as 93% of individuals prefer

medical marijuana over opioid prescriptions (<https://www.sciencealert.com/93-of-patients-prefer-cannabis-over-opioids-for-managing-their-pain-according-to-new-study>). However, there is evidence that legalizing medicinal marijuana will lead to abuse of the drug and the system. In many states which already have legalized medical marijuana, patients have abused their new access to the drug and sold the weed on the black market (<http://www.news-journalonline.com/news/20140330/expect-serious-problems-with-medical-marijuana>).

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## **HB1016— High School Civics Test Requirement**

**Bill Introduced:** 02/06/19

**Bill Text:** <https://legiscan.com/TN/text/HB1016/id/1906098/Tennessee-2019-HB1016-Draft.pdf>

**Bill Summary:** This bill requires the Local Education Agency to provide a civics test of 100 questions that students must pass in order to receive a high school diploma. A passing grade is answering 75% of the questions correctly.

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## **HB 1369 — “Tennessee Natural Marriage Defense Act”**

**Bill Introduced:** 02/06/19

**Bill Text:** <https://legiscan.com/TN/text/HB1369/id/1895940/Tennessee-2019-HB1369-Draft.pdf>

**Bill Summary:** This bill defines marriage as a union between one man and one woman. Despite the recent 2015 ruling, Obergefell v. Hodges, which legalized same-sex marriage in all 50 states, Tennessee lawmakers have proposed legislation that would disregard that ruling and any future rulings that would be to the contrary of opposite-sex marriage.

**Bill Impact:** This bill solidifies that marriage in TN will be defined as a union between one man and one woman. This stance will stop some federal government funding. A fiscal review shows that funding for TennCare could be cut because of the State of Tennessee’s new position on marriage, resulting in approximately a \$9 billion decrease (<http://www.capitol.tn.gov/Bills/110/Fiscal/SB0752.pdf> ).

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*“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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