



Legislative Recap: Week of January 25th

This week, the House Finance, Ways & Means Committee met throughout the week to hear proposed budgets from an array of state agencies and departments. However, the full 112th General Assembly continues to remain in recess until February 8th, when they will convene to begin regular session. Additionally, on February 8th at 5:45 p.m. Central Time, a Joint Session will convene to hear Governor Lee's proposed budget for fiscal year 2022 in the annual State of the State address. Both chambers have now established a bill filing deadline. The Senate has set their deadline for close of business on February 11th and the House has set their deadline for close of business on February 17th.

Recent Headlines:

Tennessean: **What to know about Tennessee education bills passed during the special legislative session**
Tennessee lawmakers approved a \$160 million legislative package aimed at tackling pandemic-related student learning loss, the state's stagnant literacy rates and how schools will handle standardized testing in a flurried special session this week, but questions remain.

WSMV: **Department of Health updates state's COVID-19 Vaccination Plan**
The Tennessee Department of Health has updated its COVID-19 vaccination plan. The plan will now include homes with medically fragile children in Phase 1C. Health officials said by including their parents, caregivers, and other household residents, it will "help protect these children, as at this time no COVID-19 vaccine has been approved for use in children under age 16."

WBBJTV: **House Speaker Sexton discusses bill aimed at learning loss, job market growth**
The Tennessee legislature is discussing several new bills and proposals. WBBJ 7 Eyewitness News Reporter Conley Grayson Norris spoke with House Speaker Cameron Sexton about those discussions and what they mean for Tennesseans. Tuesday, Gov. Bill Lee signed a number of bills, including one to help solve learning loss due to the pandemic. Sexton says only a third of Tennessee's third graders are proficient in math and English.

Dickson Post: **Legislature focuses on criminal justice, education and pandemic**
With the nation's attention focused on what is happening in Washington, it could be easy to overlook the incredible work being done in the state of Tennessee. I am blessed to play my part in getting this work done for Tennesseans. Thanks to you, this past November I was re-elected by the largest margin since my first victory in 2016. I appreciate the confidence that you have placed in me to complete this very important work.

EIN News: **Commerce and Insurance Announces Senior Leadership Additions**
Jim Tracy joins TDCI as a Senior Advisor to the Department. Tracy most recently served as State Director for USDA Rural Development in Tennessee – working with rural communities to address local issues including facilities, broadband, water and sewer. In this role he facilitated federal grants and lower-interest loans for businesses and citizens.

Your 2021 Tracked Legislation:

SB100/HB112	Creates model employer program for qualified individuals with disabilities.
Sponsors	Sen. Massey, Becky; Rep. Moody, Debra
Category	Labor Law
Summary	Establishes the state as a model employer program. Ensures state agencies and departments implement the best policies for the recruitment, hiring, advancement, and retention of qualified individuals with disabilities
Senate Status	01/12/21 - Introduced in the Senate
House Status	01/27/21 - Referred to House Public Service Subcommittee.
Caption	AN ACT to amend Tennessee Code Annotated, Title 4 and Title 50, relative to employment.
SB115/HB116	Disqualification from driving commercial motor vehicles after conviction for trafficking offense.
Sponsors	Sen. Haile, Ferrell; Rep. Garrett, Johnny
Category	Transportation Vehicles
Summary	Suspends for life a commercial motor vehicle operator who has been convicted of the offense of trafficking for a commercial sex act or an equivalent offense in another jurisdiction. Disqualifies for life persons convicted of trafficking for a commercial sex act from obtaining a commercial driver license.
Fiscal Note	(Dated January 12, 2021) NOT SIGNIFICANT
Senate Status	01/13/21 - Introduced in the Senate
House Status	01/27/21 - Referred to House Transportation Subcommittee.
Caption	AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 3 and Title 55, Chapter 50, relative to lifetime disqualification from driving commercial motor vehicles after conviction for trafficking offense.
SB139/HB127	Number of days used in calculating the penalty for a business entity's delinquency.
Sponsors	Sen. Massey, Becky; Rep. Howell, Dan
Category	Transportation Vehicles
Summary	Changes the number of days, from 30 to 45, used in calculating the penalty for a business entity's delinquency in forwarding required contract documents related to fleet vehicles to the department of revenue. Broadly captioned.
Fiscal Note	(Dated January 27, 2021) NOT SIGNIFICANT
Senate Status	01/14/21 - Introduced in the Senate
House Status	01/13/21 - Introduced in the House
Caption	AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 54; Title 55; Title 65 and Title 67, relative to transportation.
SB140/HB125	Veteran designation on driver license.
Sponsors	Sen. Massey, Becky; Rep. Howell, Dan
Category	Transportation Vehicles
Summary	States that any department of defense or military branch form that shows the dates of service and indicates the applicant received an honorable discharge may be submitted by an applicant to have a veteran designation on his or her driver license. Broadly captioned.
Fiscal Note	(Dated January 13, 2021) NOT SIGNIFICANT
Senate Status	01/14/21 - Introduced in the Senate
House Status	01/13/21 - Introduced in the House
Caption	AN ACT to amend Tennessee Code Annotated, Title 54; Title 55; Title 65 and Title 67, relative to transportation.

SB141/HB126	Definition of disabled driver revised.
Sponsors	Sen. Massey, Becky; Rep. Howell, Dan
Category	Transportation Vehicles
Summary	Deletes references to ambulatory disability certifications being made by Christian Science practitioners from the definition of "disabled driver." Broadly captioned.
Fiscal Note	(Dated January 12, 2021) NOT SIGNIFICANT
Senate Status	01/14/21 - Introduced in the Senate
House Status	01/13/21 - Introduced in the House
Caption	AN ACT to amend Tennessee Code Annotated, Title 4; Title 54; Title 55; Title 65 and Title 67, relative to transportation.
SB154/HB101	Clarifies that a motorized wheelchair is not a motor vehicle for purposes of the rules of the road.
Sponsors	Sen. Briggs, Richard; Rep. Jernigan, Darren
Category	Transportation Vehicles
Summary	Clarifies that a motorized wheelchair is not a motor vehicle for purposes of the rules of the road, accidents, and crimes involving motor vehicles. Broadly captioned.
Fiscal Note	(Dated January 8, 2021) NOT SIGNIFICANT
Senate Status	01/14/21 - Filed for Introduction
House Status	01/27/21 - Referred to House Transportation Subcommittee.
Caption	AN ACT to amend Tennessee Code Annotated, Title 55, relative to motor vehicles.
SB175/HB58	Changes holding period for properties held by banks.
Sponsors	Sen. Lundberg, Jon; Rep. Haston, Kirk
Category	Banking & Credit
Summary	Changes the permitted holding period by a bank for non-real-property acquired in satisfaction of a loan from six months to twelve months.
Fiscal Note	(Dated January 12, 2021) NOT SIGNIFICANT
Senate Status	01/14/21 - Filed for Introduction
House Status	01/13/21 - Caption bill held on House clerk's desk.
Caption	AN ACT to amend Tennessee Code Annotated, Title 45, relative to property held by banks.
SB183/HB400	TDOT report on placards issued to transporters of manufactured homes.
Sponsors	Sen. Massey, Becky; Rep. Boyd, Clark
Category	Transportation Vehicles
Summary	Requires the department of transportation to submit a brief written summary to the transportation committee of the house of representatives and the transportation and safety committee of the senate no later than March 15 annually concerning placards issued to transporters of manufactured homes, including data on unsafe and erratic driving reported to the department using the telephone number that appears on the placards. Broadly captioned.
Senate Status	01/15/21 - Filed for Introduction
House Status	01/25/21 - Filed for Introduction
Caption	AN ACT to amend Tennessee Code Annotated, Title 55; Title 62; Title 67 and Title 68, relative to manufactured homes.
SB186/HB172	Vaccinations as a condition of employment.
Sponsors	Sen. Bowling, Janice; Rep. Hulse, Bud
Category	Labor Law
Summary	Prohibits state and local government entities from requiring vaccinations as a condition of employment. Provides unemployment benefits to a claimant who voluntarily leaves employment because the employer requires vaccination and the claimant refused to be vaccinated.

Senate Status 01/15/21 - Filed for Introduction
House Status 01/14/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 30; Title 8, Chapter 50; Title 50, Chapter 1 and Title 50, Chapter 7, relative to vaccinations.

SB195 **Increases minimum wage to \$12.00 per hour.**
Sponsors Sen. Robinson, Katrina
Category Labor Law
Summary Increases the minimum hourly wage for employees within the state from \$7.25 to \$12.00 per hour.
Senate Status 01/15/21 - Filed for Introduction
Caption AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 2, relative to the minimum wage.

SB200 **Removes prohibition on local governments enacting rent control and inclusionary zoning regulations.**
Sponsors Sen. Gilmore, Brenda
Category Local Government
Summary Removes the statewide prohibition on local governments enacting rent control and inclusionary zoning regulations.
Fiscal Note (Dated January 20, 2021) NOT SIGNIFICANT
Senate Status 01/15/21 - Filed for Introduction
Caption AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 35, relative to local housing regulations.

SB215/HB131 **Definition of tangible personal property.**
Sponsors Sen. Watson, Bo; Rep. Hazlewood, Patsy
Category Taxes Sales
Summary Clarifies that the definition of "tangible personal property" does not include mains, pipes, pipelines, or tanks after they have become attached to a building, or other structure, or installed underground for conducting steam, heat, water, wastewater, oil, electricity, gas, or any property, substance, or product capable of transportation or conveyance therein or that is protected thereby, except for propane tanks for residential use and above ground storage tanks that can be moved without disassembly and are not affixed.
Senate Status 01/19/21 - Filed for Introduction
House Status 01/13/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.

SB221/HB370 **Quarantine procedures - creation of new committee to handle implementation.**
Sponsors Sen. Hensley, Joey; Rep. Casada, Glen
Category Health Care
Summary Requires the department of health to establish a committee to determine when and how quarantine and disease communication tracking procedures should be implemented within 24 hours of a state of emergency being declared. Removes quarantine authority from health commissioner and county health officer. Requires county health departments to publish data regarding epidemic testing.
Senate Status 01/19/21 - Filed for Introduction
House Status 01/21/21 - Filed for Introduction
Caption AN ACT to amend Tennessee Code Annotated, Title 4 and Title 68, relative to quarantine procedures.

SB237	Filing dates for campaign finance disclosures.
Sponsors	Sen. Gardenhire, Todd
Category	Campaigns & Lobbying
Summary	Expands requirements for reporting all contributions and expenditures in detail. Reduces the number of filing dates for campaign finance disclosures to quarterly in election years and semiannually in non-election years.
Senate Status	01/19/21 - Filed for Introduction
Caption	AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, relative to campaign financial disclosures.
SB239	Filing of pre-primary and pre-general election statements.
Sponsors	Sen. Gardenhire, Todd
Category	Campaigns & Lobbying
Summary	Removes requirement to file pre-primary and pre-general election statements for candidates for state public office and political campaign committees for state elections. Broadly captioned.
Fiscal Note	(Dated January 19, 2021) NOT SIGNIFICANT
Senate Status	01/19/21 - Filed for Introduction
Caption	AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, relative to campaign finance.
SB247/HB236	Fees charged for driver license issuance.
Sponsors	Sen. Massey, Becky; Rep. Littleton, Mary
Category	Transportation Vehicles
Summary	Authorizes entities contracting with the department of safety for the issuance of driver licenses to charge an additional \$1.00 fee per driver license issued. Requires the department to distribute to contracting entities \$3.00 per each REAL ID compliant driver license issued by the entity until June 30, 2022. Specifies that all fees received by contracting entities for issuing licenses are to be retained by the contracting entity for administrative costs and shall not revert to the general fund at the end of the fiscal year.
Senate Status	01/19/21 - Filed for Introduction
House Status	01/19/21 - Filed for Introduction
Caption	AN ACT to amend Tennessee Code Annotated, Section 55-50-331, relative to issuance of driver licenses.
SB261	Requires compensation of accrued vacation for former employees of certain private employers.
Sponsors	Sen. Niceley, Frank
Category	Labor Law
Summary	Requires certain private employers to include in the final wages of a former employee accrued vacation pay or other compensatory time. Voids a provision in a company policy or labor agreement providing to the contrary.
Senate Status	01/20/21 - Filed for Introduction
Caption	AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8 and Title 50, relative to employment.
SB284	Penalty for a third or subsequent conviction of driving on a license that is suspended or revoked.
Sponsors	Sen. Rose, Paul
Category	Transportation Vehicles

Summary increases the penalty for a third or subsequent conviction of driving on a license that is canceled, suspended, or revoked to a Class E felony. Current law specifies that the penalty is a Class A misdemeanor.

Senate Status 01/21/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13 and Title 55, relative to driver licenses.

SB288/HB344 Revises the definition of "blighted area" for purposes of redevelopment projects by housing authorities.

Sponsors Sen. Niceley, Frank; Rep. Carr, Dale

Category Property & Housing

Summary Revises the definition of "blighted area" for purposes of redevelopment projects by housing authorities. Clarifies that housing authorities may acquire real property through a negotiated sale, without the use of eminent domain. Authorizes housing authorities to pay more than fair market value for properties that are not blighted but that are in a blighted area.

Fiscal Note (Dated January 26, 2021) Other Fiscal Impact The extent and timing of any permissive impact to local government revenue and expenditures cannot reasonably be determined due to multiple unknown factors.

Senate Status 01/21/21 - Filed for Introduction

House Status 01/20/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 13, Chapter 20; Title 13, Chapter 21 and Title 29, Chapter 17, relative to housing authorities.

SB313 Written notice of landlord's tenant selection criteria and the grounds for which a rental application may be denied.

Sponsors Sen. Gilmore, Brenda

Category Property & Housing

Summary Specifies that at the time an applicant is provided with a rental application, the landlord is required to provide the applicant with written notice of the landlord's tenant selection criteria and the grounds for which the rental application may be denied. Specifies if a landlord denies an applicant and the landlord has not provided the written notice then the landlord shall return the applicant's application fee, security deposit, and any other fee or deposit.

Senate Status 01/22/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 13 and Title 66, relative to residential rental property.

SB315 Removes statewide prohibition on local governments enacting inclusionary zoning regulations.

Sponsors Sen. Gilmore, Brenda

Category Local Government

Summary Deletes the statewide prohibition on local governments enacting inclusionary zoning regulations. Broadly captioned.

Fiscal Note (Dated January 26, 2021) NOT SIGNIFICANT

Senate Status 01/22/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 35, relative to local housing regulations.

SB317/HB437 Regulates the use of installment land contracts for the conveyance of real property.

Sponsors Sen. Walley, Page; Rep. Haston, Kirk

Category Property & Housing

Summary Regulates the use of installment land contracts for the conveyance of real property. Specifies that this bill is not applicable to the sale of land by the state or a political subdivision of the state (27 pp.).

Senate Status 01/22/21 - Filed for Introduction

House Status 01/28/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 66, relative to transfers of real property.

HB34 Authorizes THDA to provide affordable housing to displaced tenants.

Sponsors Rep. Cooper, Barbara

Category Property & Housing

Summary Authorizes the THDA to provide eligible displaced tenants who have been denied requests for housing or housing repairs by local governmental entities with affordable housing and services. Broadly captioned.

House Status 01/27/21 - Referred to House Property & Planning Subcommittee.

Caption AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 21; Title 5; Title 6; Title 7; Title 13, Chapter 23 and Title 66, Chapter 7, relative to displaced tenants.

HB77 Request by state bank for waiver or modification of terms and conditions applicable to a national bank.

Sponsors Rep. Lamberth, William

Category Banking & Credit

Summary Authorizes a state bank to request from the commissioner a waiver or modification of the terms and conditions applicable to a national bank. Authorizes a state bank to request the authority to exercise any incidental power or engage in any incidental activity that is reasonably necessary. Requires the commissioner to publish a summary of applications submitted for waiver, modification, or authorization.

Fiscal Note (Dated January 12, 2021) NOT SIGNIFICANT

House Status 01/27/21 - Referred to House Banking & Consumer Affairs Subcommittee.

Caption AN ACT to amend Tennessee Code Annotated, Section 45-2-601, relative to banking.

HB84 Statute of limitations for tax collection.

Sponsors Rep. Lamberth, William

Category Taxes General

Summary Tolls the statute of limitations for collection of taxes upon the imposition of a bankruptcy stay or upon the filing of a probate, receivership, or assignment for benefit of creditors proceeding. Allows statute of limitations to begin running 30 days after the stay is lifted or the proceeding prohibiting collection ends.

Fiscal Note (Dated January 7, 2021) NOT SIGNIFICANT

House Status 01/27/21 - Referred to House Finance, Ways & Means Subcommittee.

Caption AN ACT to amend Tennessee Code Annotated, Section 67-1-1429, relative to the statute of limitations for tax collection.

HB86 Reduces the lower gross weight threshold for freight vehicles that are required to pay the registration tax.

Sponsors Rep. Lamberth, William

Category Transportation Vehicles

Summary Reduces the lower gross weight threshold for freight vehicles that are required to pay the registration tax of \$1,019 from 56,000 pounds to 55,000 pounds. Removes authority for nonresidents to apply directly to department of revenue for off-highway vehicle permits.

Authorizes issuance of decals instead of new plates upon expiration of special purpose plates for manufacturers, dealers, transporters, and nonprofit organizations.
House Status 01/27/21 - Referred to House Transportation Subcommittee.
Caption AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, relative to vehicle registration.

HB94 Disputes concerning employer's failure to provide medical care and treatment.
Sponsors Rep. Lamberth, William
Category Workers Compensation
Summary Requires disputes concerning an employer's failure to provide medical care and treatment, medical services or medical benefits, or both, to meet certain requirements. Deletes requirement that all compensation be paid prior to an employee qualifying for vocational recovery assistance. Extends current provisions, as amended, for four years. Authorizes workers' compensation judges to conduct judicial settlement conferences.
House Status 01/27/21 - Referred to House Banking & Consumer Affairs Subcommittee.
Caption AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, Part 2, relative to workers' compensation.

HB122 Report submitted by the governing committee of the TN automobile insurance plan.
Sponsors Rep. Whitson, Sam
Category Transportation General
Summary Extends from September 30 to October 15, the annual date by which the governing committee of the Tennessee automobile insurance plan must submit to the department of commerce and insurance a financial report for the preceding calendar year in a form approved by the commissioner. Broadly captioned.
House Status 01/13/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 4; Title 6; Title 7; Title 12; Title 42; Title 47, Chapter 18; Title 54; Title 55; Title 56; Title 65 and Title 67, relative to transportation.

HB157 State tax revenue pertaining to National Hockey League franchises.
Sponsors Rep. Beck, Bill
Category Taxes Sales
Summary Extends provisions related to the apportionment and distribution of state tax revenue as they pertain to National Hockey League franchises until June 30, 2049.
House Status 01/14/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxes.

HB168 Valuation of property.
Sponsors Rep. Lamar, London
Category Taxes Property
Summary Requires residential property to be valued for ad valorem tax purposes on the basis of the most recent sale, lease, mortgage, or other transfer of an interest in the property for which unrelated parties with competing interests agreed to a valuation of the property. Broadly captioned.
House Status 01/14/21 - Introduced in the House
Caption AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

HB177 Property managers bringing suit or testifying against tenants.
Sponsors Rep. Russell, Lowell
Category Property & Housing

Summary Authorizes property managers to bring suit or testify against tenants in the same manner as landlords or owners of rental property. Defines "manager" to mean an individual, group, business, or organization hired by a landlord or owner to oversee the day-to-day operations of a premises.

Fiscal Note (Dated January 26, 2021) NOT SIGNIFICANT

House Status 01/14/21 - Introduced in the House

Caption AN ACT to amend Tennessee Code Annotated, Title 4; Title 16; Title 29 and Title 66, relative to rental property.

HB356 **Written notice by employer regarding appeal of an alleged violation of TN Lawful Employment Act.**

Sponsors Rep. Bricken, Rush

Category Labor Law

Summary Changes the number of days, from 30 days to 45, in which an employer must provide the commissioner of labor and workforce development with written notice to maintain its right to appeal an alleged violation of the Tennessee Lawful Employment Act. Broadly captioned.

House Status 01/21/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 50, relative to employment.

HB395 **Liability of general contractor, intermediate contractor, or subcontractor.**

Sponsors Rep. Boyd, Clark

Category Workers Compensation

Summary Removes liability of a general contractor, intermediate contractor, or subcontractor for workers' compensation to a construction services provider for injuries occurring during the time period of December 9, 2019, through September 9, 2021, if certain conditions are met.

House Status 01/25/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, Part 9, relative to workers' compensation.

HB401 **Awarding of additional attorneys' fees and costs when employer wrongfully denies claim.**

Sponsors Rep. Boyd, Clark

Category Workers Compensation

Summary Authorizes the court of workers' compensation claims to award additional attorneys' fees and costs incurred when an employer wrongfully denies a claim or wrongfully fails to timely initiate benefits to which the employee or dependent is entitled for injuries that occur between July 1, 2021, and June 30, 2023.

House Status 01/25/21 - Filed for Introduction

Caption AN ACT to amend Tennessee Code Annotated, Section 50-6-226, relative to workers' compensation.