



Tracked Legislation

2023 & 2024 Tracked Legislation (4/18/2024)

COMMERCIAL LAW

SB138/HB761 **Youth Mental Health Safety Act.**

Sponsors: Sen. Hensley, Joey , Rep. Eldridge, Rick

Summary: Requires manufacturers of smart phones or tablets that are activated in this state, after January 1, 2024, to automatically enable a filter that prevents the user from accessing or downloading material that is harmful to minors. Specifies that a violation constitutes an unfair or deceptive act under the Consumer Protection Act of 1977.

Senate Status: 03/20/23 - Senate Commerce & Labor Committee deferred to the first calendar of 2024.

House Status: 03/21/23 - Taken off notice in House Banking & Consumer Affairs Subcommittee.

SB2097/HB1891 **Protecting Children from Social Media Act.**

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Enacts the "Protecting Children from Social Media Act," which requires a social media company to verify the age of an individual who attempts to become an account holder or is an account holder. Requires the social media company to obtain parental consent if the individual is a minor in order for the individual to obtain an account or to continue as an account holder. Requires a social media company to allow a parent to revoke consent for a minor to become or continue as an account holder. Prohibits a social media company or third party from retaining personally identifying information that was used to verify age or parental consent. Part of Administration Package.

Amendment Summary: House amendment 1 (015588) makes the following changes: (1) Revises the definition of "account holder" to, instead, mean a person who has an account or profile to use a social media company's platform, with such account or profile having been created on or after January 1, 2025; (2) Clarifies that, as used in the bill, "content" means text, image, or video, but does not include interactive gaming or educational entertainment; (3) Clarifies that, as used in the bill, a "social media platform" does not include an online shopping service, if the interaction with other account holders or users is limited to the ability to send, receive, request, or settle funds, comment on transactions, display goods for sale, engage as consumers about products and reviews, or post a wish list; (4) Clarifies that, as used in the bill, a "social media platform" does not include an internet service, internet application, or website that primarily provides career development opportunities; and (5) Changes the effective date to January 1, 2025. Senate Amendment 1 (015722) requires a social media company to verify the age of an individual before the individual can become an account member. Requires parental consent for a minor to become an account holder.

Subcommittee: Banking_Sub_Amendment_02.13.24.PDF

Amendments: Banking_Sub_Amendments_02.27.24.pdf

Senate Status: 04/08/24 - Senate passed with amendment 2 (015722).

House Status: 04/15/24 - House concurred in Senate amendment 2 (015722).

Executive Status: 04/15/24 - Sent to the speakers for signatures.

SB2372/HB2709 **Social media company required to obtain parental consent before allowing minor to create an account.**

Sponsors: Sen. Watson, Bo , Rep. Garrett, Johnny

Summary: Requires a social media company to obtain parental consent before allowing a minor to create an account or access an already existing account. Prohibits a social media company from using practices, designs, or features on the social media platform that the social media company knows or should know to cause minors to develop an addiction to the social media platform. (12 pp.). Broadly captioned.

Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 02/07/24 - Referred to House Banking & Consumer Affairs Subcommittee.

CORRECTIONS

SB2459/HB2339 **Report on diversion and educational programs provided for justice-involved youth.**

Sponsors: Sen. Akbari, Raumesh , Rep. Pearson, Justin

Summary: Requires the department of correction, the department of children's services, the Tennessee Council of Juvenile and Family Court Judges, and state and local law enforcement agencies to each submit a separate report to the general assembly listing all diversion and educational programs provided by the entity for justice-involved youth. Requires the report to include program participation demographics and to be submitted to the general assembly by no later than July 1, 2024. Broadly captioned.

Senate Status: 04/02/24 - Taken off notice in Senate Judiciary Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.

SB2879/HB2959 Creates a committee to study the establishment of incarcerated parenting plans.*Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.*Summary:* Creates a committee to study the establishment of incarcerated parenting plans to facilitate the ongoing relationships between incarcerated parents and their children within this state. Requires the committee to report its findings and recommendations to the civil justice committee of the house of representatives and the judiciary committee of the senate by December 1, 2024, including any model incarcerated parenting plan and any proposed legislation. Broadly captioned.*Senate Status:* 04/01/24 - Senate passed.*House Status:* 04/17/24 - Set for House Floor 04/18/24.**CRIMINAL LAW****SB624/HB430 Blended sentence for 16 and older children.***Sponsors:* Sen. Taylor, Brent , Rep. White, Mark*Summary:* Allows a juvenile court to impose a blended sentence on a child 16 years of age or older for a juvenile offense that would be a Class A, B, or C felony if committed by an adult. Defines blended sentencing as a combination of any disposition otherwise provided for juveniles and a period of adult probation to be served after the child turns 18 years of age and which ends on or before the child's twenty-fifth birthday. Broadly captioned.*Amendment Summary:* Senate amendment 1 (007085) rewrites this bill to authorize a court to classify a child 16 years of age or older as a serious youthful offender if the child is adjudicated delinquent for: (1) An act that would be a Class A felony if committed by an adult; (2) An act that would be a Class B felony if committed by an adult and the child has two or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult; or (3) An act that would be a Class C felony if committed by an adult and the child has three or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult. This amendment authorizes a court to impose any of the dispositions authorized for a child who is adjudicated delinquent under present law upon a juvenile classified as a serious youthful offender. If the court imposes a determinate commitment for the serious youthful offender, then the time credits for good institutional behavior or satisfactory performance do not apply to shorten the time of a serious youthful offender's determinate commitment. This amendment authorizes a court to impose an additional sentence to be served after a serious youthful offender turns 19 years of age, which ends on or before the offender's twenty-fourth birthday. If imposed, the additional sentence beyond the serious youthful offender's nineteenth birthday must extend for at least: (1) Four years if the child is adjudicated delinquent for an act that would be a Class A felony if committed by an adult; (2) Three years if the child is adjudicated delinquent for an act that would be a Class B felony if committed by an adult; or (3) One year if the child is adjudicated delinquent for an act that would be a Class C felony if committed by an adult. A court may set aside an additional sentence imposed pursuant to (1)-(3). This amendment requires the court to conduct a hearing within four months of the serious youthful offender's nineteenth birthday to review the offender's circumstances and determine whether the additional sentence should be set aside. The full text of this amendment specifies five factors for the court's consideration when making such determination. If the court imposes an additional sentence beyond a serious youthful offender's nineteenth birthday, then the court is required to enter an order on or before the offender's nineteenth birthday committing the offender to the custody of the department of correction to serve the additional sentence imposed by the juvenile court. This amendment requires a court to make an audio recording of a hearing conducted pursuant to this amendment, which recording must include all proceedings in open court and such other proceedings as the judge may direct and must be preserved as part of the record of the hearing. House Criminal Justice Committee amendment 1 (014578) addresses the treatment of juvenile offenders, particularly those charged with serious offenses. Introduces measures to classify and handle serious youthful offenders, defined as individuals under the age of twenty-four who commit specified offenses including murder, rape, robbery, kidnapping, terrorism, and other serious felony offenses involving the use of a deadly weapon. It sets forth criteria for classification, establishing guidelines for imposing determinate and additional dispositions beyond the offender's nineteenth birthday. Furthermore, the amendment outlines procedures for reviewing dispositions and conducting hearings based on the offender's behavior and circumstances. The review process includes expedited reevaluation by the criminal court or court having jurisdiction, involving a thorough reconsideration of the case without reliance on previous decisions. Additionally, it provides criteria and procedures for transferring juveniles aged sixteen and older charged with certain offenses to be tried as adults in criminal court. This amendment takes effect on July 1, 2024, and applies to offenses committed on or after that date. House Finance Committee amendment 1 (015022) extends the definition of a child to include an individual under the age of 24 for the purpose of remaining under juvenile court jurisdiction while serving a sentence as a serious youthful offender. Defines serious youthful offender as a child 14 years of age or older who: (1) commits certain outlined criminal offenses; (2) commits certain criminal offenses and has a prior adjudication of delinquency for certain outlined offenses; or (3) has committed an outlined criminal offense and the District Attorney General has asked the court to classify the child as a serious youthful offender. Authorizes the juvenile court to impose a determinate sentence to last until the serious youthful offender's 19th birthday. Requires the juvenile court to impose an additional sentence to be served under supervision of the Department of Corrections (DOC) after the serious youthful offender turns 19 until on or before the offender's 24th birthday. Establishes that such minimum additional disposition beyond the serious youth offender's 19th birthday must be four years for a Class A felony or three years for a Class B felony. Authorizes the court to stay the additional sentencing, so long as a hearing is conducted within four months of the serious youthful offender's 19th birthday, to determine if the additional sentence under DOC is necessary. Requires a juvenile aged 16 or older to be held and tried as an adult if they are charged with first-degree murder, second-degree murder, or attempt of first- or second-degree murder. Requires the court to provide reasonable notice of the juvenile's probable cause hearing to the juvenile's custodian at least 14 days prior to the hearing. Requires a juvenile aged 16 or older who is tried and committed as an adult be housed separately from adult inmates. Authorizes the criminal court to review a juvenile court's determination that a juvenile is to be tried as an adult upon motion by either party, and that the juvenile court's ruling be stayed until the conclusion of the review. Requires the record on appeal be filed no later than 15 days after the entry of the juvenile court's order, and that the criminal court must conduct a de novo review of records without an evidentiary hearing within 15 days of the filing of the record on appeal. Authorizes counsel for the child to serve and file a brief 15 days after the state's brief is filed with the clerk. Requires the criminal court to issue a decision within 45 days after the date on which the record is filed.*Subcommittee:* Criminal_Justice_Sub_Amendments_04.04.2023.pdf*Amendments:* Finance_Sub_Amendments_03.06.2024.pdf*Senate Status:* 04/13/23 - Senate passed with amendment 1 (007085).*House Status:* 04/17/24 - Set for House Floor 04/18/24.**SB1047/HB1041 Access to juvenile justice data provided to TN Commission on Children and Youth.***Sponsors:* Sen. Yarbro, Jeff , Rep. Jernigan, Darren

Summary: Requires the administrative office of the courts to provide the Tennessee commission on children and youth with access to juvenile justice data. Requires the Tennessee commission on children and youth to prepare an annual report related to such data to be submitted to the governor and the members of the general assembly. Authorizes the administrative office of the courts to maintain juvenile justice records for the sole purpose of conducting statistical research related to outcomes of justice-involved juveniles. Broadly captioned.

Senate Status: 03/29/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

House Status: 02/07/23 - Referred to House Civil Justice Subcommittee.

SB1577/HB1602 **Audio or video recording required for interrogation of juvenile.**

Sponsors: Sen. Lamar, London , Rep. Chism, Jesse

Summary: Requires an audio or video recording to be made of any formal interview or interrogation of a child who has been taken into custody on suspicion that the child committed a delinquent act or unruly conduct unless a technical issue with the equipment or exigent circumstances prevents the recording.

Senate Status: 03/06/24 - Signed by Senate speaker.

House Status: 03/06/24 - Signed by House speaker.

Executive Status: 04/03/24 - Enacted as Public Chapter 0565 effective July 1, 2024.

SB1578/HB1827 **Detaining of a child alleged to be unruly.**

Sponsors: Sen. Lowe, Adam , Rep. Martin, Brock

Summary: Extends the period of time during which a child who is alleged to be unruly may be detained prior to a detention hearing from no more than 24 hours excluding nonjudicial days or 72 hours total to no more than 72 hours excluding nonjudicial days or 96 hours total. Broadly captioned.

Amendment Summary: Senate amendment 1 and House Criminal Justice committee amendment 1 (014156) rewrites the bill to revise the present law prohibiting children alleged to be unruly from being detained for more than 24 hours, excluding nonjudicial days unless there has been a detention hearing and a judicial determination that there is probable cause to believe the child has violated a valid court order, and in no event must such a child be detained for more than 72 hours exclusive of nonjudicial days prior to an adjudicatory hearing. This amendment replaces the present law and, instead, encourages the court to make reasonable efforts to ensure that a child alleged to be unruly is not detained for more than 24 hours, excluding nonjudicial days, unless there has been a detention hearing and a judicial determination that there is probable cause to believe the child has violated a valid court order. In no event must a child be detained for more than 72 hours, excluding nonjudicial days, unless there has been a detention hearing and a judicial determination that there is probable cause to believe the child has violated a valid court order.

Subcommittee: CriminalSubAmendmentPacketRegCal03.19.24.pdf

Amendments: 03.26.24CrimSubAdoptedAmendments.pdf

Senate Status: 03/14/24 - Senate passed with amendment 1 (014156).

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1587/HB1727 **Leaving a minor child in the care of a sexual offender.**

Sponsors: Sen. Haile, Ferrell , Rep. Gant, Ron

Summary: Specifies that a parent or guardian who knowingly allows their minor child to be under the care or supervision of a person who is required to register as a sexual offender commits a Class A misdemeanor. Broadly captioned.

Senate Status: 03/04/24 - Senate passed.

House Status: 04/17/24 - Set for House Floor 04/18/24.

SB1703/HB1979 **Transfer of juvenile to criminal court for firearm theft.**

Sponsors: Sen. Hensley, Joey , Rep. Capley, Kip

Summary: Requires the transfer of a juvenile to criminal court for the offense of theft of a firearm from a motor vehicle if the child was 14 years of age or more but younger than 17 years of age. Increases from a Class E felony to a Class D felony theft of a firearm worth less than \$2,500. Broadly captioned.

Senate Status: 03/05/24 - Taken off notice in Senate Judiciary Committee.

House Status: 01/30/24 - Referred to House Criminal Justice Subcommittee.

SB1792/HB1614 **Protect Tennessee Minors Act.**

Sponsors: Sen. Massey, Becky , Rep. Hazlewood, Patsy

Summary: Enacts the Protect Tennessee Minors Act, which requires an individual or commercial entity that publishes or distributes in this state a website that contains a substantial portion of material harmful to minors to perform reasonable age-verification methods to verify the age of individuals attempting to access the material. Requires a website owner, commercial entity, or third party that executes a required age-verification method to (1) retain at least seven years of historical anonymized age-verification data; and (2) not retain any personally identifying information of the active user after access to the content harmful to minors has been granted. Specifies that a violation of age-verification or data retention requirements is a Class C felony.

Amendment Summary: House Criminal Justice Committee amendment 1 (016023) enacts the Protect Tennessee Minors Act. Requires an individual or commercial entity that publishes or distributes in Tennessee a website that contains a substantial portion of content defined by the legislation as harmful to minors to verify that a user attempting to access the website is at least 18 years of age. Requires such entities to retain at least seven years of historical anonymized age-verification data; prohibits them from retaining any personally identifying information of the user after access to the content has been granted. Establishes that an entity that fails to comply with the age-verification requirement is liable to an individual for damages resulting from a minor's accessing the content deemed harmful, including court costs and reasonable attorney fees. Establishes that an entity that is found to have knowingly retained personally identifying information of an active user after access to the content has been granted is liable to the user for damages resulting from retention of the identifying information, including court costs and reasonable attorney fees. Creates Class C felony offenses for violations of the proposed requirements and prohibitions. Authorizes the Attorney General and Reporter (AG) to bring appropriate action or proceeding against a commercial entity for violations of the requirements. Effective January 1, 2025, and applies to conduct occurring on or after that date. Senate amendment 2 (016023) makes the following changes: (1) Changes the definition of "substantial portion," as used in the bill, from 10 percent or more of the total amount of data available on a website to 33 1/3 percent or more of the total amount of data available on a website; (2) Changes the entity responsible for enforcement of the bill from the department of safety to the attorney general, who is authorized to bring any appropriate action or proceeding in a court of competent jurisdiction against a commercial entity that fails to comply with the bill; and (3) Changes the effective date to January 1, 2025

Subcommittee: CriminalSubAmendmentPacket03.12.24.pdf

Amendments: 03.12.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/09/24 - Senate passed with amendment 2 (016023).

House Status: 04/17/24 - Set for House Floor 04/18/24.

SB1834/HB1663 Authorization of the death penalty as a punishment for rape of a child.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Authorizes the death penalty as a punishment for rape of a child, aggravated rape of a child, or especially aggravated rape of a child.

Amendment Senate amendment 1, House Finance Committee amendment 1 (013184) revises the punishment in the bill for the offense of rape of a child when the defendant was a juvenile at the time of the offense to punishing the defendant as a Range II offender. However the sentence imposed may, if appropriate, be within Range III, but in no case can it be lower than Range II. House Finance Committee amendment 2 (018241) requires an individual convicted of rape of a child be sentenced to death, imprisonment for life without possibility of parole, or imprisonment for life. Requires the sentence for a juvenile convicted of rape of a child be as a Range II offender. Authorizes a sentence of death for an individual convicted of aggravated rape of a child and especially aggravated rape of a child. Changes the age at which a person can be a victim of especially aggravated child rape, from less than 18 years old, to more than 12 years but less than 18 years. Prohibits a defendant with intellectual disability from a sentence of death for any offense.

Subcommittee Amendments: Finance_Sub_Amendments_02.07.2024.pdf

Senate Status: 04/09/24 - Senate passed with amendment 1 (013184).

House Status: 04/17/24 - Set for House Floor 04/18/24.

SB1835/HB1905 Child abuse - knowingly treating a child under 18 in such a manner as to inflict injury.

Sponsors: Sen. Johnson, Jack , Rep. McCalmon, Jake

Summary: Increases, from Class A misdemeanor to a Class E felony, the penalty for a person who commits child abuse by knowingly treating a minor in a way to inflict injury.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1929/HB2223 Creates an Amber+ Alert system.

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Creates a missing person alert program called the Amber+ Alert system which is to be used for missing persons between the ages of 12 and 25 who are reported missing under either unexplained or suspicious circumstances, are at risk of harm, or are developmentally disabled or cognitively impaired.

Amendment Senate amendment 1 (015559) rewrites the bill to, instead, revise the present law providing that for purposes of any endangered child and young adult alert program implemented by the Tennessee bureau of investigation that is distinct from the America's Missing Broadcast Emergency Response (AMBER) Alert system and that is used to notify local media about a missing child or young adult, along with any additional available information, such program must be applied to a person who is under 21 and who meets the criteria of being endangered, as established or determined by the bureau by, instead, requiring such program to be applied to a person who is under 25 years of age and who meets the criteria of being endangered, as established or determined by the bureau.

Subcommittee Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf

Amendments: 03.26.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/09/24 - Senate passed with amendment 1 (015559).

House Status: 04/18/24 - House passed.

Executive Status: 04/18/24 - Sent to the speakers for signatures.

SB2020/HB1695 Autopsy reports of minors who were victims of violent crimes.

Sponsors: Sen. Reeves, Shane , Rep. Alexander, Rebecca

Summary: States that reports of county medical examiners and autopsy reports of victims of violent crime who are minors are not public documents. Authorizes the release of these records if the parent or legal guardian consents to the release. Broadly captioned.

Amendment House amendment 1 (013524) makes the following changes to the bill: (1) Provides that reports of county medical examiners and autopsy reports of minors whose manner of death is listed as a homicide are not public documents; (2) Allows for the report of a county medical examiner or autopsy report of a minor whose death is listed as a homicide to be released if another state or federal law requires such release; and (3) Deletes the definition of a "violent crime." House amendment 7 (018220) makes the following changes: (1) Authorizes the report of a county medical examiner or autopsy report of a minor whose manner of death is listed as a homicide to also be inspected, instead of just released, if (i) the minor's parent or legal guardian is not a suspect in the circumstances of the minor's death, and the parent or legal guardian consents to the release; (ii) a court orders the release of the report upon a showing of good cause; or (iii) another state or federal law requires such release; and (2) Allows for the report of a county medical examiner or autopsy report of a minor whose death is listed as a homicide to be released or inspected, as applicable, if the reports are only available for in-person inspection and no photographs, photocopies, or electronic images are taken of the reports. Senate State & Local Government Committee amendment 1 (015628) establishes reports of the county medical examiners, toxicological reports, and autopsy reports as public records with the exception of medical records of deceased persons, law enforcement investigative reports, and images of deceased persons. Specifies that a person shall not make or knowingly receive any image of autopsy reports of minors whose manner of death is listed as a homicide with an exception for the minor's parents or legal guardian that is not a suspect in the minor's death, a court order for the release with good cause, and another state or federal law requires such release.

Subcommittee Amendments: Public_Service_02.06.24.pdf

Senate Status: 04/18/24 - Senate passed.

House Status: 04/11/24 - House moved to reconsider its actions, adopted House amendment 7 (018220), and repassed the bill.

Executive Status: 04/18/24 - Sent to the speakers for signatures.

SB2038/HB2172 Increases the penalties for threatening to commit an act of mass violence on school property.

Sponsors: Sen. Rose, Paul , Rep. Alexander, Rebecca

Summary: Increases the penalty for making threats to commit an act of mass violence on school property or at a school-related activity from a Class A misdemeanor to a Class D felony. The court will conduct an examination to determine whether the defendant poses a substantial likelihood of serious harm to others or oneself as a condition of bail or pretrial release. Additionally, the penalty for any person who possesses knowledge of a threat of mass violence on school property or at a school-related activity and knowingly fails to report the threat is increased from a Class B misdemeanor to a Class A misdemeanor. Broadly captioned.

Senate Status: 01/31/24 - Referred to Senate Judiciary Committee.

House Status: 01/31/24 - Referred to House Criminal Justice Subcommittee.

SB2263/HB2198 **Threat of mass violence on school property or at a school related activity.**

Sponsors: Sen. Lundberg, Jon , Rep. Mitchell, Bo

Summary: Increases the penalty for threatening to commit an act of mass violence on school property or at a school related activity from a Class A misdemeanor to a Class E felony.

Amendment Summary: House amendment 1 (013960) provides that the law regarding a threat of mass violence on school property or at a school related activity does not apply to a person with an intellectual disability.

Subcommittee Amendments: CriminalSubAmendmentPacket03.12.24.pdf
CriminalSubAmendmentPacket03.05.24.pdf
CriminalSubAmendmentPacket02.27.24.pdf
03.12.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/11/24 - Senate passed.

House Status: 03/25/24 - House passed with amendment 1 (013960).

Executive Status: 04/11/24 - Sent to the speakers for signatures.

SB2278/HB2433 **Annual report on efforts to prevent the sale of tobacco products to persons under 21.**

Sponsors: Sen. Massey, Becky , Rep. Terry, Bryan

Summary: Allows for the annual report of enforcement efforts against underage use of tobacco, smoking hemp, and vapor products by the department of agriculture to be submitted to the general assembly electronically and published on the department's website. Broadly captioned.

Amendment Summary: Senate amendment 1, House Health Committee amendment 1 (015630) rewrites the bill to, instead, require the Tennessee advisory commission on intergovernmental relations (TACIR) to conduct a study on the effects of vaping and the use of all vapor products by persons under 21. TACIR must include in the study, but is not limited to, initiation of vapor product usage, health outcomes, enforcement of underage sales, best practices to address usage on school grounds, taxation, and access to cessation products and services. The study must identify the prevalence of vaping among such persons, including demographic information and usage trends. TACIR must submit a report disclosing the findings of the study to members of the general assembly no later than January 31, 2025.

Subcommittee Amendments: Health_Sub_Amendments_03.26.2024.pdf

Senate Status: 03/25/24 - Senate passed with amendment 1 (015630).

House Status: 04/17/24 - Set for House Floor 04/18/24.

SB2397/HB2539 **Study of sale and distribution of vapor products to persons under 21 years of age.**

Sponsors: Sen. Briggs, Richard , Rep. Carr, Dale

Summary: Declares that the department of health will work with the department of agriculture in their study and recommendations regarding the effects of the sale and distribution of vapor products to persons under 21 years of age.

Amendment Summary: Senate Commerce & Labor Committee amendment 1 (014788) prohibits the sale of vapor products, excluding hemp-derived cannabinoid vapor products, from being sold anywhere except for retail vapor product stores, defined as a retail store that sells vapor products and accessories and restricts access to only those who are 21-one years of age or older. Requires that any person engaged in the sale or distribution of vapor products demand proof of age from any person who enters the retail vapor product store, as soon as practicable, upon entering the building or facility, if such person appears to be under the age of 30. Establishes signage requirements specifically for retail vapor product stores.

Senate Status: 03/12/24 - Taken off notice in Senate Commerce & Labor Committee after adopting amendment 1 (014788).

House Status: 03/12/24 - Taken off notice in House Health Subcommittee.

SB2415/HB2471 **Conditions for a juvenile to be tried as an adult.**

Sponsors: Sen. Swann, Art , Rep. Raper, Kevin

Summary: Expands the conditions for a juvenile to be tried as an adult to include a second or subsequent criminal gang offense or an attempt to commit any qualifying offense for any child less than 17 years of age at the time of the alleged conduct. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1 (017164) authorizes a child to be transferred and tried as an adult if they are alleged and charged with a second or subsequent criminal gang offense, or an attempt to commit such offense. Requires the sheriff to affirm to the court that the adult detention facility has the ability to keep juveniles out of sight and sound of the adult population, and that the population of the adult detention facility does not currently exceed capacity. House Criminal Justice Committee amendment 1 (017956) authorizes a child, aged 16 or older, to be transferred and tried as an adult if they are alleged and charged with certain criminal offenses or an attempt to commit certain criminal offenses.

Subcommittee Amendments: CriminalSubAmendmentPacket03.12.24.pdf
CriminalSubAmendmentPacketRegCal03.19.24.pdf
03.26.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB2479/HB2928 **Quarterly report on information regarding criminal proceedings within a judicial district.**

Sponsors: Sen. Rose, Paul , Rep. Sexton, Cameron

Summary: Requires each district attorney general to file a quarterly report with the administrative office of the courts that includes information regarding criminal proceedings within the judicial district. Requires the administrative office of the courts to compile the reports into a quarterly criminal justice report. Requires each law enforcement agency to file a quarterly report with the Tennessee bureau of investigation regarding law enforcement outcomes within the jurisdiction. Requires the Tennessee bureau of investigation to compile the reports into a quarterly law enforcement activity report. Broadly captioned.

Senate Status: 03/26/24 - Taken off notice in Senate Judiciary Committee.

House Status: 02/07/24 - Referred to House Criminal Justice Subcommittee.

SB2507/HB2665 Child adjudicated as a traffic violator.

Sponsors: Sen. Johnson, Jack , Rep. Slater, William

Summary: Allows for courts to impose a fine of no more than \$50 on a child as well as the child's parent or legal guardian when a child is adjudicated as a traffic violator. Broadly captioned.

Amendment Summary: Senate Amendment 1 (017878) rewrites the bill to, instead, require a child who has been admitted to a juvenile detention facility, prior to being adjudicated for an alleged delinquent act, to be allowed at least one telephone call with the child's parent, guardian, or legal custodian and one 30-minute in-person visit with the child's parent, guardian, or legal custodian within 24 hours after the child is admitted to the juvenile detention facility. The telephone call and in-person visit must occur as soon as practical after the request has been made by the parent, guardian, or legal custodian to the juvenile detention facility, however, the telephone call or in-person visit may be delayed by the detention facility for no more than six hours if the child is subject to disciplinary action. If the juvenile detention facility delays contact to the parent, guardian, or legal custodian, the detention facility must explain the actions of the child which resulted in the contact being timely withheld. During the time period following the first 24 hours a child has been admitted to a juvenile detention facility, but prior to being adjudicated for an alleged delinquent act, this amendment requires a child to be allowed at least three separate telephone calls with the child's parent, guardian, or legal custodian, and one in-person visit with the child's parent, guardian, or legal custodian per week. This amendment applies to juvenile detention facilities approved, certified, or licensed by the department of children's services, including youth development centers.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.19.2024.pdf

Senate Status: 04/11/24 - Senate passed with amendment 1 (017878).

House Status: 04/16/24 - House passed.

Executive Status: 04/16/24 - Sent to the speakers for signatures.

SB2514/HB2643 The Gabby Act.

Sponsors: Sen. Lundberg, Jon , Rep. Crawford, John

Summary: Adds the short title "The Gabby Act" to Chapter 237 of the Public Acts of 2023, which requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children and requires the Tennessee bureau of investigation to provide annual training to assistant district attorneys designated as lead prosecutors in crimes committed against children. Broadly captioned.

Senate Status: 03/25/24 - Signed by Senate speaker.

House Status: 03/25/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0649 effective April 4, 2024.

SB2554/HB2601 Makes changes to the requirements for investigating sexual offenses.

Sponsors: Sen. Lamar, London , Rep. Johnson, Gloria

Summary: Makes various changes to the requirements for investigating sexual offenses, including requiring all law enforcement personnel involved in investigating sexual assault crimes to complete a minimum of 16 hours annually of sensitivity training provided by the POST commission related to interacting with victims of sexual violence and requiring the Tennessee bureau of investigation to complete DNA analysis on any sexual assault evidence collection kit within 90 days of submission. Broadly captioned.

Amendment Summary: House Criminal Justice Subcommittee amendment 1 (017220) requires all law enforcement officers, detectives, and investigators who interact directly with victims of sexual assault to complete a minimum of 16 hours annually of sensitivity training provided by the Peace Officer Standards and Training Commission (POST) related to interacting with victims of sexual violence within 120 days of starting the role. Requires POST to present training on sexual assault response and report writing requirements every three years as part of the required inservice training for POST-certified officers. Establishes curriculum requirements for the trainings and qualification requirements for the trainers. Requires the trainings to also be included in the initial training required for POST certification. Requires law enforcement agencies to store such kits that only have an identification number attached to it, known as hold kits, for a minimum of 25 years, rather than a minimum of 10 years. Expands exceptions to burden of proof and reporting requirements for purposes of criminal injuries compensation to include victims of domestic violence, various sexual offenses, human trafficking, and stalking. Expands the type of documentation that can be presented by a victim of domestic violence, sexual offenses, human trafficking, and stalking to establish the facts required in a claim for criminal injuries compensation. Increases, from within two years after mental or physical manifestation or injury is diagnosed as a result of a crime, to within 12 years of such, the time period within which a claim for compensation must be filed for certain offenses, and expands the number of offenses subject to this provision. Establishes that a sexual assault response team (SART) has oversight authority over the handling by a local law enforcement agency of sexual assault crimes and the power to conduct audits and reviews of related investigations. Requires each SART to submit an annual report to the General Assembly on the respective law enforcement agency's progress on implementing the various sexual assault trainings required by the legislation.

Subcommittee Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf

Amendments: 03.26.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/01/24 - Failed in Senate Judiciary Committee.

House Status: 04/02/24 - Taken off notice in House Criminal Justice Committee.

SB2569/HB2126 Child to be tried as an adult who commits offense of organized retail crime or theft of a firearm.

Sponsors: Sen. Taylor, Brent , Rep. Grills, Rusty

Summary: Allows a juvenile court to transfer a child 15 years of age or older to be tried as an adult in criminal court for the offense of organized retail crime, theft of a firearm, or an attempt to commit such offense. Broadly captioned.

*Amendment**Summary:*

House amendment 1 (014134) adds to the bill by revising present law that provides that when a child transferred from juvenile court is detained, the juvenile court may, in its discretion, order confinement in a local juvenile detention facility, or a juvenile detention facility with which it contracts or an adult detention facility separate and removed from adult detainees. This amendment revises the present law by, instead, requiring that when a child transferred from juvenile court is detained, the juvenile court must order confinement in a local juvenile detention facility or a juvenile detention facility with which it contracts, except that the juvenile court may order confinement in an adult detention facility separate and removed from adult detainees if the sheriff affirms to the court that the adult detention facility has the ability to comply with the requirements of existing law, and that the population of the adult detention facility does not exceed the capacity of the facility.

Senate Status: 03/20/24 - Signed by Senate speaker.

House Status: 03/20/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0635 effective July 1, 2024.

SB2571/HB1930 Parental Accountability Act.

Sponsors: Sen. Taylor, Brent , Rep. Gillespie, John

Summary:

Creates the Parental Accountability Act. Present law provides that if a child is found to be delinquent, the court must determine if any monetary damages actually resulted from the child's delinquent conduct. Upon a determination that monetary damages resulted from such conduct, the court must order the child to make restitution for such damages unless the court further determines that the specific circumstances of the individual case render such restitution, or a specified portion thereof, inappropriate. The court must also identify whether a restorative justice program addressing loss resulting from a delinquent act is available and may be utilized appropriately in the place of financial restitution. Any financial obligations or restitution assessed against the child or the child's parents, legal custodians, or guardians must be considered collectively with community service work to ensure that the order of disposition is reasonable and, where applicable, prioritizes restitution to the victim. Adds to the present law by providing that if the child is found to be delinquent for a second or subsequent delinquent act, then the court must assess a fine of \$1,000 as part of the disposition. The fine must be assessed against the child's parent, legal custodian, or guardian who had custody of the child at the time of the offense. If the court finds the child's parent, legal custodian, or guardian is indigent, then the court must order the child's parent, legal custodian, or guardian to perform community service work in lieu of the mandatory fine. Specifies that this bill applies to acts committed on or after July 1, 2024.

*Amendment**Summary:*

Senate amendment 1, House Criminal Justice Committee amendment 2 (014198) rewrites the bill to, instead, revise present law relative to permitting juvenile courts to assess a fine against a child who is found to be delinquent for a second or subsequent delinquent act to be paid by the child's parent, legal custodian, or guardian who had custody of the child at the time of the offense, as described below. Present law provides that if a child is found to be delinquent, then the court must determine if any monetary damages actually resulted from the child's delinquent conduct. Upon a determination that monetary damages resulted from such conduct, the court must order the child to make restitution for such damages unless the court further determines that the specific circumstances of the individual case render such restitution, or a specified portion thereof, inappropriate. The court must also identify whether a restorative justice program addressing loss resulting from a delinquent act is available and may be utilized appropriately in the place of financial restitution. Any financial obligations or restitution assessed against the child or the child's parents, legal custodians, or guardians must be considered collectively with community service work to ensure that the order of disposition is reasonable and, where applicable, prioritizes restitution to the victim. This amendment adds to the present law above by providing that if a child is found to be delinquent for a second or subsequent delinquent act, then the court may enter an order of restitution against the parent, legal custodian, or guardian who had custody of the child at the time of the act for the expenses incurred by any law enforcement agency in responding to and investigating the delinquent act. Such a restitution order must be no less than \$250, if the act committed by the child would be a misdemeanor if committed by an adult, or no less than \$500, if the act committed by the child would be a felony if committed by an adult. However, such a restitution order must not exceed \$1,000. If the court finds that the child's parent, legal custodian, or guardian is indigent and waives restitution, then the court must order them to perform community service work in lieu of the restitution.

Senate Status: 03/18/24 - Senate passed with amendment 1 (014198).

House Status: 04/17/24 - Set for House Floor 04/18/24.

SB2626/HB2702 Offenses involving theft or use of a firearm - child transferred to sheriff of the county.

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary

Summary:

Requires the juvenile court to transfer a child to the sheriff of the county to be held according to law and dealt with as an adult in the criminal court if the child is charged with an offense involving theft of a firearm or a felony offense involving the use of a firearm and the child was 14 or older at the time of the alleged conduct. Broadly captioned.

*Amendment**Summary:*

Senate Judiciary Committee amendment 1 (01433) authorizes a juvenile court to transfer a child to be held and tried as an adult if the child was at least 14 but less than 17 years of age at the time of the alleged conduct and charged with: an offense that would be a felony if committed by an adult and involving the use of a firearm; theft of a firearm; robbery involving the theft of a firearm; burglary involving the theft of a firearm; or an attempt to commit such offenses. Senate Judiciary Committee amendment 2 (016700) details the confinement procedure of the child. House Criminal Justice Committee amendment 1 (018187) authorizes a juvenile court to transfer a child to be held and tried as an adult if the child was at least 14 but less than 17 years of age at the time of the alleged conduct and charged with an offense that would be a felony if committed by an adult and involving the use of a firearm or an attempt to commit such offense. Requires the sheriff to affirm to the court that the adult detention facility has the ability to keep juveniles out of sight and sound of the adult population, and that the population of the adult detention facility does not currently exceed capacity.

Subcommittee CriminalSubAmendmentPacket03.12.24.pdf

Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf

04.03.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB2662/HB1817 Offense of child endangerment by a parent or custodian.

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary

Summary:

Increases the penalty from a Class A misdemeanor to a Class D felony for the offense of child endangerment by a parent or custodian of a child eight years of age or less if the parent or guardian knowingly exposes the child to, or knowingly fails to protect the child from, abuse or neglect resulting in physical injury or imminent danger to the child; increases the penalty from a Class D felony to a Class B felony for a person who negligently, by act or omission, engages in conduct that places a child eight years of age or less in imminent danger of death, bodily injury, or physical or mental impairment. Broadly captioned.

*Amendment**Summary:*

House amendment 1 (014635) enhances, from a Class D felony to a Class B felony, the penalty for a person who negligently, by act or omission, engages in conduct that places a child eight years of age or less in imminent danger of death, bodily injury, or physical or mental impairment.

Senate Status: 04/09/24 - Senate passed.
House Status: 03/18/24 - House passed with amendment 1 (014635).
Executive Status: 04/09/24 - Sent to the speakers for signatures.

SB2668/HB2163 Sexual exploitation of children - images created by artificial intelligence.

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary
Summary: Expands the definition of material in relation to the sexual exploitation of children to include any computer image, or computer-generated image, including an image created, adapted, or modified by artificial intelligence. Also introduces a definition for artificial intelligence. Broadly captioned.
Amendment Summary: Senate amendment 1 (014522) makes the following changes: (1) Revises the definition of "artificial intelligence" to, instead, mean machine learning technology, including generative artificial intelligence, that uses data to train statistical models for the purpose of enabling a computer system or service to autonomously perform any task, including visual perception, natural language processing, or speech recognition, that is normally associated with human intelligence or perception; and (2) Revises the definition of "generative artificial intelligence" to, instead, mean artificial intelligence based on a foundation model that is capable of and used to produce synthetic digital content, including audio, images, text, and videos.
Senate Status: 04/11/24 - Senate reconsidered its actions, withdrew Senate amendment 1, and repassed the bill.
House Status: 04/01/24 - House non-concurred in Senate amendment 1 (014522).
Executive Status: 04/11/24 - Sent to the speakers for signatures.

SB2696/HB2279 Sexual offender registry - offenses that constitute a violent juvenile sexual offense.

Sponsors: Sen. Southerland, Steve , Rep. Hawk, David
Summary: Expands the definition of Violent juvenile sexual offense for the purposes of registering the offender to include an offense where the victim is less than four years younger than the offender and the judge orders that the juvenile be required to register as a violent juvenile sexual offender with consideration to the facts and circumstances surrounding the offense. Broadly captioned.
Amendment Summary: House amendment 1 (014385) clarifies that a "violent juvenile sexual offense" includes, in addition to other offenses, the rape of a child if (i) the victim is at least four years younger than the offender; or (ii) for acts occurring on or after July 1, 2024, the victim is less than four years younger than the offender, and the judge, taking into account the facts and circumstances surrounding the delinquent act, orders that the juvenile be required to register as a violent juvenile sexual offender.
Subcommittee: CriminalSubAmendmentPacket02.27.24.pdf
Amendments: 02.27.24CrimSubAdoptedAmendments.pdf
Senate Status: 04/10/24 - Senate passed.
House Status: 03/11/24 - House passed with amendment 1 (014385).
Executive Status: 04/10/24 - Sent to the speakers for signatures.

SB2722/HB2703 Deletes obsolete requirements for a joint report on juvenile justice data collection.

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary
Summary: Removes the requirement for a joint report addressing statewide data collection in the juvenile justice system by the administrative office of the courts, the department of children's services, and the commission on children and youth.
Senate Status: 02/05/24 - Referred to Senate Judiciary Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.

SB2759/HB2778 Validated risk and needs assessment for delinquent child.

Sponsors: Sen. Akbari, Raumesh , Rep. Glynn, Ronnie
Summary: Changes the time frame within which each delinquent child ordered to probation supervision or committed to the custody of the department of children's services must undergo a validated risk and needs assessment to inform supervision levels, referrals to programs, and case planning from within seven days of the court's disposition to within five days of the court's disposition. Broadly captioned.
Senate Status: 01/31/24 - Filed for Introduction
House Status: 02/05/24 - Caption bill held on House clerk's desk.

SB2768/HB2821 Sentencing for first-degree murder.

Sponsors: Sen. Bowling, Janice , Rep. Camper, Karen
Summary: Reduces the percentage of sentence that a person convicted of first-degree murder on or after July 1, 1995, and sentenced to life imprisonment is required to serve before becoming eligible for release from 100% of 60 years less sentence credits earned and retained to 60 percent of 60 years less sentence credits earned and retained. Prohibits a defendant becoming eligible for parole before serving 25 years of the sentence, if the defendant was 25 years of age or younger at the time of the offense, or 30 years of the sentence, if the defendant was 26 years of age or older at the time of the offense. Broadly captioned.
Senate Status: 01/31/24 - Filed for Introduction
House Status: 03/26/24 - Taken off notice in House Criminal Justice Subcommittee.

SB2777/HB2495 Positive prenatal or newborn drug screening result of cannabinoids excluded from the definition of child abuse.

Sponsors: Sen. Bowling, Janice , Rep. Hurt, Chris
Summary: Excludes a positive prenatal or newborn drug screening test result for cannabinoids from as constituting child abuse. Additionally, excludes a child under eight years old that tests positive in a drug test due to exposure to cannabinoids that occurred in utero from severe child abuse.
Amendment Summary: Senate Judiciary Committee amendment 1 (014986) specifies that a child under eight years of age who tests positive on a drug screen when exposure to cannabinoids happens in utero does not constitute severe child abuse. Requires the Department of Children's Services (DCS) to create a record of information for all juvenile substance exposure investigations and report annually on it to the members of the Tennessee General Assembly (TGA).
Subcommittee: CriminalSubAmendmentPacket03.12.24.pdf
Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf
Senate Status: 03/19/24 - Failed in Senate Judiciary Committee after adopting 1 (014986).

House Status: 03/26/24 - Taken off notice in House Criminal Justice Subcommittee.

SB2817/HB2101 **Mental health adjudications regarding children - reporting requirements for juvenile court clerk.**

Sponsors: Sen. Reeves, Shane , Rep. Zachary, Jason

Summary: Requires a court that makes mental health adjudications regarding children to enter a standing and continuing order instructing the juvenile court clerk to collect and report certain information regarding children who have been adjudicated as a mental defective or judicially committed to a mental institution within three business days for the purposes of complying with federal law. Broadly captioned.

Senate Status: 02/01/24 - Filed for Introduction

House Status: 01/30/24 - Referred to House Criminal Justice Subcommittee.

SB2888/HB2965 **Criminal offense of child endangerment.**

Sponsors: Sen. Kyle, Sara , Rep. Hardaway, G.A.

Summary: Includes engaging in domestic abuse of a member of a child's household or immediate family in the presence of the child as an act that places a child in imminent danger of death, bodily injury, or physical or mental impairment when determining a criminal offense of child abuse, neglect or endangerment.

Senate Status: 04/01/24 - Taken off notice in Senate Judiciary Committee.

House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

SB2911/HB1600 **Juvenile offenders - prohibits purchase or possession of a firearm.**

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan

Summary: Prohibits the purchase or possession of a firearm by a person under 25 years of age if the person was previously adjudicated delinquent for an act that, if committed by an adult, would have constituted one or more certain offenses. Allows TBI access to juvenile court records for the limited purpose of performing a background check prior to the purchase or transfer of a firearm to determine whether a person has been adjudicated as a mental defective or committed to a mental health institution at 16 years of age or older, as required by federal law, or is prohibited from purchasing a firearm because of an adjudication as delinquent.

Amendment Summary: Senate Judiciary Committee amendment 1, House Criminal Justice Subcommittee amendment 1 (015098) prohibits the purchase or possession of a firearm until the age of 25 for any juvenile who, at the age of 14 years or older, was adjudicated delinquent for conduct that, if committed by an adult, would constitute one of the following offenses: (1) aggravated assault; (2) aggravated assault against a first responder or nurse; (3) criminal homicide; (4) robbery; (5) aggravated robbery; (6) especially aggravated robbery; (7) carjacking; (8) burglary; (9) aggravated burglary; (10) especially aggravated burglary; (11) aggravated cruelty to animals; (12) a threat of mass violence, or; (13) any other criminal offense that involves the use or display of a firearm. Establishes that a person under 25 years of age who was adjudicated as such on or after July 1, 2024, is ineligible to obtain an enhanced or concealed handgun carry permit. Requires the Department of Safety (DOS) to suspend or revoke a handgun permit issued to an adult under 25 years of age upon a showing by its records or other sufficient evidence that the permit holder was adjudicated as such on or after July 1, 2024. Requires, as soon as practicable, but not later than three business days after final disposition of the delinquency proceedings, the juvenile court clerk to electronically submit to the instant check unit of the Tennessee Bureau of Investigation (TBI) of final disposition of the proceedings against a juvenile adjudicated delinquent for such an act. Creates a Class A misdemeanor offense for a person under 25 years of age who was adjudicated delinquent for such an act on or after July 1, 2024, to possess a firearm. Prohibits a federally licensed gun dealer from selling a firearm to such a person until the person is 25 years of age. Opens the files and records of a juvenile court proceeding to inspection by the TBI for the limited purpose of performing a background check prior to the transfer of a firearm in accordance with current law. Prohibits the expunction of court files and juvenile records related to an individual's delinquency adjudication while that individual is under a prohibition of firearm purchase or possession in accordance with this legislation. Enhances the requirements that must be met by clear and convincing evidence to authorize a court to order the expunction of records related to an adjudication of a juvenile as delinquent or unruly. House Criminal Justice Committee amendment 2 (018173) rewrites the bill and makes changes focusing on juvenile delinquency and firearm possession regulations. Effective July 1, 2024, juveniles aged fourteen or older, adjudicated delinquent for serious offenses such as aggravated assault, cruelty to animals, and threats of mass violence, face a firearm possession ban until the age of twenty-five. Mandates notification of these consequences before accepting guilty pleas, outlines a reinstatement process for firearm rights, and imposes criminal penalties for violations. Firearm sales are restricted to those under twenty-five who haven't had their rights reinstated. Authorizes The Tennessee Bureau of Investigation to do background checks, and an appeal process allows for review of court determinations on firearm possession restrictions. House Finance Committee amendment 1 (018313) requires the clerk of the juvenile court to electronically submit to the instant check unit of the Tennessee Bureau of Investigation the final disposition of delinquency proceedings against a juvenile adjudicated delinquent for an act described in subdivision (a)(2) as soon as practicable but not later than three business days after final disposition of the delinquency proceedings. The Tennessee Bureau of Investigation shall transmit the final disposition to the department of safety for the department's use in determining eligibility under TCA 39-17-1351, 39-17-1352, and 39-17-1366.

Subcommittee: CriminalSubAmendmentPacket02.13.24.pdf

Amendments: CriminalSubAmendmentPacketRegCal03.19.24.pdf

Senate Status: 04/02/24 - Senate Judiciary Committee recommended with amendment 1 (015098). Sent to Senate Calendar Committee.

House Status: 04/17/24 - Set for House Floor 04/18/24.

EDUCATION

SB322/HB368 **Discipline of students in pre-kindergarten through grade two.**

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Prohibits an LEA from suspending or expelling a student who is enrolled in grades pre-kindergarten through two unless the student's behavior endangers the physical safety of other students or school personnel. Allows an LEA to suspend a student with such behavior for no more than three days if certain steps are taken before the student is suspended. Requires the principal of the school to notify the student's parent or legal guardian of the student's suspension on the day the suspension takes place.

Senate Status: 03/20/24 - Taken off notice in Senate Education Committee.

House Status: 03/19/24 - Failed in House K-12 Subcommittee.

SB417/HB455 Withdrawing student from school who has five or more days of unexcused absences.

Sponsors: Sen. Gardenhire, Todd , Rep. White, Mark

Summary: Prohibits a parent or guardian from withdrawing a student with five or more days of unexcused absence from school unless the student's place of residence changes, the student is seeking to transfer to another school, or the student enrolls in a nonpublic school.

Senate Status: 03/22/23 - Taken off notice in Senate Education Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB665/HB664 Persons with criminal history coming into contact with children.

Sponsors: Sen. Gardenhire, Todd , Rep. Hicks, Tim

Summary: Revises provisions governing criminal history checks of certain persons who come in direct contact with school children or children in a child care program, or who enter the grounds of a school or child care center while children are present.

Senate Status: 03/22/23 - Taken off notice in Senate Education Committee.

House Status: 03/19/24 - Taken off notice in House K-12 Subcommittee.

SB809/HB1034 Makes various changes to the Voluntary Pre-K for Tennessee Act of 2005.

Sponsors: Sen. Walley, Page , Rep. Shaw, Johnny

Summary: Makes various changes to the Voluntary Pre-K for Tennessee Act of 2005 including requiring, instead of authorizing, an LEA to provide a pre-kindergarten program that is open to any child who is four years of age on or before August 15 and who resides within the geographic area served by the LEA. Removes all application requirements for pre-kindergarten programs. Removes the requirement for a community pre-k advisory council. Requires this state to fund 100 percent of the costs required for an LEA to provide a pre-kindergarten program.

Amendment Summary: Senate Education Committee amendment 1 (004257) revises the Voluntary Pre Kindergarten (pre-K) for Tennessee Act of 2005. Changes, from voluntary to mandatory, for a local education agency (LEA) to provide a pre-K program that provides the number of classrooms necessary to serve all ,eligible children. Establishes that an "eligible child" is a child who is four years of age on or before August 15 and who resides in the geographic area served by the LEA. Requires each LEA to establish an initial enrollment deadline for children to enroll in the pre-K program. Establishes certain requirements for a pre-K program and further establishes that enrollment in a pre-K program is voluntary. Subject to appropriations, requires the state to fund 100 percent of the costs required for an LEA to provide the necessary number of classrooms and teachers and for the Commissioner of the Department of Education (DOE) to allocate to each LEA an amount sufficient for the LEA to serve all eligible children in the LEA's pre-K program.

Senate Status: 03/15/23 - Taken off notice in Senate Education Committee.

House Status: 03/14/23 - Taken off notice in House K-12 Subcommittee.

SB1656/HB1847 Employment of school counselors.

Sponsors: Sen. Campbell, Heidi , Rep. Clemmons, John

Summary: Requires the department of education to allocate to each local education agency sufficient funds for the LEA to employ one full-time licensed professional school counselor position for every 250 student members of the LEA or one full-time position for each LEA and public charter school within the LEA, whichever is greater. Requires each LEA and public charter school to employ a licensed professional school counselor for each position funded. Specifies that the funds allocated to an LEA pursuant to this section are in addition to the funds allocated to the LEA for purposes of the TISA. Broadly captioned.

Senate Status: 03/13/24 - Taken off notice in Senate Education Committee.

House Status: 03/12/24 - Failed in House K-12 Subcommittee for lack of a second motion.

SB1663/HB1697 Pretest administered to students participating in an after-school learning mini-camp.

Sponsors: Sen. White, Dawn , Rep. Stevens, Robert

Summary: Removes the requirement that LEAs administer a pretest to students participating in an after-school learning mini-camp, learning loss bridge camp, or summer learning camp. Deletes various reporting, funding, and accountability provisions regarding such pretests. Broadly captioned.

Senate Status: 03/20/24 - Signed by Senate speaker.

House Status: 03/26/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0639 effective April 4, 2024.

SB1712/HB1655 Mathematics Supports Act.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott

Summary: Requires the department of education to identify and approve at least one standards-aligned professional development course on mathematics instruction skills that is available, at no cost, to teachers in kindergarten through grade eight. Requires the department to revise the standards for high school students participating in a teaching-as-a-profession career pathway to include standards-aligned mathematics instruction skills in alignment with the professional development course on mathematics instruction skills identified and approved by the department. Requires the department to review and evaluate the mathematics professional development options available in Tennessee. Broadly captioned.

Amendment Summary: Senate amendment 1 (012356) creates the Mathematics Supports Act. Requires the Department of Education (DOE), by July 1, 2025, to: (1) conduct a landscape analysis of mathematics education; (2) convene a mathematics expert review committee to help identify a professional development course on mathematics instruction skills; and (3) identify and approve at least one standards-aligned professional development course on mathematics instruction skills that is available, at no cost, to teachers in kindergarten through grade eight. Requires the DOE to report the findings of the landscape analysis and the review committee to the education committees of the Senate and the House of Representatives by January 31, 2025. Requires the DOE to revise the standards for high school students participating in a teaching-as-a-profession career pathway to include standards-aligned mathematics instruction skills by August 1, 2025.

Senate Status: 02/26/24 - Signed by Senate speaker.

House Status: 02/27/24 - Signed by House speaker.

Executive Status: 03/20/24 - Enacted as Public Chapter 0551 effective March 11, 2024.

SB1715/HB1664 Law enforcement officers assigned as school resource officers.

Sponsors: Sen. Hensley, Joey , Rep. Warner, Todd
Summary: Authorizes a law enforcement agency to assign a law enforcement officer to serve as a school resource officer at a school within a local board of education's control that has not entered into a memorandum of understanding with a law enforcement agency to assign a school resource officer to the school. Broadly captioned.
Senate Status: 04/08/24 - Signed by Senate speaker.
House Status: 04/08/24 - Signed by House speaker.
Executive Status: 04/09/24 - Sent to governor.

SB1721/HB1633 Creation of de-escalation training for teachers, administrators, and other school personnel.

Sponsors: Sen. Hensley, Joey , Rep. Ragan, John
Summary: Requires the department of safety to create de-escalation training for teachers, administrators, and other school personnel. Requires LEAs and public charter schools to ensure that the LEA's or public charter school's teachers, administrators, and other school personnel annually receive the de-escalation training beginning with the 2024-2025 school year. Broadly captioned.
Senate Status: 04/04/24 - Signed by Senate speaker.
House Status: 04/05/24 - Signed by House speaker.
Executive Status: 04/11/24 - Signed by governor.

SB1722/HB1605 Flags displayed in schools.

Sponsors: Sen. Hensley, Joey , Rep. Bulso, Gino
Summary: Prohibits an LEA or a public charter school from displaying any flag other than the official United States flag and the official Tennessee state flag on or in a public school.
Amendment Summary: House amendment 1 (013663) prohibits a local education agency (LEA) or public charter school from displaying, or permitting any of its employees or agents to display, any flag other than certain identified flags on or in a public school. Authorizes a parent of a student who attends, or who is eligible to attend, a school operated by an LEA or public charter school to file a civil action against the LEA or public charter school in chancery court to enforce the act, if the LEA or public charter school does not remedy a violation within 10 days of receiving a written notice of the violation from the parent. House amendment 2 (014401) adds that only a current, official flag of a country or political subdivision thereof may be displayed. Senate Education Committee amendment 1 (014290) prohibits a local education agency (LEA) or public charter school from displaying, or permitting any of its employees or agents to display, any flag other than certain identified flags on or in a public school. Authorizes a student, a student's parent or guardian, or a school employee to file a civil action against the LEA or public charter school in which the student is enrolled, or the school employee is employed, in chancery court, if the LEA or public charter school does not remedy a violation within 10 days of receiving a written notice of the violation from the student, parent or guardian, or school employee.
Subcommittee Amendments: K-12_Sub_Amendment_02.06.2024.pdf
Senate Status: 04/18/24 - Senate deferred to 4/22/2024.
House Status: 02/26/24 - House passed with amendment 1 (013663) and amendment 2 (014401).

SB1726/HB2826 Development of a conflict resolution program to be implemented by LEAs and public charter schools.

Sponsors: Sen. Lamar, London , Rep. Camper, Karen
Summary: Requires the department, using existing resources, to develop a conflict resolution program that may be adopted and implemented by LEAs and public charter schools to assist students in any of the grades K-12 in developing the skills necessary for nonviolent conflict resolution. Broadly captioned.
Amendment Summary: Senate Education Committee amendment 1 (013527) requires the Department of Education (DOE) to develop a conflict resolution program which local education agencies (LEAs) and public charter schools must adopt and implement for students in grade kindergarten to 12.
Senate Status: 03/27/24 - Signed by Senate speaker.
House Status: 03/28/24 - Signed by House speaker.
Executive Status: 04/11/24 - Signed by governor.

SB1745/HB1837 Sharing of students' personal information.

Sponsors: Sen. Walley, Page , Rep. Rudd, Tim
Summary: Prohibits a public institution of higher learning that holds personal information of students, including campus or home addresses and phone numbers, from sharing the personal information with a third party, unless the third party agrees in writing that the personal information will only be used for the purpose for which information is originally requested. Broadly captioned.
Amendment Summary: House amendment 1 (012682) prohibits a public institution of higher learning from sharing its students' personal information with a third party that has contracted with the public institution to input personal information of students for administrative purposes, unless the third party agrees in writing that the personal information will only be used for the purpose for which the information was originally provided to the third party.
Subcommittee Amendments: Higher_Education_Sub_Amendments_02.12.2024.pdf
Senate Status: 03/19/24 - Signed by Senate speaker.
House Status: 03/18/24 - Signed by House speaker.
Executive Status: 04/02/24 - Enacted as Public Chapter 0619 effective March 27, 2024.

SB1788/HB1965 Prohibits the use of corporal punishment against students.

Sponsors: Sen. Campbell, Heidi , Rep. Powell, Jason
Summary: Prohibits the use of corporal punishment against students and deletes various provisions relative to the use of corporal punishment. Broadly captioned.
Senate Status: 03/13/24 - Failed in Senate Education Committee.
House Status: 03/19/24 - Taken off notice in House K-12 Subcommittee.

SB1790/HB1844 Free school lunch and breakfast program.

Sponsors: Sen. Kyle, Sara , Rep. Clemmons, John

Summary: Requires each local school board to establish a school lunch program and a school breakfast program that provides free breakfast and lunch to each student enrolled in a school under the board's jurisdiction. Requires the state to reimburse each LEA the cost of providing free breakfast and lunch to each student enrolled in the LEA after all federal funds available pursuant to the national school lunch program, the school breakfast program created by the Child Nutrition Act of 1966, or another federal program have been applied.

Senate Status: 03/13/24 - Taken off notice in Senate Education Committee.

House Status: 03/12/24 - Failed in House K-12 Subcommittee for lack of a second motion.

SB1853/HB2059 Number of credits a student may earn in a work-based learning program.

Sponsors: Sen. Lowe, Adam , Rep. Hicks, Tim

Summary: Increases from three to six the maximum number of credits a student may earn in a work-based learning program in one school year. Broadly captioned.

Amendment Summary: House amendment 1 (013764) rewrites the bill to, instead, establish that in a work-based learning program, a maximum of six credits may be earned in one school year. At least one credit must be earned through related classroom experience, which must include a minimum of two periods per week of classroom instruction. A minimum of five hours per week of supervised work experience is required for each additional credit earned. Students earning credits for work experience must be supervised by a certified work-based learning coordinator. Additionally, work-based learning programs must adhere to all state and federal child labor laws.

Senate Status: 02/28/24 - Signed by Senate speaker.

House Status: 02/28/24 - Signed by House speaker.

Executive Status: 03/07/24 - Enacted as Public Chapter 0543 effective March 7, 2024.

SB1896/HB1860 Free breakfast and lunch for students.

Sponsors: Sen. Oliver, Charlane , Rep. Hemmer, Caleb

Summary: Requires each local school board to establish a school lunch program and a school breakfast program that provides a free lunch and breakfast to each student enrolled in a school under the board's jurisdiction. The state shall reimburse the LEA for the free meals after all other federal funding has been exhausted. In addition, clarifies that students who meet the eligibility requirements for free or reduced price lunch are exempt from paying school fees.

Senate Status: 01/31/24 - Referred to Senate Education Committee.

House Status: 01/30/24 - Referred to House K-12 Subcommittee.

SB1897/HB1951 Universal Pre-K Funding Act.

Sponsors: Sen. Oliver, Charlane , Rep. Behn, Aftyn

Summary: Enacts the "Universal Pre-K Funding Act," which requires each LEA to provide a pre-kindergarten program that provides the number of classrooms necessary to serve all eligible children. Under current law, implementation of these programs by LEAs is voluntary. Imposes a data transaction privilege tax is on a person's annual gross revenues that are derived from data transactions from digital advertising services in this state. Specifies that all revenue from the data transaction privilege tax collected under this part, including penalties and interest, must be deposited in a special account in the state treasury to be known as the universal pre-K fund. Specifies that the fund shall be administered by the department of education and used exclusively to fund, establish, and maintain a universal pre-kindergarten program in each public and public charter elementary school in this state.

Senate Status: 01/31/24 - Referred to Senate Education Committee.

House Status: 01/29/24 - Withdrawn in House.

SB1901/HB1927 Childcare assistance for teachers employed in a public school.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott

Summary: Authorizes LEAs and public charter schools to reimburse teachers for childcare expenses paid by the teacher each month for the teacher's dependent child to receive childcare services through certain childcare programs certified by the department of education or childcare agencies licensed by the department of human services. Requires, subject to appropriation, this state to reimburse LEAs and public charter schools a portion of any such monthly reimbursement amount paid by the LEA or public charter school. Broadly captioned.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1923/HB2228 Requirements for participation in the education savings account program.

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Requires, as a condition of participating in the education savings account program, a participating school to retain a participating student in the third grade if the student does not achieve a performance level of "on track" or "mastered" on the English language arts portion of the Tennessee comprehensive assessment program test most recently administered to the student. Requires, as a condition of participating in the education savings account program, a participating school to conduct a summer learning camp for participating students identified for retention. Broadly captioned.

Senate Status: 01/29/24 - Referred to Senate Education Committee.

House Status: 01/31/24 - Referred to House K-12 Subcommittee.

SB1924/HB2049 Requires equivalent amount given as scholarship to students to attend private schools be disbursed to LEA.

Sponsors: Sen. Akbari, Raumesh , Rep. Shaw, Johnny

Summary: Requires the department of education to pay the equivalent amount of scholarship received by a k-12 student to the LEA in which the student was enrolled prior to participating in the scholarship program if the department of education administers a scholarship program for a student to attend private school. The department of education year shall disburse the funds to the respective LEA each year the student participates in the scholarship program.

Senate Status: 01/29/24 - Referred to Senate Education Committee.

House Status: 01/30/24 - Referred to House K-12 Subcommittee.

SB1977/HB1914 Establishes the hunger-free campus grant program.

Sponsors: Sen. Massey, Becky , Rep. Hale, Michael

Summary: Creates a hunger-free campus grant program to provide grants to higher education institutions to be used to address hunger on the institutions' campuses, subject to appropriations. Requires THEC to administer the program.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB2025/HB1899 Authorization of retired law enforcement officers to be hired as school resource officers.

Sponsors: Sen. Reeves, Shane , Rep. Rudd, Tim

Summary: Authorizes LEAs and public charter schools to employ retired law enforcement officers who are retired from a federal, state, or local law enforcement agency and honorably discharged veterans of the United States armed forces to serve as school resource officers on school premises. Broadly captioned.

Senate Status: 01/31/24 - Referred to Senate Education Committee.

House Status: 04/16/24 - House passed.

SB2106/HB2272 Directives from the U.S. Department of Education regarding the implementation of department rules.

Sponsors: Sen. Pody, Mark , Rep. Slater, William

Summary: Requires the Tennessee Department of Education to submit the U.S. Department of Education's interpretations and directives on the implementation of department rules providing guidance to this state to the chairs of the house and senate government operations committees, in addition to the chair of the education instruction committee of the house, the chair of the education administration committee of the house, the chair of the education committee of the senate, the speaker of the house, and the speaker of the senate. Requires such information to be submitted to each member of the joint government operations rule review committee prior to each rule review meeting. Broadly captioned.

Senate Status: 03/25/24 - Senate passed.

House Status: 04/02/24 - Signed by House speaker.

Executive Status: 04/16/24 - Signed by governor.

SB2121/HB2186 Makes various changes to the Voluntary Pre-K for Tennessee Act of 2005.

Sponsors: Sen. Campbell, Heidi , Rep. Hemmer, Caleb

Summary: Makes various changes to the Voluntary Pre-K for Tennessee Act of 2005 including requiring, instead of authorizing, an LEA to provide a pre-kindergarten program that is open to any child who is four years of age on or before August 15 and who resides within the geographic area served by the LEA. Removes the requirement for a community pre-k advisory council. Requires this state to fund 100% of the costs required for an LEA to provide a pre-kindergarten program. Broadly captioned.

Senate Status: 03/20/24 - Taken off notice in Senate Education Committee.

House Status: 03/19/24 - Taken off notice in House K-12 Subcommittee.

SB2255/HB2764 Notifications to school regarding student adjudicated delinquent for any criminal offenses involving a firearm.

Sponsors: Sen. Stevens, John , Rep. Grills, Rusty

Summary: Requires parents or guardians, including the department of children's services to notify a school if the student has been an adjudicated delinquent in this state or another state for an offense involving a firearm.

Senate Status: 02/01/24 - Referred to Senate Education Committee.

House Status: 02/13/24 - Taken off notice in House K-12 Subcommittee.

SB2267/HB2410 Child abuse reporting by schools.

Sponsors: Sen. Yarbro, Jeff , Rep. Dixie, Vincent

Summary: Requires a school to comply with the obligation to report suspected child abuse or neglect in order for the school to qualify as a school in which a student may be enrolled to satisfy school attendance requirements. Specifies that certain training and reporting requirements apply to nonpublic schools. Prohibits persons who knowingly fail to comply, or who knowingly prevent compliance, with the obligation to report suspected child abuse or neglect from serving as a teacher or in any position requiring proximity to children in certain settings. Adds nonpublic schools to the entities required to investigate persons applying for or holding a position requiring proximity to school children.

Senate Status: 03/06/24 - Failed in Senate Education Committee.

House Status: 02/06/24 - Referred to House K-12 Subcommittee.

SB2268/HB2409 Reporting requirements for department of education related to scholarships and vouchers.

Sponsors: Sen. Yarbro, Jeff , Rep. Dixie, Vincent

Summary: Requires the department of education to annually collect and report certain information for each provider and nonpublic school that receives public funds through a scholarship, voucher, education savings account, individualized education account, or similar program created to provide parents, guardians, or students state or local funds to assist the parent, guardian, or student in paying tuition, fees, and any other approved expenses associated with the student enrolling in and attending a nonpublic school in this state. Broadly captioned.

Senate Status: 03/13/24 - Taken off notice in Senate Education Committee.

House Status: 03/12/24 - House K-12 Subcommittee deferred to 03/19/24.

SB2291/HB2491 Student performance and TCAP testing.

Sponsors: Sen. Crowe, Rusty , Rep. Hurt, Chris

Summary: Expands, beyond just student performance in English language arts (ELA) on the most recent Tennessee Comprehensive Assessment Program (TCAP) test, the measures of student growth in ELA that an LEA or public charter school may use in determining whether certain fourth-grade students show adequate growth in ELA. Requires LEAs and public charter schools to convene a parent-teacher conference for purposes of determining whether a student who does not show adequate growth in ELA must receive or participate in certain interventions or be retained in fourth grade.

Senate Status: 03/13/24 - Taken off notice in Senate Education Committee.

House Status: 02/06/24 - Referred to House K-12 Subcommittee.

SB2365/HB2142 Students who have been adjudicated delinquent.

Sponsors: Sen. Watson, Bo , Rep. Martin, Greg

Summary: Increases from a Class C misdemeanor to a Class B misdemeanor the penalty for a student's parent, guardian, or legal custodian failing to report an adjudication that the student committed certain delinquent acts to the student's school principal or the principal's designee. Specifies that a school principal shall ask in writing a student's parent, guardian, or legal custodian whether the student has been adjudicated delinquent for certain offenses, including rape, robbery, kidnapping, or aggravated assault.

Senate Status: 04/03/24 - Signed by Senate speaker.

House Status: 04/02/24 - Signed by House speaker.

Executive Status: 04/16/24 - Signed by governor.

SB2371/HB2324 Annual report on pre-kindergarten programs by office of early learning.

Sponsors: Sen. Reeves, Shane , Rep. White, Mark

Summary: Requires the office of early learning to submit its annual report on pre-kindergarten programs by November 1. Broadly captioned.

Amendment Summary: House Higher Education Subcommittee amendment 1 (015719) authorizes state university boards to discuss sensitive topics without public discussion or streaming video access from the institution's website, exempting such meetings from the General Assembly's policy that declares the formation of public policy and decisions is public business and shall not be conducted in secret. Requires the university's board to provide reasonable notice to the general public prior to such a meeting and prohibits the board from discussing or deliberating on any issues or subjects other than sensitive topics. Defines "sensitive topics" for the purposes of this legislation.

Subcommittee

Amendments: Higher_Education_Sub_Amendments_03.18.2024.pdf

Senate Status: 03/20/24 - Taken off notice in Senate Education Committee.

House Status: 03/18/24 - Failed in House Higher Education Subcommittee after adopting amendment 1 (015719).

SB2385/HB2655 Blood lead level testing.

Sponsors: Sen. Lamar, London , Rep. Chism, Jesse

Summary: Requires the department of health to make available and require blood lead level testing for students in certain schools and certain pregnant women. Requires the department to provide to persons who have high blood lead levels or lead poisoning certain services to aid with such conditions. Requires juvenile detention facilities that are aware of a juvenile in custody with high blood lead levels or lead poisoning to provide certain services in collaboration with the department of health and local education agencies. Broadly captioned.

Amendment

Summary: Senate Health and Welfare Committee amendment 1 (013608) makes a technical correction by changing "immunization" to "testing."

Senate Status: 02/21/24 - Failed in Senate Health & Welfare Committee after adopting amendment 1 (013608).

House Status: 02/07/24 - Referred to House Health Subcommittee.

SB2389/HB2498 Free lunch and breakfast for students.

Sponsors: Sen. Lamar, London , Rep. Jones, Justin

Summary: Requires each local school board and governing body of a public charter school to provide a free breakfast and lunch to each student enrolled in a school under the board's or body's jurisdiction. Requires the state to reimburse each LEA and public charter school for the cost of providing a free breakfast and lunch to each student enrolled in the LEA or public charter school after all available federal funds have been applied.

Senate Status: 02/01/24 - Referred to Senate Education Committee.

House Status: 02/06/24 - Referred to House K-12 Subcommittee.

SB2455/HB2335 Separation of Need Act.

Sponsors: Sen. Akbari, Raumesch , Rep. Pearson, Justin

Summary: Enacts the "Separation of Need Act," which removes income eligibility requirements from free school lunch and breakfast programs. Requires each local board of education and governing body of a public charter school to provide a free breakfast and lunch to all enrolled students. Requires the state to reimburse each LEA and public charter school for the cost of providing a free breakfast and lunch to enrolled students after all available federal funds have been applied. Broadly captioned.

Senate Status: 02/01/24 - Referred to Senate Education Committee.

House Status: 03/26/24 - Failed in House K-12 Subcommittee for lack of a second.

SB2465/HB2652 Requires creation of school lunch programs

Sponsors: Sen. Akbari, Raumesch , Rep. Chism, Jesse

Summary: Requires each local school board to establish programs for free school lunch and free school breakfast for students regardless of income eligibility. Requires the state to reimburse each LEA the cost of providing free breakfast and lunch to each student enrolled in the LEA after all available private funding and federal funds have been applied. Broadly captioned.

Senate Status: 03/20/24 - Taken off notice in Senate Education Committee.

House Status: 02/07/24 - Referred to House Education K-12 Subcommittee.

SB2494/HB2568 Requires annual department of education reports on family resource centers.

Sponsors: Sen. Yarbro, Jeff , Rep. Glynn, Ronnie

Summary: Requires the department to annually submit a report to the education committees of the senate and house of representatives on the availability of family resource centers in this state. Requires the report to identify, by school and LEA, each family resource center established or contracted for by an LEA in this state. Broadly captioned.

Senate Status: 02/01/24 - Referred to Senate Education Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.

SB2546/HB2739 School meals - after-school learning mini camp to provide beverage and snack.

Sponsors: Sen. Oliver, Charlane , Rep. Glynn, Ronnie

Summary: Establishes that an after-school learning mini camp must provide at least one beverage, in addition to one snack, each day to each student attending the camp. Broadly captioned.

Senate Status: 02/05/24 - Referred to Senate Education Committee.

House Status: 02/07/24 - Referred to House K-12 Subcommittee.

SB2582/HB2687 Revises the instruction required as part of the family life curriculum.

Sponsors: Sen. Taylor, Brent , Rep. Doggett, Clay

Summary: Revises the instruction required as part of a family life curriculum. Requires the Tennessee joint task force on children's justice and child sexual abuse, in consultation with the children's services advisory council, to annually recommend certain age-appropriate curricula to the department of education. Revises the information that LEAs and public charter schools must annually provide to the department of children's services. Broadly captioned.

Senate Status: 03/06/24 - Signed by Senate speaker.

House Status: 03/06/24 - Signed by House speaker.

Executive Status: 04/03/24 - Enacted as Public Chapter 0571 effective July 1, 2024.

SB2598/HB2563 Deadline for childcare programs to submit an annual report to the commissioner of education.

Sponsors: Sen. Taylor, Brent , Rep. White, Mark

Summary: Changes, from October 1 to November 1, the deadline for childcare programs to submit an annual report to the commissioner of education. Broadly captioned.

Senate Status: 02/05/24 - Referred to Senate Education Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.

SB2655/HB2697 Paid leave for public charter school educators after birth or adoption of child.

Sponsors: Sen. White, Dawn , Rep. Moody, Debra

Summary: Requires public charter schools to provide educators six work weeks of paid leave after the birth or stillbirth of the educator's child or after the educator's adoption of a newly placed minor child. Broadly captioned.

Senate Status: 03/11/24 - Senate passed.

House Status: 04/15/24 - House passed.

Executive Status: 04/15/24 - Sent to the speakers for signatures.

SB2672/HB2156 Temporary certificates to operate a child care program.

Sponsors: Sen. White, Dawn , Rep. Moody, Debra

Summary: Increases the number of days the department of education may extend the temporary certificate granted to a child care provider from 45 days to 60 days. The extension is contingent upon the Department's determination that the applicant has clearly demonstrated the intention and ability to achieve compliance with all approval laws and regulations within the 60-day extension period. Additionally, the extension is subject to the condition that the safety and welfare of the children in the care of the applicant are not compromised.

Senate Status: 02/05/24 - Referred to Senate Education Committee.

House Status: 01/31/24 - Caption bill held on House clerk's desk.

SB2673/HB2154 Issuance of temporary certificate to operate a childcare program.

Sponsors: Sen. Hensley, Joey , Rep. Barrett, Jody

Summary: Reduces, from 90 to 60, the number of days following the issuance of a temporary certificate that the department of education has to determine whether an applicant to operate a childcare program has complied with all regulations governing the classification of the childcare program for which the application was made. Broadly captioned.

Amendment Summary: House Education Administration Committee amendment 1 (015094) requires the Department of Health (DOH) to administer, by July 1, 2024, a grant program to reimburse local education agencies (LEAs), public charter schools, private schools, and medical first responders for the costs of anti-choking devices purchased on or after July 1, 2024. Limits the total amount of grants awards to \$500,000. Requires the DOH to submit certain grant information to the General Assembly by July 31, 2025, and by each subsequent July 31. Repeals the act on July 1, 2027.

Subcommittee Amendments: K-12_Sub_Amendments_03.19.2024.pdf

Senate Status: 03/20/24 - Senate Education Committee deferred to summer study.

House Status: 03/27/24 - House Education Administration Committee deferred to summer study after adopting amendment 1 (015094).

SB2728/HB2207 Menstrual Hygiene Products Accessibility Act.

Sponsors: Sen. Akbari, Raumesh , Rep. Davis, Elaine

Summary: Enacts the "Menstrual Hygiene Products Accessibility Act," which requires each LEA and public charter school shall provide feminine hygiene products, at no charge, in all women's and girls' bathrooms, locker rooms, and with the school nurse in each eligible school building where instruction is provided, excluding bathrooms and locker rooms that are specifically designated for teacher or staff use. Specifies that the feminine hygiene products provided are for student use only. Creates a special account in the state treasury to be known as the menstrual hygiene products accessibility account. Broadly captioned.

Amendment Summary: House Education Administration Committee amendment 1, Senate Education Committee amendment 1 (015304) creates the Municipalities' Access to Child Care Fund (MATCH Fund), which will be administered by the Department of Human Services (DHS) as annual grants to municipalities that provide matching dollar-to-dollar non-governmental funds for the purpose of funding projects to expand child care access. Establishes that the MATCH Fund will be composed of any combination of General Assembly appropriated funds and gifts, grants, or donations received by DHS. Imposes a 10 percent tax on the issuance or renewal of a license to operate passenger transportation service companies, 90 percent of which will be distributed to the MATCH Fund, and 10 percent of which will be distributed to DHS. Requires DHS to disperse MATCH Fund grants by January 1, 2025, until January 1, 2028, of up to \$500,000 per municipality. Requires the State Treasurer to invest the MATCH Fund, and subsequently return interest accrued to the MATCH Fund. Authorizes the spending of unexpended funds at the end of each fiscal year to qualifying projects and childcare agencies. Requires each municipality receiving MATCH Fund grants to report to DHS once all of the funds have been expended, and for DHS to prepare a report for the General Assembly, by October 1 of each year, on the funds received and payments made. Requires the General Assembly to review the performance of the MATCH Fund after receiving the report on October 1, 2027, and determine if the MATCH Fund grant program should be extended.

Subcommittee

K-12_Sub_Amendments_03.05.2024.pdf

Amendments:

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB2754/HB2769 Voluntary pre-kindergarten programs.

Sponsors: Sen. Akbari, Raumesh , Rep. Thompson, Dwayne

Summary: Requires the commissioner of education, subject to appropriations, for the 2024-2025 school year, to approve voluntary pre-kindergarten programs in an amount sufficient to provide up to 1,200 pre-kindergarten classrooms. Broadly captioned.

Senate Status: 03/20/24 - Taken off notice in Senate Education Committee.

House Status: 03/19/24 - Failed in House K-12 Subcommittee.

SB2787/HB2468 Study of school choice programs in other states.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Requires the department of education to study the school choice programs available in other states and submit a report of the department's findings at the conclusion of the study to the governor, the speaker of the house of representatives, and the speaker of the senate no later than January 1, 2025. Requires the report to include a summary of the benefits such programs provide to participating students and families, best practices learned from other states' implementation of their respective school choice programs, and any legislative recommendations for consideration by the general assembly. Broadly captioned. Part of Administration Package.

Amendment Summary: Senate Education Committee amendment 1 (016345) reates the Education Freedom Scholarship (EFS) Act. Requires the Department of Education (DOE) to administer the EFS program to provide a scholarship to an eligible student who applies in the 2024-25 school year or subsequent years to enroll in a private school or public school located in a local education agency (LEA) other than the LEA where the student resides.

Senate Status: 03/20/24 - Senate Education Committee recommended with amendment 1 (016345). Sent to Senate Finance.

House Status: 03/21/24 - Withdrawn in House.

SB2809/HB2758 Prohibits students from using an electronic device during instructional time.

Sponsors: Sen. Lundberg, Jon , Rep. Alexander, Rebecca

Summary: Requires LEAs and public charter schools to prohibit students from displaying, using, or accessing an electronic device during instructional time unless the electronic device is authorized, or provided to the student, by the LEA or public charter school for instructional purposes. Requires local boards of education and public charter school governing bodies to develop and adopt a policy to implement the prohibition. Broadly captioned.

Amendment Summary: House Education Administration amendment 1 (014734) and amendment 2 (016007) together require each local education agency (LEA) and public charter school to develop and adopt a policy that prohibits students from displaying, using, or accessing an electronic device during instructional time unless the electronic device is: (1) authorized, or provided to the student, by the LEA or public charter school for instructional purposes; or (2) utilized by a student who has a disability for the operation of assistive technology to increase, maintain, or improve the student's functional capabilities. Requires each local board of education and public charter school governing body to submit the adopted policy to the Department of Education by July 31, 2024.

Senate Status: 03/20/24 - Taken off notice in Senate Education Committee.

House Status: 03/20/24 - Failed in House Education Administration Committee after adopting amendment 1 (014734) and amendment 2 (016007).

SB2830/HB2923 Family leave for public charter school employees after birth or adoption of a child.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William

Summary: Requires public charter schools to provide licensed employees of the public charter school six paid workweeks after a birth or stillbirth of the employee's child or the employee's adoption of a newly placed minor child. Broadly captioned.

Senate Status: 02/05/24 - Referred to Senate Education Committee.

House Status: 02/07/24 - Referred to House K-12 Subcommittee.

SB2931/HB2487 Threats of mass violence made by a student.

Sponsors: Sen. Powers, Bill , Rep. Hurt, Chris

Summary: Conditions the expulsion of a student for committing the zero-tolerance offense of threatening mass violence on school property or at a school-related activity to threats of mass violence determined to be valid based on the results of a threat assessment. Requires directors of schools and heads of public charter schools to report threats of mass violence on school property or at a school-related activity made by a student that are determined, based on the results of a threat assessment, to be valid. Broadly captioned.

Senate Status: 03/25/24 - Senate passed.

House Status: 04/16/24 - House passed.

Executive Status: 04/16/24 - Sent to the speakers for signatures.

SB2933/HB2494 Education funding for students admitted to residential mental health facilities.

Sponsors: Sen. Powers, Bill , Rep. Hurt, Chris

Summary: Revises certain enrollment, attendance, individualized education program, and resident requirements for certain education funding to follow a student who is admitted to a state-licensed or out-of-state mental health facility from the student's LEA to the facility. Broadly captioned.

Senate Status: 03/25/24 - Senate passed.

House Status: 04/18/24 - House passed.

Executive Status: 04/18/24 - Sent to the speakers for signatures.

FAMILY LAW

SB164/HB1395 Supplement for foster parent providing car insurance to foster child.

Sponsors: Sen. Walley, Page , Rep. Harris, Torrey

Summary: Requires the department of children's services to provide a foster parent who is providing care for a foster child that is 15 years of age or older with a supplement in an amount equal to the actual cost incurred by the parent for providing car insurance for the foster child. Specifies that the department may require the foster parent to provide documentation of the cost. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1 (004221) requires the Department of Children's Services (DCS) to provide foster parents of children 15 or older who have a valid driver license or learner's permit with a supplement of \$200 per month to compensate the foster parent for providing car insurance.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 03/21/23 - Taken off notice in House Children & Family Affairs Subcommittee.

SB282/HB330 **Date removal for report on children's mental health.**

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Deletes provisions related to a report regarding the status of the development of a plan for a statewide system of care for children's mental health due by February 1, 2009, and plans regarding implementation of the system of children's mental health care statewide due by July 1, 2010, and July 1, 2012, all of which were submitted by the council on children's mental health care to the governor, the judiciary, education, and health and welfare committees of the senate and the civil justice, education, and health committees of the house of representatives. Part of Administration Package.

Senate Status: 03/22/23 - Senate Health & Welfare Committee deferred to first calendar of 2024.

House Status: 03/21/23 - Taken off notice in House Children & Family Affairs Subcommittee.

SB372/HB672 **Children in youth development centers.**

Sponsors: Sen. Campbell, Heidi , Rep. Johnson, Gloria

Summary: Requires the department of children's services to determine if a child placed in a youth development center has an intellectual disability.

Senate Status: 03/28/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Children & Family Affairs Subcommittee.

SB530/HB792 **First Lady's Children's Trust Fund Act.**

Sponsors: Sen. Haile, Ferrell , Rep. Hazlewood, Patsy

Summary: Enacts the "First Lady's Children's Trust Fund Act," which creates a trust fund to support persons and entities seeking assistance in the care of children in this state. Allows the fund to be invested and requires annual financial reports on the fund. Broadly captioned.

Amendment Summary: Senate Health & Welfare Committee amendment 1 (004754) creates the "Tennessee Children's Trust Fund Act" (Trust). The trust is established to provide support to nonprofit organizations and agencies of local governments that assist in the care of children. Requires that the trust be funded in FY23-24 by an initial deposit, and to consist of donations, appropriations, or contributions from both public and private institutions. Authorizes trustees to adopt and implement investment policies for the Trust, and requires all income received and accrued from the investments to be expended solely for entities assisting in the care of children, and for reasonable expenses incurred through administering trust assets. Requires the trustees to prepare a financial report on the Trust at the close of each fiscal year, which, along with other financial records, will be audited by the Comptroller of the Treasury. House Health Committee amendment 1 (004999) creates the "Tennessee Children's Trust Fund Act" (Trust). The Trust is established to provide support to nonprofit organizations and agencies of local governments that assist in the care of children to consist of donations, appropriations, or contributions from both public and private institutions, and will consist of the Tennessee Children's Trust Account (Trust Account) and the Tennessee Children's Special Reserve Account (Reserve Account). Requires that the trust be funded in FY23-24 by an initial deposit, 90 percent of which constitutes the principal of the Trust and will be placed in the Trust Account, and 10 percent of which constitutes the principal of the Reserve Account. Requires that subsequent transfer of funds be placed in the Reserve Account. Prohibits the principal of the trust in the Trust Account from being expended for any purpose. Requires trustees to annually determine the amount of funds in the Reserve Account that are available for appropriation and expenditures but prohibits them from determining how the funds are expended. Such funds will be available to the Department of Children's Services for allocation and distribution for the care of children in this state. Requires the trustees to prepare a financial report on the Trust at the close of each fiscal year, which, along with other financial records, will be audited by the Comptroller of the Treasury.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB531/HB630 **Staffing of case managers by DCS.**

Sponsors: Sen. Haile, Ferrell , Rep. Leatherwood, Tom

Summary: Requires the department to maintain staffing to allow case managers to have no more than 20 open cases, rather than an average of 20 active cases. States that a "person residing in the child's home" includes a person living in a residential setting with a child who is in the custody of the department for purposes of reporting, investigating, and treating child sexual abuse. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1, House Civil Justice Committee amendment 1 (005586) requires the Commissioner of the Department of Children's Services (DCS) to ensure that, by January 1, 2025, no case manager is responsible for more than 20 cases simultaneously, by January 1, 2026, no case manager is responsible for more than 18 cases simultaneously, and by January 1, 2027, no case manager is responsible for more than 15 cases simultaneously, except in certain circumstances. Authorizes the Commissioner of DCS to employ programmatic, support personnel, special response team personnel, and administrative support personnel who do not maintain regular caseloads. Requires DCS, beginning January 1, 2024, to annually publish on its website information related to current case manager case and supervisor caseloads. Establishes that, if the average case manager caseload exceeds 20 for two consecutive months beginning January 1, 2025, or if 10 percent of case managers have caseloads exceeding 20, or if the average case manager caseload exceeds 18 for two consecutive months beginning January 1, 2026, or if 10 percent of case managers have caseloads exceeding 18, or if the average case manager caseload exceeds 15 for two consecutive months beginning January 1, 2027, or if 10 percent of case managers have caseloads exceeding 15, DCS will be considered noncompliant and must then deliver a summary of emergent efforts being made to rectify the noncompliance to the Governor, Lieutenant Governor, and Speaker of the House of Representatives and to post monthly on its website the average caseload. Requires the Commissioner, after three consecutive months of non-compliance, to give written notice to the Governor and TGA if any of these caseload requirements are infeasible or unwarranted. Creates the definition of a person residing in the child's home for the purposes of reporting, investigating, and treating child abuse, to include a person who resides in a residential setting with a child who is in the custody of DCS.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB544/HB759 Guardian ad litem to advocate for children in custody of DCS.

Sponsors: Sen. White, Dawn , Rep. Eldridge, Rick

Summary: Requires the department to employ a guardian ad litem within each region of the state to advocate for each child who is in the custody of the department due to allegations of dependency and neglect and located within the region that the guardian ad litem serves. Requires the guardians ad litem to review dependency and neglect cases of children who have been in the custody of the department for six months to determine whether termination of parental rights should be filed and, if so, file a petition within 30 days.

Amendment Summary: Senate Judiciary Committee amendment 1, House Civil Justice Committee amendment 1 (004851) requires the Department of Children's Services (DCS) to employ at least one additional attorney within each region of the state to be used to file petitions to terminate parental rights when there are allegations of dependency and neglect if the child has been in DCS custody for at least six months. Requires the petition to be filed within 60 days of the determination to terminate parental rights. States that the legislation will take effect January 1, 2024.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1076/HB1303 Transmission of data by DCS to US Department of Health and Human Services.

Sponsors: Sen. Yarbro, Jeff , Rep. Thompson, Dwayne

Summary: Requires the department of children's services to collect, maintain, and transmit to the children's bureau within the United States department of health and human services data required or requested pursuant to federal law, including information requested for the adoption and foster care analysis and reporting system (AFCARS), national youth in transition database (NYTD), national child abuse and neglect data system (NCANDS), and similar programs focused on children's welfare. Requires the department to aggregate and publish the data on the department's website.

Senate Status: 04/12/23 - Senate passed.

House Status: 02/21/24 - House Civil Justice Committee deferred to Summer Study.

SB1077/HB1139 Creates the children's program outcome recovery team.

Sponsors: Sen. Yarbro, Jeff , Rep. Miller, Larry

Summary: Creates the children's program outcome recovery team (CPORT) to be organized by the Tennessee commission on children and youth to review cases of children and families being served by the department of children's services. Requires CPORT to report the previous year's findings and recommendations for improving the department of children's services to the governor and the members of the general assembly by January 15 each year. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1 (015002) requires the Tennessee Commission on Children and Youth (Commission) to organize a Children's Program Outcome Recovery Team (CPORT) to review cases of children and families being served by the Department of Children's Services (DCS). Requires CPORT to provide a report to the Governor and members of the Tennessee General Assembly (TGA) on findings and recommendations for improvements to DCS by January 15 of each year.

Senate Status: 03/05/24 - Failed in Senate Judiciary Committee after adopting amendment 1 (015002).

House Status: 03/21/23 - Taken off notice in House Children & Family Affairs Subcommittee.

SB1585/HB2183 Removal of provision repealing the Tennessee Zero to Three Court Initiative.

Sponsors: Sen. Haile, Ferrell , Rep. White, Mark

Summary: Removes the statutory provision that would repeal the Tennessee Zero to Three Court Initiative on January 1, 2025.

Senate Status: 03/20/24 - Signed by Senate speaker.

House Status: 03/26/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0638 effective April 4, 2024.

SB1586/HB2788 Child protective teams - data sharing.

Sponsors: Sen. Haile, Ferrell , Rep. Littleton, Mary

Summary: Permits the district attorneys general conference, the administrative office of the courts, the Tennessee chapter of children's advocacy centers, the department of children's services, and law enforcement agencies to enter into data sharing agreements that allow for the sharing of information necessary to ensure compliance with statutory reporting requirements. Specifies that data shared pursuant to an agreement retains its confidential status consistent with current law. Broadly captioned.

Senate Status: 02/28/24 - Signed by Senate speaker.

House Status: 02/29/24 - Signed by House speaker.

Executive Status: 03/20/24 - Enacted as Public Chapter 0559 effective March 12, 2024.

SB1690/HB1804 Equally shared parenting time in child's best interest.

Sponsors: Sen. Lowe, Adam , Rep. Butler, Ed

Summary: Establishes a presumption, rebuttable by a preponderance of the evidence, that joint legal custody and equally shared parenting time is in the best interest of the child. Removes the presumption under certain circumstances

Senate Status: 02/20/24 - Taken off notice in Senate Judiciary Committee.

House Status: 02/20/24 - Taken off notice in House Children & Family Affairs Subcommittee.

SB1738/HB2169 Tennessee Foster and Adoptive Parent Protection Act.

Sponsors: Sen. Rose, Paul , Rep. Littleton, Mary

Summary: Prohibits the department of children's services from requiring a current or prospective adoptive or foster parent to affirm, accept, or support any government policy regarding sexual orientation or gender identity that conflicts with the parent's sincerely held religious or moral beliefs. Prohibits the department from denying a parent's eligibility to foster or adopt based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity. Specifies if a parent's rights are violated under this chapter, then the parent may bring a civil action for injunctive relief, compensatory damages, reasonable attorney's fees, court costs, and expenses in a judicial or administrative proceeding. Also, permits a parent to raise a defense under this chapter in a judicial or administrative proceeding.

Amendment Summary: Senate amendment 2 (017102) rewrites the bill to, instead, enact the "Tennessee Foster and Adoptive Parent Protection Act," as described below. This amendment prohibits the department of children's services from doing the following: (1) Requiring a current or prospective adoptive or foster parent ("parent") to affirm, accept, or support any government policy regarding sexual orientation or gender identity that conflicts with the parent's sincerely held religious or moral beliefs; (2) Denying a parent's eligibility to foster or adopt based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity; and (3) Establishing or enforcing a standard, rule, or policy that precludes consideration of a parent for a placement based, in whole or in part, upon the parent's sincerely held religious or moral beliefs regarding sexual orientation or gender identity. Such beliefs do not create a presumption that any particular placement is contrary to the best interest of the child. However, this amendment does not preclude the department from considering the religious or moral beliefs of an adoptive or foster child or the child's family of origin, including in relation to the religious or moral beliefs of a prospective adoptive or foster parent, when determining the most appropriate placement for that child. Additionally, this amendment must be read in harmony with the duty of the department to make placements consistent with the best interests of the child.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.05.2024.pdf

Senate Status: 04/04/24 - Signed by Senate speaker.

House Status: 04/05/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB1797/HB1986 Prohibits DCS from accepting anonymous reports of child abuse or neglect.

Sponsors: Sen. Hensley, Joey , Rep. Barrett, Jody

Summary: Prohibits the department of children's services from accepting anonymous reports of child abuse or neglect. Requires the investigator of allegations of child abuse or neglect to provide the parent or person having control over a child who is the subject of the investigation with certain materials prior to visiting the child's home or interviewing the child, including information regarding the investigator's identity, a written summary that is brief and easily understood, and information on the department's procedures for conducting an investigation of alleged child abuse or neglect. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1, House Children & Family Affairs Subcommittee amendment 1 (014698) prohibits the Department of Children's Services (DCS) from accepting anonymous reports of child abuse or neglect, and requires a DCS representative receiving a report in which an individual refuses to give their identity to refer that individual to a law enforcement agency. Requires an individual receiving an oral report of child abuse or neglect to record the report, and notify the reporting individual that they are being recorded and that making a false report is a Class E felony. Prohibits the use of a report of child abuse or neglect to be the sole basis for obtaining or issuing a search warrant unless the person making the report issues a sworn oath supporting the allegations of abuse or neglect, but establishes that a search warrant may be issued if an investigation of an initial report provides sufficient evidence to establish probable cause. Requires an individual who receives a false report of child abuse or neglect to provide a copy of the report, along with any evidence, to the District Attorney General with a recommendation of criminal charges. Requires DCS to conduct a preliminary investigation to determine if there is any evidence to corroborate an anonymous report that is made to law enforcement and referred to DCS, and to provide a parent or legal guardian with information regarding the investigation prior to taking any action. Requires an investigator to provide, within 60 days of a request from a parent or custodian of a child, any audio or video recording of the investigation, a written summary of the findings, and the recommendation on if the child should be removed from the home. Restricts who may be given access to the name of a person reporting child abuse, without the written consent of that person, or without order by the juvenile court.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.12.2024.pdf

Senate Status: 03/19/24 - Taken off notice in Senate Judiciary Committee.

House Status: 03/19/24 - Failed in House Children & Family Affairs Subcommittee.

SB1806/HB2046 DCS to submit written summaries of policies and guidelines adopted.

Sponsors: Sen. Oliver, Charlane , Rep. Chism, Jesse

Summary: Requires the department of children's services to submit written summaries of policies and guidelines adopted by it to the chairs of the government operations committees of each house, with the policies and guidelines to be posted on the subsequent joint rule review committee agenda for the month following the submission of the summaries. Broadly captioned.

Amendment Summary: Senate amendment 2 (014086) adds the senate and house of representatives government operations committees to the list of committees the department of children's services must submit new departmental policy changes within 60 days of adoption of the policies. House Civil Justice Committee amendment 1 (003513) requires the Department of Children's Services (DCS) to submit for review to the Government Operations Committees of the Senate and the House of Representatives of the Tennessee General Assembly (TGA) any new DCS policies within 60 days of adoption.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.19.2024.pdf

Senate Status: 03/04/24 - Senate passed with amendment 2 (014086).

House Status: 04/18/24 - Set for House Regular Calendar 1 04/18/24.

SB1840/HB1815 Creation of a private foster care pilot program.

Sponsors: Sen. Haile, Ferrell , Rep. Butler, Ed

Summary: Establishes a pilot program for five years to allow private entities to provide foster care services to qualifying children. Requires the department of children's services to create a process for selecting children for the program for up to 450 children. Directs the pilot program to submit monthly reports to the state foster care review board. Requires the comptroller to audit the program. Broadly captioned.

Amendment Summary: House Children & Family Affairs Subcommittee amendment 1 (015608) requires the Department of Children's Services (DCS) to create a private foster care pilot program in which private entities provide foster care services that are analogous or functionally equivalent to services provided by DCS for up to 450 children who meet specific requirements. Grants the private entities decision-making authority over the children in their custody, with oversight provided by DCS. Specifies that DCS will create a process for selecting children to participate in the pilot program, and that a court is authorized to place the children into the pilot program with DCS approval. Authorizes DCS to redetermine a child's Title IV-E eligibility and to request the private entity to assist in redetermination, and if a child's eligibility to the pilot program changes based on this eligibility then the private entity must assist in obtaining federal funding unless DCS approves the child's removal from the pilot program. Creates requirements and standards for private entities participating in the pilot program. Requires DCS to determine a cost per child formula and compensate the private entities according to that formula by utilizing existing DCS resources. Authorizes DCS to promulgate rules to effectuate the purposes of the pilot program. Requires DCS to make a determination on all new private entity applications within 90 days of receiving the application. Requires the Comptroller of the Treasury to audit the pilot program. Establishes that the pilot program is repealed on January 1, 2028. Effective upon becoming law for purposes of establishing policies and procedures, effective January 1, 2025 for all other purposes

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.12.2024.pdf
Senate Status: 01/29/24 - Referred to Senate Judiciary Committee.
House Status: 03/12/24 - Failed in House Children & Family Affairs Subcommittee after adopting amendment 1 (015608).

SB1863/HB1989 Penalties not considered when determining care for delinquent juveniles.

Sponsors: Sen. Hensley, Joey , Rep. Carr, Dale
Summary: Specifies that the department of children's services shall not use penalties when determining the amounts payable in contracts or grants to providers for services related to the prevention, treatment, or care of delinquent juveniles.
Senate Status: 03/19/24 - Taken off notice in Senate Judiciary Committee.
House Status: 01/30/24 - Referred to House Children & Family Affairs Subcommittee.

SB1873/HB1913 Tennessee Parents' Bill of Rights.

Sponsors: Sen. Hensley, Joey , Rep. Bulso, Gino
Summary: Enacts the "Tennessee Parents' Bill of Rights," which prohibits the state, a political subdivision in this state, an LEA, a charter school, or any other governmental entity from infringing on the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of the parent's child without demonstrating by clear and convincing evidence that such action is reasonable and necessary to achieve a compelling state interest and that such action is narrowly tailored and is not otherwise served by a less restrictive means. Specifies that the parental rights reserved to the right of a parent include The parental rights reserved to the parent of a child include: the right to direct the education and care of the child; the right to direct the upbringing and the moral or religious training of the child; the right to enroll the child in a public school, private school, including a religious school or home education program; the right to access and review all school records relating to the child; the right to make any decision affecting the health, mental health, well-being, or health care of the child, unless otherwise prohibited by law; and the right to access and review all medical records of the child, in addition to other rights.
Senate Status: 03/11/24 - Senate Judiciary Committee deferred.
House Status: 03/05/24 - Taken off notice in House Children & Family Affairs Subcommittee.

SB1890/HB2755 Bans the use of pepper spray on children by the department of children's services or in a juvenile detention facility.

Sponsors: Sen. Oliver, Charlane , Rep. McKenzie, Sam
Summary: Bans the use of personal protection spray devices, such as mace, pepper spray, or tear gas, on any child under the supervision of the department of children's services or in a juvenile detention facility. Broadly captioned.
Senate Status: 02/20/24 - Failed in Senate Judiciary Committee.
House Status: 02/07/24 - Referred to House Children & Family Affairs Subcommittee.

SB1906/HB2167 Annual report on status and progress of child protective teams.

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary
Summary: Changes, from January 15 to February 15, the date by which district attorneys general must annually report on the status and progress of child protective teams organized in their respective district to the judiciary committee of the senate and the civil justice committee of the house of representatives. Broadly captioned.
Senate Status: 01/29/24 - Referred to Senate Judiciary Committee.
House Status: 01/31/24 - Caption bill held on House clerk's desk.

SB1940/HB2045 Creates the state foster care and adoption review board.

Sponsors: Sen. Rose, Paul , Rep. Butler, Ed
Summary: Creates the state foster care and adoption review board and details the duties of the board, membership and meeting requirements, and report requirements.
Senate Status: 01/29/24 - Referred to Senate Government Operations Committee.
House Status: 03/19/24 - Taken off notice in House Children & Family Affairs Subcommittee.

SB2070/HB1676 Juvenile court proceedings - taking of child into custody or removal of child from parent.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Specifies that a juvenile court proceeding may be commenced by the taking of a child into custody or the removal of custody from a parent or legal guardian. Requires the juvenile court in a dependency and neglect proceeding to determine whether a parent, guardian, relative, or caregiver of the child cannot be excluded as a perpetrator of severe child abuse against the child. Prohibits a juvenile court from returning a child victim of severe child abuse to the custody of a person who cannot be excluded as the perpetrator unless certain circumstances are met. Makes various other changes regarding abuse, severe child abuse, and token support

Amendment Summary: House amendment 1 (013967) makes the following changes to the bill: (1) Clarifies that support is presumptively token support if it is less than the amount of the minimum child support order established by the department of human services child support guidelines under the definition of "abandonment" under adoption; (2) Adds that a parent or guardian bears the burden of proving by a preponderance of the evidence that any support provided was more than token support; (3) Removes the clarification that support is token support if it is less than the amount of the minimum child support order established by the department of human services child support guidelines from the definition of token support under foster care; (4) Specifies that a court must look at each of the child's parents, guardians, relatives, and caregivers who provided care during the relevant time period of abuse if a petition alleged a child was dependent and neglected or if the court finds the child was dependent and neglected regardless of the ground alleged in the petition; and (5) Removes the specification that a home is not suitable if the parent or guardian resides with or maintains an ongoing relationship with an individual who has been determined by the court to be a perpetrator of severe child abuse, or who a court has determined cannot be excluded as a perpetrator of severe child abuse.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_02.20.2024.pdf
Senate Status: 03/18/24 - Signed by Senate speaker.
House Status: 03/14/24 - Signed by House speaker.
Executive Status: 04/02/24 - Enacted as Public Chapter 0613 effective July 1, 2024.

SB2071/HB1675 Expands eligibility for reimbursement as a relative caregiver.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Expands the eligibility for reimbursement as a relative caregiver by removing the income limitations and including a relative caregiver who meets the eligibility requirements and has been awarded custody by an order of any court. Part of Administration Package.
Senate Status: 03/07/24 - Signed by Senate speaker.
House Status: 03/06/24 - Signed by House speaker.
Executive Status: 04/03/24 - Enacted as Public Chapter 0574 effective March 15, 2024.

SB2197/HB2447 Time frame for commission on children and youth to make budget recommendations for following fiscal year.

Sponsors: Sen. Lamar, London , Rep. Miller, Larry
Summary: Changes from September 1 to October 1 the date by which the commission on children and youth must make budget recommendations for the following fiscal year to the governor, finance committees of the house and senate, legislative budget offices, and affected state departments. Broadly captioned.
Senate Status: 02/01/24 - Referred to Senate Judiciary Committee.
House Status: 02/01/24 - Caption bill held on House clerk's desk.

SB2207/HB2822 Eliminate or reduce copayment requirements for child care payment.

Sponsors: Sen. Oliver, Charlane , Rep. Camper, Karen
Summary: Requires the department of human services to eliminate or reduce copayment requirements for persons who are receiving child care payment assistance through programs administered by the department based on the persons' household income. Broadly captioned.
Senate Status: 02/28/24 - Failed in Senate Health & Welfare Committee for lack of a second.
House Status: 03/05/24 - Taken off notice in House Health Subcommittee.

SB2349/HB2404 Redefines dependent and neglected child.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William
Summary: Revises the definition of a dependent and neglected child in juvenile court proceedings to provide that a child must be dependent and neglected at the time of the filing of the court petition and adds that dependency and neglect due to a condition of want or suffering may be due to the child's mental health or substance abuse issues. Broadly captioned.
Amendment Summary: Senate amendment 1 (013933) revises the definition of a dependent and neglected child to specify that the criteria for dependence and neglect must be present at the time of the filing of the petition.
Subcommittee Amendments: Children_and_Family_Affairs_Sub_02.27.2024.pdf
Senate Status: 03/18/24 - Senate passed with amendment 1 (013933).
House Status: 04/16/24 - House passed.
Executive Status: 04/16/24 - Sent to the speakers for signatures.

SB2353/HB2536 Creating a publicly accessible website for information on child care agencies.

Sponsors: Sen. Yarbro, Jeff , Rep. Behn, Aftyn
Summary: Directs the department of children's services to establish by January 1, 2025, a publicly accessible website that contains information about the performance of child care agencies, including violations by the agency, injuries or deaths occurring at the agency, date of the agency's last inspection, and other relevant information. Broadly captioned.
Amendment Summary: Senate Judiciary Committee amendment 1 (014055) requires the Department of Children's Services (DCS) to create a web-based system through which members of the public may obtain information regarding child care agencies based on zip codes, an agency's license status, information concerning any adverse licensing action taken against an agency, agency inspections, and other relevant information by July 1, 2025. Directs DCS to post full monitoring and inspection reports. Requires DCS to collect and disseminate on a website information regarding processes for licensing and monitoring child care agencies, policies and procedures for background checks for child care agencies, offenses that prevent individuals from serving as child care agencies, and directions on contacting DCS and other programs to assist in understanding the website.
Senate Status: 03/05/24 - Failed in Senate Judiciary Committee after adopting amendment 1 (014055).
House Status: 02/06/24 - Referred to House Health Subcommittee.

SB2359/HB1726 Prohibits immunization requirement as a condition of adoption or fostering.

Sponsors: Sen. Watson, Bo , Rep. Gant, Ron

Summary: Prohibits the department of children's services from requiring an immunization as a condition of adopting or overseeing a child in foster care if an individual or member of an individual's household objects to immunization on the basis of religious or moral convictions. Broadly captioned.

Senate Status: 03/27/24 - Signed by Senate speaker.

House Status: 03/28/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB2481/HB2485 Extension of foster care services.

Sponsors: Sen. Rose, Paul , Rep. Hurt, Chris

Summary: Extends the age for the voluntary extension of foster care program at least eighteen years of age but less than twenty-one years of age to at least 18 years of age but less than 23 years of age.

Senate Status: 03/11/24 - Senate Judiciary Committee deferred.

House Status: 03/19/24 - Taken off notice in House Children & Family Affairs Subcommittee.

SB2621/HB2598 DCS staffing levels for case managers.

Sponsors: Sen. Campbell, Heidi , Rep. Johnson, Gloria

Summary: Requires the department to maintain staffing levels of case managers not to exceed 20 active cases or 20 children monitored in active cases for six months following the effective date of this act, then reduced to 14 active cases or 14 children monitored in active cases. Broadly captioned.

Senate Status: 02/05/24 - Referred to Senate Judiciary Committee.

House Status: 02/20/24 - Failed in House Children & Family Affairs Subcommittee.

SB2627/HB2760 Continuing education courses on domestic violence or child abuse required for judges.

Sponsors: Sen. Massey, Becky , Rep. Alexander, Rebecca

Summary: Increases, from two to three, the number of hours of training or continuing education courses on domestic violence or child abuse all judges in child custody proceedings are required to complete per year. Increases, from 10 to 15, the number of hours of such training required every five years. Broadly captioned.

Amendment Summary: House amendment 1 (016562) rewrites the bill to, instead, make the following changes to the present law relevant to child custody. In a suit for annulment, divorce, separate maintenance, or in any other proceeding requiring the court to make a custody determination regarding a minor child, present law requires the determination to be made on the basis of the best interest of the child. In taking into account the child's best interest, the court must order a custody arrangement that permits both parents to enjoy the maximum participation possible in the life of the child, the location of the residences of the parents, the child's need for stability and all other relevant factors. The court must consider, along with several other factors, evidence of physical or emotional abuse to the child, to the other parent or to any other person. The court must, where appropriate, refer any issues of abuse to juvenile court for further proceedings. This amendment revises the present law and, instead, requires the court to consider evidence of physical or emotional abuse to the child, to the other parent, or to any other person, including the child's siblings. The court may, where appropriate, refer any issues of abuse to juvenile court for further proceedings. As required by the existing law regarding a permanent parenting plan, only if the limitations of the existing law regarding a permanent parenting plan are not dispositive of the child's residential schedule, then this amendment requires the court to consider the factors found in the present law relevant to child custody regarding making a determination based on the best interest of the child. Present law requires all judges involved in child custody proceedings to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years. This amendment adds to the present law by requiring the training to (i) be provided by a judge or retired judge with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse or a professional with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse; and (ii) rely on evidence-based research by recognized experts in the listed topics. This amendment also requires a court to take into account the training required by the present law above in a custody proceeding. This amendment prohibits the court from ordering reunification treatment to reestablish a relationship with a parent or caregiver if a court has made findings against the parent or caregiver (i) that a parent has engaged in willful abandonment that continues for an extended period of time or substantial refusal to perform parenting responsibilities, or physical or sexual abuse or a pattern of emotional abuse of the parent, child or of another person living with that child; (ii) if a parent, or if a parent resides with an adult who, has been convicted as an adult of a sexual offense or has been found to be a sexual offender; or (iii) relating to severe child abuse, unless the court finds that reunification efforts are in the best interest of the child. The court must file written findings of fact that are the basis of its conclusions on that issue in the order addressing reunification. An order of reunification must not cut off contact with a parent who is non-abusive. In any proceeding in which a court makes an initial custody or custody modification determination after a court has made findings against a parent or caregiver as mentioned in the provision above, then this amendment prohibits the court from issuing an order restoring parenting time of the child to the parent or caregiver unless the court finds that the child will not be subject to further abuse or harm. The court must file written findings of fact that are the basis of its conclusions on that issue in the order addressing parenting time. However, if the court made findings against the parent or as mentioned in the provisions above and finds that reunification efforts are in the best interest of the child, then the court may order reunification treatment to reestablish a relationship with a parent or caregiver. The court must consider the safety of the child during and after reunification treatment and must file written findings of fact that are the basis of its conclusions on the issues of reunification treatment and the child's safety within 30 days of the close of the hearing or, if an appeal or petition for certiorari is filed, within five days thereafter, excluding Sundays. An order of reunification must not cut off contact with a parent who is non-abusive.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.12.2024.pdf

Senate Status: 04/10/24 - Signed by Senate speaker.

House Status: 04/10/24 - Signed by House speaker.

Executive Status: 04/11/24 - Sent to governor.

SB2660/HB1808 Termination of parental rights due to substantial parental noncompliance.

Sponsors: Sen. White, Dawn , Rep. Butler, Ed

Summary: Requires the department of children's services to file a petition for termination of parental rights within 10 business days if there has been substantial noncompliance by a parent or guardian with the statement of responsibilities in a permanency plan over a period of six months. Broadly captioned.

Amendment Summary: Senate amendment 1 (013997) requires the Department of Children Services (DCS) to petition to terminate the parental rights within 90 days of a juvenile court's finding that the parent or guardian has been substantially noncompliant with the statement of responsibilities in the child's permanency plan.

Subcommittee

Amendments: Children_and_Family_Affairs_Sub_03.05.2024.pdf

Senate Status: 03/20/24 - Signed by Senate speaker.

House Status: 03/26/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0652 effective July 1, 2024.

SB2744/HB2945 Parent's right to unimpeded phone conversations with child.

Sponsors: Sen. Haile, Ferrell , Rep. Grills, Rusty

Summary: Expands the right to unimpeded telephone calls twice a week at reasonable times within the parenting plan with the parent's child to include video conference conversations if available. Broadly captioned.

Senate Status: 04/04/24 - Signed by Senate speaker.

House Status: 04/05/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB2749/HB2936 Families' Rights and Responsibilities Act.

Sponsors: Sen. Haile, Ferrell , Rep. Faison, Jeremy

Summary: Enacts the "Families' Rights and Responsibilities Act," which allows all parental rights to be exclusively reserved to a parent of a child without obstruction by or interference from a government entity unless abuse, neglect, or endanger a child occurs. Details violations by a government entity. States that medical procedures done on a child must be done with notification and consent of the parent. Details violations of the practice if occurs. Broadly captioned.

Amendment Summary: Senate Amendment 3, House Civil Justice Committee amendment 1 (017296) makes the following changes to the bill: (1) Provides that "biometric data," as used in the bill, means data generated by automatic measurements of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retina or iris, or other unique biological pattern or characteristic, that is used to identify a specific individual, but does not include (i) a physical or digital photograph, a video or audio recording, or data generated from the recording, or information collected, used, or stored for healthcare treatment, payment, or operations under HIPPA; and (ii) data or information collected, used, or stored for law enforcement purposes; (2) Adds to the bill that parents have the right to be notified promptly if an employee of the state reasonably believes that abuse, neglect, or any criminal offense has been committed against the child by someone other than the parent, unless an employee of the state, a political subdivision of the state, a local education agency, a public charter school, or any other governmental entity is required by law to withhold such information; (3) Revises the bill to provide that parents have the right to consent before any government entity makes a video or voice recording of the child, unless the video or voice recording is made during or as a part of a law enforcement interaction, instead of a law enforcement investigation; (4) Provides that the provisions in the bill prohibiting a government entity from substantially burdening the fundamental rights of parents unless the government entity demonstrates that the burden, as applied to the parent and the child, is required by a compelling governmental interest of the highest order and is the least restrictive means of furthering that compelling governmental interest and the provisions of this bill providing that all parental rights are exclusively reserved to a parent of a child without obstruction by or interference from a government entity does not prevent the department of children's services from conducting an investigation or otherwise carrying out its responsibilities under state law; (5) Provides that the provisions in the bill prohibiting a government entity from substantially burdening the fundamental rights of parents unless the government entity demonstrates that the burden, as applied to the parent and the child, is required by a compelling governmental interest of the highest order and is the least restrictive means of furthering that compelling governmental interest and the provisions of this bill providing that all parental rights are exclusively reserved to a parent of a child without obstruction by or interference from a government entity do not apply when (i) a parent of the minor has given blanket consent authorizing the person or entity to perform an activity; (ii) a government entity or any other person reasonably relies in good faith on an individual's representations that the individual is the parent of a minor or has otherwise been granted authority to make decisions regarding a minor's care under state law; (iii) a person participates or assists in rendering emergency care; (iv) an employee of a local education agency acts to control bleeding using a bleeding control kit; or (iv) services are provided to or information is received or maintained about a minor enrolled in an institution of higher education or a minor participating in a program for which the minor's parent has consented to the child's participation by an employee of the institution of higher education or other school official; (6) Clarifies that a public employee must not withhold from a child's parent information that is relevant to the physical, emotional, or mental health of the child unless required by law to withhold such information; (7) Prohibits a person or entity that is not a parent from having standing to raise in any proceeding in this state the fundamental rights of a parent established in this bill; (8) Revises the provision in the bill that provides if a child has no affirmative right of access to a particular surgical, medical, or mental health procedure or service, then this bill does not grant that child's parent an affirmative right of access to that procedure or service on that child's behalf by, instead, providing that this bill does not give parents a right to medical treatments for their children that have been prohibited by state law; (9) Adds to the provisions in the bill prohibiting a government entity, healthcare provider, or other person from knowingly taking any of the following actions with regard to a minor without first obtaining the consent of a parent of the minor: (i) treating, professing to diagnose, operating on, or prescribing for any physical ailment, physical injury, or deformity; (ii) prescribing, dispensing, delivering, or administering any drug or medication; (iii) rendering certain psychological services; or (iv) rendering certain counseling services. This amendment clarifies that the above prohibitions do not apply when services are provided to a minor enrolled in an institution of higher education by a licensed provider employed by the institution of higher education; (10) Revises the bill to no longer authorize a parent to bring a civil cause of action to recover punitive damages when an entity or healthcare provider allegedly violates the provisions of the bill prohibiting a government entity, healthcare provider, or other person from knowingly taking any of the following actions with regard to a minor without first obtaining the consent of a parent of the minor: (i) treating, professing to diagnose, operating on, or prescribing for any physical ailment, physical injury, or deformity; (ii) prescribing, dispensing, delivering, or administering any drug or medication; (iii) rendering certain psychological services; or (iv) rendering certain counseling services; and (11) Requires a civil action commenced against a healthcare provider to be brought within one year after the cause of action accrued. However, in the event the alleged injury is not discovered within such one-year period, the period of limitation is one year from the date of such discovery, but in no event must any such action be brought more than three years after the date on which the negligent act or omission occurred except where there is fraudulent concealment on the part of the defendant, in which case the action must be commenced within one year after discovery that the cause of action exists. However, the previous limitations do not apply in cases where a foreign object has been negligently left in a patient's body, in which case the action must be commenced within one year after the alleged injury or wrongful act is discovered or should have been discovered.

Subcommittee

Amendments: Children_and_Family_Affairs_Sub_03.05.2024.pdf

Senate Status: 03/28/24 - Senate passed with amendment 3 (017296).

House Status: 04/11/24 - Held on House clerk's desk.

SB2805/HB2916 Report by TCCY on status of children and youth in state.

Sponsors: Sen. Taylor, Brent , Rep. Sexton, Cameron
Summary: Changes from December 31 to December 1 the date by which the Tennessee commission on children and youth must annually publish a comprehensive report on the status of children and youth in this state and distribute the report to the governor, to each member of the general assembly, and to each of the state's depository libraries. Broadly captioned.

Amendment Summary: Senate amendment 1 (016099) rewrites the bill to, instead, make the changes described below to the law relevant to juvenile courts and proceedings. Present law prohibits the disposition of a child and evidence adduced in a hearing in juvenile court from being used against such child in any proceeding in any court other than a juvenile court, whether before or after reaching majority, except in dispositional proceedings after conviction of a felony for the purposes of a pre-sentence investigation and report. This amendment adds another exception to the above prohibition for pretrial reports used to set bonds. Present law provides that all files and records of the court in a proceeding under the general provisions of the law regarding juvenile courts and proceedings are open to inspection only by (i) the judge, officers and professional staff of the court; (ii) the parties to the proceeding and their counsel and representatives; (iii) a public or private agency or institution providing supervision or having custody of the child under order of the court; (iv) a court and its probation and other officials or professional staff and the attorney for the defendant for use in preparing a presentence report in a criminal case in which the defendant is convicted and who prior thereto had been a party to the proceeding in juvenile court; and (v) with permission of the court, any other person or agency or institution having a legitimate interest in the proceeding or in the work of the court. This amendment adds to the present law in (iv) above by providing such files and records are also open to inspection by a court and its probation and other officials or professional staff and the attorney for the defendant for use pretrial reports used to set bonds. In determining the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public, present law requires the magistrate to consider, among other things, the defendant's prior criminal record and the likelihood that because of that record the defendant will pose a risk of danger to the community. This amendment adds to the present law by requiring the magistrate to also consider the defendant's prior juvenile record.

Senate Status: 04/09/24 - Senate passed with amendment 1 (016099).
House Status: 02/05/24 - Caption bill held on House clerk's desk.

SB2860/HB2647 Removes outdated provision related to December 2022 performance audit report.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Removes an outdated provision that required the department of children's services to report to the chairs of the government operations committees of the senate and the house of representatives, and appear before the education, health, and general welfare joint evaluation committee, in 2023 relative to the December 2022 performance audit report issued by the division of state audit. Broadly captioned.

Amendment Summary: House Civil Justice Committee amendment 1 (017253) requires the department of children services to publish on their website the most recent inspection report by Jul. 1 of each year. Senate Judiciary Committee amendment 1 (015716) requires the continuation of the work of the Ombudsman for Child and Families (Ombudsman), which is administratively attached to the Commission on Children and Youth (Commission). Requires the Ombudsman to monitor and inspect any child care agency that is used to house juveniles who are alleged to be or adjudicated as delinquent, and to make recommendations to the Department of Children's Services (DCS) and the agency related to the health, safety, and welfare of the youth. Requires DCS to provide an update on actions taken to remedy the findings by December 1, 2025, and annually thereafter. Directs DCS to supply all records and information the Ombudsman deems necessary for inspection. Requires the Ombudsman to report their findings by January 1, 2026, and every January 1 thereafter, to specified entities and individuals. Requires DCS to publicly report, in the community the agency is located, if an agency has not met the requirements for approval within one year of the recording of violation.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.26.2024.pdf
Senate Status: 04/10/24 - Re-referred to Senate Calendar Committee.
House Status: 04/09/24 - House Civil Justice Committee deferred to Summer Study after adopting amendment 1 (017253).

SB2929/HB2704 Report requirement for second look commission.

Sponsors: Sen. Powers, Bill , Rep. Littleton, Mary
Summary: Permits the second look commission to electronically submit the report detailing the commission's findings and recommendations from a review of an appropriate sampling of cases involving a second or subsequent incident of severe child abuse to the governor, the senate judiciary and health and welfare committees, and the house of representatives civil justice committee. Broadly captioned.

Amendment Summary: Senate amendment 1 (014357) rewrites the bill to, instead, require the department of children's services, county medical examiners, chief medical examiners, and facilities that perform autopsies to establish policies and procedures for the prioritization of the completion of final autopsy reports for fatalities of (i) any child in the custody of the department; (ii) any child who is the subject of an ongoing investigation by child protective services or has been the subject of an investigation by child protective services within the 45 days immediately preceding the child's fatality or near fatality; or (iii) any child whose fatality or near fatality resulted in an investigation of the safety and well-being of another child in the home.

Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.26.2024.pdf
Senate Status: 04/09/24 - Senate passed with amendment 1 (014357).
House Status: 04/15/24 - House passed.
Executive Status: 04/15/24 - Sent to the speakers for signatures.

GOVERNMENT ORGANIZATION

SB447/HB619 Required notice for the proposed discharge of a child committed to the custody of DCS.

Sponsors: Sen. Lowe, Adam , Rep. Travis, Ron
Summary: Requires the commissioner of the department of children's services to notify the committing court at least 15 days prior to the proposed discharge of a child committed to custody under the department. Requires an objection to a proposed discharge by the committing court to be made in writing to the commissioner of DCS where the commissioner shall review the file in a hearing. Requires a hearing by a three-judge panel if the department and committing judge cannot reach an agreement.

Amendment Summary: House amendment 1 (004574) removes all of this bill's provisions, except for the provision that requires the commissioner of children's services to notify the committing court at least 15 days prior to the proposed discharge of a delinquent child who was committed to the custody of the department of children's services for an indefinite time. Senate amendment 1 (014283) changes the bill's effective date to July 1, 2024.

Senate Status: 03/19/24 - Signed by Senate speaker.

House Status: 03/18/24 - Signed by House speaker.

Executive Status: 04/02/24 - Enacted as Public Chapter 0611 effective July 1, 2024.

SB609/HB1103 **Creation of the Tennessee juvenile justice review commission.**

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary

Summary: Creates the Tennessee juvenile justice review commission to review an appropriate sampling of juvenile justice cases and any critical incidents involving juveniles in order to provide the general assembly with findings and legislative recommendations. Specifies membership and terms for members of commission. Requires the commission to provide a report to the general assembly on the commission's progress in fulfilling its duties no later than January 1, 2024 (11 pp.).

Amendment Summary: Senate Government Operations Committee amendment 1, House Civil Justice Committee amendment 1 (004859) creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Commission on Children and Youth and will meet at least quarterly to review a sampling of juvenile justice cases and any critical incidents involving delinquent juveniles in the custody of the Department of Children's Services (DCS). Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2024. Requires the Commission to be comprised of 20 members. Requires DCS to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2023. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025. House Government Operations Committee amendment 1 (006061) creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Department of Children's Services (DCS), and will meet at least quarterly to review a sampling of juvenile justice cases and any critical incidents involving delinquent juveniles in the custody of DCS. Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2024. Requires the Commission to be comprised of 19 members. Requires DCS to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2023. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025. Senate Judiciary Committee amendment 1, House Finance Subcommittee amendment 1 (014361) creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Tennessee Commission on Children and Youth (TCCY), and will meet at least quarterly to review a sampling of juvenile justice cases and may review any critical incidents involving delinquent juveniles in the custody of DCS. Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2025. Requires the Commission to be comprised of 20 members. Requires the Department of Children's Services (DCS) to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2024. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025. Senate Judiciary Committee amendment 1 (014361) Creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Tennessee Commission on Children and Youth (TCCY), and will meet at least quarterly to review a sampling of juvenile justice cases and may review any critical incidents involving delinquent juveniles in the custody of DCS. Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2025. Requires the Commission to be comprised of 20 members. Requires the Department of Children's Services (DCS) to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2024. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025.

Subcommittee Amendments: Finance_Sub_Amendments_03.06.2024.pdf

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1602/HB1745 **Sunset - child care agency licensing board.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the child care agency licensing board of review to June 30, 2030.

Senate Status: 02/26/24 - Signed by Senate speaker.

House Status: 02/26/24 - Signed by House speaker.

Executive Status: 03/15/24 - Enacted as Public Chapter 0535 effective March 7, 2024.

SB1605/HB1748 **Sunset - commission on children and youth.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the commission on children and youth to June 30, 2028.

Senate Status: 02/05/24 - Senate passed.

House Status: 04/15/24 - House passed.

Executive Status: 04/15/24 - Sent to the speakers for signatures.

SB1608/HB1751 **Sunset - department of children's services.**

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the department of children's services to June 30, 2026. Requires the department to submit quarterly written reports to the government operations committees during 2024 and 2025 to provide updates on the department's progress in addressing the findings set forth in the December 2022 performance audit report.

Senate Status: 03/18/24 - Signed by Senate speaker.

House Status: 03/18/24 - Signed by House speaker.

Executive Status: 04/02/24 - Enacted as Public Chapter 0592 effective March 27, 2024.

SB1625/HB1768 Sunset - standards committee, department of children's services.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the standards committee, department of children's services to June 30, 2030.

Senate Status: 02/17/24 - Signed by Senate speaker.

House Status: 02/15/24 - Signed by House speaker.

Executive Status: 03/15/24 - Enacted as Public Chapter 0515 effective March 1, 2024.

SB1870/HB2408 Creates the select committee on children and youth.

Sponsors: Sen. Yarbro, Jeff , Rep. Thompson, Dwayne

Summary: Details the creation of the select committee on children and youth, the member and meeting requirements, the authority of the committee, the duties and responsibilities of the committee, and the reports and ultimate termination of the committee.

Senate Status: 01/31/24 - Referred to Senate Government Operations Committee.

House Status: 02/06/24 - Referred to House Public Service Subcommittee.

SB1962/HB1791 General assembly - biennial September sessions.

Sponsors: Sen. Hensley, Joey , Rep. Hawk, David

Summary: Establishes parameters for biennial September sessions of the general assembly.

Senate Status: 03/20/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 02/14/24 - House State Government Committee recommended. Sent to House Finance.

SB2445/HB2254 Child fatality review team board members.

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Adds three persons to the state child fatality review team who are each state residents with a child under 18 years of age. Requires the state child fatality review team to distribute the team's annual report to each local education agency and to the board of the Tennessee Chapter of the American Academy of Pediatrics. Broadly captioned.

Senate Status: 03/27/24 - Signed by Senate speaker.

House Status: 03/28/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB2503/HB2610 Terminates the human rights commission.

Sponsors: Sen. Stevens, John , Rep. Garrett, Johnny

Summary: Terminates the human rights commission with no wind-down period. Creates the human rights division in the office of attorney general and transfers the duties and functions of the human rights commission to the new division (11 pp.).

Amendment Summary: Senate amendment 1 (014812) requires the attorney general and reporter to conduct a review of the human rights commission including the responsibilities and functions of the commission in order to evaluate if the attorney general and reporter could take on the responsibilities. The human rights commission must cooperate and provide information to the attorney general promptly and continue fulfilling the existing responsibilities while the review is in order. The attorney general and reporter will submit their findings to the speaker of the house and the speaker of the senate before Jan. 1, 2025.

Subcommittee Amendments: Departments_03.13.24.pdf

Senate Status: 04/10/24 - Signed by Senate speaker.

House Status: 04/11/24 - Signed by House speaker.

Executive Status: 04/12/24 - Sent to governor.

HEALTH CARE

SB291/HB566 Overdose Fatality Review Act.

Sponsors: Sen. Briggs, Richard , Rep. Carringer, Michele

Summary: Enacts the "Overdose Fatality Review Act," which creates a legislative framework for establishing county or regional multidisciplinary overdose fatality review teams in this state. Specifies composition of overdose fatality review teams and duties and responsibilities of overdose fatality review teams, including recommending prevention and intervention strategies to improve coordination of services among member agencies to reduce overdose deaths. Requires the coordinator of the local team to report to the local or regional county health officer. Specifies other responsibilities of coordinator of local team. Specifies that local team meetings in which confidential information is discussed are closed to the public. Specifies that all information and records acquired by a local team are confidential and are not subject to subpoena, discovery, or introduction into evidence in a civil or criminal proceeding or disciplinary action (14 pp.).

*Amendment**Summary:*

Senate Health & Welfare Committee amendment 1, House Health Committee amendment 1 (005757) creates the Overdose Fatality Review Act. Authorizes a county to establish a multidisciplinary and multiagency overdose fatality review local team, and two or more counties to jointly establish a single multicounty team. Provides overdose fatality review teams with duties and responsibilities to examine and understand the circumstances leading up to a fatal overdose, so that policy recommendations and resource allocations can prevent future overdoses. Requires each local team to submit an annual de-identified report including data related to fatal overdoses and recommendations for policy changes to prevent overdoses to the Department of Health (DOH) and the county health department for the local jurisdiction. Requires the DOH to combine all annual reports into a single statewide report to be submitted to the Governor and both health committees of the General Assembly. Requires information and records kept by certain healthcare providers and government agencies, other than law enforcement agencies, relating to fatal overdoses to be provided to the local team following a records request. Establishes certain confidentiality protocols for local team members, and states that the confidentiality of information provided to the local team must be maintained as required by state and federal law. Creates a Class B misdemeanor offense for a person who violates confidentiality provisions established in the Act. House Government Operations Committee recommended with amendment 1 (007520) creates the Overdose Fatality Review Act. Authorizes a county to establish a multidisciplinary and multiagency overdose fatality review local team, and two or more counties to jointly establish a single multicounty team. Provides overdose fatality review teams with duties and responsibilities to examine and understand the circumstances leading up to a fatal overdose, so that policy recommendations and resource allocations can prevent future overdoses. Requires each local team to submit an annual de-identified report including data related to fatal overdoses and recommendations for policy changes to prevent overdoses to the Department of Health (DOH) and the county health department for the local jurisdiction. Requires the DOH to combine all annual reports into a single statewide report to be submitted to the Governor and both health committees of the General Assembly. Requires information and records kept by certain healthcare providers and government agencies, other than law enforcement agencies, relating to fatal overdoses to be provided to the local team following a records request to the extent permitted by state and federal law. Establishes certain confidentiality protocols for local team members, and states that the confidentiality of information provided to the local team must be maintained as required by state and federal law. Creates a Class B misdemeanor offense for a person who violates confidentiality provisions established in the Act.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1791/HB1973 Newborn screening.

Sponsors: Sen. Massey, Becky , Rep. Hawk, David

Summary: Requires all infants born in this state to be screened for specific genetic, metabolic, or other heritable conditions, including, but not limited to, conditions listed on the Recommended Uniform Screening Panel (RUSP). Allows the department of health to require newborn screening for conditions not listed on the RUSP. Requires certain implementation and reporting requirements regarding such newborn screening.

*Amendment**Summary:*

Senate amendment 1 (014247) rewrites the bill to, instead, provide that, when screening for a condition is not implemented within 36 months of being added to the Recommended Uniform Screening Panel, the department of health ("department") must provide a report on the status and the reason for delay to the health and welfare committee of the senate, the health committee of the house, the genetics advisory committee of the department, and the Tennessee rare disease advisory council. The report is required no later than six months after the 36-month period has expired, and by January 1 of each year thereafter until screening for the condition is implemented.

Subcommittee

Amendments: Health_Sub_Amendments_02.27.2024.pdf

Senate Status: 04/10/24 - Signed by Senate speaker.

House Status: 04/11/24 - Signed by House speaker.

Executive Status: 04/12/24 - Sent to governor.

SB1832/HB2226 Tennessee Maternal Health Equity Advisory Committee Act.

Sponsors: Sen. Lamar, London , Rep. Love Jr., Harold

Summary: Enacts the "Tennessee Maternal Health Equity Advisory Committee Act," which creates within the department of health the Tennessee Maternal Health Equity Advisory Committee composed of 11 members appointed by the governor. Specifies that the purpose of the committee is to systematically review maternal health data, identify disparities in maternal healthcare delivery, and formulate recommendations to the department aimed at enhancing maternal health outcomes, with a specific focus on minority women and women residing in urban and rural communities within this state. Requires the committee to make recommendations to the department based on its findings. Also requires the committee to submit an annual report to the governor, the chair of the health and welfare committee of the senate, and to the chair of the house health committee summarizing its findings and recommendations.

*Amendment**Summary:*

Senate amendment 1 (015087) rewrites the bill to, instead, add to the composition of the Tennessee maternal mortality review and prevention team four members appointed by the commissioner of health who are from community-based organizations and include the following: (1) One member from the middle grand division of this state; (2) One member from the eastern grand division of this state; and (3) Two members from the western grand division of this state, including one member from Memphis; and one member from Jackson.

Subcommittee

Amendments: Health_Sub_Amendments_03.26.2024.pdf

Senate Status: 03/14/24 - Senate passed with amendment 1 (015087).

House Status: 04/18/24 - House passed.

Executive Status: 04/18/24 - Sent to the speakers for signatures.

SB2063/HB2232 Pilot project to invest in the self-sufficiency of employees of childcare agencies.

Sponsors: Sen. Oliver, Charlane , Rep. Freeman, Bob

Summary: Creates a pilot project to place a moratorium on the loss of public assistance benefits for childcare workers based solely on wage increases that cause their income to exceed program eligibility limits. Requires TACIR to study wages and related issues for childcare workers, including the benefits cliff. Broadly captioned.

*Amendment**Summary:*

House Health Committee amendment 1 (016094) directs the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to conduct a study on: the current landscape of child care workers in Tennessee; the establishment, feasibility, and impact of implementing a program that covers the cost of child care for specific child care employees; the feasibility and impact of expanding financial support for early educators, including a target compensation scale; and, whether the public benefit program income eligibility requirements create a benefits cliff. Requires TACIR to submit a report on the findings and recommendations of the study to the Speaker of the Senate, Speaker of the House of Representative, and the Legislative Librarian by January 1, 2025. Senate amendment 1 (017090) rewrites the bill to, instead, direct the Tennessee advisory commission on intergovernmental relations (TACIR) to conduct a study on the following: (1) The current landscape of child care workers in this state, including (i) demographic and racial makeup of the child care workforce; (ii) salary and wage compensation; (iii) tenure of employment at a child care agency; (iv) amount of child care workers on public assistance or working second employment; and (v) whether the child care workers have children enrolled in a child care agency; (2) The establishment, feasibility, and impact of implementing a program that covers the cost of child care for a child care worker who (i) works at least 20 hours per week at a licensed child care agency, regardless of the employee's role at the agency; (ii) has worked continuously at a child care agency for at least 90 days; (iii) is eligible to have their children attend the child care agency at no cost, or has children that attend a licensed, certified, or registered provider that accepts and is approved to receive child care assistance payments; and (iv) is a resident of this state; and (3) For the purpose of excluding a child care worker's income or household income level from being considered when determining eligibility as a protected population and addressing the workforce shortage by incentivizing child care workers to remain employed in the early education industry: (i) the feasibility and impact of expanding financial supports for early educators, such as through the use of the child care WAGE\$ program, bonuses, and other public benefit eligibility options; (ii) the establishment and feasibility of a target compensation scale for employees of child care agencies; and (iii) the benefits cliff and whether public benefits program eligibility thresholds are in alignment with state program income eligibility requirements. For purposes of this (3), "benefits cliff" means the loss of public benefits by employees of child care agencies whose incomes exceed public benefits eligibility thresholds following wage increases. This amendment requires all appropriate departments and agencies of this state to provide assistance to TACIR in connection with the analysis required in (1)-(3) above. This amendment requires TACIR to submit a report disclosing the findings of the study and recommendations to the speaker of the senate, the speaker of the house of representatives, and the legislative librarian no later than January 31, 2025.

*Subcommittee**Amendments:*

Health_Sub_Amendments_03.20.2024.pdf

Senate Status:

04/01/24 - Senate passed with amendment 1 (017090).

House Status:

04/17/24 - Set for House Floor 04/18/24.

SB2135/HB2727 Designations of psychiatric mental health nurse practitioner and psychiatric mental health clinical nurse specialist.*Sponsors:*

Sen. Reeves, Shane , Rep. Faison, Jeremy

Summary:

Establishes the designations of psychiatric mental health nurse practitioner and psychiatric mental health clinical nurse specialist and enumerates the permitted activities for individuals with such designations, including creating a plan of care, issuing orders, and prescribing drugs.

Senate Status:

03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status:

03/20/24 - Taken off notice in House Health Subcommittee.

SB2136/HB2318 Scope of practice of physician assistants and advanced practice nurses.*Sponsors:*

Sen. Reeves, Shane , Rep. Williams, Ryan

Summary:

Makes revisions to the authorized scope of practice of physician assistants and advanced practice nurses who meet certain qualifications (35 pp.).

*Amendment**Summary:*

House Health Subcommittee amendment 1 (016712) establishes the scope of services which may be performed by physician assistants, including the issuing of controlled substances. Authorizes an authorized physician assistant to complete, sign, and file medical certifications of death. Authorizes a physician assistant who has not received endorsement from the Board of Physician Assistants (BPA) to practice under protocols jointly developed by a collaborating physician and the physician assistant. Establishes the manner in which protocols may be utilized. Requires a physician assistant who has received an endorsement from the board to have a collaborative agreement with a physician. Requires a physician assistant to have a minimum of 6,000 hours of documented postgraduate clinical experience, have a physician willing to enter into a collaborative agreement, and meet such other requirements as set forth in rules promulgated by the BPA to be eligible to receive an endorsement. Requires the Board of Medical Examiners (BME) to establish and maintain an online registry of licensed physicians who are willing to enter into a collaborative agreement with a physician assistant. Effective January 1, 2025, authorizes the BPA to take disciplinary action against a physician assistant for holding themselves out as board-certified in a medical specialty, or for utilizing a medical specialty designation with certain titles, advertisements, credentialing, or applications. Creates exceptions for certain licensees who worked in a healthcare setting that used a medical specialty designation prior to January 1, 2024. House Government Operations Committee amendment 1 (017953) empowers physician assistants (PAs) with greater responsibilities and clarifies their collaboration with licensed physicians. Mandates that PAs collaborate with physicians through protocols or collaborative agreements, ensuring proper oversight and accountability in patient care. Requires PAs to have protocols or agreements in place for each collaborating physician, with alternative collaborating physicians designated for coverage in the absence of the primary collaborator. The collaborating physician is tasked with conducting patient chart reviews, particularly for prescriptions of controlled substances or drugs like buprenorphine used in recovery or medication-assisted treatment. Establishes a system for remote site visits and prescriptive practice monitoring by the Board of Physician Assistants. It requires PAs to notify the board of their primary practice location and any changes, ensuring transparency and accountability in their practice. Expands the authority of PAs in certifying death certificates, allowing them to sign and file such documents under specific circumstances outlined in the legislation. Addresses disciplinary actions against PAs for misrepresentation of medical specialties, ensuring compliance with ethical standards. Senate amendment 1 (017651) rewrites the bill as follows: (1) Authorizes a physician assistant to do the following: (A) Perform medical diagnosis and treatment as a physician assistant pursuant either to a protocol or collaborative agreement, as applicable, for which the physician assistant has been prepared by education, training, and experience, and that the physician assistant is competent to perform only if licensed by the board of physician assistants ("board") and only within the usual scope of practice of the collaborating physician; (B) Perform minor surgical procedures, including (i) simple laceration or surgery repair; (ii) excision of skin lesions, moles, warts, cysts, or lipomas; (iii) incision and draining of superficial abscesses; (iv) skin biopsies; (v) arthrocentesis; (vi) thoracentesis; (vii) paracentesis; (viii) endometrial biopsies; (ix) IUD insertion; and (x) colposcopy; (C) Assist a physician who performs procedures considered Level II office-based surgery or Level III office-based surgery, as those are defined in state law, or a more complex procedure, if (i) the physician assistant is credentialed or receives privileges from the medical staff of the facility to assist a physician with enumerated procedures; (ii) the physician performing the procedure is credentialed or privileged to perform the procedure by the medical staff of the facility; and (iii) the physician is present or immediately available for consultation with the physician assistant during and after the procedure; (D) Issue drugs authorized by law pursuant to protocols or collaborative agreement, and as applicable, (i) prescribe, dispense, order, administer, and procure appropriate medical devices, legend drugs, and controlled substances that are within the physician assistant's scope of practice if the physician assistant has registered and complied with all applicable requirements of state law and rule and the federal drug enforcement administration; and (ii) only prescribe or issue a Schedule II or Schedule III opioid for a maximum of a seven-day supply of treatment. This (1)(D) does not apply to a prescription issued in a hospital, a licensed nursing

for a maximum of a nonrenewable, thirty-day course of treatment. This (1)(D) does not apply to a prescription issued in a hospital, a licensed nursing home, or a licensed inpatient facility; (E) Unless a physician assistant's protocols or collaborative agreement indicate otherwise, plan and initiate a therapeutic regimen that includes ordering and prescribing non-pharmacological interventions, including (i) durable medical equipment; (ii) nutrition; (iii) blood and blood products; and (iv) diagnostic support services that include, but are not limited to, home health care, hospice, and physical and occupational therapy; and (F) Complete, sign, and file medical certifications of death, if authorized to do so in the physician assistant's protocol or collaborative agreement; (2) Requires a physician assistant who has not received endorsement from the board to practice under protocols jointly developed by the collaborating physician and the physician assistant; (3) Requires the physician assistant to maintain a copy of the protocols either on paper or electronically at each of the physician assistant's practice locations and make the protocols available upon request by the board, the licensing board of the collaborating physician, or an authorized agent thereof; (4) Requires the protocols to set forth the range of services that may be provided by the physician assistant and must also contain a discussion of the problems and conditions likely to be encountered by the physician assistant and the appropriate treatment for such problems and conditions; (5) Establishes that physician assistant practice under protocols requires active and continuous overview of the physician assistant's activities to ensure that the physician's directions and advice are implemented, but does not require the continuous and constant physical presence of the collaborating physician; (6) Authorizes a physician assistant to perform only those tasks that are within the physician assistant's range of skills and competence, that are within the usual scope of practice of the collaborating physician, and that are consistent with the protection of the health and well-being of the patients; (7) Requires protocols to also include, at a minimum, the following: (A) The physician assistant's name, license number, and primary practice location; (B) The collaborating physician's name, license number, medical specialty, and primary practice location; (C) A general description of the oversight of the physician assistant by the collaborating physician; (D) A general description of the physician assistant's process for collaboration with physicians and other members of the healthcare team; (E) A process by which 100 percent of patient charts are reviewed by the collaborating physician within 10 days when a prescription for a controlled drug is issued by the physician assistant; (F) A process by which at least 20 percent of the physician assistant's patient charts are reviewed by the collaborating physician every 30 days; (G) If the physician assistant changes practice settings to practice in a new medical specialty, a description of a process by which the patient medical charts prepared by the physician assistant are reviewed by the collaborating physician for a minimum of six months or until the physician assistant becomes eligible for endorsement, whichever period is longer; (H) If the physician assistant practices in a remote location site from the collaborating physician's practice site, that the collaborating physician conduct a remote site visit at least every 30 days; (I) That the physician assistant collaborates with, consults with, or refers to, the collaborating physician or appropriate healthcare professional as indicated by the patient's condition and the applicable standard of care when a patient presents with a condition that is outside of the competence, scope of practice, or experience of the physician assistant or collaborating physician; and (J) Designation of one or more alternative physicians for consultation in situations in which the collaborating physician is not available for consultation; (8) Requires a physician assistant who has received an endorsement from the board to have a collaborative agreement with a physician; (9) Requires the physician assistant to maintain a copy of the collaborative agreement either on paper or electronically at each of the physician assistant's practice locations and make the collaborative agreement available upon request by the board of physician assistants, the licensing board of the collaborating physician, or an authorized agent of such boards; (10) To be eligible to receive endorsement from the board, requires a physician assistant to, at a minimum, have 6,000 hours of documented postgraduate clinical experience, have a physician willing to enter into a collaborative agreement with the physician assistant, and meet such other requirements as set forth in rules promulgated by the board. A physician assistant with 6,000 hours or more of documented postgraduate clinical experience must not practice pursuant to the requirements in state physician assistant law or rules promulgated thereto for endorsed physician assistants without first receiving endorsement by the board. State physician assistant law does not require a physician assistant to become endorsed by the board. Unless a physician assistant has received an endorsement from the board, the requirements under this heading apply; (11) Requires collaborative agreements governing physician assistants who have 6,000 or more hours of documented postgraduate clinical experience and are endorsed by the board to include, at a minimum, the following: (i) the physician assistant's name, license number, and primary practice location; (ii) the collaborating physician's name, license number, medical specialty, and primary practice location; (iii) that the physician assistant performs only those services that are within the physician assistant's competence, knowledge, and skills that are within the usual scope of practice of the collaborating physician, and that are consistent with the protection of the health and well-being of patients; (iv) a process by which 100 percent of patient charts are reviewed by the collaborating physician within 30 days when a prescription for any drug containing buprenorphine for use in recovery or medication treatment or a Schedule II controlled drug is issued by the physician assistant; (v) that if the physician assistant changes practice settings to practice in a new medical specialty, a description of a process by which a sample of patient medical charts prepared by the physician assistant are reviewed by the collaborating physician, or a physician designated by the collaborating physician, for a minimum of six months; (vi) that the physician assistant collaborates with, consults with, or refers to the collaborating physician or appropriate healthcare professional as indicated by the patient's condition and the applicable standard of care; (vii) methods of communication between the physician assistant and collaborating physician; and (viii) requirements of patient chart review and remote site visits, if any, established at the practice level and commensurate with the level of training, experience, and competence of the physician assistant within the expected scope of practice of the physician assistant; (12) Establishes that, regarding a physician assistant practicing in collaboration with a licensed podiatrist, in addition to meeting the requirements of other relevant state law, the following apply: (i) prohibits providing services that are outside the scope of practice of a podiatrist; (ii) requires complying with the requirements of, and rules adopted pursuant to, the bill and other relevant state law governing the collaboration with a physician assistant; and (iii) authorizes only prescribing drugs that are rational to the practice of podiatry; (13) Authorizes a physician assistant to render emergency medical services in cases where immediate diagnosis and treatment are necessary to avoid patient death or disability; (14) Establishes that the standard of care for a physician assistant is the same standard of care as applicable to a physician who performs the same service; (15) Requires that the initial rules governing the collaboration of physician assistants with licensed physicians be established and promulgated in accordance with the Uniform Administrative Procedures Act, by a task force composed of (i) one member from the board of medical examiners; (ii) one member from the board of osteopathic examination; (iii) one member from the board of podiatric medical examiners; and (iv) three members from the board of physician assistants; (16) Requires the task force to create uniform rules governing the collaboration of physician assistants with licensed physicians, which are binding on each board listed in (15); (17) Requires the rules created by the taskforce to create standard protocols to determine the responsibility for the review of patient medical charts; (18) Requires each board listed in (15) to select and appoint by a majority vote of its members a board member to serve on the task force before September 1, 2024; (19) Requires the task force to select and appoint a member to serve as chair of the task force; (20) Establishes that a majority of the task force constitutes a quorum, and a majority vote of the task force members present is required for any action; (21) Requires the task force to hear public comment at any required hearing on behalf of all boards listed in (15) when a hearing is required. The task force is authorized to vote to promulgate the rules governing the collaboration of physician assistants with licensed physicians for each board listed in (15); (22) Requires the task force to terminate upon the effective date of a permanent rule establishing collaboration pursuant to the bill. All future rules regarding collaboration pursuant to the bill after the termination of the task force must be adopted jointly by each relevant board in (15); (23) Establishes that the bill does not prohibit the licensing boards listed in (15) from promulgating additional rules regarding the licensees of such boards; (24) Requires a licensed physician collaborating with a physician assistant to comply with the following practices: (A) Ensure that protocols or a collaborative agreement, as applicable, is in place for each physician assistant with whom the physician collaborates and that such protocols or collaborative agreement meets the requirements of the bill and the duly promulgated rules. More than one physician may collaborate with the same physician assistant if alternative collaborating physicians are available to collaborate with the physician assistant in the absence or unavailability of the primary collaborating physician. Each physician assistant must notify the board of physician

physician assistant in the absence or unavailability of the primary collaborating physician. Each physician assistant must notify the board of physician assistants of the name, address, and license number of the physician assistant's primary collaborating physician and notify the board of physician assistants of a change in the primary collaborating physician within 15 days of the change. The number of physician assistants for whom a physician may serve as the collaborating physician must be determined by the physician at the practice level, consistent with good medical practice. The collaborating physician must designate one or more alternate physicians who have agreed to accept the responsibility of collaborating with the physician assistant on a prearranged basis in the collaborating physician's absence; (B) Complete the patient chart reviews of each physician assistant with whom the collaborating physician collaborates as set forth in the bill, in rules promulgated pursuant to the bill, and in protocols or a collaborative agreement, as applicable; (C) Conduct reviews of charts submitted to the collaborating physician by the physician assistant deemed by the physician assistant medically indicated for consultation. The collaborating physician is responsible for reviewing 100 percent of patient charts within 30 days when the physician assistant issues a controlled drug pursuant to protocols. The collaborating physician is responsible for reviewing 100 percent of patient charts within 30 days when the physician assistant issues any drug containing buprenorphine for use in recovery or medication-assisted treatment or a Schedule II controlled drug pursuant to a collaborative agreement; (D) Conduct the requisite remote site visits with each physician assistant with whom the physician collaborates, as set forth in the bill or by rule, and in protocols or a collaborative agreement, as applicable; (E) Each physician assistant must notify the board of the name and address of the physician assistant's primary practice location and notify the board within 15 days of a practice location change; (F) The board of physician assistants is authorized to monitor the prescriptive practices of the physician assistant through site visits by members of the board or their authorized agents; (G) Complaints against physician assistants must be reported to the office of investigations of the division of health related boards; (H) Every prescription order issued by a physician assistant pursuant to the bill must be entered in the medical records of the patient, and every handwritten prescription must be written on a preprinted prescription pad bearing the name, address, and telephone number of the physician assistant, and the physician assistant must sign each prescription order so written; (I) A handwritten prescription order for a drug prepared by a physician assistant who is authorized by law to prescribe a drug must be legible so that it is comprehensible by the pharmacist who fills the prescription. The handwritten prescription order must contain the name of the prescribing physician assistant, the name and strength of the drug prescribed, the quantity of the drug prescribed, handwritten in letters or in numerals, instructions for the proper use of the drug and the month and day that the prescription order was issued, recorded in letters or in numerals or a combination thereof. The prescribing physician assistant must sign the handwritten prescription order on the day it is issued, unless it is a standing order issued in a hospital, a nursing home, or an assisted-care living facility; (J) A typed or computer-generated prescription order for a drug issued by a physician assistant who is authorized by law to prescribe a drug must be legible so that it is comprehensible by the pharmacist who fills the prescription order. The typed or computer-generated prescription order must contain the name of the prescribing physician assistant, the name and strength of the drug prescribed, the quantity of the drug prescribed, recorded in letters or in numerals, instructions for the proper use of the drug, and the month and day that the typed or computer-generated prescription order was issued, recorded in letters or in numerals or a combination thereof. The prescribing physician assistant must sign the typed or computer-generated prescription order on the day it is issued, unless it is a standing order issued in a hospital, a nursing home, or an assisted-care living facility; (K) The bill does not prevent a physician assistant from issuing a verbal prescription order; (L) Handwritten, typed, or computer-generated prescription orders must be issued on either tamper-resistant prescription paper or printed utilizing a technology that results in a tamper-resistant prescription that meets the current centers for medicare and medicaid services guidance to state medicaid directors regarding § 7002(b) of the federal United States Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007, and meets or exceeds specific TennCare requirements for tamper-resistant prescriptions; (M) Establishes that (L) does not apply to prescriptions written for inpatients of a hospital, outpatients of a hospital where the doctor or other person authorized to write prescriptions writes the order into the hospital medical record and then the order is given directly to the hospital pharmacy and the patient never has the opportunity to handle the written order, a nursing home or an assisted-care living facility, inpatients or residents of a mental health hospital or residential facility, or individuals incarcerated in a local, state, or federal correctional facility; (N) A physician assistant authorized to prescribe drugs under the bill who provides services in a free or reduced fee clinic under the Volunteer Health Care Services Act may arrange for required personal review of the physician assistant's charts by a collaborating physician in the office or practice site of the physician or remotely via HIPAA-compliant electronic means rather than at the site of the clinic; (O) A physician assistant authorized to prescribe drugs under the bill who provides services in a community mental health center, or federally qualified health center, or solely via telehealth, may arrange for the required personal review of the physician assistant's charts by a collaborating physician, with the same authority to render prescriptive services that the physician assistant is authorized to render, in the remote office or practice site of the physician, or any required visit by a collaborating physician to any remote site, or both, via HIPAA-compliant electronic means rather than at the site of the clinic; (P) A physician assistant licensed to prescribe drugs who provides services at a remote healthcare setting may arrange for any required personal review of the physician assistant's charts by a collaborating physician either via HIPAA-compliant electronic means or in person; (Q) A physician assistant licensed to prescribe drugs may arrange for up to 10 of the required annual remote site visits by a collaborating physician by HIPAA-compliant electronic means rather than at the site of the clinic. All other of the required site visits by a collaborating physician to a remote site must take place in person at the site of the clinic. As used in this subdivision, "annual" means a rolling twelve-month period; (R) A patient receiving services from a physician assistant must be fully informed that the individual is a physician assistant and a sign must be conspicuously placed within the office indicating that certain services may be rendered by a physician assistant; (S) A physician who does not normally provide patient care must not enter into protocols with, collaborate with, or utilize the services of a physician assistant; (T) A physician assistant must only perform invasive procedures involving a portion of the spine, spinal cord, sympathetic nerves of the spine, or block of major peripheral nerves of the spine in any setting not licensed as a health facility or resource, under the direct supervision of a licensed physician licensed who is actively practicing spinal injections and has current privileges to do so at a licensed facility. The direct supervision provided by a physician in this (T) must only be offered by a physician who meets the qualifications established in state law relative to interventional pain management; (U) For purposes of subdivision (T), "direct supervision" means being physically present in the same building as the physician assistant at the time the invasive procedure is performed; and (V) This (V) does not apply to a physician assistant performing major joint injections, except sacroiliac injections, or to performing soft tissue injections or epidurals for surgical anesthesia or labor analgesia in unlicensed settings; (25) Requires that the board exercise its powers under state law on the grounds of holding oneself out as board-certified in a medical specialty, or utilizing a medical specialty designation with (i) a title or title reference; (ii) an advertisement; (iii) the name of any healthcare setting that is majority-owned by physician assistants; (iv) credentialing with any licensed healthcare facility or health insurance entity; or (v) an application for healthcare liability insurance coverage; (26) Establishes that (25) is not grounds for discipline of a licensee who worked in a healthcare setting that used a medical specialty designation prior to January 1, 2024, as long as: (A) The licensee's collaborating physician (i) is board-certified or board eligible in the designated specialty; (ii) owns part of the practice that provided the services in such healthcare setting; and (iii) sees patients in such healthcare setting on a regular basis; (B) Ownership of the practice has not changed on or after January 1, 2024; (C) Prior to March 1, 2025, a licensee who practices in a healthcare setting described in (26) must submit proof satisfactory to the board that the licensee's healthcare setting meets the requirements of (26); and (D) If a licensee who, prior to March 1, 2025, meets the requirements of (26), ceases to meet such requirements on or after March 1, 2025, then the licensee must notify the board within 30 days; (27) Authorizes the funeral director who first assumes custody of a dead body, medical examiner, attending or pronouncing physician in a hospital, or physician assistant authorized by protocol or collaborative agreement to sign and file the death certificate. The funeral director, medical examiner, attending or pronouncing physician in a hospital, or physician assistant authorized by protocol or collaborative agreement must obtain the personal data from the next of kin or the best qualified person or source available, and obtain the medical certification from the person responsible for medical certification; (28) Requires medical certification to be completed, signed, and returned to the funeral director by the physician or physician

medical certification, (28) requires medical certification to be completed, signed, and returned to the funeral director by the physician or physician assistant in charge of the patient's care for the illness or condition that resulted in death within 48 hours after death, except when inquiry is required by the county medical examiner or to obtain a veteran's medical records. In the absence of the physician or physician assistant, the certificate may be completed and signed by another physician designated by the physician, by the chief medical officer of the institution in which the death occurred, or by a physician assistant authorized by protocol or collaborative agreement. In cases of deaths that occur outside of a medical institution and are either unattended by a physician or physician assistant, or not under hospice care, the county medical examiner must investigate and certify the death certificate when one of the following conditions exists: (A) There is no physician or physician assistant who had attended the deceased during the four months preceding death, except that a physician or physician assistant authorized by protocol or collaborative agreement who had attended the patient more than four months preceding death may elect to certify the death certificate if the physician or physician assistant authorized by protocol or collaborative agreement can make a good faith determination as to cause of death and if the county medical examiner has not assumed jurisdiction; or (B) The physician who had attended the deceased during the four months preceding death or physician assistant authorized by protocol or collaborative agreement communicates, orally or in writing, to the county medical examiner that, in the physician's or physician assistant's best medical judgment, the patient's death did not result from the illness or condition for which the physician or physician assistant was attending the patient; (29) If the cause of death cannot be determined within 48 hours after death, requires that the medical certification be completed as provided by rule. The attending physician, medical examiner, or physician assistant authorized by protocol or collaborative agreement must give the funeral director notice of the reason for the delay, and final disposition of the body must not be made until authorized by the attending physician, medical examiner, or physician assistant authorized by protocol or collaborative agreement; (30) For purposes of this heading, "referral" means a written or telecommunicated authorization for genetic counseling services from a physician licensed to practice medicine in all its branches or a physician assistant who has protocols or a collaborative agreement with a supervising physician that authorizes referrals to a genetic counselor; (31) Authorizes a physician order for scope of treatment (POST) to be issued by a physician assistant for a patient with whom the physician assistant has a bona fide physician assistant-patient relationship only if, among other conditions, such authority to issue is contained in the physician assistant's protocols or collaborative agreement; (32) Authorizes a POST to be issued by a physician assistant for a patient with whom the physician assistant has a bona fide physician assistant-patient relationship only if, among other conditions, the patient is a minor or is otherwise incapable of making an informed decision regarding consent for such an order and the agent, surrogate, or other person authorized to consent on the patient's behalf under the Tennessee Health Care Decisions Act is not reasonably available and such authority to issue is contained in the physician assistant's protocols or collaborative agreement, and the physician assistant determines that the provision of cardiopulmonary resuscitation would be contrary to accepted medical standards; (33) Requires that a licensed physician assistant have the same authority that a physician has under this heading to issue certified statements of disability or deafness to accompany the application of disabled or deaf persons to obtain the appropriate registration, license plates, placards and decals from the department, only if the authority is expressly included in the written protocol or collaborative agreement developed jointly by the supervising physician and the physician assistant, setting forth the range of services that may be performed by the physician assistant; (34) Requires the board of medical examiners to establish and maintain an online registry of licensed physicians who are willing to enter into a collaborative agreement with a physician assistant; (35) Requires the online registry to include, at a minimum (i) the physician's name and physical practice address; (ii) designation as a medical doctor or doctor of osteopathy; (iii) the physician's medical specialty and board certifications, if any; (iv) the region or regions of the state in which the physician is willing to enter into a collaborative agreement with a physician assistant; and (v) an address, telephone number, or email address at which the physician can be contacted by a physician assistant who may desire to enter into a collaborative relationship with the physician; (36) Requires a physician included on the registry to update the physician's information described in (35); (37) Establishes that inclusion by a physician on the registry does not obligate a physician to enter into a collaborative agreement with a physician assistant; (38) Prohibits the bill from being construed to prohibit service rendered by a registered nurse, a licensed practical nurse, or a pharmacist pursuant to a collaborative pharmacy practice agreement, if such service is rendered under the supervision, control and responsibility of a licensed physician or to prohibit the provision of anesthesiology services in licensed health care facilities by a dentist licensed in this state who completed a residency program in anesthesiology at an accredited medical school in years 1963 through 1977; and (39) Prohibits the bill from being construed to prohibit service rendered by a physician assistant practicing in collaboration with a physician, osteopathic physician, or podiatrist, whether through protocols or a collaborative agreement.

Subcommittee Finance_Sub_Amendments_03.27.2024.pdf
Amendments: Health_Sub_Amendments_03.27.2024.pdf
Senate Status: 04/15/24 - Senate passed with amendment 1 (017651).
House Status: 04/17/24 - Set for House Floor 04/18/24.

SB2151/HB2861 Report on immunization rates of children by county.

Sponsors: Sen. Johnson, Jack , Rep. Carringer, Michele
Summary: Requires the commissioner of health to submit an electronic copy of the annual report on immunization rates of children, by county, to the governor and the speakers of the senate and the house of representatives. Broadly captioned.

Amendment Senate amendment 1 (015523) rewrites the bill to, instead, do the following: (1) Prohibit a healthcare provider from (i) coercing a person to receive a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides a person with an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing a person with an exemption to such requirement; (2) Establish that a violation of the bill section is an unlawful practice and is grounds for the offending healthcare provider's licensing authority to suspend, revoke, or refuse to renew the healthcare provider's license or take other disciplinary action allowed by law; and (3) If the licensing authority of a healthcare provider receives information of a violation or potential violation of the bill by the healthcare provider, require the licensing authority to conduct an immediate investigation and take appropriate disciplinary action. House amendment 1 (017149) makes the following changes: (1) Defines, for purposes of the bill, "coerce" to mean to compel a person to act by force, intimidation, or threat; (2) Revises the definition of a "vaccination," for purposes of the bill, to mean the act of introducing a vaccine into the body of a child under two years of age; and (3) Revises the provision that prohibits a healthcare provider from (i) coercing a person to receive a vaccination; (ii) misleading or misrepresenting that a vaccination is required by state law, when state law provides a person with an exemption; or (iii) misleading or misrepresenting that a newborn screening test is required by state law, when state law does not require such screening without providing a person with an exemption to such requirement.

Subcommittee Health_Sub_Amendments_03.12.2024.pdf
Amendments:
Senate Status: 04/17/24 - Senate appoints conference committee: Sen. Massey, Sen. Johnson, Sen. Crowe, Sen. Oliver, and Sen. Yager.
House Status: 04/18/24 - House appoints conference committee: Rep. Carringer, Rep. Terry, Rep. Hawk, Rep. Davis, and Rep. Shaw.

SB2398/HB2371 Timeframe for which a cause of death of a patient must be determined.

Sponsors: Sen. Briggs, Richard , Rep. Terry, Bryan
Summary: Increases from 48 hours to two business days the time by which a physician in charge of a patient who dies or a medical examiner must determine the cause of death and complete and sign a medical certification of death. Broadly captioned.
Senate Status: 03/20/24 - Signed by Senate speaker.
House Status: 03/26/24 - Signed by House speaker.
Executive Status: 04/05/24 - Enacted as Public Chapter 0648 effective April 4, 2024.

SB2482/HB2773 Parental access to a minor child's medical information.

Sponsors: Sen. Rose, Paul , Rep. Cochran, Mark
Summary: Requires a minor's parent, legal guardian, or legal custodian to be granted access to any prescription records resulting from medical treatment of the minor, even if the treatment was provided to the minor without parental consent. Captioned Broadly.
Amendment Summary: House amendment 1 (015824) rewrites the bill to, instead, enact the "Cassie Wright Act," as follows: (1) If a service recipient is an unemancipated minor, authorizes the duty imposed on a professional to warn of violent behavior to be discharged by the professional or service provider by notifying the unemancipated minor's parent, legal guardian, or legal custodian and satisfying the following requirements: (i) informing the clearly identified victim of the threat; (ii) having the service recipient admitted on a voluntary basis to a hospital; (iii) taking steps to seek admission of the service recipient to a hospital or treatment resource on an involuntary basis pursuant to state law; or (iv) pursuing a course of action consistent with current professional standards that will discharge the duty; (2) If a professional or service provider reports to law enforcement regarding a threat of bodily harm communicated by a service recipient who is an unemancipated minor, requires the professional to also report information about the threat to the unemancipated minor's parent, legal guardian, or legal custodian; (3) In the context of the rights of a child 16 or older, authorizes a child's parent, legal guardian, or legal custodian to access any prescription records resulting from treatment provided to an unemancipated minor; (4) Prohibits a child's parent, legal guardian, or legal custodian from accessing prescription records resulting from the treatment provided to an unemancipated minor if the treating professional is required to report abuse of the unemancipated minor and the treating professional believes that access to the prescription records is reasonably likely to endanger the life or physical safety of the minor; (5) If an unemancipated minor communicates suicidal ideations to the treating professional, and the professional, using the reasonable skill, knowledge, and care ordinarily possessed and exercised by the professional's specialty under similar circumstances, has determined or reasonably should have determined that the unemancipated minor has the apparent ability to attempt suicide and is likely to attempt suicide unless prevented from doing so, requires the treating professional to, in addition to any other duties required by law, report such suicidal ideations to the unemancipated minor's parent, legal guardian, or legal custodian; (6) If an unemancipated minor receives medical treatment, authorizes the minor's parent, legal guardian, legal custodian, or other person with medical decision-making authority for the unemancipated minor to access, and requires a healthcare provider or healthcare facility to provide access to, any prescription records resulting from medical treatment of the minor, even if the treatment was provided to the unemancipated minor without parental consent, including treatment provided pursuant to state law on STDs, contraceptives for minors, treatment for juvenile drug abuse, emergency treatment of minors, or prenatal or peripartum treatment of minors; and (7) Prohibits a child's parent, legal guardian, or legal custodian from accessing prescription records resulting from the treatment provided to an unemancipated minor without parental consent, including treatment provided pursuant to state law on STDs, contraceptives for minors, treatment of juvenile drug abusers, emergency treatment of minors, prenatal or peripartum treatment of minors, if the treating professional is required to report abuse of the unemancipated minor and the treating professional believes that access to the prescription records is reasonably likely to endanger the life or physical safety of the minor.

Subcommittee Amendments: Health_Sub_Amendments_03.05.2024.pdf
Senate Status: 04/08/24 - Signed by Senate speaker.
House Status: 04/04/24 - Signed by House speaker.
Executive Status: 04/10/24 - Sent to governor.

SJR848 Urges development of comprehensive statewide Paid Family Caregiving Policy and Program.

Sponsors: Sen. Yager, Ken ,
Summary: Urges development of comprehensive statewide Paid Family Caregiving Policy and Program.
Senate Status: 03/04/24 - Senate adopted.
House Status: 04/16/24 - Re-referred to House Finance, Ways & Means Committee.

INSURANCE HEALTH**SB1827/HB2104 Coverage for an annual mental health wellness examination.**

Sponsors: Sen. Lamar, London , Rep. Dixie, Vincent
Summary: Requires that every health insurance policy or health benefit plan issued in this state that provides medical and surgical benefits as well as mental health or substance use disorder benefits must cover an annual mental health wellness examination that lasts minimally 45 minutes. A mental health wellness examination includes, but is not limited to, a behavioral health screening, education and consultation on healthy lifestyle changes, referrals to ongoing treatment, mental health services, and other supports, and discussion of potential options for medication. Broadly captioned.
Senate Status: 01/31/24 - Referred to Senate Commerce & Labor Committee.
House Status: 02/20/24 - House Insurance Committee deferred to Summer Study.

SB2876/HB2962 Coverage for perinatal educational courses.

Sponsors: Sen. Kyle, Sara , Rep. Hardaway, G.A.
Summary: Requires insurance companies, including those that participate in the TennCare program, that provides pregnancy or maternity benefits to also provide educational courses at no cost about covered benefits of prenatal, childbirth, and postpartum to women who are pregnant or have given birth to a child within the previous year, the child's biological father, and one other person designated by the mother of the child as well as make information regarding such educational courses available on the company's website. Broadly captioned.
Senate Status: 03/13/24 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 03/12/24 - Failed in House Insurance Subcommittee.

SB178/HB570 Civil actions for an injury or illness based on child sexual abuse.

Sponsors: Sen. Massey, Becky , Rep. Carringer, Michele
Summary: Allows civil actions for an injury or illness based on child sexual abuse occurring on or after July 1, 2023 to be brought at any time.
Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.
House Status: 03/21/23 - Taken off notice in House Civil Justice Subcommittee.

SB336/HB721 Annual report of administrative office of the courts.

Sponsors: Sen. Gardenhire, Todd , Rep. Hulsey, Bud
Summary: Authorizes the administrative office of the courts to submit its annual report in an electronic format to the chair of the senate judiciary committee, the chair of the civil justice committee of the house of representatives, and the attorney general and reporter. Broadly captioned.
Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB1747/HB2166 Dependent or neglected child - disposition.

Sponsors: Sen. Walley, Page , Rep. Littleton, Mary
Summary: Permits a child found to be dependent or neglected to be committed or confined to an institution or other facility designed or operated for the benefit of delinquent children if the court finds by a preponderance of the evidence that the child may pose a risk of harm to the child's self or others and is in need of intensive services. Specifies that a disposition under this section must be implemented as soon as possible after entry of the court's order. Broadly captioned.
Senate Status: 03/11/24 - Taken off notice in Senate Judiciary Committee.
House Status: 04/03/24 - Taken off notice in House Criminal Justice Subcommittee.

SB1842/HB2053 Notification to TBI of final disposition of criminal proceedings.

Sponsors: Sen. Walley, Page , Rep. Capley, Kip
Summary: Requires clerks of circuit court, criminal court, general sessions courts, other special courts created by law, and municipal courts exercising concurrent general sessions jurisdiction, to notify the Tennessee Bureau of Investigation of the final disposition in criminal proceedings within three business days of the disposition, rather than 72 hours.
Senate Status: 02/26/24 - Signed by Senate speaker.
House Status: 02/27/24 - Signed by House speaker.
Executive Status: 03/20/24 - Enacted as Public Chapter 0554 effective March 11, 2024.

SB2059/HB2791 Report on juvenile court noncompliance regarding data collection.

Sponsors: Sen. Walley, Page , Rep. Littleton, Mary
Summary: Requires the administrative office of the courts to submit a report, by July 1 and January 1 of each year, listing each juvenile court, if any, that is not in compliance with quality statewide data collection requirements, including the dates of noncompliance and steps that could be taken to bring the court into compliance. Requires the report to be filed with the juvenile court judge for the court that is not in compliance with this section and the chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.
Amendment Summary: Senate amendment 1 (013998) rewrites the bill to, instead, require the administrative office of the courts to submit a report, by October 1 of each year, listing each juvenile court, if any, that is not in compliance with quality statewide data collection requirements, including the dates of noncompliance and steps that could be taken to bring the court into compliance. The report must be submitted to the juvenile court judges of the courts that are not in compliance and the chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.
Subcommittee Amendments: Children_and_Family_Affairs_Sub_03.05.2024.pdf
Senate Status: 04/04/24 - Signed by Senate speaker.
House Status: 04/05/24 - Signed by House speaker.
Executive Status: 04/11/24 - Signed by governor.

SB2686/HB2744 Court not providing the AOC with the required uniform statistical information relative to court caseloads.

Sponsors: Sen. White, Dawn , Rep. Stevens, Robert
Summary: Requires all county legislative bodies within a judicial district to be notified, in addition to judges, district attorneys general, district public defenders, and court clerks, of any court within the judicial district that is not providing the administrative office of the court with the required uniform statistical information relative to court caseloads. Broadly captioned.
Senate Status: 02/05/24 - Referred to Senate Judiciary Committee.
House Status: 02/05/24 - Caption bill held on House clerk's desk.

SB2689/HB2930 Directs AOC to define and develop a centralized system of case management.

Sponsors: Sen. White, Dawn , Rep. Sexton, Cameron
Summary: Directs the AOC to define and develop a centralized system of case management, document management, electronic case filing, electronic payment methods, data reporting, and any other capability deemed necessary for collection and reporting of all state and local court public case level data. Specifies that the development of the centralized system must include projections for ongoing costs and maintenance of such a system. Broadly captioned.
Senate Status: 04/11/24 - Senate passed.
House Status: 04/18/24 - House bumped from consent.

MENTAL HEALTH

SB1673/HB1625 Duty to predict, warn or take precautions to provide protection - liability.

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

Summary: Requires a qualified mental health professional or behavior analyst to warn or protect an identified victim or group of people, including students at a day care or school, when the professional or analyst determines that a service recipient has communicated an intent for actual threat of bodily harm. Requires the professional or behavior analyst to take reasonable care to warn of or take precautions to protect the identified victim or group of people from the service recipient's violent behavior and to report the threat to a local law enforcement agency. Provides immunity from civil, criminal, and regulatory liability for a professional or analyst who takes reasonable action to warn or protect identified victims or groups and to report such threats.

Amendment Summary: House amendment 1 (013125) requires a qualified mental health professional or behavior analyst who determines that a service recipient has communicated an intent for actual threat of bodily harm against a clearly identified victim or group of people, if the service recipient has the apparent ability to commit such an act and is likely to carry out the threat unless prevented from doing so, to report the threat to local law enforcement, or, if the threat is general and not imminent, to 988 or local crisis response service. Establishes that a qualified mental health professional or behavior analyst who makes such a report is not liable for damages in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary action by a regulatory board. Senate amendment 1 (014093) adds that inpatient hospitalization of the service recipient discharges the duty to warn imposed on a qualified mental health professional or behavior analyst by state law.

Senate Status: 04/10/24 - Signed by Senate speaker.

House Status: 04/10/24 - Signed by House speaker.

Executive Status: 04/11/24 - Sent to governor.

SB1769/HB1640 Adjudication as a mental defective.

Sponsors: Sen. Lundberg, Jon , Rep. Lamberth, William

Summary: Expands the definition of "adjudication as a mental defective" to include a person who has been found incompetent to stand trial in a criminal proceeding and requires the clerk of court in such a proceeding to collect and report any such finding to the federal bureau of investigation-NICS Index and the department of safety. Establishes a rebuttable presumption that a person who has been charged with a criminal offense and found incompetent to stand trial poses a substantial likelihood of serious harm. Prohibits the purchase or possession of a firearm by a person who has been adjudicated as a mental defective. Broadly captioned.

Amendment Summary: House amendment 1 (013322) makes the following changes to the bill: (1) Names the bill "Jillian's Law"; (2) Permits a person who has been adjudicated as a mental defective or judicially committed to a mental institution under this bill to petition the appropriate court that entered the judicial commitment or adjudication order for relief from the firearm disabilities imposed by the adjudication or judicial commitment. However, the person may not petition the court until three years from the date of release from commitment or the date of the adjudication order, whichever is later; (3) Clarifies that there is a rebuttable presumption that a person meets the standards for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to an intellectual disability, and this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (4) Adds that a person judicially committed must remain committed until the competency of the person to stand trial is restored or, if competency is unable to be restored but the person no longer meets the standard set in present law, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community; (5) Clarifies that there is a rebuttable presumption that a person meets the standard for admission to treatment facility for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, and the presumption established in this amendment may only be rebutted by clear and convincing evidence that the person does not pose an immediate substantial likelihood of serious harm; (6) Clarifies that the rebuttable presumption is for a person who meets the standard for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness and that this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (7) Adds that if a person is committed involuntarily by a criminal or juvenile court after being found incompetent to stand trial or if the criminal or juvenile court determines at the time of commitment that, due to the nature of the person's criminal conduct that created a serious risk of physical harm to other persons, the person must not be discharged from the commitment without proceedings under present law to review eligibility for discharge, then the hospital must proceed under present law to effect discharge from the commitment; and (8) Adds that an admission must remain in effect until the competency of the person to stand trial is restored or, if competency is unable to be restored, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community. House amendment 2 (015789) revises the bill to authorize a rebuttable presumption that a person meets the standard for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, to only be rebutted by clear and convincing evidence that the person does not pose an imminent, instead of immediate, substantial likelihood of serious harm. House amendment 3 (017844) directs that if Senate Bill 2098 / House Bill 2089 becomes law, the Tennessee Code Commission is directed to incorporate the language from SECTIONS 10-12 into the newly created §§ 52-5-404, 52-5-411, and 52-5-501.

Subcommittee: CriminalSubAmendmentPacket01.30.24.pdf

Amendments: Finance_Sub_Amendments_03.27.2024.pdf

01.30.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/15/24 - Senate passed.

House Status: 04/15/24 - House passed with amendment 1 (013322), amendment 2 (015789), and amendment 3 (017849). House amendment 1 (013322) makes the following changes to the bill: (1) Names the bill "Jillian's Law"; (2) Permits a person who has been adjudicated as a mental defective or judicially committed to a mental institution under this bill to petition the appropriate court that entered the judicial commitment or adjudication order for relief from the firearm disabilities imposed by the adjudication or judicial commitment. However, the person may not petition the court until three years from the date of release from commitment or the date of the adjudication order, whichever is later; (3) Clarifies that there is a rebuttable presumption that a person meets the standards for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to an intellectual disability, and this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (4) Adds that a person judicially committed must remain committed until the competency of the person to stand trial is restored or, if competency is unable to be restored but the person no longer meets the standard set in present law, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community; (5) Clarifies that there is a rebuttable presumption that a person meets the standard for admission to treatment facility for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, and the presumption established in this amendment may only be rebutted by clear and convincing evidence that the person does not pose an immediate substantial likelihood of serious harm; (6) Clarifies that the rebuttable presumption is for a person who meets the standard for judicial commitment if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness and that this presumption may only be rebutted by clear and convincing evidence that the person does not pose a substantial likelihood of serious harm; (7) Adds that if a person is committed involuntarily by a criminal or juvenile court after being found incompetent to stand trial or if the criminal or juvenile court determines at the time of commitment that, due to the nature of the person's criminal conduct that created a serious risk of physical harm to other persons, the person must not be discharged from the commitment without proceedings under present law to review eligibility for discharge, then the hospital must proceed under present law to effect discharge from the commitment; and (8) Adds that an admission must remain in effect until the competency of the person to stand trial is restored or, if competency is unable to be restored, until the court with criminal jurisdiction over the charges approves a mandatory outpatient treatment plan that accounts for the safety of the community. House amendment 2 (015789) revises the bill to authorize a rebuttable presumption that a person meets the standard for emergency admission to a hospital or treatment resource if the person was charged with a felony or Class A misdemeanor and found by a court to be incompetent to stand trial for the offense due to mental illness, to only be rebutted by clear and convincing evidence that the person does not pose an imminent, instead of immediate, substantial likelihood of serious harm. House amendment 3 (017844) directs that if Senate Bill 2098 / House Bill 2089 becomes law, the Tennessee Code Commission is directed to incorporate the language from SECTIONS 10-12 into the newly created §§ 52-5-404, 52-5-411, and 52-5-501.

Executive Status: 04/15/24 - Sent to the speakers for signatures.

SB1787/HB2327 Annual report on suicide by the department of health.

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob

Summary: Requires the department of health to submit an annual report to the governor, and post the report on the department's website, stating the total number of attempted suicides and completed suicides in the previous calendar year. Requires the report to include the county in which it occurred, demographic information, historical trends, and the method of the attempted or completed suicide.

Amendment Summary: Senate amendment 1 (013982) requires the Department of Health (DOH) to publish an annual report by May 31, 2025, and each May 31 thereafter, stating the total number of attempted suicides and completed suicides that occurred in the state in the previous calendar year. Requires the DOH to submit the report electronically to all members of the General Assembly within seven calendar days of its publication.

Subcommittee Amendments: Health_Sub_Amendments_03.05.2024.pdf

Senate Status: 03/27/24 - Signed by Senate speaker.

House Status: 03/28/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB1789/HB2555 Creates the behavioral health crisis intervention services board.

Sponsors: Sen. Kyle, Sara , Rep. Shaw, Johnny

Summary: Creates the behavioral health crisis intervention services board to provide oversight and input on the development of an integrated behavioral health crisis care system in this state. Imposes a behavioral health crisis intervention services surcharge on certain telephone services. Creates the behavioral health crisis intervention services fund to receive the surcharge funds. (12pp). Broadly captioned.

Senate Status: 01/29/24 - Referred to Senate Government Operations Committee.

House Status: 03/20/24 - Taken off notice in House Health Subcommittee.

SB1865/HB1976 Notification to law enforcement of a person released from a mental health facility.

Sponsors: Sen. Hensley, Joey , Rep. Capley, Kip

Summary: Requires the court or chief officer of a mental health facility that orders the release of a person from a mental health facility to notify the law enforcement agency that transported the person to the mental health facility of the person's release. Broadly captioned.

Senate Status: 01/31/24 - Referred to Senate Health & Welfare Committee.

House Status: 01/30/24 - Referred to House Health Subcommittee.

SB2301/HB2574 Creation of a mental health professional loan repayment program.

Sponsors: Sen. Crowe, Rusty , Rep. Hicks, Gary

Summary: Creates a mental health professional loan repayment grant program to incentivize clinical psychologists, psychiatrists, licensed clinical social workers, licensed professional counselors, and psychiatric mental health nurse practitioners to provide services in primary care settings in mental health professional shortage areas in this state for at least three years. Also details the requirements for eligibility, the amount of award available per person per year for up to six years, and the required annual report to be submitted to the governor, the chair of the education administration committee in the house, and the chair of the education committee in the senate.

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 02/06/24 - Referred to House Health Subcommittee.

SB2443/HB2351 Creation of the temporary youth mental health service program.

Sponsors: Sen. Akbari, Raumesch , Rep. Johnson, Gloria
Summary: Creates the temporary youth mental health service program. Broadly captioned.
Senate Status: 03/19/24 - Senate Health & Welfare Committee deferred to next meeting.
House Status: 03/26/24 - Failed in House Health Subcommittee.

SB2688/HB2866 **Study on incentivizing the provision of mental health care.**

Sponsors: Sen. White, Dawn , Rep. Baum, Charlie
Summary: Directs the department to conduct a study, utilizing existing resources, on the effectiveness of state programs incentivizing students to pursue careers in mental health care. Requires the study to include an analysis of similar programs in contiguous states and recommendations for the general assembly on creating a successful program in this state. Requires a report to the general assembly by December 31, 2024. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1, House Health Subcommittee amendment 1 (017331) enacts the Tennessee in Support of Student Employment and Training (TN IS SET) for Expanding the Nursing Workforce Act. Creates a three-year pilot program, administered by the Department of Mental Health and Substance Abuse Services (DMHSAS), to provide staffing and training for students and graduates of Middle Tennessee State University (MTSU) at regional mental health institutes (RMHIs) experiencing a shortage in the behavioral health workforce and to provide student loan funding and scholarships to students or graduates in psychiatric nursing who agree to practice at an RMHI for two years as a direct care staff member. Establishes that the pilot program begins with the 2024-2025 academic year and terminates on July 1, 2027. Requires DMHSAS to provide two years of scholarship support to an eligible recipient who enters into an agreement with the department to complete the mental health employment obligation upon graduation, and who has a master of science in nursing with a psychiatric specialization. Establishes \$3,000 scholarships must be awarded to five recipients at MTSU for a period of up to 12 consecutive months while the recipient is pursuing certification. Requires DMHSAS to provide two years of loan repayment to an eligible recipient who has completed each year of a two-year mental health employment obligation and who has completed all licensure requirements for a licensed clinical nurse specialist in a psychiatric or mental health field who can prescribe medication. Requires DMHSAS to provide up to \$25,000 of loan repayment each year for two years for up to 15 certified graduates each year. Requires awards to be evaluated on a year-to-year basis. Establishes that, if a recipient is unable to complete the term of service, DMHSAS or MTSU may retain the right to only award monies in the amount of time served and DMHSAS may require a funding recipient to reimburse the state for expenses. Establishes a fund known as the "TN IS SET for Expanding the Nursing Workforce Act Fund" (Fund) to be administered by DMHSAS, comprised of revenues and appropriations from the General Assembly and other moneys received by the department for the purposes of the Fund. Requires DMHSAS to submit an annual report beginning January 1, 2025 to chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives, the chair of the Senate Health and Welfare Committee, and the chair of the House Health Committee detailing information concerning scholarships and loan repayments made pursuant to the legislation. Requires DMHSAS to submit a final report on or before January 1, 2029 detailing the effectiveness of the scholarships and loan repayments in increasing the number of direct patient care staff employed in a psychiatric or mental health area at regional mental health institutes.

Subcommittee Amendments: Health_Sub_Amendments_03.26.2024.pdf
Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.
House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

PROFESSIONS & LICENSURE

SB2134/HB2405 **Social Work Licensure Compact.**

Sponsors: Sen. Walley, Page , Rep. Freeman, Bob
Summary: Establishes the Social Work Licensure Compact for the purpose of increasing public access to social work services and reducing overly burdensome and duplicative requirements associated with holding multiple licenses. Specifies criteria for a potential member state to meet in order to participate in the compact. Specifies requirements for an applicant to meet in order to be eligible for a multistate license under the terms and provisions of this compact. Establishes the social work licensure compact commission. Details authority of interstate compact commission and member state licensing authorities (38 pp.).

Amendment Summary: House Health Committee amendment 1, Senate amendment 1 (014077) makes the following changes to the bill: (1) Authorizes the department of health, in consultation with the board of social work licensure, to promulgate rules to implement the bill; and (2) Requires the chair of the board of social work licensure to notify the chair of the government operations committee of the senate, the chair of the government operations committee of the house of representatives, and the revisor of statutes in the general assembly's office of legal services within 30 days of the date the compact comes into effect.

Subcommittee Amendments: Health_Sub_Amendments_02.27.2024.pdf
Senate Status: 03/14/24 - Senate passed with amendment 1 (014077).
House Status: 04/17/24 - Set for House Floor 04/18/24.

SB2628/HB2666 **Qualifications to receive a professional counselor license - reciprocal agreements.**

Sponsors: Sen. Massey, Becky , Rep. Zachary, Jason
Summary: Establishes qualifications for a person to receive a professional counselor license through a reciprocal agreement entered into by the board for professional counselors, marital and family therapists and clinical pastoral therapists on or before January 1, 2024. Specifies such qualifications include having a master's degree in counseling or education, having a valid, unencumbered license in the state with which this state has such reciprocal agreement, having actively practiced for at least the preceding 24 months in the state with which this state has such reciprocal agreement, and having passed the examination offered by the National Board for Certified Counselors or other examination approved by the board. Broadly captioned.

Senate Status: 03/07/24 - Signed by Senate speaker.
House Status: 03/06/24 - Signed by House speaker.
Executive Status: 04/03/24 - Enacted as Public Chapter 0586 effective March 15, 2024.

PUBLIC EMPLOYEES

SB1941/HB2143 **Foster parent training and in-service training completed by state employees.**

Sponsors: Sen. Haile, Ferrell , Rep. Martin, Greg

Summary: Allows for employees within the executive, legislative, or judicial branches of the state government to participate in Tennessee foster parent training once for up to 25 hours without using paid time off. Also allows for state employees to complete annual in-service training for up to 8 hours without using paid time off. Broadly captioned.

Senate Status: 03/20/24 - Signed by Senate speaker.

House Status: 03/26/24 - Signed by House speaker.

Executive Status: 04/05/24 - Enacted as Public Chapter 0642 effective April 4, 2024.

SB2157/HB2582 Additional assistant district attorney general positions in each judicial district.

Sponsors: Sen. Haile, Ferrell , Rep. Russell, Lowell

Summary: Adds an additional assistant district attorney general position and criminal investigator position in each judicial district that includes a state correctional facility. Broadly captioned.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 02/07/24 - Referred to House Criminal Justice Subcommittee.

SB2458/HB2338 Bereavement leave for death of child or stepchild.

Sponsors: Sen. Akbari, Raumesh , Rep. Pearson, Justin

Summary: Increases, from three days to three months, the amount of paid leave provided to the officers and employees of the various agencies, boards, and departments of state government in the event of death of such officers' or employees' children or stepchildren.

Senate Status: 03/19/24 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/12/24 - Failed in House Public Service Subcommittee for lack of a second.

SB2556/HB2753 Annual report by each district attorney general on arrests, indictments, and dispositions in previous calendar year.

Sponsors: Sen. Taylor, Brent , Rep. Carr, Dale

Summary: Requires each district attorney general to provide an annual report by March 1 to the governor and attorney general and reporter containing aggregate, non-personally identifying information on arrests, indictments, transfers, and dispositions in the previous calendar year. Requires the attorney general and reporter to compile a statewide report summarizing the information provided by each district attorney general and submit the report to the governor, speaker of the house of representatives, and speaker of the senate for distribution to appropriate standing committees of the general assembly. Broadly captioned.

Amendment Summary: House amendment 1 (017303) makes the following changes: (1) Revises the provision in the bill requiring each district attorney general to provide an annual report by March 1 of each year to the governor and attorney general and reporter and make such report available to the public upon request by, instead, requiring each district attorney general to provide an annual report by March 1 of each year to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, chair of the judiciary committee of the senate, and district attorneys general conference and make such report available to the public upon request; (2) Revises the provisions in the bill requiring the attorney general to compile a statewide report summarizing the information provided by each district attorney general in a uniform fashion that is sortable by offense and jurisdiction. The attorney general and reporter must make the report available to the public, and submit the report to the governor, speaker of the house of representatives, and speaker of the senate. The speakers must distribute the report to the appropriate standing committees of the general assembly by. This amendment, instead, requires the district attorneys general conference to compile a statewide report summarizing the information provided by each district attorney general in a uniform fashion that is sortable by offense and jurisdiction. The district attorneys general conference must make the report available to the public, and submit the report to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, and chair of the judiciary committee of the senate; and (3) Changes the effective date to July 1, 2026.

Subcommittee Amendments: 03.26.24CrimSubAdoptedAmendments.pdf

Senate Status: 04/09/24 - Senate passed.

House Status: 04/08/24 - House passed with amendment 1 (017303), which makes the following changes: (1) Revises the provision in the bill requiring each district attorney general to provide an annual report by March 1 of each year to the governor and attorney general and reporter and make such report available to the public upon request by, instead, requiring each district attorney general to provide an annual report by March 1 of each year to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, chair of the judiciary committee of the senate, and district attorneys general conference and make such report available to the public upon request; (2) Revises the provisions in the bill requiring the attorney general to compile a statewide report summarizing the information provided by each district attorney general in a uniform fashion that is sortable by offense and jurisdiction. The attorney general and reporter must make the report available to the public, and submit the report to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, and chair of the judiciary committee of the senate. The speakers must distribute the report to the appropriate standing committees of the general assembly by. This amendment, instead, requires the district attorneys general conference to compile a statewide report summarizing the information provided by each district attorney general in a uniform fashion that is sortable by offense and jurisdiction. The district attorneys general conference must make the report available to the public, and submit the report to the governor, speaker of the house of representatives, speaker of the senate, chair of the criminal justice committee of the house of representatives, and chair of the judiciary committee of the senate; and (3) Changes the effective date to July 1, 2026.

Executive Status: 04/09/24 - Sent to the speakers for signatures.

SB2741/HB2934 Agenda for public meetings.

Sponsors: Sen. Gardenhire, Todd , Rep. Bricken, Rush

Summary: Requires a state or local governing body to make the agenda for a regular meeting available to the public at a place accessible to the public, including on its website, if available, not less than 48 hours prior to the meeting. Clarifies that a state or local governing body may deliberate or act upon matters not listed on the agenda of its regular meeting if the body follows its bylaws or properly adopted rules and procedures and complies with all other applicable state laws.

*Amendment**Summary:*

Senate amendment 1 (013910) rewrites the bill to, instead, do the following: (1) At least 48 hours prior to a regular meeting, require a state governing body or a local government legislative body to make available to the public, at no charge, the agenda for the upcoming regular meeting in a place accessible to the public. The agenda must reasonably describe the matters to be deliberated or acted upon during the public meeting; (2) Authorize a state governing body or a local government legislative body to deliberate or act upon matters not listed on the agenda of its regular meeting if the body follows its bylaws or properly adopted rules and procedures and complies with all other applicable state laws; (3) Prohibit a state governing body or a local government legislative body from circumventing the spirit or requirements of the bill by withholding items from an agenda for the purpose of avoiding public disclosure of business to be considered by the state governing body or a local government legislative body; and (4) Authorize a state governing body or a local government legislative body that maintains a website to make an agenda available to the public through the website. The website is considered a place that is accessible to the public for purposes of compliance with (1) above.

Senate Status: 04/04/24 - Signed by Senate speaker.

House Status: 04/05/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB2813/HB2373 Period for public comments at a public meeting.

Sponsors: Sen. Reeves, Shane , Rep. Terry, Bryan

Summary: Allows for a governing body to provide a period of public comment on an agenda for a public meeting after each item or on collective items at the end of the agenda. Broadly captioned.

*Amendment**Summary:*

Senate amendment 1 (015611) rewrites the bill to, instead, provide that one or more members of a local legislative body who meet with one or more members of the state legislative delegation that represent the county or city is not a meeting under the law regarding open meetings for governing bodies, so long as the meeting is an exchange of information and not deliberative in nature or the member or members of the state legislative delegation conduct the meeting to discuss state matters. However, a meeting under this amendment must not be used to decide or deliberate public business in circumvention of the spirit or requirements of the present law.

*Subcommittee**Amendments:*

Public_Service_03.12.24.pdf

Senate Status: 04/09/24 - Senate passed with amendment 1 (015611).

House Status: 04/11/24 - House passed.

Executive Status: 04/11/24 - Sent to the speakers for signatures.

PUBLIC FINANCE**SB2940/HB2971 Deletes the Tennessee job skills program and fund.**

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Deletes the Tennessee job skills program and fund.

Senate Status: 04/18/24 - Senate passed.

House Status: 04/18/24 - House passed.

Executive Status: 04/18/24 - Sent to the speakers for signatures.

SB2941/HB2972 Bond issuance.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Authorizes the state to issue and sell bonds of up to \$87,700,000.

*Amendment**Summary:*

House amendment 1 (014000) decreases the allocation of the proceeds of any and all issues of bonds to the Department of Finance and Administration for the purpose of acquisition of equipment, and erection, construction and equipment of site and buildings expressly for repairs to existing structures for the Tennessee Board of Regents from \$34 million to \$12 million. Increases the allocation of the proceeds of any and all issues of bonds to the Department of Finance and Administration for the purpose of acquisition of equipment, and erection, construction and equipment of site and buildings expressly for repairs to existing structures and for the purpose of making grants to any county, metropolitan government, incorporated town, city, special district of the state, or any governmental agency or instrumentality of any of them as approved by the State Building Commission from \$7.9 million to \$29.9 million.

*Subcommittee**Amendments:*

Finance_Sub_Amendments_04.16.24.pdf

House_Finance_Sub_Amendments_04.16.24.pdf

Senate Status: 04/18/24 - Senate passed.

House Status: 04/18/24 - House passed with amendment 1 (014000), which decreases the allocation of the proceeds of any and all issues of bonds to the Department of Finance and Administration for the purpose of acquisition of equipment, and erection, construction and equipment of site and buildings expressly for repairs to existing structures for the Tennessee Board of Regents from \$34 million to \$12 million. Increases the allocation of the proceeds of any and all issues of bonds to the Department of Finance and Administration for the purpose of acquisition of equipment, and erection, construction and equipment of site and buildings expressly for repairs to existing structures and for the purpose of making grants to any county, metropolitan government, incorporated town, city, special district of the state, or any governmental agency or instrumentality of any of them as approved by the State Building Commission from \$7.9 million to \$29.9 million.

Executive Status: 04/18/24 - Sent to the speakers for signatures.

SB2942/HB2973 Appropriations - FY beginning July 1, 2023, and July 1, 2024.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Makes appropriations for the fiscal years beginning July 1, 2023, and July 1, 2024.

*Amendment**Summary:*

House amendment 2 (013900) is the administration amendment to the appropriations bill. House amendment 3 (015000) is the legislative schedule amendment to the appropriations bill.

Subcommittee Finance_Sub_Amendments_04.16.24.pdf

Amendments: House_Finance_Sub_Amendments_04.16.24.pdf

Senate Status: 04/18/24 - Senate passed.

House Status: 04/18/24 - House passed with amendment 2 (013900) and amendment 3 (015000). House amendment 2 (013900) is the administration amendment to the appropriations bill. House amendment 3 (015000) is the legislative schedule amendment to the appropriations bill.

STATE GOVERNMENT

SB2381/HB2533 Policy for the prevention of sexual harassment to be posted on website of entity.*Sponsors:* Sen. Hensley, Joey , Rep. Warner, Todd*Summary:* Requires each entity that maintains an official website to publish the policy for the prevention of sexual harassment established pursuant to chapter 307 of the Public Acts of 1993 on its website. Broadly captioned.*Senate Status:* 03/19/24 - Taken off notice in Senate State & Local Government Committee.*House Status:* 03/12/24 - Failed in House Public Service Subcommittee for lack of a second.**SB2619/HB2847 Commissioners of state departments cannot be employed by entity that is under oversight of department.***Sponsors:* Sen. Campbell, Heidi , Rep. Clemmons, John*Summary:* Prohibits a commissioner of a state department from being employed by, or having any financial interest in, a public or private entity that is under the umbrella of, regulated or under oversight by, or in any way within the purview of the administrative or statutory authority of the department for which the commissioner has been appointed during the commissioner's term of appointment. Broadly captioned.*Senate Status:* 02/05/24 - Referred to Senate State & Local Government Committee.*House Status:* 02/20/24 - Taken off notice in House Public Service Subcommittee.**SB2719/HB2736 Eligibility requirements for appointment as chief executive officer of a state department.***Sponsors:* Sen. Yarbro, Jeff , Rep. Hemmer, Caleb*Summary:* Requires persons to meet certain qualifications in order to be eligible for appointment as chief executive officer of an administrative department of state government. Creates a mechanism for the removal of such officers for cause by the general assembly. Broadly captioned.*Amendment Summary:* House Public Service Subcommittee amendment 1 (014014) requires a chief executive officer of an administrative department of state government to be a resident of this state no later than 30 days after appointment to and satisfy all statutory requirements for such position. Authorizes the General Assembly to remove a chief executive officer of an administrative department of state government for cause upon passage of a joint resolution of the General Assembly, including for, but not limited to, the following reasons: commission of a crime or misdemeanor, knowing or willful misconduct, knowing or willful neglect of statutory duties, and failure to meet statutory qualifications for such office. Removal by the General Assembly requires a two-thirds vote.*Senate Status:* 03/12/24 - Taken off notice in Senate State & Local Government Committee.*House Status:* 03/05/24 - Failed in House Public Service Subcommittee after adopting amendment 1 (014014).**SB2882/HB2955 Requires TACIR to study availability of affordable housing in this state.***Sponsors:* Sen. Kyle, Sara , Rep. Hardaway, G.A.*Summary:* Requires the TACIR to study the availability of affordable housing in this state and report its findings and recommendations to the general assembly no later than January 1, 2025. Broadly captioned.*Senate Status:* 03/19/24 - Taken off notice in Senate State & Local Government Committee.*House Status:* 03/27/24 - Taken off notice in House Property & Planning Subcommittee.

TAXES BUSINESS

SB2065/HB2234 Universal Pre-K Funding Act.*Sponsors:* Sen. Oliver, Charlane , Rep. Behn, Aftyn*Summary:* Enacts the "Universal Pre-K Funding Act," which imposes a data transaction privilege tax on a person's annual gross revenues that are derived from data transactions from digital advertising services in this state. Specifies that the data transaction privilege tax imposed is levied at the rate of nine and one-half percent of the assessable base and applies only to persons with an assessable base of \$50,000,000 or more. Requires all revenue from the data transaction privilege tax collected, including penalties and interest, to be deposited in a special account in the state treasury to be known as the universal pre-K fund. Requires the fund to be administered by the department of education and used exclusively to fund, establish, and maintain a universal pre-kindergarten program in each public and public charter elementary school in this state (13 pp.).*Senate Status:* 03/20/24 - Taken off notice in Senate Education Committee.*House Status:* 03/19/24 - Failed in House K-12 Subcommittee.

TAXES SALES

SB1813/HB2942 Working families' tax refund.*Sponsors:* Sen. Kyle, Sara , Rep. Towns Jr., Joe*Summary:* Provides a working families' tax refund for state and local sales and use tax paid on or after January 1, 2024, by low-income taxpayers who are eligible for the federal earned income tax credit. Broadly captioned.*Senate Status:* 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.*House Status:* 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.**SB2191/HB2193 Imposes a 15% tax on the retail sale of firearms.***Sponsors:* Sen. Campbell, Heidi , Rep. Mitchell, Bo*Summary:* Imposes an additional 15% tax on the retail sale of firearms. Requires revenue from the firearms tax to be deposited into the K-12 mental health counselor fund to be administered by the department of education and used exclusively to provide school counselors in elementary and secondary public schools and public charter schools in this state and for mental health assessments and services for students pursuant to a school counselor's referral. Broadly captioned.

Senate Status: 02/01/24 - Referred to Senate Judiciary Committee.

House Status: 03/12/24 - Failed in House K-12 Subcommittee.

TENNCARE

SB128/HB576 Doula services under TennCare.

Sponsors: Sen. Lamar, London , Rep. Hemmer, Caleb

Summary: Requires the bureau of TennCare to establish a pilot program during the 2024-2025 fiscal year to provide payment for doula care services for pregnant women enrolled in the TennCare program who are pregnant and whose healthcare provider determines she has an increased likelihood of experiencing a high-risk pregnancy based on certain factors. Stipulates that doula care services to eligible women must be provided for up to 12 months postpartum as determined by a healthcare provider. Authorizes the director to seek a federal waiver to implement the pilot program. Defines relevant terms.

Senate Status: 02/23/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 02/01/23 - Referred to House Insurance Subcommittee.

SB177/HB567 Pilot program for remote maternal health services to eligible TennCare recipients.

Sponsors: Sen. Massey, Becky , Rep. Carringer, Michele

Summary: Directs TennCare to create and implement a three-year pilot program to provide remote maternal health services to eligible TennCare recipients. Defines remote maternal health services as a service using digital technology to collect medical data and other health data and electronically transmitting the information to a healthcare provider in a different location for review and recommendation. Requires the device be compliant with federal Health Insurance Portability and Accountability Act of 1996 and approved by the federal food and drug administration. Stipulates that eligible participants are pregnant TennCare recipients whose healthcare provider determines that remote services are in the patient's best interest based on the person's health conditions and other factors. Authorizes the TennCare director to seek a federal waiver as necessary to implement the pilot program.

Amendment Summary: Senate Health & Welfare Committee amendment 1, House Insurance Committee amendment 1 (005644) requires the Division of TennCare (Division) to create a pilot program that provides remote maternal health services. Authorizes the Division to seek a federal waiver if necessary to implement the program. Effective July 1, 2023 to June 30, 2026.

Senate Status: 04/16/24 - Set for Senate Finance, Ways & Means Committee 04/16/24.

House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1674/HB2461 Reimbursement of remote ultrasound procedures and remote fetal nonstress tests.

Sponsors: Sen. Massey, Becky , Rep. Davis, Elaine

Summary: Directs the bureau of TennCare to amend existing or promulgate new rules by December 31, 2024, to allow for the reimbursement of qualifying remote ultrasound procedures and remote fetal nonstress tests utilizing established CPT codes for such procedures when the patient is in a residence or other off-site location that is separate from the patient's provider and the same standard of care is met.

Senate Status: 03/27/24 - Signed by Senate speaker.

House Status: 03/28/24 - Signed by House speaker.

Executive Status: 04/11/24 - Signed by governor.

SB1828/HB2214 Eligibility of minors for TennCare Medicaid or CoverKids program.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio

Summary: Specifies that on and after July 1, 2025, a minor who is enrolled in TennCare Medicaid or the CoverKids program remains eligible for TennCare Medicaid and the CoverKids program until the minor reaches 18 years of age. Prohibits the bureau of TennCare from subjecting the minor to a redetermination of eligibility or disenrollment except under certain circumstances, including the minor's parent or guardian requests the minor's voluntary disenrollment. Requires the director of the bureau to submit any necessary federal waiver request by December 31, 2024.

Senate Status: 02/28/24 - Failed in Senate Health & Welfare Committee.

House Status: 03/05/24 - Taken off notice in House Insurance Subcommittee.

SB2125/HB2557 Eligibility for minor child.

Sponsors: Sen. Kyle, Sara , Rep. Shaw, Johnny

Summary: Requires that on and after July 1, 2025, a minor child who is enrolled in TennCare or the CoverKids program remains eligible for TennCare or the CoverKids program until the minor child reaches six years of age. Prohibits the Bureau of TennCare from subjecting the minor child to a redetermination of eligibility or disenrollment except under certain circumstances, including the minor child no longer residing in the state. Requires the director to submit any necessary federal waiver request by December 31, 2024. Broadly captioned.

Senate Status: 03/13/24 - Failed in Senate Health & Welfare Committee for lack of a second.

House Status: 03/19/24 - Taken off notice in House Insurance Committee.

SB2299/HB2376 Annual report on quality and outcomes in perinatal care.

Sponsors: Sen. Yager, Ken , Rep. Butler, Ed

Summary: Changes from March 1 to January 15 the date by which the bureau of TennCare must submit an annual report to the general assembly concerning aspects of quality and outcomes in perinatal care for the previous two years that includes a description of initiatives by managed care organizations to improve key performance indicators of perinatal care outcomes, and a determination of the effectiveness of managed care organizations' initiatives toward improving perinatal care outcomes to residents in each health region of the state. Broadly captioned.

Amendment

Summary:

Senate amendment 1 (015674) rewrites the bill to, instead, relative to law regulating health facilities and resources: (1) Define a "home care organization" to mean an organization that provides home health services, home medical equipment services, professional support services, or hospice services to one or more patients on an outpatient basis in either the patient's regular or temporary place of residence. A provider is operating a home care organization if the provider does the following: (A) Holds itself out to the public as providing home health services, home medical equipment services, or hospice services; (B) Contracts or agrees to deliver home health services, home medical equipment services, or hospice services; (C) Accepts physician orders for home health services, home medical equipment services, or hospice services; (D) Accepts responsibility for the delivery of home health services, home medical equipment services, or hospice services; or (E) Contracts to provide professional support services with the state agency financially responsible for services to individuals with mental, intellectual, or developmental disabilities; and (2) Establish that the absence of one or more of the factors in (1) above does not necessarily exclude the provider from the meaning of the definition.

Subcommittee

Health_Sub_Amendments_03.26.2024.pdf

Amendments:

Senate Status: 04/11/24 - Senate passed with amendment 1 (015674).

House Status: 04/16/24 - House passed.

Executive Status: 04/16/24 - Sent to the speakers for signatures.

SB2450/HB2330 Authorizes governor to expand Medicaid.

Sponsors: Sen. Akbari, Raumesh , Rep. Pearson, Justin

Summary: Authorizes the governor to expand Medicaid according to the federal Patient Protection and Affordable Care Act. Authorizes the governor to negotiate with the federal centers for Medicare and Medicaid services to determine the terms of the expansion. Requires the governor to ensure that during such negotiation, an emphasis is placed on increasing resources and health care in rural and marginalized communities in this state. Broadly captioned.

Senate Status: 03/19/24 - Taken off notice in Senate Health & Welfare Committee.

House Status: 03/12/24 - Failed in House Insurance Subcommittee.

SB2676/HB2701 Prohibits an enrollee from staying in emergency room facility for more than 72 hours.

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary

Summary: Prohibits a TennCare enrollee from staying in an emergency department or emergency room facility for more than 72 hours without medical necessity. Imposes penalties on TennCare and managed care organizations for causing an enrollee's extended emergency department or emergency room facility stay. Broadly captioned.

Senate Status: 03/27/24 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/19/24 - Taken off notice in House Insurance Subcommittee.

SB2801/HB2921 Coverage for mental health services and treatment.

Sponsors: Sen. Massey, Becky , Rep. Sexton, Cameron

Summary: Requires all TennCare health benefit plans to provide coverage and reimbursement for mental health services and treatment to the same extent that the plans provide coverage and reimbursement for the treatment of alcoholism and drug dependence. Broadly captioned.

House Insurance Committee amendment 1 (015521) requires a TennCare health benefit plan issued by a health insurance carrier to provide coverage and reimbursement for mental health services and treatment to the same extent that the TennCare health benefit plan provides coverage and reimbursement for the treatment of alcoholism and drug dependence. Requires the Department of Commerce and Insurance (DCI) to include a detailed explanation regarding parity in coverage and rates of reimbursement for mental health services and alcoholism and drug dependency services in their annual report and presentation to the General Assembly. Establishes that certain benefits for outpatient treatment at a community mental health center under a TennCare health benefit plan are subject to deductibles and coinsurance factors that are not less favorable than for physical illness or the treatment of alcoholism or substance abuse generally, and coverage and reimbursement are not required to be made available for more than the number of visits per year offered for the treatment of alcoholism or substance abuse. House Insurance Committee amendment 2, Senate amendment 2 (016205) makes the following changes: (1) Requires an individual or group health benefit plan issued by a health insurance carrier regulated pursuant to this bill to provide coverage for mental health or alcoholism or drug dependency services in compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; (2) Adds to the present law providing that present law does not prohibit an employee health benefit plan, or a plan issuer offering an individual or group health plan from utilizing managed care practices for the delivery of benefits, as long as that for an utilization review or benefit determination for the treatment of alcoholism or drug dependence the clinical review criteria is the most recent Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions established by the American Society of Addiction Medicine or other evidence-based clinical guidelines, such as those referenced by the federal substance abuse and mental health services administration. Additional criteria must not be used during utilization review or benefit determination for treatment of substance use disorders. This amendment adds to the present law by providing that for purposes of a TennCare health benefit plan, additional criteria used must ensure that benefit determination, including coverage and reimbursement for the treatment of alcoholism or drug dependence, remain in parity with benefit determination for the treatment of mental health disorders; (3) Revises the present law that requires the department of commerce and insurance to issue a report to the general assembly and provide an educational presentation to the general assembly. The report and presentation must, among other things, identify market conduct examinations and full scope examinations conducted or completed during the preceding 12-month period and summarize the results of the examinations. This discussion must include any examination regarding compliance with parity in mental health or alcoholism or drug dependency benefits under state and federal laws. This amendment revises the present law by, instead, requiring the discussion to include a detailed explanation regarding parity in coverage and rates of reimbursement for mental health services and alcoholism and drug dependency services; (4) Revises the present law requiring any individual, franchise, blanket or group policy of insurance that provides hospital expense and surgical expense insurance and that is entered into, delivered, issued for delivery, or renewed, excepting individual insurance policy renewal, by agreement or otherwise, commencing on July 1, 1974, to provide benefits for expense of residents of this state covered under the policy or plan, arising from psychiatric disorders, mental or nervous conditions, alcoholism, drug dependence, or the medical complication of mental illness or intellectual disability, unless the policy or plan of insurance specifically excludes or reduces these benefits. This amendment excludes a TennCare health benefit plan from the exception in the above provisions for policy or plans of insurance that specifically excludes or reduces these benefits; (5) Adds to the present law providing that when benefits are made available for treatment received at the community mental health center, the benefits that cover services rendered by a physician in accordance with the policy or service plan contract must also be made available when services are rendered by a member of the clinical staff, so long as the community mental health center has in effect a plan for quality assurance approved by the department of mental health and substance abuse services and the treatment is supervised by a licensed physician or a licensed psychologist designated as a health service provider. However, nothing in this present law affects the license of a physician or psychologist designated as a health service provider providing the service or supervision. The benefits must be provided at the usual and customary rates established by the community mental health center for the services rendered. However, the benefits provided must be subject to deductibles and coinsurance factors that are not less favorable than for physical illness generally, and in no event must coverage be required to be made available for more than 30 outpatient visits per year. This amendment adds to the present law by providing that with respect to benefits provided under the present law above by a TennCare health benefit plan, the benefits provided are subject to deductibles and coinsurance factors that are not less favorable than for physical illness or the treatment of alcoholism or substance abuse generally, and coverage and reimbursement are not required to be made available for more than the number of visits per year offered for the treatment of alcoholism or substance abuse; and (6) Requires all group hospital and major medical policies delivered or issued for delivery in this state after July 1, 1980, and all group hospital, medical and major medical service plans commencing in this state after July 1, 1980, that provide benefits for expenses of residents of the state arising from psychiatric disorders, mental or nervous conditions, alcoholism, drug dependence or medical complication of mental illness or intellectual disability, to reimburse for these benefits, if any, when the benefits are provided at a facility that is for persons covered under a TennCare health benefit plan, a residential or other mental health treatment facility licensed under existing law.

Senate Status: 04/18/24 - Senate passed with amendment 2 (016205), which makes the following changes: (1) Requires an individual or group health benefit plan issued by a health insurance carrier regulated pursuant to this bill to provide coverage for mental health or alcoholism or drug dependency services in compliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; (2) Adds to the present law providing that present law does not prohibit an employee health benefit plan, or a plan issuer offering an individual or group health plan from utilizing managed care practices for the delivery of benefits, as long as that for an utilization review or benefit determination for the treatment of alcoholism or drug dependence the clinical review criteria is the most recent Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions established by the American Society of Addiction Medicine or other evidence-based clinical guidelines, such as those referenced by the federal substance abuse and mental health services administration. Additional criteria must not be used during utilization review or benefit determination for treatment of substance use disorders. This amendment adds to the present law by providing that for purposes of a TennCare health benefit plan, additional criteria used must ensure that benefit determination, including coverage and reimbursement for the treatment of alcoholism or drug dependence, remain in parity with benefit determination for the treatment of mental health disorders; (3) Revises the present law that requires the department of commerce and insurance to issue a report to the general assembly and provide an educational presentation to the general assembly. The report and presentation must, among other things, identify market conduct examinations and full scope examinations conducted or completed during the preceding 12-month period and summarize the results of the examinations. This discussion must include any examination regarding compliance with parity in mental health or alcoholism or drug dependency benefits under state and federal laws. This amendment revises the present law by, instead, requiring the discussion to include a detailed explanation regarding parity in coverage and rates of reimbursement for mental health services and alcoholism and drug dependency services; (4) Revises the present law requiring any individual, franchise, blanket or group policy of insurance that provides hospital expense and surgical expense insurance and that is entered into, delivered, issued for delivery, or renewed, excepting individual insurance policy renewal, by agreement or otherwise, commencing on July 1, 1974, to provide benefits for expense of residents of this state covered under the policy or plan, arising from psychiatric disorders, mental or nervous conditions, alcoholism, drug dependence, or the medical complication of mental illness or intellectual disability, unless the policy or plan of insurance specifically excludes or reduces these benefits. This amendment excludes a TennCare health benefit plan from the exception in the above provisions for policy or plans of insurance that specifically excludes or reduces these benefits; (5) Adds to the present law providing that when benefits are made available for treatment received at the community mental health center, the benefits that cover services rendered by a physician in accordance with the policy or service plan contract must also be made available when services are rendered by a member of the clinical staff, so long as the community mental health center has in effect a plan for quality assurance approved by the department of mental health and substance abuse services and the treatment is supervised by a licensed physician or a licensed psychologist designated as a health service provider. However, nothing in this present law affects the license of a physician or psychologist designated as a health service provider providing the service or supervision. The benefits must be provided at the usual and customary rates established by the community mental health center for the services rendered. However, the benefits provided must be subject to deductibles and coinsurance factors that are not less favorable than for physical illness generally, and in no event must coverage be required to be made available for more than 30 outpatient visits per year. This amendment adds to the present law by providing that with respect to benefits provided under the present law above by a TennCare health benefit plan, the benefits provided are subject to deductibles and coinsurance factors that are not less favorable than for physical illness or the treatment of alcoholism or substance abuse generally, and coverage and reimbursement are not required to be made available for more than the number of visits per year offered for the treatment of alcoholism or substance abuse; and (6) Requires all group hospital and major medical policies delivered or issued for delivery in this state after July 1, 1980, and all group hospital, medical and major medical service plans commencing in this state after July 1, 1980, that provide benefits for expenses of residents of the state arising from psychiatric disorders, mental or nervous conditions, alcoholism, drug dependence or medical complication of mental illness or intellectual disability, to reimburse for these benefits, if any, when the benefits are provided at a facility that is for persons covered under a TennCare health benefit plan, a residential or other mental health treatment facility licensed under existing law.

House Status: 04/17/24 - Set for House Floor 04/18/24.

TORT LIABILITY

SB2558/HB2782 **Financial responsibility of parent whose child caused personal injury to another.**

Sponsors: Sen. Taylor, Brent , Rep. Parkinson, Antonio

Summary: Increases from \$10,000 to \$15,000 the amount a parent or guardian is financially responsible for their child who maliciously or willfully caused personal injury to a person or destroyed property, real, personal, or mixed, belonging to a municipal corporation, county, town, village, school district, department of this state, persons, or religious organizations and lives with the parent or guardian at the time of the act. Broadly captioned.

Senate Status: 02/05/24 - Referred to Senate Judiciary Committee.

House Status: 03/12/24 - Taken off notice in House Civil Justice Subcommittee.

WELFARE

SB541/HB573 **Number of children at a child care agency for licensing purposes.**

Sponsors: Sen. Massey, Becky , Rep. Carringer, Michele

Summary: Increases from five to seven the minimum number of children a facility must have under its care for three or more hours per day in order to fall within the definition of a child care agency for licensing purposes. Broadly captioned.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 03/21/23 - Taken off notice in House Health Subcommittee.

SB1803/HB1961 **Eligibility expansion for the Smart Steps child care payment assistance program.**

Sponsors: Sen. Oliver, Charlane , Rep. Powell, Jason

Summary: Expands eligibility of the Smart Steps child care payment assistance program to include parents or guardians whose income does not exceed 100% of the state median income. Requires payments of financial assistance for parents or guardians whose income between 85% and 100% of the state median income to be funded using 100% state funds.

Senate Status: 01/31/24 - Referred to Senate Health & Welfare Committee.

House Status: 01/25/24 - Referred to House Health Committee.

SB1805/HB1962 **Utilization of cost estimation models to determine the cost of day care.**

Sponsors: Sen. Oliver, Charlane , Rep. Powell, Jason
Summary: Requires the department of human services to utilize cost estimation models to determine the cost of day care when setting the annual day care reimbursement rate. Requires the commissioner to report to the governor and the general assembly, no later than October 1 of each year, the results of the cost estimation model and the annual rate that has been requested by the department in its budget. Broadly captioned.
Amendment Summary: House Health Subcommittee amendment 1 (015394) requires the Department of Human Services (DHS) to perform an annual cost estimation model and market rate study of day care rates, beginning January 1, 2025, to determine an annual amount to be paid as reimbursement on behalf of low-income families for the provision of child care by a day care center, family day care home, or group day care home.
Subcommittee Amendments: Health_Sub_Amendments_03.26.2024.pdf
Senate Status: 04/09/24 - Senate Finance, Ways & Means Committee referred the bill to TACIR.
House Status: 04/17/24 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1816/HB2944 Expands eligibility for the Smart Steps child care payment assistance program.

Sponsors: Sen. Kyle, Sara , Rep. Johnson, Gloria
Summary: Expands eligibility for the Smart Steps child care payment assistance program. A parent or guardian of a child is eligible for the Smart Steps child care payment assistance program if the parent's or guardian's income does not exceed 100% of the state median income, as published by the bureau of the census. Payments of financial assistance made under this section for parents or guardians whose income is equal to or exceeds 85%, but does not exceed 100%, of the state median income program must be funded using 100% state funds. Broadly captioned.
Senate Status: 01/29/24 - Referred to Senate Health & Welfare Committee.
House Status: 02/07/24 - Referred to House Health Subcommittee.

SB1823/HB1971 Tennessee opportunity pilot program grants.

Sponsors: Sen. Watson, Bo , Rep. Hawk, David
Summary: Authorizes the department of human services to enter into contracts as needed in order to ensure successful implementation and completion of the Tennessee opportunity pilot program.
Amendment Summary: Senate amendment 1 (014680) rewrites the bill to, instead, authorize the department of human services to enter into, or amend an existing, grant contract or other contract as necessary to ensure successful implementation and completion of the Tennessee opportunity pilot program, except that the department must not enter into or amend a contract in a manner that causes the contract to extend beyond December 31, 2026.
Senate Status: 04/10/24 - Signed by Senate speaker.
House Status: 04/11/24 - Signed by House speaker.
Executive Status: 04/12/24 - Sent to governor.

SB1891/HB2112 Pilot project to invest in the self-sufficiency of employees of childcare agencies.

Sponsors: Sen. Oliver, Charlane , Rep. Powell, Jason
Summary: Creates a pilot project to place a moratorium on the loss of public assistance benefits for childcare workers based solely on wage increases that cause their income to exceed program eligibility limits. Requires TACIR to study wages and related issues for childcare workers, including the benefits cliff. Broadly captioned.
Senate Status: 01/29/24 - Referred to Senate Health & Welfare Committee.
House Status: 01/25/24 - Withdrawn in House.

SB2064/HB2233 Smart Steps child care payment assistance program eligibility.

Sponsors: Sen. Oliver, Charlane , Rep. Freeman, Bob
Summary: Expands eligibility for the Smart Steps child care payment assistance program for parents or guardians whose income is less than 100% of the state median income. Requires the payments to be funded by state funds. Broadly captioned.
Senate Status: 02/28/24 - Failed in Senate Health & Welfare Committee.
House Status: 03/13/24 - Taken off notice in House Health Committee.

SB2066/HB1969 Installation of carbon monoxide alarms in childcare agencies.

Sponsors: Sen. Bailey, Paul , Rep. Jernigan, Darren
Summary: Requires installation of carbon monoxide alarms in each room of a childcare agency where care is provided to a child. Requires the alarms to meet certain national certification standards and be installed in accordance with national fire safety recommendations or manufacturer instructions. Establishes dates by which the alarms must be installed in new and existing childcare agencies.
Amendment Summary: Senate amendment 1 (014029) makes the following changes to the bill: (1) Removes the definition of an "approved carbon monoxide alarm" ("alarm"); (2) Removes the requirement that the alarm be installed in accordance with either the standards of the National Fire Protection Association or the manufacturer's directions, unless the standards or directions conflict with applicable law; (3) Requires the alarm to be listed according to the International Building Code and International Fire Code for the purpose of carbon monoxide detection; (4) Adds the penalty for a violation of the bill, which is a Class C misdemeanor and clarifies that each day on which a violation continues constitutes a separate offense. (5) Removes the requirement that a child care agency in operation on July 1, 2024, have alarms installed no later than September 30, 2024; (6) Removes the requirement that a child care agency that begins operating on or after July 1, 2024, have alarms installed prior to the first day that child care is provided to children on the premises of the agency; and (7) Authorizes the state fire marshal to promulgate rules to effectuate the bill.
Subcommittee Amendments: Health_Sub_Amendments_02.27.2024.pdf
Senate Status: 04/08/24 - Signed by Senate speaker.
House Status: 04/08/24 - Signed by House speaker.
Executive Status: 04/09/24 - Sent to governor.

SB2078/HB1886 Revisions to TANF program.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Implements penalties for certain offenses for beneficiaries of the temporary assistance for needy families (TANF) program and food stamp program, including penalties for fraudulent receipt of benefits. Removes an exemption from the TANF work requirement for a parent or caretaker relative who proves to the satisfaction of the department the existence of the person's temporary incapacity or permanent disability. Removes the requirement that the TANF maximum payment standard must not increase when a caregiver relative becomes pregnant while receiving assistance. Part of Administration Package.

Senate Status: 03/06/24 - Signed by Senate speaker.

House Status: 03/06/24 - Signed by House speaker.

Executive Status: 04/03/24 - Enacted as Public Chapter 0570 effective July 1, 2024.

SB2293/HB1975 Requirement to report use of federal TANF funds.

Sponsors: Sen. Crowe, Rusty , Rep. Hawk, David

Summary: Requires the commissioner to include in the annual block grant report information detailing the department's use of federal TANF funds in furtherance of the four purposes of the TANF program.

Senate Status: 04/08/24 - Senate passed.

House Status: 04/15/24 - House passed.

Executive Status: 04/15/24 - Sent to the speakers for signatures.

SB2374/HB2317 TACIR study on laws and regulations affecting child care businesses.

Sponsors: Sen. Watson, Bo , Rep. Williams, Ryan

Summary: Requires TACIR to complete a study on laws, regulations, and rules affecting the start-up, operation, and expansion of child care businesses in this state. Requires TACIR to submit a report disclosing findings from the study and recommended legislation to the governor, the speaker of the house of representatives, the speaker of the senate, and the legislative librarian no later than January 31, 2025. Broadly captioned.

Senate Status: 02/22/24 - Senate passed.

House Status: 04/17/24 - Set for House Floor 04/18/24.

SB2395/HB2428 Study of child care availability for working families.

Sponsors: Sen. Briggs, Richard , Rep. Moon, Jerome

Summary: Requires the commissioner of human services to conduct a study on factors impacting child care availability for working families and submit a report of findings to the chair of the health and welfare committee of the senate, the chair of the health committee of the house of representatives, and the legislative librarian on or before December 31, 2024. Broadly captioned.

Senate Status: 02/01/24 - Referred to Senate Health & Welfare Committee.

House Status: 02/01/24 - Caption bill held on House clerk's desk.