

# Legislative Summary

## Tennessee Commission on Children and Youth

### June 10, 2022

#### AGRICULTURE

##### **SB2515/HB2653 Tennessee Community Gardening Act vacant public land definition.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Clemmons, John

*Summary:* Clarifies that "vacant public land" for purposes of the Tennessee Community Gardening Act includes property controlled by a parks and recreation department or similar entity that is not currently being used as park land.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 03/17/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0765 effective March 31, 2022.

*Public Chapter:* PC765.pdf

#### COVID-19

##### **SB1789/HB2858 Definition of governmental entity under statutes addressing COVID-19.**

*Sponsors:* Sen. Briggs, Richard , Rep. Kumar, Sabi

*Summary:* Removes references to conditions of participation from Medicare and Medicaid in the title definitions of "governmental entity" and "private business" that apply to certain statutes related to addressing COVID-19. Broadly captioned.

*Senate Status:* 02/07/22 - Senate passed.

*House Status:* 03/17/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0756 effective March 31, 2022.

*Public Chapter:* PC756.pdf

##### **SB1823/HB1867 Employers with mandatory COVID-19 vaccination policies.**

*Sponsors:* Sen. Johnson, Jack , Rep. Zachary, Jason

*Summary:* Requires employers with a mandatory COVID-19 vaccination policy to grant medical exemptions to any person who provides a statement from a licensed healthcare practitioner who is acting within the practitioner's scope of practice. Grants religious exemptions to any person without requiring proof beyond the person's initial statement. Prohibits employers from taking longer than two business days to render a decision on the request or denying an exemption request without a written explanation. Prohibits employers from discharging or reducing compensation for persons granted an exemption.

*Amendment Summary:* Senate amendment 1 (013342) mandates that an employer who requires a staff member provide proof of or receive a COVID-19 vaccination must grant an exemption if the staff member has a signed and dated medical exemption statement from a licensed healthcare professional or a stated religious belief. Details the provisions of the process employers must take in such situations. States that a violation of these standards is a civil penalty of \$10,000. States that an employer need not reemploy a former staff member who was terminated prior to the effective date of the act unless that termination was based solely on the staff member seeking an exemption. States that an employer is not required to take or refrain from an action contrary to enforceable requirements imposed by the federal centers for Medicare and Medicaid services. Reaffirms that a person is not prohibited from requiring another person to

provide proof of vaccination as a condition of entering that person's personal residence for purposes of providing products or services. Instructs the Attorney General and Reporter (AG) to establish a process of reporting violations to these rules and allows for proceedings in the Williamson County chancery or circuit court or the chancery court in the county where the employer is located. Establishes that a licensed healthcare provider who provides the signed statement requesting COVID-19 vaccination exemption is immune from civil liability and disciplinary action.

*Senate Status:* 02/24/22 - Senate passed with amendment 1 (013342).

*House Status:* 02/24/22 - House passed.

*Executive Status:* 03/14/22 - Enacted as Public Chapter 0644 effective March 11, 2022.

*Public Chapter:* PC644.pdf

### **SB1982/HB1871 Adoption of rules or laws that fail to recognize natural immunity to COVID-19.**

*Sponsors:* Sen. Hensley, Joey , Rep. Hulse, Bud

*Summary:* Prohibits a governmental entity, LEA, or school from adopting or enforcing a statute, ordinance, rule, policy, or practice arising from COVID-19 that fails to recognize natural immunity as providing a level of immune protection that is at least as protective as a COVID-19 vaccine. Prohibits a private business from adopting or enforcing a rule, policy, procedure, or practice arising from COVID-19 that fails to recognize natural immunity to COVID-19. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015599) prohibits any private business, governmental entity, local education agency, or school from adopting or enforcing a rule, policy, procedure, or practice which treats individuals with acquired immunity from COVID-19 differently than those who have received a vaccination for COVID-19. Senate amendment 2 (015400) prohibits any private business, governmental entity, local education agency, or school from adopting or enforcing a rule, policy, procedure, or practice which treats individuals with natural immunity from COVID-19 that has been verified by documentation differently than those who have received a vaccination for COVID-19. House amendment 1 (014913) adds that a person's immune system resistance to COVID-19 that is acquired naturally as the result of an individual's prior infection with COVID-19 must be verified by a letter from a licensed physician or documentation of a laboratory test showing sufficient antibody levels in order to qualify as natural immunity for purposes of this bill.

*Senate Status:* 03/31/22 - Senate passed with amendment 2 (015400) and amendment 1 (015599).

*House Status:* 04/11/22 - House concurred in Senate amendment 2 (015400) and amendment 1 (015599).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0930 effective April 30, 2022.

*Public Chapter:* PC930.pdf

### **SB2448/HB2671 Claims against a person for loss, injury, or death arising from COVID-19.**

*Sponsors:* Sen. White, Dawn , Rep. Farmer, Andrew

*Summary:* Extends termination date from July 1, 2022, to July 1, 2023, for limitations on claims against a person for loss, damage, injury, or death arising from COVID-19. Broadly captioned.

*Amendment Summary:* House amendment 1 (014447) changes the termination date to be December 31, 2023. This amendment also redefines "person" for purposes of the liability provisions. Under present law, "person" means an individual, healthcare provider, sole proprietorship, corporation, limited liability company, partnership, trust, religious organization, association, nonprofit organization described in 501(c) of the Internal Revenue Code that is exempt from federal income taxation under 501(a) of the Internal Revenue Code, or any other legal entity whether

formed as a for-profit or not-for-profit entity. This amendment makes that definition applicable "prior to December 31, 2022," and, adds that on and after December 31, 2023, "person" means an individual or any other legal entity who is licensed, certified, or otherwise authorized or permitted by the laws of this state to care for, treat, or diagnose an individual's physical or mental condition. House amendment 2 (014889) corrects a reference from "on and after December 31, 2023" to "on and after December 31, 2022."

*Senate Status:* 04/28/22 - Senate adopted conference committee report (018305).

*House Status:* 04/28/22 - House adopted conference committee report (018305).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1117 effective June 1, 2022.

*Public Chapter:* PC1117.pdf

### **SB2449/HB2665 Healthcare providers subject to certain Medicare or Medicaid conditions of coverage.**

*Sponsors:* Sen. McNally, Randy , Rep. Sexton, Cameron

*Summary:* Clarifies that a healthcare provider subject to certain Medicare or Medicaid conditions of coverage is not a private business or governmental entity for the purposes of COVID-19.

*Amendment Summary:* Senate amendment 2 (018210) adds to this bill and the present law provisions governing COVID-19, which requires that any disciplinary process, or action taken pursuant to such process, that is implemented by a health-related board regarding the dispensing or prescribing of medication for COVID-19 must be promulgated as a rule pursuant to the Uniform Administrative Procedures Act. This amendment adds that the above-described present law provision not apply to the dispensing or prescribing of controlled substances. This amendment specifies that the exemption created by it does not affect how the dispensing or prescribing of controlled substances is regulated under present laws governing controlled substances.

*Senate Status:* 04/27/22 - Senate passed with amendment 2 (018210), which adds to this bill and the present law provisions governing COVID-19, which requires that any disciplinary process, or action taken pursuant to such process, that is implemented by a health-related board regarding the dispensing or prescribing of medication for COVID-19 must be promulgated as a rule pursuant to the Uniform Administrative Procedures Act. This amendment adds that the above-described present law provision not apply to the dispensing or prescribing of controlled substances. This amendment specifies that the exemption created by it does not affect how the dispensing or prescribing of controlled substances is regulated under present laws governing controlled substances.

*House Status:* 04/28/22 - House concurred in Senate amendment 2 (018210).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1073 effective May 25, 2022.

*Public Chapter:* PC1073.pdf

## **CAMPAIGNS & LOBBYING**

### **SB2011/HB1832 Advisory task force to recommend a proposed statewide judicial redistricting plan.**

*Sponsors:* Sen. Bell, Mike , Rep. Lamberth, William

*Summary:* Requires the speaker of the senate and the speaker of house to establish an advisory task force every ten years beginning July 1, 2031 to review the composition of Tennessee's current judicial districts. Specifies membership of task force. Requires the general assembly to reapportion the judicial districts during each year following receipt of the proposed plan.

*Amendment Summary:* Senate amendment 1 (017214) creates an advisory task force to review the composition of Tennessee's current judicial districts. Establishes that the task force be comprised of 14 members including the Chairs of the Judiciary Committee of the Senate and the Civil Justice Committee of the House of Representatives, three citizen members, three judges, three district

attorneys, and three public defenders representing each grand division of the state. All members are appointed jointly by the Speakers of the Senate and House of Representatives. The task force will be appointed by July 31, 2025. The task force will cease to exist after recommendations and findings are published for a statewide judicial redistricting plan no later than January 1, 2027. Requires the Administrative Office of the Courts (AOC) to provide support services to the task force. Requires the General Assembly to reapportion the judicial districts and promote the efficient utilization of publicly funded resources allocated for the courts by December 31, 2027 following receipt of the proposed plan. Requires funding for each judicial district that has a disproportionately high number of judges, as determined by the Comptroller of the Treasury (COT), be reduced by 10 percent during the subsequent fiscal year, if the legislature fails to pass legislation to reapportion the judicial districts and promote the efficient utilization of publicly funded resources allocated for the courts by December 31, 2027 following receipt of the proposed plan. Requires the COT to report its findings to the Finance, Ways and Means Committee of the Senate and the House of Representatives.

*Senate Status:* 04/25/22 - Senate passed.

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/01/22 - Enacted as Public Chapter 1098 effective May 27, 2022.

*Public Chapter:* PC1098.pdf

### **SB2230/HB2337 Child may enter voting booth with parent or guardian.**

*Sponsors:* Sen. Pody, Mark , Rep. Rudd, Tim

*Summary:* Clarifies that a child 17 years of age or younger may enter a voting booth with the child's parent or guardian.

*Amendment Summary:* Senate amendment 1 (015439) authorizes an employee of a county or city school system who does not work directly under the supervision of an elected official to serve as a member of a county election commission.

*Senate Status:* 04/04/22 - Senate passed with amendment 1 (015439).

*House Status:* 04/04/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0880 effective April 14, 2022.

*Public Chapter:* PC880.pdf

### **CRIMINAL LAW**

### **SB1781/HB1679 Expunction of criminal records.**

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

*Summary:* Allows a person to have the person's criminal records expunged if the person has been convicted of one or more criminal offenses other than the offense for which the person is seeking expunction. Current law, prohibits a person from filing to have the person's criminal record expunged unless such person has never been convicted of any criminal offense, including federal offenses and offenses in other states. Clarifies that a person is only eligible for expunction of criminal records once.

*Amendment Summary:* House amendment 1 (013388) authorizes a person to petition for expunction if the person has not been convicted of a criminal offense that is ineligible for expunction. Clarifies that a person is only eligible for expunction of criminal records once. Changes the time elapsing requirements since completion of sentence to specify that the applicable amount of time passed be for the person's most recent criminal offense.

*Senate Status:* 03/14/22 - Senate passed.

*House Status:* 03/10/22 - House passed with amendment 1 (013388).

*Executive Status:* 03/30/22 - Enacted as Public Chapter 0677 effective July 1, 2022.

*Public Chapter:* PC677.pdf

### **SB1786/HB1922 Restrictions on sexual offenders.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hicks, Tim

*Summary:* Prohibits a sexual offender, violent sexual offender, or a violent juvenile sexual offender from knowingly renting or offering to rent a swimming pool, hot tub, or other body of water to be used for swimming that is owned by the offender. Specifies that a violation of the prohibition a Class A misdemeanor. Broadly captioned.

*Amendment Summary:* House amendment 1 (013839) prohibits a sexual offender, violent sexual offender, or violent juvenile sexual offender whose victim was a minor from knowingly renting or offering to rent a swimming pool, hot tub, or other body of water to be used for swimming that is owned or leased by the offender, or is otherwise under the control of the offender. Senate amendment 1 (016622) prohibits a sexual offender, violent sexual offender, or violent juvenile sexual offender whose victim was a minor from knowingly renting or offering to rent a swimming pool, hot tub, or other body of water to be used for swimming that is owned or leased by the offender, or is otherwise under the control of the offender. Applies to offenders who were convicted of a sexual offense or violent sexual offense that occurred on or after July 1, 2022.

*Senate Status:* 04/28/22 - Senate adopted conference committee report (018240).

*House Status:* 04/28/22 - House adopted conference committee report (018240).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1058 effective July 1, 2022.

*Public Chapter:* PC1058.pdf

### **SB1792/HB1855 Penalties for continuous sexual abuse of a child.**

*Sponsors:* Sen. Bell, Mike , Rep. Doggett, Clay

*Summary:* Changes the penalties for continuous sexual abuse of a child to clarify that an offense involving three or more violations of aggravated rape, rape, aggravated sexual battery, rape of a child, solicitation of sexual abuse of a minor, or aggravated rape of a child is a Class A felony. Specifies that an offense involving two violations of such offenses is a Class B felony. Specifies that an offense involving one or no violations of such offenses is a Class C felony.

*Amendment Summary:* Senate amendment 1 (017124) clarifies that the offense is a Class C felony if one of the acts of sexual abuse of a child constitutes a violation of a listed offense and adds that the offense is a Class C felony if at least three of the acts of sexual abuse of a child constitute violations of the offenses of sexual battery by an authority figure or statutory rape by an authority figure. This amendment also adds to the list of offenses that warrant the Class A felony, as described above in the bill summary, trafficking for a commercial sex act if the victim is a minor and promoting prostitution if the victim is a minor.

*Senate Status:* 04/13/22 - Senate passed with amendment 1 (017124).

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1025 effective July 1, 2022.

*Public Chapter:* PC1025.pdf

### **SB1793/HB1766 Defendant convicted of continuous sexual abuse of child - revocation of bail.**

*Sponsors:* Sen. Stevens, John , Rep. Howell, Dan

*Summary:* Requires judge to revoke bail immediately, notwithstanding sentencing hearings, motions for a new trial, or related post-guilt determination hearings, for a defendant who is convicted of continuous sexual abuse of a child.

*Senate Status:* 02/14/22 - Senate passed.  
*House Status:* 02/24/22 - House passed.  
*Executive Status:* 03/14/22 - Enacted as Public Chapter 0643 effective March 11, 2022.  
*Public Chapter:* PC643.pdf

**SB1802/HB1763 Definition of drug paraphernalia.**

*Sponsors:* Sen. Reeves, Shane , Rep. Lamberth, William  
*Summary:* Expands the definition of drug paraphernalia to include pill press devices unless the pill press device is used by a person or entity that lawfully possesses drug products in the course of legitimate business activities, including a pharmacy or pharmacist licensed by the board of pharmacy; a wholesale drug distributor, or its agents, licensed by the board of pharmacy; and a manufacturer of drug products, or its agents, licensed by the board of pharmacy. Broadly captioned.  
*Amendment Summary:* House amendment 1 (013293) expands the definition of drug paraphernalia to include pill press devices and pieces of a pill press device, unless the pill press device or piece of a pill press device is used by a person or entity that lawfully possesses drug products in the course of legitimate business activities.  
*Senate Status:* 03/24/22 - Senate passed.  
*House Status:* 02/24/22 - House passed with amendment 1 (013293).  
*Executive Status:* 04/13/22 - Enacted as Public Chapter 0804 effective July 1, 2022.  
*Public Chapter:* PC804.pdf

**SB1891/HB1905 Drug overdose reporting requirements.**

*Sponsors:* Sen. Hensley, Joey , Rep. Doggett, Clay  
*Summary:* Expands reportable injury requirements to include drug overdose. Requires hospitals, clinics, and persons, including doctors and nurses, who are called upon to render aid to a person suffering from the effects of drug overdose to report it immediately to the appropriate chief of police or sheriff and district attorney general.  
*Amendment Summary:* Senate amendment 1 (016765) specifies that this bill will apply "to the extent allowed by state and federal law." House amendment 1 (017348) specifies that this bill will apply to "fatal" drug overdoses and "to the extent allowed by state and federal law."  
*Senate Status:* 04/27/22 - Senate concurred in House amendment 1 (017348).  
*House Status:* 04/25/22 - House passed with amendment 1 (017348).  
*Executive Status:* 06/01/22 - Enacted as Public Chapter 1094 effective July 1, 2022.  
*Public Chapter:* PC1094.pdf

**SB2001/HB2102 Expungement of person's public records involving offenses related to status as victim of human trafficking.**

*Sponsors:* Sen. Bell, Mike , Rep. Curcio, Michael  
*Summary:* Changes the number of days in which a district attorney general may submit recommendations to the court regarding a petition for expunction for offenses related to status as a victim of human trafficking from 60 days to 65 days. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (014285) rewrites this bill to revise the eligibility requirements for a person to qualify as an "eligible petitioner" for purposes of petitioning for expunction of public records concerning a conviction for a felony or misdemeanor committed prior to November 1, 1989. An eligible petitioner may file a petition for expunction of that person's

public records involving a criminal offense if: (1) Subject to certain exceptions, at the time of filing, the person has never been convicted of any criminal offense, including federal offenses and offenses in other states, other than the offense committed for which the petition for expunction is filed (excluding most traffic offenses); (2) At the time of the filing of the petition for expunction at least five years have elapsed since the completion of the sentence imposed for a misdemeanor or Class E felony or 10 years have elapsed since the completion of the sentence imposed for a Class C or D felony; and (3) The person has fulfilled all the requirements of the sentence imposed by the court in which the individual was convicted of the offense. Under present law, a person who was convicted of a felony or misdemeanor committed prior to November 1, 1989, is an eligible petitioner if: (1) The person was sentenced to a determinate sentence of three years or less; (2) The person was sentenced to an indeterminate sentence for which the person served three years or less; (3) The person has never had a previous conviction expunged as the result of the successful completion of a diversion program; and (4) The offense for which the person was convicted: (A) Did not have as an element the use, attempted use, or threatened use of physical force against the person of another; (B) Did not involve, by its nature, a substantial risk that physical force against the person of another would be used in the course of committing the offense; (C) Did not involve the use or possession of a deadly weapon; (D) Was not a sex offense for which the offender is required to register as a sexual offender or violent sexual offender, or any sex offense involving a minor; (E) Did not result in the death, serious bodily injury or bodily injury to a person; (F) Did not involve the use of alcohol or drugs and a motor vehicle; (G) Did not involve the sale or distribution of a Schedule I, II, III, or IV controlled substance; (H) Did not involve a minor as the victim of the offense; or (I) Did not result in causing the victim or victims to sustain a loss of \$50,000 or more. For purposes of determining whether a person who was convicted of a felony or misdemeanor committed prior to November 1, 1989, is an eligible petitioner, this amendment deletes the provisions described in (1) and (2), revises (4)(G) to only apply to the sale or distribution of a Schedule I controlled substance or a Schedule II controlled substance in an amount that would make the offense a Class B felony under present law, and increases the monetary threshold under (4)(I) to \$60,000.

*Senate Status:* 04/20/22 - Senate passed with amendment 1 (014285).

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1027 effective July 1, 2022.

*Public Chapter:* PC1027.pdf

### **SB2013/HB1646 Joker's Law.**

*Sponsors:* Sen. Bell, Mike , Rep. Hall, Mark

*Summary:* Enacts "Joker's Law," which increases the penalty of knowingly and unlawfully killing a police dog, fire dog, search and rescue dog, service animal, or police horse without the owner's effective consent from a Class E felony based on the value of the animal to a Class B felony. Adds provisions regarding knowingly and unlawfully causing serious injury to such an animal. Allows transfer of juveniles charged with the offense to adult criminal court.

*Amendment Summary:* Senate amendment 1 (017183) removes the provision of this bill that would have added "killing or causing serious bodily injury to a police dog, fire dog, search and rescue dog, service animal, or police horse, or an attempt to commit any such offense" to the list of offenses that may result in an offender between the ages of 14 and 17 being transferred from juvenile court to criminal court. This amendment also: (1) Changes the penalty for injury or death to a police dog, fire dog, search and rescue dog, service animal, or police horse to be a Class D felony; and specifies that if conduct in violation of this offense is also a violation of

any other criminal offense, then the offense may be prosecuted under any of the applicable statutes; and (2) Revises the present law provision whereby a person is justified in killing the animal of another if the person acted under a reasonable belief that the animal was creating an imminent danger of death or serious bodily injury to that person or another or an imminent danger of death to an animal owned by that person; under this amendment the justification will also apply if there was danger to an animal "in the control of" that person.

*Senate Status:* 04/20/22 - Senate passed with amendment 1 (017183).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1106 effective July 1, 2022.

*Public Chapter:* PC1106.pdf

### **SB2035/HB2058 Restrictions on smokeless nicotine products.**

*Sponsors:* Sen. Southerland, Steve , Rep. Gant, Ron

*Summary:* Prohibits the sale or distribution of smokeless nicotine products to, or purchase of smokeless nicotine products on behalf of, persons under 21 years of age. Defines "smokeless nicotine product" as nicotine that is in the form of a solid, gel, gum, or paste that is intended for human consumption or placement in the oral cavity for absorption into the human body by any means other than inhalation and does not include tobacco or tobacco products.

*Amendment Summary:* House amendment 1 (015183) adds that nicotine replacement therapy products as defined and approved by the federal food and drug administration are not smokeless nicotine products. This amendment also deletes a section of this bill that would have substituted the language "tobacco, smoking hemp, vapor products, or smokeless nicotine products" for "tobacco, smoking hemp, or vapor products" in two instances where it appears in present law.

*Senate Status:* 03/28/22 - Senate passed.

*House Status:* 03/21/22 - House passed with amendment 1 (015183).

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0810 effective April 8, 2022.

*Public Chapter:* PC810.pdf

### **SB2103/HB1834 Sentencing for vehicular homicide or aggravated vehicular homicide.**

*Sponsors:* Sen. Bell, Mike , Rep. Hall, Mark

*Summary:* Requires a court to order a defendant who has been convicted of vehicular homicide or aggravated vehicular homicide due to intoxication to pay restitution in the form of child maintenance to each of the victim's minor children until the child has reached age 18 or the child's class has graduated from high school. Authorizes the court to determine the amount of reasonable payments based on certain outlined factors. Allows an incarcerated defendant up to one year after release to begin payment. Prohibits maintenance orders in cases in which a surviving parent or guardian brings a civil action against the defendant prior to a child maintenance order.

*Amendment Summary:* House amendment 1 (012856) increases, from 3 to 10 working days after receipt, the time within which the clerk must remit payments to the surviving parent or guardian under this bill. Senate amendment 2 (017246) incorporates the provisions of House Amendment #1 and changes the short title of this bill from "Bentley's Law" to "Ethan's, Hailey's, and Bentley's Law."

*Senate Status:* 04/20/22 - Senate passed with amendment 2 (017246).

*House Status:* 04/25/22 - House concurred in Senate amendment 2 (017246).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1056 effective May 25, 2022.

*Public Chapter:* PC1056.pdf



**SB2223/HB2306 Joe Clyde Daniels Act.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Curcio, Michael

*Summary:* Enacts the "Joe Clyde Daniels Act," which expands the consideration criteria for the board of parole when considering parole for convicted murderers. Requires the board of parole to consider whether an inmate convicted of murder obstructed or continues to obstruct the law enforcement's efforts to recover a victim's remains.

*Senate Status:* 04/11/22 - Senate passed.

*House Status:* 04/07/22 - House passed.

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0944 effective July 1, 2022.

*Public Chapter:* PC944.pdf

**SB2288/HB2118 Revocation of probation and suspension of sentence.**

*Sponsors:* Sen. Bell, Mike , Rep. Lamberth, William

*Summary:* Allows the court to revoke a defendant's probation and suspension of sentence should the judge discover by a preponderance of evidence that the terms of the probation have been violated by the defendant.

*Amendment Summary:* House amendment 2 (017814) adds "contacting the defendant's victim in violation of a condition of probation or parole" as an act that may result in revocation of probation or parole.

*Senate Status:* 04/27/22 - Senate passed.

*House Status:* 04/27/22 - House passed with amendment 2 (017814).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1060 effective July 1, 2022.

*Public Chapter:* PC1060.pdf

**SB2303/HB2234 Eligibility for expunction - victims of human trafficking.**

*Sponsors:* Sen. Massey, Becky , Rep. Littleton, Mary

*Summary:* Removes the requirement for at least one conviction for prostitution in the expunction of public records of a human trafficking victim. Broadly captioned.

*Senate Status:* 03/28/22 - Senate passed.

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1033 effective July 1, 2022.

*Public Chapter:* PC1033.pdf

**SB2400/HB2147 Human trafficking offenses.**

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

*Summary:* Changes the age from 13 to 18 that person is allowed to testify outside of the courtroom in human trafficking cases and includes proven human trafficking allegations as a circumstance a court must extend a protection order to the victim for a definite period of time. Expands child human trafficking victim's resources and prohibits an underage victim to be charged with prostitution. Prohibits the defense of ignorance or a mistake regarding defendant's previous knowledge of a victims age. Broadly captioned. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (015650) revises various provisions of this bill, as follows: (1) Revises the age of a victim whose testimony the court may allow to be taken outside the courtroom by means of two-way closed circuit television to be "under 18 years of age"; (2) Adds victims of the offense of sexual exploitation of a minor and victims of a human trafficking offense to

those who may petition for an order of protection (in addition to victims of domestic abuse, sexual assault, or stalking, as provided in present law); (3) Revises the present law penalties for involuntary servitude. Under present law, the offense is generally a Class C felony, but is enhanced to a Class B felony if the victim was under 13 years of age. This amendment makes the enhanced penalty a Class A felony instead of Class B felony, and makes it applicable if the victim was under 18 years of age; (4) Establishes an enhanced penalty of a Class A felony for trafficking for forced labor or services if the victim was a minor. Under present law, the offense is generally punished as a Class C felony; (5) Revises the penalty for trafficking for a commercial sex act. Under present law, the offense is a Class B felony, except that it is a Class A felony where the victim of the offense is a child under 15 years of age, or where the offense occurs on the grounds or facilities or within 1,000 feet of a public or private school, secondary school, preschool, child care agency, public library, recreational center, or public park. This amendment removes the enhanced penalty for offenses that occur in the specified locations, and makes the Class A felony applicable to cases where the victim was a minor; and (6) Revises the penalty for promoting prostitution. Under present law, the offense is generally a Class E felony; however, promoting prostitution is punishable the same as trafficking for a commercial sex act (see (5) above) if the person being promoted is less than 18 years of age and is a Class D felony if the person being promoted has an intellectual disability. This amendment rewrites the enhanced penalty provision to make the offense a Class A felony if the victim is a minor or a person with an intellectual disability. House amendment 1 (016005) revises the present law penalty for patronizing prostitution. Under present law, the offense is generally a Class A misdemeanor; however, patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability is punishable the same as trafficking for a commercial sex act. This amendment rewrites the enhanced penalty provision to make the offense a Class A felony if the victim is a minor or a person with an intellectual disability. This amendment adds that the enhanced penalty will also apply in cases of patronizing prostitution from a person who is a law enforcement officer posing as a minor.

*Senate Status:* 04/27/22 - Senate concurred in House amendment 1 (016005).

*House Status:* 04/25/22 - House passed with amendment 1 (016005).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1115 effective July 1, 2022.

*Public Chapter:* PC1115.pdf

### **SB2445/HB2677 Coercion of employee in performance of their official duties.**

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

*Summary:* Creates an offense of an employer influencing or attempting to influence an employee who is a public servant in the performance of their official duties as a public servant by means of coercion. Specifies that a violation is a Class E felony. Creates a cause of action against the employer for unlawful discharge of an employee who is a public servant.

*Amendment Summary:* Senate amendment 1 (015810) limits the conduct that would be a Class E felony under this bill to an employer, or an agent of an employer acting on behalf of the employer, by means of coercion: (1) Influencing or attempting to influence an employee who is a public servant to vote or not to vote in a particular manner; or (2) Influencing or attempting to influence an employee who is a public servant to resign as a public servant or unnecessarily recuse themselves from a public body with the intent to influence the action or inaction of a public body.

*Senate Status:* 04/06/22 - Senate passed with amendment 1 (015810).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/06/22 - Enacted as Public Chapter 1142 effective July 1, 2022.

*Public Chapter:* PC1142.pdf

**SB2535/HB2789 Definition of "distribute" pertaining to unlawful exposure.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Shaw, Johnny

*Summary:* Defines "distribute" in regard to the offense of unlawful exposure as transmit, sell, publish, post, display, or disseminate an image by use of a telecommunication device or otherwise. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014165) adds distributing an image of an identifiable person engaged in sexually explicit conduct to the definition of the offense of unlawful exposure. Defines "identifiable person" in this context as a person who is identifiable from the image itself or from information transmitted in connection with the image.

*Senate Status:* 03/14/22 - Senate passed with amendment 1 (014165).

*House Status:* 04/11/22 - House passed.

*Executive Status:* 05/02/22 - Enacted as Public Chapter 0923 effective July 1, 2022.

*Public Chapter:* PC923.pdf

**SB2682/HB2271 Expands crimes subject to judicial forfeiture.**

*Sponsors:* Sen. Rose, Paul , Rep. Ogles, Brandon

*Summary:* Expands the offenses for which certain items may be seized utilizing criminal asset forfeiture to include aggravated rape of a child, rape of a child, aggravated rape, rape, and commission of an act of terrorism.

*Amendment Summary:* Senate amendment 1 (014773) expands the list of offenses for which certain items may be seized utilizing criminal asset forfeiture to include: (1) aggravated kidnapping; (2) especially aggravated kidnapping; (3) aggravated rape of a child; (4) rape of a child; (5) aggravated rape; (6) rape; and (7) and the commission of an act of terrorism. House amendment 1 (016907) adds the following to the list of offenses the commission of which subject certain items to forfeiture: kidnapping and, if the bill creating these offenses becomes law, especially aggravated rape, especially aggravated rape of a child, and grave torture. This amendment also revises the present law provision regarding disposition of forfeited property. Under present law, all property ordered forfeited must be sold at public auction. The proceeds from all property forfeited and sold at public auction are disposed of by the court as follows: (1) The attorney general is first compensated for all expenses incident to the litigation, as approved by the court. Any such costs for appeals shall be provided for by the trial court upon conclusion of the litigation; (2) The attorney general then directs that any public agency be reimbursed for out-of-pocket expenses resulting from the investigation, seizure and storage of the forfeited property; and (3) If any property seized and ordered forfeited was taken from the lawful owner through theft or fraud, then the property is returned to the lawful owner, or restitution provided, as the court determines. This amendment revises the above provisions to instead provide the following: (1) If the property seized and ordered forfeited was taken from the lawful owner through theft or fraud, then the property shall be returned to the lawful owner, or restitution provided, as the court determines; (2) If the defendant owes restitution, the proceeds must first be directly applied to satisfy any judgments against the defendant for restitution in favor of the victim; (3) Then the attorney general will be compensated for all expenses incident to the litigation, as approved by the court. Any such costs for appeals shall be provided for by the trial court upon conclusion of the litigation; and (4) The attorney general will then direct that any public agency be reimbursed for out-of-pocket expenses

resulting from the investigation, seizure, and storage of the forfeited property. House amendment 2 (017344) clarifies that especially aggravated rape, especially aggravated rape of a child, and grave torture will be added on the day following the effective date of the bill creating those offenses, if that bill becomes law.

*Senate Status:* 04/14/22 - Senate concurred in House amendment 1 (016907) and amendment 2 (017344).

*House Status:* 04/11/22 - House passed with amendment 1 (016907) and amendment 2 (017344).

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0982 effective July 1, 2022.

*Public Chapter:* PC982.pdf

**SB2683/HB2269 Sentencing for person convicted of first degree murder in the perpetration of rape of a child.**

*Sponsors:* Sen. Rose, Paul , Rep. Ogles, Brandon

*Summary:* Requires that a person convicted of first degree murder for the killing of another in the perpetration or attempted perpetration of aggravated rape, rape, rape of a child, and aggravated rape of a child be sentenced to death or life in prison without parole.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0718 effective July 1, 2022.

*Public Chapter:* PC718.pdf

**SB2719/HB1878 Sex offender registration fees to be used for investigation of sexual offenses.**

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

*Summary:* Expands the uses of sex offender registration fees available to the registering agency to include the investigation of sexual offenses and the purchase of specialized equipment for use in the investigation of sexual offenses in addition to paying the administrative costs of the sexual offender registry.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 04/11/22 - House passed.

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0931 effective April 29, 2022.

*Public Chapter:* PC931.pdf

**SB2739/HB2591 Resources for victims of child sex trafficking.**

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

*Summary:* Requires DCS in conjunction with the department of human services to work with private, nonprofit community partners, to provide care and establish a network of resource centers to support persons 18-24 who are victims of child sex trafficking. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015911) rewrites the bill to require the department of children's services and the department of human services to collaborate to provide recommendations to the general assembly on resources and services specific to persons from 18 to 24 years of age who have been victims of child sex trafficking. Recommendations must be submitted to the judiciary committee of the senate and civil justice committee of the house by March 1, 2023.

*Senate Status:* 04/14/22 - Senate passed with amendment 1 (015911).

*House Status:* 04/18/22 - House passed.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0983 effective May 3, 2022.

*Public Chapter:* PC983.pdf

**SB2740/HB2592 Providing of services to children who have been sexually abused or trafficked.**

*Sponsors:* Sen. White, Dawn , Rep. Rudder, Iris

*Summary:* Requires DCS, human trafficking advisory council, joint task force on children's justice and child sexual abuse, and the council of juvenile and family court judges to work together with other appropriate public and private groups, including Tennessee Counter Trafficking Alliance agencies, to develop a mechanism to identify and provide services to children involved with the juvenile justice system who have been sexually abused or trafficked for commercial sex acts. Services must be accessible to a child identified as a victim, regardless of status of the proceedings in the juvenile court. Services must not be contingent on the child's participation in another program. The plan for establishing services must be included in the comprehensive state plan. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015904) permits the district attorneys general conference to work with the Tennessee bureau of investigation, the department of children's services, the Tennessee Sheriffs' Association, the Tennessee Association of Chiefs of Police, and the Children's Advocacy Centers of Tennessee to develop recommendations on the creation of multidisciplinary teams to provide responses specific to child sex trafficking cases with the purposes of these teams to enhance the services to victims of child sex trafficking, improve the coordination of investigations and the tracking of child sex trafficking cases, and identify gaps in services. Allows these entities to consult with other public and private groups, organizations, and agencies that have knowledge of the child sex trafficking population and are willing to assist in this goal. Requires the district attorneys general conference to report the recommendations to the chairs of the judiciary committee of the senate and the criminal justice committee and the children and family affairs subcommittee of the house of representatives by January 15, 2023. Adds the district attorneys general conference to the list of agencies working to fulfill requirements involving child sex abuse.

*Senate Status:* 04/14/22 - Senate passed with amendment 1 (015904).

*House Status:* 04/18/22 - House passed.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0984 effective May 3, 2022.

*Public Chapter:* PC984.pdf

**SB2742/HB2589 Training for police officers on child abuse and child sexual abuse identification.**

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

*Summary:* Requires full-time police officers to receive an annual in-service video training on common signs of child abuse and child sexual abuse. Includes that training shall educate how to identify children at risk for abuse and the reporting requirements. Requires POST commission to choose a nonprofit charitable organization to present the training.

*Amendment Summary:* House amendment 1 (015407) requires the Jerry F. Agee Tennessee Law Enforcement Academy (Academy), the Tennessee Peace Officer Standards and Training Commission (POST), and the Department of Children's Services (DCS) to work together in developing ways to inform and instruct appropriate local law enforcement personnel in the detection of child abuse and in the proper action that should be taken in a suspected case of child abuse.

*Senate Status:* 04/14/22 - Senate passed.

*House Status:* 04/04/22 - House passed with amendment 1 (015407).

*Executive Status:* 05/09/22 - Enacted as Public Chapter 0995 effective May 4, 2022.

*Public Chapter:* PC995.pdf

**SB2793/HB2113 Training for personnel to identify human trafficking victims.**

*Sponsors:* Sen. Massey, Becky , Rep. Eldridge, Rick

*Summary:* Requires the department of human services, the department of mental health and substance abuse services, and department of correction to work with a nonprofit organization to provide annual training to appropriate department personnel on human trafficking prevention and protocol. Mandated training includes education about identification, intervention, prevention, and treatment of human trafficking victims, and the proper actions when dealing with a known or suspected victim of human trafficking. Broadly captioned.

*Amendment Summary:* House amendment 1 (015954) requires the Department of Correction (DOC), the Department of Mental Health and Substance Abuse Services (DMHSAS), and the Department of Human Services (DHS) to work with a nonprofit charitable organization to provide mandatory annual training in the identification, intervention, prevention, and treatment of human trafficking victims, and the proper action that should be taken when dealing with a known or suspected victim of human trafficking. Requires each Department's selected training be submitted to the Tennessee Bureau of Investigation's (TBI) Human Trafficking Advisory Council for approval. Effective January 1, 2023.

*Senate Status:* 04/06/22 - Senate passed.

*House Status:* 03/28/22 - House passed with amendment 1 (015954).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0842 effective April 20, 2022.

*Public Chapter:* PC842.pdf

#### **SB2841/HB2244 Due date for TBI report on crimes occurring on higher education campuses.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ogles, Brandon

*Summary:* Updates, from April 30 to June 1, the date by which the TBI must submit its annual report on crime statistics for crimes occurring on the campus and in student housing of each institution of higher education to the governor, the senate state and local government and education committees, and the house of representatives state government and education administration committees.

*Amendment Summary:* Senate amendment 1 (016649) creates Class A felony offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture. Requires individuals convicted to be sentenced to life without possibility of parole. Requires sentence for a juvenile convicted to be as a Range III offender. Authorizes an individual convicted of grave torture be sentenced to death upon following either the issuance of the judgement in a decision of the United States Supreme Court overruling, in whole or in part, Kennedy v. Louisiana, 554 U.S. 407 (2008), allowing the use of the death penalty for such an offense or ratification of an amendment to the Constitution of Tennessee approving the use of the death penalty for such offense. House amendment 1 (016271) creates Class A felony offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture. Requires individuals convicted to be sentenced to life without possibility of parole. Requires sentence for a juvenile convicted to be as a Range III offender. Authorizes an individual convicted of grave torture be sentenced to death upon following either the issuance of the judgement in a decision of the United States Supreme Court overruling, in whole or in part, Kennedy v. Louisiana, 554 U.S. 407 (2008), allowing the use of the death penalty for such an offense or ratification of an amendment to the Constitution of Tennessee approving the use of the death penalty for such offense.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (016649), which creates Class A felony offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture. Requires individuals convicted to be sentenced to life without possibility of parole. Requires sentence for a juvenile convicted to be as a Range III offender. Authorizes an individual convicted of grave torture be sentenced to death upon following either the issuance of the

judgement in a decision of the United States Supreme Court overruling, in whole or in part, Kennedy v. Louisiana, 554 U.S. 407 (2008), allowing the use of the death penalty for such an offense or ratification of an amendment to the Constitution of Tennessee approving the use of the death penalty for such offense.

*House Status:* 04/27/22 - House concurred in Senate amendment 1 (016649).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1062 effective July 1, 2022.

*Public Chapter:* PC1062.pdf

## **EDUCATION**

### **SB1670/HB2341 Training for school personnel on human trafficking.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Carringer, Michele

*Summary:* Requires that all school personnel, not only teachers, be trained at least once every three years on the detection, intervention, prevention, and treatment of human trafficking in which the victim is a child.

*Amendment Summary:* House amendment 1 (014893) expands the list of individuals employed by a local board of education that are required to receive in-service training on the detection, intervention, prevention, and treatment of human trafficking in which the victim is a child to all school personnel.

*Senate Status:* 04/21/22 - Senate concurred in House amendment 1 (014893).

*House Status:* 04/18/22 - House passed with amendment 1 (014893).

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1021 effective July 1, 2022.

*Public Chapter:* PC1021.pdf

### **SB1775/HB1676 Adoption of academic standards by state board of education.**

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

*Summary:* Allow the state board of education to reject or revise, instead of only adopt, the standards recommended to the board for adoption by the standards recommendation committees.

*Amendment Summary:* House amendment 1 (013432) authorizes the State Board of Education to reject or make technical non-substantive revisions to the subject area standards recommended by the standards recommendation committees.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 02/14/22 - House passed with amendment 1 (013432).

*Executive Status:* 03/21/22 - Enacted as Public Chapter 0660 effective March 16, 2022.

*Public Chapter:* PC660.pdf

### **SB1776/HB1840 Recognition as a Tennessee Tri-Star scholar.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Hawk, David

*Summary:* Includes students who fulfill the requirements of the Tennessee work ethic distinction program to receive recognition as a Tennessee Tri-Star scholar.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 02/28/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0702 effective March 18, 2022.

*Public Chapter:* PC702.pdf

### **SB1784/HB1667 Creates position of Tennessee state library coordinator.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Whitson, Sam

*Summary:* Creates a Tennessee state library coordinator position within the department of education. Establishes the duties of the Tennessee state library coordinator, including assisting school librarians in implementing the department's strategic plan and student literacy and digital citizenship initiatives and consulting and training school librarians to strengthen school library programs for students in grades K-12.

*Amendment Summary:* House amendment 1 (013337) removes the requirement that the coordinator address inequities in the staffing of school libraries and report to the commissioner when additional resources are needed.

*Senate Status:* 04/27/22 - Senate passed.

*House Status:* 04/25/22 - House passed with amendment 1 (013337).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1048 effective May 25, 2022.

*Public Chapter:* PC1048.pdf

### **SB1825/HB1669 THEC report on food insecurity as higher education institutions.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Jernigan, Darren

*Summary:* Requires the Tennessee higher education commission to submit a report to the governor and speakers of the senate and house by December 31, 2023, that identifies issues of food insecurity among students at public institutions of higher education in this state and that identifies and describes the efforts of the institutions to address food insecurity among students.

*Senate Status:* 04/04/22 - Senate passed.

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0829 effective April 19, 2022.

*Public Chapter:* PC829.pdf

### **SB1838/HB1838 Appointing authority for state board of education.**

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

*Summary:* Revises the legislative confirmation process for the nine-member state board of education appointed after July 1, 2022. After such time, requires the speaker of the house, the speaker of the senate and the governor to appoint three members each, according to specific congressional districts. Clarifies confirmation process timeline.

*Amendment Summary:* Senate amendment 1 (015092) revises the present law requirement that at least three members of the state board of education be appointed from both majority and minority parties to instead require that each appointing authority appoint at least one member from the minority party. This amendment revises the congressional division so that the speaker of the senate will appoint members representing the third, fourth, and seventh districts; the speaker of the house will appoint members representing the second, sixth, and eighth districts; and the governor will represent members representing the first, fifth, and ninth districts. This amendment revises the confirmation provisions to specify that the governor's appointees, except for the public high school member, are subject to confirmation by joint resolution of the senate and the house; the senate speaker's appointees will be subject to confirmation by resolution of the senate; and the house speaker's appointees will be subject to confirmation by resolution of the house. This amendment provides that the public high school student member may immediately begin serving the term for which the student was appointed. The student member's appointment will terminate after one year and if the student is a junior in high school at the time of the student's initial appointment, then the governor may reappoint the student to an additional one year-term if the student is of a superlative standing and a senior in a public high school in this state.



*Senate Status:* 03/17/22 - Senate passed with amendment 1 (015092).  
*House Status:* 03/24/22 - House concurred in Senate amendment 1 (015092).  
*Executive Status:* 05/09/22 - Enacted as Public Chapter 0987 effective July 1, 2022.  
*Public Chapter:* PC987.pdf

**SB1847/HB1844 Economic Education Month.**

*Sponsors:* Sen. Watson, Bo , Rep. Baum, Charlie  
*Summary:* Designates the month of October as "Economic Education Month" in Tennessee.  
*Senate Status:* 02/14/22 - Senate passed.  
*House Status:* 02/07/22 - House passed.  
*Executive Status:* 03/07/22 - Enacted as Public Chapter 0624 effective March 1, 2022.  
*Public Chapter:* PC624.pdf

**SB1861/HB1895 Participation in school sports - determination of gender.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ragan, John  
*Summary:* Empowers the commissioner of education to withhold state funds from otherwise eligible LEAs should they refuse or fail to comply with current law regarding determination of a student's gender for purposes of student participation in sports. Obligates schools to abide by specific requirement to determine a student's gender for participation in sports, by reporting sex at time of birth. Specifies that this section does not apply to an LEA that fails or refuses to comply with these requirements in response to a court or other legally binding order that prohibits the LEA from complying.  
*Senate Status:* 04/11/22 - Senate passed.  
*House Status:* 03/31/22 - House passed.  
*Executive Status:* 04/29/22 - Enacted as Public Chapter 0909 effective April 22, 2022.  
*Public Chapter:* PC909.pdf

**SB1863/HB1901 Authority of commissioner to issue temporary teaching permits.**

*Sponsors:* Sen. Hensley, Joey , Rep. Weaver, Terri  
*Summary:* Authorizes the commissioner of education to issue temporary endorsement exemptions and temporary teaching permits for teachers whose licenses do not carry the necessary subject-specific endorsement to teach a course or subject area for which an end-of-course assessment is required. The director of schools or the director of a public charter school who requests an exemption must certify to the commissioner that the LEA or public charter school is unable to obtain a qualified teacher. Prohibits exemptions for physical and special education courses. Effective for the 2022-2023 school year and subsequent school years.  
*Amendment Summary:* House amendment 1 (013995) deletes the State Board of Education's (SBE) emergency rules on the issuance of temporary permits and endorsement exemptions. Authorizes the Commissioner of the Department of Education (DOE) to issue certain temporary permits and endorsement exemptions for individuals to teach in the 2022-23 and 2023-24 school year. Requires DOE to report to the Education Committees of the Senate and the House of Representatives on the number of endorsement exemptions and temporary permits issued at the end of the 2021-22, 2022-23, and 2023-24 school years.  
*Senate Status:* 04/11/22 - Senate passed.  
*House Status:* 03/21/22 - House passed with amendment 1 (013995).  
*Executive Status:* 05/03/22 - Enacted as Public Chapter 0932 effective April 29, 2022.

**SB1864/HB1899 Practitioner license for persons with valid temporary teaching permit.**

*Sponsors:* Sen. Hensley, Joey , Rep. Weaver, Terri

*Summary:* Allows teachers who hold a temporary teaching permit to apply to the department of education for a practitioner license to continue teaching the course pursuant to their permit. Teachers must apply before the permit expires. The department of education will approve on the condition that the permit is valid, the teacher is performing at or above expected level, and the teacher can provide a letter of recommendation from the school in which they taught. Excludes teachers with a permit to pursue a practitioner license in a physical education class, a course requiring a final exam, or a special education course.

*Amendment Summary:* Senate amendment 1 (014660) rewrites this bill to allow a teacher holding the teacher's second or third teaching permit to apply to the department of education for a limited license to continue teaching the course or subject area taught pursuant to the teacher's current temporary permit. Under this amendment, the department must approve a teacher's application for a limited license to continue teaching the course or subject area taught pursuant to the teacher's temporary permit if the teacher: (A) Holds a valid temporary teaching permit; (B) Earned a level of overall effectiveness score of "above expectations" or "significantly above expectations" on the teacher's most recent evaluation; (C) Provides a recommendation from the director of schools or from the director of the public charter school at which the teacher taught pursuant to the teacher's temporary permit recommending that the teacher receive a limited license with the endorsement issued pursuant to the teacher's temporary permit; and (D) Agrees, in writing, to begin a pathway approved by the state board for transitioning educators from a limited license to a practitioner license. Limited licenses will be valid for two school years and will not be renewable. A teacher who holds a temporary permit may not receive a limited license to teach: (A) A physical education class; (B) A course for which an end-of-course examination is required; or (C) A special education course. This bill requires the state board of education to promulgate rules to effectuate the purposes of this amendment, including rules to establish requirements for limited licensure issuance and a pathway for a teacher who possesses a limited license to obtain a practitioner license. This amendment sets out in detail more specific requirements for the rules regarding the pathway.

*Senate Status:* 04/11/22 - Senate passed with amendment 1 (014660).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/01/22 - Enacted as Public Chapter 1093 effective May 27, 2022.

*Public Chapter:* PC1093.pdf

**SB1887/HB1912 Remote classroom instruction.**

*Sponsors:* Sen. Southerland, Steve , Rep. Faison, Jeremy

*Summary:* Allows for local education agencies to utilize up to 10 instructional days of the required 180 instructional days to be remote learning in the event of extreme weather or an illness outbreak. Authorizes LEAs to utilize these remote instructional days during end-of-course assessments or other required assessments. Requires kindergarten students to receive at least four hours of instruction each day and grades 1-12 at least six and one half hours of instruction each day. LEAs must receive visual, oral, or written confirmation of a student's attendance in compliance with state attendance and truancy laws.

*Amendment Summary:* Senate amendment 1 (014797) reduces from 10 to two the number of remote instruction days that this bill would authorize and deletes the requirements that LEAs make school meals and IEP-related services available on days that remote instruction is provided pursuant to this bill.

*Senate Status:* 03/24/22 - Senate passed with amendment 1 (014797).  
*House Status:* 04/07/22 - House passed.  
*Executive Status:* 04/26/22 - Enacted as Public Chapter 0897 effective April 19, 2022.  
*Public Chapter:* PC897.pdf

**SB1888/HB1891 Reporting required by coordinated school health program.**

*Sponsors:* Sen. Hensley, Joey , Rep. Haston, Kirk  
*Summary:* Requires the coordinated school health program to submit a mid-year report to the department of education to determine if funds within the program should be reallocated or diverted.  
*Amendment Summary:* Senate amendment 1 (015452) requires each coordinated school health program to submit a mid-year budget report to the Department of Education (DOE). Requires DOE to divert any released funds by such programs back to the coordinated school health grant program’s general fund. Requires DOE to reallocate diverted funds to coordinated school health programs that request additional allocations by the end of the current fiscal year. Establishes the repeal date of July 1, 2023, but only if Senate Bill 2396 / House Bill 2143 becomes law.  
*Senate Status:* 04/11/22 - Senate passed with amendment 1 (015452).  
*House Status:* 04/11/22 - House passed.  
*Executive Status:* 04/29/22 - Enacted as Public Chapter 0913 effective July 1, 2022.  
*Public Chapter:* PC913.pdf

**SB1890/HB1860 Performance measures used by LEAs and public charter schools.**

*Sponsors:* Sen. Hensley, Joey , Rep. Haston, Kirk  
*Summary:* Beginning with the 2022-2023 school year, specifies that LEAs and public charter schools may allow teachers to use the results from benchmark assessments including, but not limited to, state-adopted benchmark assessments or a universal screener approved by the state board of education, as a measure of student achievement. Allows LEAs, schools, and public charter schools to use the results from benchmark assessments, including, but not limited to, state-adopted benchmark assessments or a universal screener approved by the state board of education, to measure student performance and growth.  
*Amendment Summary:* Senate amendment 1 (014515) allows for local education agencies and public charter schools to allow teachers to use results from previous benchmark assessments including state-adopted benchmark assessments or a state board approved universal screener as a measure of student achievement beginning in the 2022-2023 school year.  
*Senate Status:* 03/10/22 - Senate passed with amendment 1 (014515).  
*House Status:* 04/11/22 - House passed.  
*Executive Status:* 04/29/22 - Enacted as Public Chapter 0914 effective April 27, 2022.  
*Public Chapter:* PC914.pdf

**SB1958/HB1930 The Ticket Program as part of student discipline.**

*Sponsors:* Sen. Gilmore, Brenda , Rep. Cooper, Barbara  
*Summary:* Allows a local board of education or a charter school governing body to implement The Ticket Program as part of the local board of education's or the charter school governing body's discipline policy as required and guided by state law.  
*Amendment Summary:* Senate amendment 1 (016070) authorizes a local board of education or charter school governing body to implement certain behavioral modification systems such as “The Ticket Program” as part of a school’s discipline policy.

*Senate Status:* 03/31/22 - Senate passed with amendment 1 (016070).  
*House Status:* 04/07/22 - House concurred in Senate amendment 1 (016070).  
*Executive Status:* 05/03/22 - Enacted as Public Chapter 0934 effective April 29, 2022.  
*Public Chapter:* PC934.pdf

**SB1980/HB2019 University of Tennessee Southern.**

*Sponsors:* Sen. Hensley, Joey , Rep. Doggett, Clay  
*Summary:* Establishes a new campus of the University of Tennessee in Giles County to be named the University of Tennessee Southern. Requires that the University of Tennessee Southern be added to the student member position annual rotation for the Board of Trustees. Establishes an advisory board for the new campus on July 1, 2022.  
*Senate Status:* 02/24/22 - Senate passed.  
*House Status:* 02/28/22 - House passed.  
*Executive Status:* 03/21/22 - Enacted as Public Chapter 0648 effective March 15, 2022.  
*Public Chapter:* PC648.pdf

**SB1986/HB2000 Revises mandatory evaluation criteria for teachers.**

*Sponsors:* Sen. Rose, Paul , Rep. Cochran, Mark  
*Summary:* Revises the mandatory evaluation criteria for teachers who do not have access to individual student growth data representative of student growth due to the first year of implementation and assessment of new academic standards in the grade and subject taught by the teacher.  
*Amendment Summary:* Senate amendment 1 (014937) rewrites this bill to provide that if a teacher, for the current evaluation year, does not have access to individual growth data representative of student growth due to changes in academic standards or assessment design requiring standards validation or standards setting in the teacher's content or subject area, then 15 percent of the teacher's evaluation criteria must be comprised of student achievement data based on other measures of student achievement and 85 percent must be comprised of scores derived from the state board approved evaluation model for the qualitative portion of the teacher's evaluation unless using the evaluation criteria outlined in present law (described above in the bill summary) results in a higher final evaluation score for the teacher.  
*Senate Status:* 03/28/22 - Senate passed with amendment 1 (014937).  
*House Status:* 04/27/22 - House passed.  
*Executive Status:* 06/01/22 - Enacted as Public Chapter 1096 effective May 27, 2022.  
*Public Chapter:* PC1096.pdf

**SB1995/HB2028 Student discipline - withholding of student's phone.**

*Sponsors:* Sen. Bell, Mike , Rep. Hall, Mark  
*Summary:* Authorizes a local school board or charter school governing body to implement a code of conduct or discipline policy permitting teachers to take a student's phones for the duration of instructional time when the phone is distracting the student or class.  
*Senate Status:* 02/28/22 - Senate passed.  
*House Status:* 03/07/22 - House passed.  
*Executive Status:* 04/04/22 - Enacted as Public Chapter 0707 effective March 18, 2022.  
*Public Chapter:* PC707.pdf

**SB2003/HB1848 Compensation of county school board members to be included in school district budget.**

*Sponsors:* Sen. Bell, Mike , Rep. Howell, Dan  
*Summary:* Requires the compensation of county school board members to be included in the school district budget submitted to the county legislative body instead of being fixed by the county legislative body. Specifies that a county school board member's compensation may not be reduced from the prior year.  
*Amendment Summary:* House amendment 1 (013144) requires that the compensation of members of the county board for the members' services when attending regular and special meetings and discharging the duties shall not exceed the compensation fixed for members of the county legislative body and must be included in the school district budget submitted to the county legislative body, and a school board member's compensation shall not be reduced from the prior year. Requires the county trustee shall not pay a voucher issued to members unless the voucher has been approved by the county mayor. Requires a board member shall not receive less than \$4.00 per day for the member's services.  
*Senate Status:* 03/03/22 - Senate passed.  
*House Status:* 02/28/22 - House passed with amendment 1 (013144).  
*Executive Status:* 03/30/22 - Enacted as Public Chapter 0670 effective July 1, 2022.  
*Public Chapter:* PC670.pdf

**SB2017/HB2088 Operation of a training school for Pre-k through grade 12 by state colleges.**

*Sponsors:* Sen. Lundberg, Jon , Rep. White, Mark  
*Summary:* Removes the exclusion that state colleges or universities may only contract with a local school board within the county or city in which the state college or university is located to operate a training school for pre-kindergarten through grade 12; authorizes state colleges or universities to contract with the state board of education to operate a training school. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (013390) rewrites the bill so that it only amends the present law provision described above in the bill summary whereby an institution, acting through its governing board, may contract with the local board of education in the county or city in which the college or university is located to provide for the teaching of the children of public school age in the training school to allow a contract with any county or city board of education instead of only the local board in the county or city in which the institution is located.  
*Senate Status:* 03/03/22 - Senate passed with amendment 1 (013390).  
*House Status:* 03/17/22 - House passed.  
*Executive Status:* 04/04/22 - Enacted as Public Chapter 0760 effective March 31, 2022.  
*Public Chapter:* PC760.pdf

**SB2019/HB2094 Notice regarding board change in tenure policy.**

*Sponsors:* Sen. Lundberg, Jon , Rep. White, Mark  
*Summary:* Requires the board of regents and a state university board to notify the faculty at the respective institution of any change in the board's tenure policy.  
*Amendment Summary:* Senate amendment 1 (014298) rewrites this bill and revises various provisions governing the Tennessee student assistance corporation (TSAC) and financial aid, as follows: (1) Adds as duty of TSAC, to review and evaluate the administration of each financial assistance program at participating postsecondary institutions to ensure the programs are administered pursuant to applicable laws, rules, and regulations; (2) Clarifies the duty of TSAC to administer the Tennessee academic scholars program for students enrolled in an eligible program of study in accordance with guidelines approved by the Tennessee student assistance corporation; this

amendment removes the present law provision for those guidelines being "recommended by THEC"; (3) Removes the present law authorization for TSAC to promulgate rules and regulations to determine whether licensed lawyers or persons licensed by any state agency are delinquent or in default on student loans and notifying the supreme court if the debtor is delinquent or in default; (4) Revises a provision of the loan-scholarship program for graduate students in professional nursing. Under present law, for each year of continuous full-time teaching service in a nursing school in this state that has been approved by the state board of nursing in this state, the student receives a credit of 25 percent of the amount borrowed plus interest, or proportionate credit for part-time teaching service as defined by rules. This amendment revises this provision to instead provide that students who teach full-time in a nursing school in this state who have been approved by the state board of nursing, will receive forgiveness of the loan balance based on one year's teaching service for each year the scholarship was awarded, or proportionate credit for part-time teaching service, as defined by rules; (5) Revises a provision of the Dependent Children Scholarship Act. Under present law, eligible applicants may receive an award for full-time postsecondary undergraduate or vocational study at an eligible educational institution. This amendment revises this provision to instead provide for awards for full-time postsecondary undergraduate or vocational study in an eligible program of study at an eligible postsecondary institution (defined the same as for lottery scholarship purposes). Under this amendment, "eligible program of study" means, beginning with the fall semester of the 2022-2023 academic year: (A) A curriculum of courses leading to a certificate or diploma at a Tennessee college of applied technology; or (B) A federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or an associate or baccalaureate degree at an eligible postsecondary institution; (6) Revises a provision of the minority teaching fellows program. Under present law, recipients must maintain continuous enrollment in a "degree program" leading to licensure as a teacher in a higher education institution within this state with an educator preparation program approved by the state board of education. This amendment revises this provision to instead require enrollment in an "eligible program of study," which means a curriculum of courses leading to a certificate or diploma at a Tennessee college of applied technology or a federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or an associate or baccalaureate degree at an eligible postsecondary institution; (7) Adds that, for purposes of the Tennessee Promise Scholarship, "eligible high school" includes a high school located in a neighboring state in a county contiguous to this state; (8) Includes, as an eligible program of study for purposes of the Tennessee Promise Scholarship, a curriculum of courses leading to a certificate or diploma at a Tennessee college of applied technology (in addition to a federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or associate degree at an eligible postsecondary institution. This amendment specifies that the term does not include courses taken at a four-year postsecondary institution prior to a student's admission in, or that were taken by a student to fulfill prerequisite requirements for, a curriculum of courses described in present law and this amendment in regard to an eligible program of study. This amendment revises the definitions for "certificate or diploma" and "eligible program of study" to reflect the inclusion of a curriculum of courses leading to a certificate or diploma at a Tennessee college of applied technology in addition to a federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or an associate or baccalaureate degree at an eligible postsecondary institution; (9) Specifies, for purposes of the Tennessee HOPE foster child tuition grant, that a student must be admitted to, and enroll in, an eligible program of study at an eligible postsecondary institution as a part-time or full-time student; and specifies, for purposes of the Helping Heroes grant, that the veteran must be admitted to, and enroll in, an eligible program of study at an eligible postsecondary institution seeking an associate or

baccalaureate degree; (10) Removes the requirement, for continued eligibility for a Tennessee reconnect grant, that the student participate in a college success program through the Tennessee reconnect community initiative as created by the Tennessee higher education commission; and (11) Revises the terminating events for the Tennessee reconnect grant. Under present law, a student may continue to receive a Tennessee reconnect grant until the occurrence of the first of the following events: (A) The student has attained a degree or certificate in an eligible program of study; or (B) Five years have passed since the date of "initial enrollment as a Tennessee reconnect grant student," exclusive of any approved leaves of absence. This amendment revises this provision to instead provide for a terminating event of five years having passed since the date of "the student's enrollment in a term in which the student receives the student's first Tennessee reconnect grant," excluding any approved leave of absence.

*Senate Status:* 04/11/22 - Senate passed with amendment 1 (014298).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1107 effective July 1, 2022.

*Public Chapter:* PC1107.pdf

### **SB2081/HB2226 Amount awarded each semester for middle college scholarships.**

*Sponsors:* Sen. Yager, Ken , Rep. Powers, Dennis

*Summary:* Increases the amount awarded each semester to full-time students receiving the middle college scholarship from \$1,250 to \$1,625.

*Amendment Summary:* Senate amendment 1 (018158) increases to \$2,000 the amount awarded each semester to a full-time student receiving the middle college scholarship.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (018158).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/01/22 - Enacted as Public Chapter 1101 effective May 27, 2022.

*Public Chapter:* PC1101.pdf

### **SB2099/HB1935 Educator's Bill of Rights.**

*Sponsors:* Sen. Pody, Mark , Rep. Reedy, Jay

*Summary:* Renames the "Teacher's Bill of Rights" under TCA 49-5-209 as the "Educator's Bill of Rights."

*Senate Status:* 03/14/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 03/30/22 - Enacted as Public Chapter 0682 effective March 28, 2022.

*Public Chapter:* PC682.pdf

### **SB2100/HB1687 Dismissal of teacher - notice requirements.**

*Sponsors:* Sen. Pody, Mark , Rep. Reedy, Jay

*Summary:* Requires a local board of education to state in its written notice to a teacher who is dismissed or whose contract is not reelected by the board that the only reason for the teacher's dismissal or non-reelection is a loss of funding for the position, if that is the reason for the teacher's dismissal or non-reelection. Broadly captioned.

*Senate Status:* 03/14/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 03/30/22 - Enacted as Public Chapter 0678 effective March 28, 2022.

**SB2120/HB1875 Ex officio members of state board of education and THEC.**

*Sponsors:* Sen. Powers, Bill , Rep. Holsclaw, Jr., John

*Summary:* Authorizes the executive director of the Tennessee higher education commission to appoint a designee to serve in the executive director's stead on the state board of education. Authorizes the executive director of the state board of education to appoint a designee to serve in the executive director's stead on the Tennessee higher education commission.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0737 effective March 24, 2022.

*Public Chapter:* PC737.pdf

**SB2153/HB2316 Gender and participation in public higher education sports.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ragan, John

*Summary:* Prohibits males from partaking in intercollegiate or intramural athletic teams or sports in higher education that are designated for females. Creates a cause of action in instances of violation of said policy by a public school, if the violation deprives a student of an athletic opportunity or causes direct or indirect harm to the student. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014924) deletes the private cause of action on behalf of a student who is denied an athletic opportunity or suffers harm resulting from an institution of higher education allowing males to participate in female athletic teams or sports in violation of this bill.

*Senate Status:* 04/11/22 - Senate passed with amendment 1 (014924).

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/09/22 - Enacted as Public Chapter 1005 effective July 1, 2022.

*Public Chapter:* PC1005.pdf

**SB2154/HB2108 Deadlines for school instructional materials to be aligned with academic standards.**

*Sponsors:* Sen. Hensley, Joey , Rep. Moody, Debra

*Summary:* Requires that all math, science, and social studies textbooks and instructional materials be aligned to state academic standards over a three year period, beginning January 1, 2023. Assigns a set deadline for each subject area. Prohibits the state board of education from granting waivers for textbooks or instructional materials that are not aligned to state academic standards by the date prescribed.

*Amendment Summary:* House amendment 1 (014066) changes the dates referenced above in the bill summary from "January 1" to "July 1" of the applicable year and adds that no waivers may be granted for English language arts beginning January 1, 2023. Senate amendment 1 (016672) requires that all textbooks and instructional materials be aligned to Tennessee's academic standards by certain dates. Prohibits the State Board of Education (SBE) from granting waivers for textbooks and instructional materials that do not align with Tennessee's academic standards beginning certain dates.

*Senate Status:* 04/11/22 - Senate passed with amendment 1 (016672).

*House Status:* 04/18/22 - House concurred in Senate amendment 1 (016672).

*Executive Status:* 05/09/22 - Enacted as Public Chapter 0990 effective May 4, 2022.

*Public Chapter:* PC990.pdf



### **SB2155/HB2116 Revises the evaluation criteria for educators.**

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

*Summary:* Adjusts the evaluation criteria for teachers, changing the percentage of evaluation criteria to be comprised of student achievement data from 50 percent to 60 percent. Changes other measures of student achievement to be reported from 15 percent to 25 percent. Effective for the following three years.

*Amendment Summary:* Senate amendment 1 (016856) increases the amount that student achievement data can contribute to a teacher's observation evaluation from 50 percent to 60 percent. House amendment 1 (013881) removes the provision of this bill that would have deleted the following present law provisions: (1) The provision whereby if a teacher's or principal's student growth data reflects attainment of an achievement level of "at expectations," "above expectations," or "significantly above expectations," then the student growth data must comprise the full 50 percent student achievement data portion of the teacher's or principal's evaluation, if such use results in a higher final evaluation score for the teacher or principal; and (2) The provision whereby if an individual teacher's student growth data reflects attainment of an achievement level demonstrating an effectiveness level of "above expectations" or "significantly above expectations" then the student growth data may, at the discretion of the LEA or public charter school, and upon request of the teacher, comprise 100 percent of the teacher's final evaluation score.

*Senate Status:* 04/11/22 - Senate passed with amendment 1 (016856).

*House Status:* 04/18/22 - House concurred in Senate amendment 1 (016856).

*Executive Status:* 05/09/22 - Enacted as Public Chapter 0991 effective July 1, 2022.

*Public Chapter:* PC991.pdf

### **SB2158/HB2557 Agreements with entities that perform or fund abortions.**

*Sponsors:* Sen. Hensley, Joey , Rep. Moody, Debra

*Summary:* Prohibits an LEA or public charter school from knowingly entering into an agreement with an individual or entity that performs abortions, induces abortions, provides abortion referrals, or provides funding, advocacy, or other support for abortions.

*Senate Status:* 04/11/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0950 effective June 1, 2022.

*Public Chapter:* PC950.pdf

### **SB2163/HB2343 Requirements for educator preparation providers.**

*Sponsors:* Sen. Watson, Bo , Rep. Carringer, Michele

*Summary:* Requires educator preparation to obligate each candidate enrolled in the provider's educator preparation program to successfully complete at least one course each semester on reading instruction. Courses must teach candidates how to provide effective reading instruction. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015923) rewrites this bill and adds provisions related to literacy skill instruction and educator preparation providers, as discussed below. Under present law: (1) Beginning August 1, 2022, educator preparation providers must provide to candidates seeking licensure to teach students in grades K-3, as well as candidates seeking an instructional leader license, training on reading instruction focused primarily on the foundational literacy skills standards developed and approved in accordance with present law; and (2). Effective August

1, 2023, an applicable candidate must: (A) Provide a certificate documenting the candidate's passage of a Tennessee reading instruction test developed or identified by the department and approved by the state board that tests the candidate's knowledge of foundational literacy skills instruction; or (B) Provide evidence documenting the candidate's completion of a foundational literacy skills instruction course within the previous year. This amendment requires the department of education to report the first-time pass rate of applicable candidates on the test described above in (A) to the state board. The state board must include the first-time pass rate of applicable candidates on the test from each approved educator preparation provider in the state board's annual teacher preparation report card. Under present law, the department must develop annual performance reports for all approved educator preparation providers. This amendment requires that the report include the results of the department's review of the educator preparation provider's implementation of instruction aligned with the foundational literacy skills standards. This amendment requires the state board to publish the results of a review in the state board's annual teacher preparation report card. If the results of a review show that an educator preparation provider is not implementing instruction aligned with the foundational literacy skills standards, or is otherwise not meeting the state board's expectations, then the state board must require the provider to create and implement a correction action plan. If the provider fails to implement the corrective action plan, then the state board may revoke the state board's approval of the program. This amendment directs the department of education to require approved educator preparation providers to submit evidence to the department demonstrating that the instruction provided by the provider to candidates seeking a license to teach is aligned with all applicable foundational literacy skills standards, including, but not limited to, the foundational literacy skills standards established pursuant to present law. This amendment also requires the department of education, in coordination with the Tennessee higher education commission, to annually convene a meeting of all approved educator preparation providers responsible for managing, operating, or coordinating programs for the preparation and licensure of teachers, school leaders, and other school personnel. The purpose of the meeting is to ensure that the instruction provided to candidates in an approved educator preparation provider that is aligned with the foundational literacy skills standards established pursuant to present law is implemented cohesively and in coordination with the foundational literacy skills instruction provided to students and with all other applicable literacy standards. The department must invite LEAs and public charter schools to participate. This amendment requires participants in the meeting described above to review: high-quality instructional materials adopted by approved educator preparation providers; and modules and any other products developed to support statewide implementation of foundational literacy skills standards and instruction. This amendment requires each LEA and public charter school to annually provide approved educator preparation providers with a list of the English language arts textbooks and instructional materials adopted by the LEA or public charter school to ensure that the instruction provided by educator preparation providers is aligned with the English language arts instruction provided to students by LEAs and public charter schools.

*Senate Status:* 03/24/22 - Senate passed with amendment 1 (015923).

*House Status:* 04/18/22 - House passed.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0974 effective May 3, 2022.

*Public Chapter:* PC974.pdf

### **SB2181/HB2057 Annual reports on teacher efficacy in reading.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Ragan, John

*Summary:* Requires the TN Department of Education to report to the house and senate education committees both the number and percentages of persons licensed in the state of Tennessee to teach students K-3, and who earned, for the preceding school year an individual growth score or measure of student growth as determined by the board. Requires the department to publish the report on their website.

*Amendment Summary:* Senate amendment 1 (015140) rewrites this bill's preamble, changes references to "growth scores" in this bill to "overall performance evaluation level scores" for purposes of the annual report required by this bill, deletes the requirement that the reports include semester-by-semester letter grade distributions for professional education courses taken by K-3 public school teachers, replaces this bill's requirement that the state board revoke an educator program provider's (EPP) approval if the EPP fails to reach or exceed the expected annual reduction in the percentage of program completers scoring "below expectations" or "significantly below expectations" with authorization for the state board to place on probationary status or revoke the approval of an EPP or any other Tennessee educator issuing entity if the program fails to meet the standards established by the state board of education, and specifies that any rules promulgated by the state board pursuant to this bill must be promulgated in accordance with the Uniform Administrative Procedures Act.

*Senate Status:* 03/24/22 - Senate passed with amendment 1 (015140).

*House Status:* 04/14/22 - House passed.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0975 effective May 3, 2022.

*Public Chapter:* PC975.pdf

### **SB2216/HB2293 TSU report on progress of improvements to facilities and infrastructure.**

*Sponsors:* Sen. Briggs, Richard , Rep. Love Jr., Harold

*Summary:* Requires Tennessee State University (TSU) to annually submit a report to the governor and the members of the joint land grant institution funding ad hoc committee, detailing the progress of improvements to TSU's facilities and infrastructure and how the improvements address the needs identified in the Tennessee higher education commission's evaluation on facilities and infrastructure needs for TSU on September 1, 2021. Broadly captioned.

*Amendment Summary:* House amendment 1 (014736) requires Tennessee State University (TSU) to submit a report on or before July 2023 and annually thereafter, to the Governor and the members of the General Assembly, detailing the progress of improvements to TSU's facilities and infrastructure and how the improvements address the needs identified on September 1, 2021 in the Tennessee Higher Education Commission's evaluation on facilities and infrastructure needs related to TSU.

*Senate Status:* 04/04/22 - Senate passed.

*House Status:* 03/21/22 - House passed with amendment 1 (014736).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0836 effective April 19, 2022.

*Public Chapter:* PC836.pdf

### **SB2239/HB2582 Contact information for LEA's child abuse coordinator.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Eldridge, Rick

*Summary:* Requires LEA's and public charter schools to submit the contact information of the school's child abuse coordinator and alternate child abuse coordinator to the department of children's services at the start of each school year. Permits people to report alleged abuse from those employed or affiliated to the school directly to law enforcement and the department rather than reporting internally to the school.

*Amendment Summary:* Senate amendment 1 (013761) clarifies that child abuse reports are to be directed to the department of children's services and that the child abuse coordinators must liaison with and assist the department of children's services with investigations and information sharing.

*Senate Status:* 02/24/22 - Senate passed with amendment 1 (013761).

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0781 effective April 8, 2022.

*Public Chapter:* PC781.pdf

**SB2247/HB2666 Proposed textbook and instructional materials list provided to general assembly.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Sexton, Cameron

*Summary:* Requires the state textbook and instructional materials quality commission to provide a copy of the commission's proposed textbook and instructional materials list to the general assembly. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (016604) rewrites this bill to expand the membership of the state textbook and instructional materials quality commission. This amendment requires the commission to expand its review process to include books and other educational materials to be placed in public school libraries. Present law establishes the 10-member state textbook and instructional materials quality commission. The commission presently consists of the following members: (1) A director of schools appointed by the speaker of the senate; (2) A teacher or instructional supervisor in grades four through eight appointed by the speaker of the senate; (3) A citizen member who is not employed in the public K-12 system appointed by the speaker of the senate; (4) A director of schools appointed by the speaker of the house of representatives; (5) A teacher or instructional supervisor in grades kindergarten through three appointed by the speaker of the house of representatives; (6) A citizen member who is not employed in the public K-12 system appointed by the speaker of the house of representatives; (7) A principal appointed by the governor; (8) A teacher in grades nine-12 appointed by the governor; (9) A citizen member who is not employed in the public K-12 system appointed by the governor; and (10) The commissioner of education, or a deputy or assistant commissioner of education serving as the commissioner's designee, who serves as a non-voting member. This amendment revises the qualifications for appointees under (2) and (5) so that each speaker will appoint a teacher or instructional supervisor in the intermediate grades, grades four through eight (4-8) or a retired teacher or retired instructional supervisor who taught or supervised grades four through eight. This amendment also expands the commission's membership by two members by requiring each speaker to additionally appoint a school librarian or a retired school librarian. This amendment adds the following to the commission's duties: (1) Issue guidance for LEAs and public charter schools to use when reviewing materials in a library collection to ensure that the materials are appropriate for the age and maturity levels of the students who may access the materials, and that the materials are suitable for, and consistent with, the educational mission of the school. The guidance must be issued to LEAs and public charter schools no later than December 1, 2022, and annually reviewed and updated by the commission by each December 1 thereafter; (2) Assist LEAs and public charter schools in evaluating the appropriateness of materials in a library collection for which the LEA or public charter school has received feedback from a student, a student's parent or guardian, or a school employee challenging or questioning the appropriateness of materials that are under review by the LEA or public charter school; and (3) Assist LEAs and public charter schools in responding to feedback, complaints, or appeals challenging or questioning the appropriateness of materials contained in the library collection of one or more of the LEA's schools, or of the public charter school, that have been filed with the LEA or

public charter school as part of a review or appeals process established by the policies of the respective LEA or public charter school, if applicable. If Senate Bill 1784 / House Bill 1667, which would create a Tennessee state library coordinator position in the department of education, becomes a law, this amendment requires that the Tennessee state library coordinator also serve as an ex officio non-voting member of the commission. House amendment 3 (018226) adds a requirement for the commission to review the list of materials in the library collection of each school operated by an LEA and of each public charter school that has been reviewed and recommended for approval by the Tennessee state library coordinator to ensure that the materials are appropriate for the age and maturity levels of the students who may access the materials, and that the materials are suitable for, and consistent with, the educational mission of the school. Under this amendment, the commission will approve or reject the list of materials in the library collection of each school operated by an LEA and of each public charter school that has been reviewed and recommended for approval by the Tennessee state library coordinator, or the commission may approve or reject one or more of the listed materials. The commission will not approve materials if the materials are inappropriate for the age and maturity levels of the students who may access the materials, or if the materials are not suitable for, or are otherwise inconsistent with, the educational mission of the school, and, in the event the commission makes such a finding, the finding must be in writing. This amendment also requires the commission to establish a timeline and process for a parent of a student enrolled in a school for which the commission has rejected materials from being included as part of the school's library collection to petition the commission to reconsider the commission's finding that the materials are inappropriate for the age and maturity levels of the students who may access the materials, or that the materials are not suitable for, or are otherwise inconsistent with, the educational mission of the school. This amendment requires the state library coordinator to recommend a list of materials to the commission for approval. The list recommended by the state library coordinator must contain, from the list of materials in the library collection of each school operated by an LEA and of each public charter school submitted to the commission pursuant to this amendment (discussed below), materials that are appropriate for the age and maturity levels of the students who may access the materials, and that the materials are suitable for, and consistent with, the educational mission of the school. The final list of materials approved for inclusion in the school's library collection must be approved by the commission before students may access the materials as part of the school's library collection. This amendment requires, beginning on January 1, 2023, and by each January 1 thereafter, each LEA and public charter school to submit the list of materials in the library collection of each school operated by the LEA and in the library collection of the public charter school, as applicable, to the state textbook and instructional materials quality commission for approval before the materials may be included as part of the school's library collection for the school year immediately succeeding the school year in which the list is submitted to the commission for approval. A school operated by an LEA or a public charter school will not include materials in the school's library collection unless the materials have been reviewed and approved by the commission.

*Senate Status:* 04/28/22 - Senate adopted conference committee report (018287).

*House Status:* 04/28/22 - House adopted conference committee report (018287).

*Executive Status:* 06/06/22 - Enacted as Public Chapter 1137 effective June 3, 2022.

*Public Chapter:* PC1137.pdf

### **SB2268/HB2089 Handle With Care Program confidentiality.**

*Sponsors:* Sen. Walley, Page , Rep. White, Mark

*Summary:* Requires that records generated from the Handle With Care Program are confidential and must not be released. States the program is in effect until July 2027.

*Senate Status:* 03/14/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0740 effective March 24, 2022.

*Public Chapter:* PC740.pdf

### **SB2299/HB2312 Providing of proposed testing materials to member of general assembly upon request.**

*Sponsors:* Sen. Pody, Mark , Rep. Griffey, Bruce

*Summary:* Requires an LEA or department of education to provide testing and assessment material to a member of the general assembly when requested. Details who the member may share materials with but outlaws a member sharing materials with a parent of a student or student enrolled in an LEA. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015123) removes "records relative to assessments" from this bill; removes the provisions for members of the general assembly to share the materials with others; and removes the requirement that the department of education's assessment contractual agreements executed on or after July 1, 2022, allow for testing material developed pursuant to the assessment contract to be released to members of the general assembly in accordance with this bill. This amendment adds that the release of assessment information pursuant to this bill as amended must not include: (1) Items required by the department to validate future administrations of the assessments; (2) Items that are being field tested for future administrations of the assessments; (3) Passages, content, or related items if the release would be in violation of copyright infringement laws; or (4) Items that would impact the validity, reliability, or cost of administering the assessment or proposed assessment.

*Senate Status:* 03/28/22 - Senate passed with amendment 1 (015123).

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1032 effective May 11, 2022.

*Public Chapter:* PC1032.pdf

### **SB2314/HB2086 Attendance requirements for children of nonresident employees.**

*Sponsors:* Sen. Kelsey, Brian , Rep. White, Mark

*Summary:* Allows for a child of a local education agency employee who resides outside of the state or area the LEA is located to attend a school within the LEA the parent is employed by for no tuition charge, pursuant to board policy. Current law only specifies teachers employed by a LEA.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0709 effective July 1, 2022.

*Public Chapter:* PC709.pdf

### **SB2328/HB2300 Calculation of BEP allocation for LEA - students who complete early high school graduation program.**

*Sponsors:* Sen. Hensley, Joey , Rep. Haston, Kirk

*Summary:* Requires a high school student who completes an early high school graduation program to be counted as enrolled in the LEA from which the student graduated for the remainder of the school year in which the student graduated early for purposes of calculating the BEP allocation for the respective LEA.

*Amendment Summary:* House amendment 1 (015146) adds a new section requiring that a high school student who completes an early high school graduation program under current law be counted as enrolled in the LEA from which the student graduated for the remainder of the school year in which the student graduated early for purposes of calculating LEA's ADM or FTEADM for the respective school year. Stipulates that this section takes effect on July 1, 2022. Designates current language in section 2 as subsection (a) and provides that it be repealed on July 1, 2023. Sets effective date for section two as July 1, 2022, at 12:01 a.m., if Senate Bill 2396/House Bill 2143 becomes law.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 04/11/22 - House passed with amendment 1 (015146).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0943 effective July 1, 2022.

*Public Chapter:* PC943.pdf

### **SB2369/HB1964 LEAs to conduct virtual learning drills.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Rudd, Tim

*Summary:* Requires LEAs to conduct remote learning drills during or after school hours at least once each school year to ensure schools, students, and parents of students can easily transition from in-person learning to remote learning. Requires an LEA to address any issues that are identified during the remote learning drill. Requires the department of education to develop guidance to assist LEAs in conducting remote learning drills. Requires teacher training programs to provide instruction, to candidates seeking licensure to teach or licensure as an instructional leader, on effective strategies for virtual instruction. Requires LEAs to adopt, and the textbook commission to recommend for adoption, textbooks and instructional materials that are electronically accessible. Broadly captioned.

*Amendment Summary:* House amendment 1 (015174) requires a local education agency (LEA) to conduct a remote learning drill at least once, but not more than twice, each school year. Requires each teacher training program to provide instruction on effective strategies for virtual instruction to candidates seeking licensure to teach or licensure as an instructional leader. Requires the Department of Education (DOE) to review teacher training programs.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 04/04/22 - House passed with amendment 1 (015174).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0936 effective July 1, 2022.

*Public Chapter:* PC936.pdf

### **SB2370/HB1959 Completion of state college of applied technology program for high school students.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Wright, Dave

*Summary:* Requires each state college of applied technology to contract with each LEA that is located in the county in which the state college of applied technology is located to offer the students enrolled in a high school in the LEA the opportunity to complete at least one of the programs available at the state college of applied technology by a student's graduation from high school. Specifies that these opportunities may be provided through traditional classroom instruction, online or virtual instruction, blended learning, or other educationally appropriate methods. Encourages the board of regents to establish a state college of applied technology in each county within this state to expand career and technical opportunities. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013956) rewrites this bill to require, by the 2023-2024 school year, each state college of applied technology to establish partnerships with each LEA that is located in the county in which the main campus of the state college of applied technology is

located to provide early postsecondary opportunities for students enrolled in a high school in the LEA. Early postsecondary opportunities may include, but are not limited to, dual enrollment, dual credit, a middle college program, or any combination thereof. Early postsecondary opportunities may be provided through traditional classroom instruction, online or virtual instruction, blended learning, or other educationally appropriate methods. This amendment encourages the board of regents to expand the presence of state colleges of applied technology in each county within this state to provide greater early post-secondary opportunities for students enrolled in a high school in an LEA, including offering non-credit training, courses, and programs, when practicable.

*Senate Status:* 03/03/22 - Senate passed with amendment 1 (013956).

*House Status:* 04/04/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0884 effective April 14, 2022.

*Public Chapter:* PC884.pdf

### **SB2392/HB2249 Grievance procedures for support staff employees to be made available on website.**

*Sponsors:* Sen. Stevens, John , Rep. Vaughan, Kevin

*Summary:* Requires each institution governed by the board of regents or a state university board to make the grievance procedure for its support staff employees available on its website.

*Amendment Summary:* House amendment 1 (016127) specifies that a parent, sibling, grandparent, spouse, or legal guardian of an intercollegiate athlete who represents the intercollegiate athlete for the purpose of securing compensation for the use of the intercollegiate athlete's name, image, or likeness (NIL) is not considered an athlete agent and is not subject to the requirements for an athlete agent. Makes other various changes regarding NIL compensation.

*Senate Status:* 04/06/22 - Senate passed.

*House Status:* 04/04/22 - House passed with amendment 1 (016127).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0845 effective April 20, 2022.

*Public Chapter:* PC845.pdf

### **SB2396/HB2143 Changes BEP annual report submission date.**

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

*Summary:* Changes the date, from November 1 to September 1, by which the BEP review committee must submit its annual report on the BEP to the governor, the state board of education, the finance, ways and means committees of the senate and the house, the education committee of the senate, and the education administration committee of the house. Broadly captioned. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (016479) removes the changes made by House Amendment #2 and makes the following substantive changes to the provisions of House Amendment #1: (1) Removes the requirement that the three directors of schools appointed to the outcomes advisory group include representatives of urban, suburban, and rural areas; (2) Makes participation in professional development concerning TISA permissive, removes the requirement that members of local legislative bodies participate in the training, removes the testing requirement concerning the training, and adds a requirement that the department use competitive procurement practices for goods and services to effectuate the training; (3) Removes the requirement that the goals in each LEA's accountability report establish a goal of 70 percent of the LEA's students in third grade taking the English language arts (ELA) portion of the TCAP tests achieving a performance level rating of "on track" or "mastered" on the ELA portion of the TCAP tests; (4) Makes authorization for an LEA that operates a public



school that receives a "D" or "F" letter grade to be made subject to a hearing before a joint ad hoc legislative committee effective beginning with the 2024-2025 school year, changes the body before which an LEA may be brought the state board of education or a committee of the state board instead of a legislative committee, specifies that such provisions also apply to public charter schools and public charter school authorizers, modifies one of the corrective actions from the comptroller appointing an inspector general to audit and investigate the LEA's or public charter school's academic programming and spending to requiring the department to conduct the audit and investigation, and adds a requirement that the department provide information requested by the state board to assist the state board in making the determinations necessary for the accountability requirements; (5) Makes the establishment of the TISA review committee effective January 1, 2026; (6) Deletes the provisions that encourage LEAs to fund a certain number of school nurses, public school counselors, and response to instruction and intervention positions; (7) Deletes the provisions that establish a progress review board; and (8) Removes the requirement that coordinated school health plans include how the LEA currently addresses the health needs of school children, and who will serve as the school health coordinator. Senate amendment 2 (018109) restores: (1) The provisions described in the summary for House Amendment #2; (2) The requirement that the three directors of schools appointed to the advisory group for outcome incentive dollars and outcome goals include one director selected from an urban area in Tennessee, one director selected from a suburban area in Tennessee, and one director selected from a rural area in Tennessee; (3) The accountability requirements that the goals established in each LEA's accountability report include the goal of 70 percent of the LEA's students in third grade taking the English language arts (ELA) portion of the TCAP tests achieving a performance level rating of "on track" or "mastered" on the ELA portion of the TCAP tests; (4) The progress review board; and (5) The requirement that each coordinated school health plan must include the LEA currently addresses the health needs of school children and who will serve as the school health coordinator. Subject to available appropriations, this amendment requires the department to distribute a cost differential factor (CDF) grant to an LEA located in a county in which the cost of living is greater than the statewide average. An LEA is eligible for a CDF grant if the LEA is located in a county for which the ratio between the county's non-governmental wages and the statewide non-governmental wages is greater than one, as calculated by the Boyd Center for Business and Economic Research at the University of Tennessee. This amendment requires the department to determine the amount of a CDF grant awarded to an eligible LEA.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (016479) and amendment 2 (018109).

*House Status:* 04/28/22 - House concurred in Senate amendment 1 (016479) and amendment 2 (018109) after lifting the tabling motion and moving to reconsider their actions.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0966 effective May 2, 2022 (23 pages).

*Public Chapter:* PC966.pdf

### **SB2405/HB2152 Reporting of TN education lottery scholarship programs.**

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

*Summary:* Changes the annual reporting date of October 1 to October 15 for the Tennessee Higher Education Commission (THEC) to share its findings with the senate and house education committees on student success and scholarship retention. Broadly captioned. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (013848) rewrites this bill and revises present law provisions governing lottery-funded scholarships and financial aid, as follows: (1) Present law defines

"nontraditional student" for purposes of qualifying for an award under the lottery scholarship provisions as a student who: (A) Is at least 25 years of age; and enrolls in a baccalaureate degree program at an eligible four-year postsecondary institution as an entering freshman or at least two years after last attending any postsecondary institution; or (B) Enrolls in a baccalaureate degree program at an eligible four-year postsecondary institution, while maintaining continuous enrollment following completion of an associate degree under the Tennessee reconnect grant. This bill redefines "nontraditional student" as a student who: (A) Is an independent student, as determined by the FAFSA, and who meets the other present law qualifications for nontraditional students to receive a HOPE scholarship. Currently, an "independent student" for purposes of FAFSA is a student who is at least 24 years old, married, a graduate or professional student, a veteran, a member of the armed forces, an orphan, a ward of the court, someone with legal dependents other than a spouse, an emancipated minor, or someone who is homeless or at risk of becoming homeless; or (B) Enrolls in a baccalaureate degree program at an eligible four-year postsecondary institution while maintaining continuous enrollment following completion of an associate degree through the Tennessee reconnect grant. (2) Under present law, the amount of a Tennessee HOPE scholarship and Tennessee HOPE scholarship for nontraditional students awarded to a student attending an eligible four-year postsecondary institution is \$1,750 for full-time attendance for each semester through the final semester of such student's sophomore year, at which time the award is increased to \$2,250 per semester. This amendment rewrites this provision to instead provide for an award of \$2,550 for full-time attendance for each semester beginning as a freshman. (3) This amendment increases from \$1,500 to \$1,600 for each semester, the amount of a Tennessee HOPE scholarship awarded to a student attending an eligible two-year postsecondary institution. (4) This amendment removes the present law provision whereby the amount of a Tennessee HOPE scholarship for a nontraditional student enrolled full time in an associate degree program is \$1,500 per semester at a two-year postsecondary institution and \$1,750 per semester at a four-year postsecondary institution. (5) This amendment rewrites the present law provisions governing dual enrollment grants. Significant changes from the present law provisions include the following: (A) Under present law, high school students receiving a dual enrollment grant may enroll in one course per semester at an eligible postsecondary education institution. The student may enroll in two additional courses per semester if the student is a junior or senior and: has qualified academically for a Tennessee HOPE scholarship by attaining the required composite ACT score or the concordant equivalent score on the SAT; or has achieved a high school grade point average of at least 3.0 for all high school work completed prior to the semester of enrollment as a dual enrollment student, if the student is enrolled in an eligible high school. This amendment expands the program to students in their freshman year of high school, in certain circumstances. Under this amendment, a high school student is eligible for a dual enrollment grant if the student, among other requirements: (i) Is a junior or senior in high school; or (ii) Has completed the eighth grade and is enrolled in a TCAT. (B) This bill removes the above GPA and ACT/SAT enrollment requirements referenced above and reduces from 2.75 to 2.0 the cumulative GPA required in the attempted postsecondary courses in order to maintain eligibility. (C) Generally under present law, an eligible student may receive a dual enrollment grant for no more than 10 courses. For the first four courses taken under a dual enrollment grant, the award is the cost of in-state tuition and mandatory fees established annually for community colleges or TCAT's in the state university and community college system if the courses are taken at a community college or a TCAT. For the first four courses taken under a dual enrollment grant at an eligible public four-year postsecondary institution or an eligible independent postsecondary institution, the maximum award must not exceed the cost per credit or clock

hour equivalent of courses taken at community colleges or TCAT. For the fifth through 10th courses taken, TSAC's board of directors determines the award per credit hour or clock hour equivalent, but the award may not be in an amount for a credit hour or clock hour equivalent taken under a dual enrollment grant that exceeds the cost per credit hour or clock hour equivalent of courses taken at community colleges or TCAT. This bill revises these provisions to instead provide that an eligible student may receive a dual enrollment grant for no more than: (i) 1,296 clock hours at a TCAT; or (ii) 10 courses measured by semester hours at an eligible postsecondary institution that offers degrees. (D) Under this amendment, the award for a dual enrollment course taken at a TCAT will be the average tuition established annually by the board of regents for regular in-state students at TCATs, plus an additional dual enrollment access fee of 5 percent of the average tuition. For the first five dual enrollment semester-hour courses taken at an eligible postsecondary institution, the award for a dual enrollment grant will be the average tuition established annually by the board of regents for regular in-state students at community colleges, plus an additional dual enrollment access fee of 5 percent of the average tuition. This amendment prohibits an eligible postsecondary institution from charging a student receiving a dual enrollment grant tuition or fees in excess of the student's dual enrollment grant award, as established in the respective subdivision. However, an eligible postsecondary institution may charge a student receiving a dual enrollment grant costs actually incurred by the eligible postsecondary institution on the student's behalf, including, but not limited to, book and material costs, digital book and material costs, special examination fees, industry certification fees, and board examination fees. For a student's sixth through tenth dual enrollment semester-hour courses taken at an eligible postsecondary institution, TSAC will determine the award per semester credit hour. Any increase in the tuition rate upon which the dual enrollment grant award is established will be subject to the binding range of allowable percentage adjustment for tuition as annually approved by THEC pursuant to present law. (6) Under present law, for a foster child tuition grant, the student must have entered foster care at age 14 or older. This amendment lowers the applicable age from 14 to 13. (7) Under present law, one of the eligibility requirements for the Tennessee reconnect grant is being determined an independent student for purposes of FAFSA. This amendment extends eligibility to also include students who are at least 23 years of age by January 1 of the academic year in which the student enrolls in courses leading to completion of an eligible program of study. Senate amendment 2 (015723) revises the scholarship award amounts, discussed above, at a four-year institution to be \$2,250 per semester for a student's freshman and sophomore years and \$2,850 per semester beginning in the student's junior year.

*Senate Status:* 04/27/22 - Senate non-concurred in House amendment 2 (015045).

*House Status:* 04/28/22 - House passed after lifting the tabling motion, moving to reconsider their actions and withdrawing amendment 2 (015045).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1116 effective June 1, 2022.

*Public Chapter:* PC1116.pdf

### **SB2406/HB2153 Revises various provisions relative to computer science education.**

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

*Summary:* Revises various provisions relative to computer science education including funding, instructional materials, academic standards, educator requirements, and time frames for students to learn computer science courses. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (014160) rewrites this bill to require the department to: (1) Provide, no later than the start of the 2023-2024 school year, computer science courses, including online

options, in which public school students across the state may enroll at no charge to satisfy the present law requirement that students receive a full year of computer education, if the courses are approved by the state board of education; (2) Subject to available funding, provide, at no charge to educators, a professional development program in computer science education for educators that includes professional learning modules that provide educators with the opportunity to learn and demonstrate competency in computer science by earning a micro-credential; (3) Subject to available funding, provide incentives for schools and educators to offer high-quality professional development opportunities in computer science education to educators, and to offer high-quality computer science education to students; and (4) Create a computer science education network that may be integrated into the science, technology, engineering, and mathematics (STEM) school designation and Tennessee STEM Innovation Network (TSIN) regional hubs; and (5) Recommend academic standards for computer science education to the state board of education for adoption. This amendment requires the state board to adopt academic standards for computer science education, which must be included in the computer science curriculum for students in grades K-12. The standards adopted by the state board must be available for implementation beginning with the 2023-2024 school year; however, schools will not be required to implement the computer science standards until the 2024-2025 school year. This amendment rewrites the micro-credential provisions to require the department to develop and submit to the state board for approval an additional endorsement pathway to provide educators with the opportunity to demonstrate competency in computer science education by earning a micro-credential that results in an additional license endorsement for computer science. In regard to the required one year of computer education, this amendment rewrites the provision so as to require the state board of education to, no later than the 2024-2025 school year: (1) Require each public high school to offer its students access to at least one credit of computer science education; (2) Require each public middle school student to take one course in computer science education that includes instruction for a minimum of one grading period for one full school year; (3) Approve appropriate computer science courses that allow LEAs and public charter schools to meet the requirements of items (1) and (2). A computer science course may include, but is not limited to, grade-appropriate instruction on how and why technologies work; exploring whether and how technologies may solve real-life problems; investigating procedures; creating solutions; and learning about computing systems, programming, data, networks, and the effects of technologies on society and individuals; and (4) Require each elementary school to provide each student grade-appropriate computer science education based on the academic standards in computer science education adopted by the state board of education. Under this amendment, a high school student pursuing a traditional high school diploma, as described in the state board of education's rules, must receive at least one credit of computer science education in high school. This requirement will only apply to students who enroll in the ninth grade in the 2024-2025 school year, or in a subsequent school year. A student who transfers to a Tennessee high school during the student's senior year will not be required to receive one credit of computer science education in high school in order to receive a traditional high school diploma. Under this amendment, by July 1, 2024, and each July 1 thereafter, the department of education must submit a report to the education committee of the senate, the education instruction committee of the house of representatives, and the education administration committee of the house of representatives regarding the implementation and status of computer science education in Tennessee.

*Senate Status:* 03/21/22 - Senate passed with amendment 1 (014160).

*House Status:* 04/14/22 - House passed.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0979 effective May 3, 2022.

**SB2407/HB2154 Creation of the Age-Appropriate Materials Act of 2022.**

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

*Summary:* Enacts the Age-Appropriate Materials Act of 2022. Mandates each school to maintain and post a list of all library materials to the school's website and adopt a policy to review the materials by the start of the 2022-2023 school year. Reviews must consider age appropriateness of accessible materials and include an opportunity for parents and educators to give feedback. Requires the local school board or governing body to also review the materials to determine if they are age and level appropriate and align with the school's educational mission. Removal of materials deemed inappropriate are not exclusive to guidelines in this act. Part of Administration Package.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0744 effective March 24, 2022.

*Public Chapter:* PC744.pdf

**SB2410/HB2157 Report on civic education by University of Tennessee.**

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

*Summary:* Requires the University of Tennessee to submit a report to the governor and the speakers of the house of representatives and senate that identifies civic education and engagement opportunities and challenges. Requires the report be submitted by December 31, 2022. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (016089) rewrites this bill to establish an institute of American civics at the University of Tennessee, Knoxville, which will operate as an academic unit within the University and provide programming addressing American civics and related topics for the University of Tennessee system. The full text of this amendment specifies the purpose of the institute. This amendment authorizes the institute to: (1) Hire faculty and staff; (2) Enroll students; (3) Develop and offer courses in new undergraduate major and minor programs; (4) Offer general education and honors courses; (5) Provide and facilitate internships and other relevant experiences for students and the general public; (6) Hold events; and (7) Take other actions as appropriate, subject to the supervision of the chancellor of the University of Tennessee, Knoxville and the general supervision of the president of the University of Tennessee system. This amendment requires the president of the University of Tennessee, in consultation with the governor, the speaker of the senate, and the speaker of the house of representatives, to appoint 13 members to serve on a board of fellows for the institute. The full text of this amendment describes the qualifications for membership on the board of fellows and various organizational and procedural requirements for the board of fellows. The board of fellows will be required to advise the director of the institute on matters related to the institute. This amendment requires the board of fellows to conduct a national search and transmit to the chancellor of the University of Tennessee, Knoxville a list of finalists for the position of director. The chancellor must appoint the director from the list of finalists provided by the board of fellows. The director may be removed by and must report to the chancellor. The director will make all other faculty and staff hiring decisions for the institute. Funds appropriated to the institute must not supplant any existing state funding or private or external donations to the Howard H. Baker, Jr. Center for Public Policy or to the University of Tennessee. Appropriated funds and all private and external donations to the institute may only be used for the direct operation of the institute. This amendment requires the president of the

University of Tennessee, in consultation with the director of the institute, the board of fellows, and the chancellor of the University of Tennessee, Knoxville, to submit an annual report concerning the institute to the governor, the speaker of the senate, the speaker of the house of representatives, and the chairs of the finance committees of the senate and house of representatives.

*Senate Status:* 04/12/22 - Senate passed with amendment 1 (016089).

*House Status:* 04/14/22 - House passed.

*Executive Status:* 05/05/22 - Enacted as Public Chapter 0963 effective April 29, 2022.

*Public Chapter:* PC963.pdf

**SB2416/HB2166 Revises various provisions regarding local education operations.**

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

*Summary:* Requires the TN Department of Education upon request to produce a report to the education committee of the senate, and the education instruction committee of the house of representatives, regarding the physical education programs and activity for each LEA. Removes other requirements pertaining to reporting. Broadly captioned. Part of Administration Package.

*Amendment Summary:* House amendment 1 (014254) deletes various sections regarding state and local requirements related to reporting on LEA's and education institutions.

*Senate Status:* 03/10/22 - Senate passed.

*House Status:* 03/07/22 - House passed with amendment 1 (014254).

*Executive Status:* 03/30/22 - Enacted as Public Chapter 00686 effective March 28, 2022.

*Public Chapter:* PC686.pdf

**SB2441/HB2553 Adult high school may provide virtual instruction.**

*Sponsors:* Sen. Bell, Mike , Rep. Hurt, Chris

*Summary:* Allows adult high schools to provide virtual instruction as long as all requirements from the state board of education are still satisfied. Broadly captioned.

*Amendment Summary:* House amendment 1 (014819) authorizes an adult high school to provide virtual instruction. Requires that the virtual instruction provided to students satisfy the requirements established by the State Board of Education SBE.

*Senate Status:* 04/04/22 - Senate passed.

*House Status:* 03/28/22 - House passed with amendment 1 (014819).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0838 effective April 19, 2022.

*Public Chapter:* PC838.pdf

**SB2442/HB2455 Qualifications necessary to receive an occupational teaching license.**

*Sponsors:* Sen. Bell, Mike , Rep. Hicks, Tim

*Summary:* This bill establishes statutory requirements for receiving a practitioner occupational teaching license. Under this bill, to be eligible to receive a practitioner occupational teaching license, a person must: (1) Have a minimum of five years of relevant work experience, completed within the last 10 years, or three years of relevant work experience, completed within the last five years, in the area of endorsement or equivalent educational attainment, as defined by the department of education; (2) Hold an active industry license or credential, issued by any state, for the area of endorsement, as defined by the department of education; (3) Meet the requirements established by rule by the state board of education; and (4) Be enrolled in a state

board-approved educator preparation program with a job-embedded clinical practice; have completed a state board-approved educator preparation program; or provide proof of completion of coursework in classroom management, pedagogy, serving students with disabilities and English learners, and the teacher code of ethics, from a state board-approved educator preparation program. Broadly captioned.

*Amendment  
Summary:*

Senate amendment 1 (016328) revises the requirements described above in the bill summary in (4) to require "proof of pairing with a highly effective mentor teacher and completion of coursework in classroom management, pedagogy, serving students with disabilities and English learners" instead of "proof of completion of coursework in classroom management, pedagogy, serving students with disabilities and English learners." House amendment 2 (018255) clarifies that the person must hold an active industry license or credential "including those issued by any state." This amendment also adds that after a director of schools or a director of a public charter school notifies the director's local board of education or the governing body of the director's public charter school, as applicable, that the LEA or public charter school is unable to secure a qualified occupational educator with a valid occupational teaching license for course of study in which a vacancy exists, the director of schools or the director of the public charter school may certify the same to the commissioner of education. Upon the commissioner's receipt of the certification, the commissioner may grant, on behalf of the state board of education, under conditions prescribed in the state board's rules, a temporary permit to teach in the unfilled position to a person recommended by the director of schools or the director of the public charter school, who does not hold a bachelor's degree or an active industry license or credential, including those issued by any state, for the area of endorsement, as defined by the department of education, but who has a minimum of five years of relevant work experience, completed within the last 10 years, or three years of relevant work experience, completed within the last five years, in the area of endorsement or equivalent educational attainment, as defined by the department of education. The temporary permit is valid only until June 30 immediately following the date of the permit's issuance; the temporary permit is not renewable; and an individual may only be issued one temporary permit.

*Senate Status:* 04/28/22 - Senate concurred in House amendment 2 (018255).

*House Status:* 04/27/22 - House passed with amendment 2 (018255) after lifting the tabling motion and moving to reconsider their actions.

*Executive Status:* 06/06/22 - Enacted as Public Chapter 1141 effective June 3, 2022.

*Public Chapter:* PC1141.pdf

**SB2475/HB2449 Reciprocal agreements with other states - assistant principal licensure.**

*Sponsors:* Sen. Bowling, Janice , Rep. Weaver, Terri

*Summary:* Requires that the state board of education issue a teaching license to teach in public schools to individuals who hold an active teaching license in another state if the state has a reciprocal agreement with the state board of education. Provides that a supervisor, principal and assistant principal licenses are included for purposes of issuing licenses based on reciprocal agreements with other states provided that the individual served in that role in the other state for no less than one school year. Clarifies that reciprocal agreements for licensing applies to military spouses who are licensed in other states upon the department's receipt of documentation from the individual verifying active military dependent status. Requires the department of education to submit to the appropriate general assembly committees, a report on educators licensed in this state through reciprocal agreements. Establishes July 31 as the annual deadline for the report's delivery and requires its posting on the department's website.

*Senate Status:* 03/14/22 - Senate passed.  
*House Status:* 03/07/22 - House passed.  
*Executive Status:* 03/30/22 - Enacted as Public Chapter 0692 effective March 28, 2022.  
*Public Chapter:* PC692.pdf

**SB2486/HB2710 Military-affiliated individuals and veterans classified as residents for tuition purposes.**

*Sponsors:* Sen. Briggs, Richard , Rep. Ragan, John  
*Summary:* Authorizes institutions of higher education to consider veterans or military-affiliated individuals as a Tennessee resident who is not required to pay out-of-state tuition. Defines “military-affiliated” as active-duty military personnel, reservists, members of the national guard, and reserve officer training corps program cadets.  
*Senate Status:* 03/07/22 - Senate passed.  
*House Status:* 03/21/22 - House passed.  
*Executive Status:* 04/13/22 - Enacted as Public Chapter 0791 effective April 8, 2022.  
*Public Chapter:* PC791.pdf

**SB2498/HB2429 Development of an Industry 4.0 diploma.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. White, Mark  
*Summary:* Requires the state board of education to develop an Industry 4.0 diploma as an alternative to the traditional diploma for high school students who are interested in pursuing a career in a high-need, high-skill industry after graduation. Revises number of credits required for worked-based learning programs. Revises requirements for an individual to obtain a practitioner occupational teacher license. Broadly captioned.  
*Amendment Summary:* House amendment 1 (015326) requires the state board of education to develop an industry 4.0 distinction for students who are interested in pursuing a career in a high-skill, high-need industry after graduation. Requires a student interested in this distinction to notify the student's counselor or school principal, provide documentation to the counselor or principal with parent's signature, register with a school approved career counseling or community partner, and enroll in work based learning or dual enrollment before the end of the student's sophomore year. Requires the student to meet with an approved career coach no less than once a month during the student's junior year and enroll in dual enrollment or work based learning for their senior year. Requires the state board of education to establishment requirements that include allowing a student to earn one science credit and one math credit through course substitutions and earn at least nine credits through work based learning or dual enrollment.  
*Senate Status:* 04/12/22 - Senate passed.  
*House Status:* 04/04/22 - House passed with amendment 1 (015326).  
*Executive Status:* 05/03/22 - Enacted as Public Chapter 0946 effective April 29, 2022.  
*Public Chapter:* PC946.pdf

**SB2501/HB2106 Course of instruction to educate students in black history and black culture.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Hakeem, Yusuf  
*Summary:* Mandates for students in grades five through eight curricula, designed to provide instruction in black history and black culture, including topics related to the contribution of black people to global history and development. Requires the department of education, rather than the state board of education, to include multicultural diversity in frameworks and curricula for students in kindergarten through grade 12.



*Amendment Summary:* House amendment 1 (014877) requires each local education agency (LEA) to provide a course of instruction to students in grades five through eight (5-8) on black history and culture. Applies to the 2022-23 school year. House amendment 2 (016009) changes the start date to July 1st, 2025 and would be applied each year after beginning with the 2025-2026 school year.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 04/07/22 - House passed with amendment 1 (014877) and amendment 2 (016009).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0938 effective July 1, 2025.

*Public Chapter:* PC938.pdf

**SB2508/HB2291 Academic standards for social studies.**

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

*Summary:* Requires the standards recommendation committee to include civil rights topics including the leadership and tactics of Martin Luther King Jr., Jim Crow-era laws, and specific civil rights acts in the next adoption of academic standards in the subject of social studies.

*Amendment Summary:* House amendment 1 (015322) urges the Standards Recommendation Committee to include the events of the Civil Rights Movements during the period from 1954 to 1968 in the Committee's final recommendation of academic standards for social studies in grades nine through twelve. Senate amendment 2 (017394) adds that the Civil Rights Act of 1866 be included in the events to be covered as part of the instruction urged by this bill.

*Senate Status:* 04/14/22 - Senate passed with amendment 2 (017394).

*House Status:* 04/25/22 - House concurred in Senate amendment 2 (017394).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1063 effective May 25, 2022.

*Public Chapter:* PC1063.pdf

**SB2510/HB2062 National Suicide Prevention Lifeline phone number to be included on student IDs.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Mannis, Eddie

*Summary:* Requires any LEA in Tennessee issuing student identification cards to include the phone number for the National Suicide Prevention Lifeline on the ID card.

*Amendment Summary:* Senate amendment 1 (013735) rewrites this bill to enact the "Save Tennessee Students Act," which requires LEAs that issue new student identification cards for students in grades 6-12, to include on the identification cards: (1) The telephone number for the National Suicide Prevention Lifeline; and (2) The social media handle, telephone number, or text number for at least one additional crisis resource selected by the LEA, which may include, but not be limited to, the crisis text line or, if available, a local suicide prevention hotline. This amendment requires an LEA to publish the telephone number for the National Suicide Prevention Lifeline and the social media handle, telephone number, or text number for at least one additional crisis resource selected by the LEA, which may include, but not be limited to, the crisis text line or, if available, a local suicide prevention hotline in a conspicuous place in each school of the LEA that serves students in grades 6-12 or any combination thereof.

*Senate Status:* 03/10/22 - Senate passed with amendment 1 (013735).

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0748 effective March 24, 2022.

*Public Chapter:* PC748.pdf

**SB2531/HB2115 Dual admissions policy adopted by THEC.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Eldridge, Rick

*Summary:* Removes the geographic or other considerations when THEC adopts a dual admissions policy in which a person who satisfies the admissions requirements of a two-year institution governed by the board of regents and a public university while pursuing a degree program within a transfer pathway program of study is authorized to be admitted to both such institutions.

*Senate Status:* 03/21/22 - Senate passed.

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0794 effective April 8, 2022.

*Public Chapter:* PC794.pdf

### **SB2583/HB2703 Certificate of licensure for educators.**

*Sponsors:* Sen. Crowe, Rusty , Rep. White, Mark

*Summary:* Requires the department of education to design and adopt a certificate of licensure for issuance to educators who have met the requirements for licensure established by the state board of education. Requires suitable framing for placement of certificate.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/06/22 - Enacted as Public Chapter 1145 effective July 1, 2022.

*Public Chapter:* PC1145.pdf

### **SB2590/HB2760 Enacts the School Safety and Removal Act.**

*Sponsors:* Sen. Hensley, Joey , Rep. Rudd, Tim

*Summary:* Authorizes alternative schools and alternative programs to provide remote instruction to students attending the school or program. Requires the state board of education to establish procedures for tracking daily attendance for alternative schools and alternative programs providing remote instruction.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 03/28/22 - House passed.

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0960 effective April 29, 2022.

*Public Chapter:* PC960.pdf

### **SB2595/HB2709 Voluntary pre-kindergarten program eligibility.**

*Sponsors:* Sen. Hensley, Joey , Rep. Haston, Kirk

*Summary:* Allows an LEA to establish a voluntary pre-kindergarten program that serves at risk children, age four, living in the designated geographic area. Deletes the pilot pre-kindergarten program.

*Amendment Summary:* House amendment 1 (015058) revises various provisions of this bill, as follows: (1) Redefines "at-risk" children in regard to those who qualify for free or reduced-price lunch to clarify that the child is at-risk if the child is four years of age on or before August 15 and is a member of a family with an income that meets the eligibility requirement for free or reduced-price lunch; (2) Clarifies, in the definition of "at-risk" in regard to children whose parents were killed in service, prisoners of war, or missing in action, that the child must be four years of age on or before August 15; (3) Requires that a voluntary pre-kindergarten program be designed to comprehensively address the educational needs of children who are not otherwise eligible for similar programs or who do not have access to a pre-kindergarten program that includes, but is not limited to, the cognitive, physical, social, and emotional needs of children participating in the program; (4) Requires the department to establish an initial enrollment deadline that an LEA must use to determine if a voluntary pre-kindergarten classroom provided by the LEA

has space available to enroll students in addition to at-risk children residing in the geographic area served by the LEA. If the number of at-risk children seeking to enroll in an LEA's voluntary pre-kindergarten program on the date of the initial enrollment deadline does not meet the maximum class size of the pre-kindergarten classroom provided by the LEA as part of the LEA's voluntary pre-kindergarten program, then the LEA may enroll children who are not at-risk children, but who reside within the geographic area served by the LEA and who are: (A) Four years of age, with or without a disability, on or before August 15; (B) Three years of age on or before August 15 and: who have been in the Tennessee Early Intervention System (TEIS); or who are screened and identified as educationally at-risk, as determined pursuant to the Individuals with Disabilities Education Act; or (C) Three years of age on or before August 15, who are members of families with incomes that meet the eligibility requirements for free or reduced-price lunch; (5) Specifies that enrollment in a voluntary pre-K program is voluntary; and (6) Adds that selection of voluntary pre-kindergarten program sites must take into consideration the areas of greatest need, which may be determined by, but not limited to: (A) School service areas with high percentages of children from families with incomes that meet the eligibility requirements for free or reduced-price lunch; or (B) Access to early childhood education and pre-kindergarten programs within the county.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 03/21/22 - House passed with amendment 1 (015058).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0957 effective July 1, 2022.

*Public Chapter:* PC957.pdf

#### **SB2631/HB2436 Eligibility for Tennessee Promise scholarship.**

*Sponsors:* Sen. Niceley, Frank , Rep. Farmer, Andrew

*Summary:* Removes requirement that a student must be enrolled in the fall term immediately following high school graduation in order to be eligible for the Tennessee Promise scholarship. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015658) rewrites this bill to specify that a student who graduates early from an eligible high school, or who completes high school at an eligible home school early, or who obtains an equivalency diploma before the spring semester immediately preceding the student's initial fall enrollment, and is admitted to, and enrolled full-time in, an eligible postsecondary program, is eligible for the Tennessee promise scholarship.

*Senate Status:* 04/07/22 - Senate passed with amendment 1 (015658).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1125 effective June 1, 2022.

*Public Chapter:* PC1125.pdf

#### **SB2664/HB1879 Comptroller report on Tennessee Literacy Success Act.**

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

*Summary:* Requires the comptroller to annually review and report on the implementation of the Tennessee Literacy Success Act and submit the report to the education committees of the house of representatives and senate and the state board of education and publish the report on the comptroller's website.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0717 effective March 18, 2022.

*Public Chapter:* PC717.pdf

**SB2666/HB2568 Grievance procedures for higher education employees.**

*Sponsors:* Sen. Bell, Mike , Rep. Ragan, John

*Summary:* Requires each institution governed by the board of regents, a state university board, or the board of trustees for the University of Tennessee to make the grievance procedure for the institution's support staff employees available on its website. Broadly captioned.

*Senate Status:* 03/28/22 - Senate passed.

*House Status:* 03/28/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0891 effective July 1, 2022.

*Public Chapter:* PC891.pdf

**SB2684/HB2673 Policy adoption prohibiting anti-Semitic teachings in schools.**

*Sponsors:* Sen. Rose, Paul , Rep. Sexton, Jerry

*Summary:* Requires each LEA to adopt a policy that prohibits instruction of anti-Semitic concepts in schools by employees of the LEA. The policy must be made available to each staff member at the beginning of each school year.

*Amendment Summary:* House amendment 1 (016255) rewrites this bill to require that, if a state governmental entity or an LEA receives a complaint from a person who alleges that antisemitism has occurred on the premises of a public school serving any of the grades K-12, or through electronic outreach from a public school serving any of the grades K-12, then the respective state governmental entity or LEA consider the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, including the "contemporary examples of antisemitism," in determining whether the alleged act was motivated by anti-Semitic intent. This amendment requires state governmental entities and institutions of higher education to make the same consideration if the entity or institution receives a complaint from a person who alleges that antisemitism has occurred on the premises of an institution of higher education, or through electronic outreach from an institution of higher education.

*Senate Status:* 04/27/22 - Senate passed after reconsidering their actions and withdrawing Senate amendment 1 (016232).

*House Status:* 04/25/22 - House non-concurred in Senate amendment 1 (016232).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1075 effective May 25, 2022.

*Public Chapter:* PC1075.pdf

**SB2728/HB2742 High school curriculum to include teachings on virtues of capitalism.**

*Sponsors:* Sen. White, Dawn , Rep. Powers, Dennis

*Summary:* Requires social studies materials in grades nine through twelve teach the virtues of capitalism and constitutional republic form of government as compared to other forms such as communism and socialism. Broadly captioned.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 03/28/22 - House passed.

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0959 effective April 29, 2022.

*Public Chapter:* PC959.pdf

**SB2815/HB2021 Annual child abuse training required for all public school personnel.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Littleton, Mary

*Summary:* Clarifies that child abuse training must be completed annually in accordance with DCS guidelines by all school personnel and employees, not just teachers.

*Amendment Summary:* House amendment 1 (015251) clarifies that all "employees working directly with students" of an LEA or public charter school must complete the training and updates a related code section to reflect the changes made by this bill.

*Senate Status:* 04/06/22 - Senate passed.

*House Status:* 03/31/22 - House passed with amendment 1 (015251).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0841 effective April 20, 2022.

*Public Chapter:* PC841.pdf

**SB2824/HB2530 Automated external defibrillator device training for school bus drivers.**

*Sponsors:* Sen. Swann, Art , Rep. Ramsey, Bob

*Summary:* Encourages schools to offer AED training to school bus drivers. Broadly captioned.

*Amendment Summary:* House amendment 1 (016053) creates the "Heart to Heart Act." Encourages schools to offer automated external defibrillator (AED) training to school bus drivers.

*Senate Status:* 04/11/22 - Senate passed.

*House Status:* 04/04/22 - House passed with amendment 1 (016053).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0948 effective April 29, 2022.

*Public Chapter:* PC948.pdf

**SB2830/HB2730 Annual crime report requirement for institutions of higher education.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ogles, Brandon

*Summary:* Requires higher education institutions to create an annual report of crimes happening on campus and in student housing and provide it to any student or employee of the institution when requested. Broadly captioned.

*Amendment Summary:* House amendment 1 (017138) requires the current annual report submitted to the Tennessee Bureau of Investigation (TBI) from each institution of higher education regarding crime statistics that have occurred on the campus or in student housing to be certified by the president, the chancellor, or the president's or chancellor's designee, of the respective institution of higher education. Requires that the report of crime statistics compiled by the TBI also include the name and position of each official at each institution that certified the report, as part of the submission of the report to the Governor and to the State and Local Government and Education Committees of the Senate and the State Government and Education Administration Committees of the House of Representatives. Authorizes the Comptroller of the Treasury (COT) to conduct a review of an institution of higher education to ensure that the institution is complying with the reporting requirements.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 04/11/22 - House passed with amendment 1 (017138).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0958 effective April 29, 2022.

*Public Chapter:* PC958.pdf

**SB2843/HB2606 Notification to students - handgun carry policy of private institutions of higher education.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Gillespie, John

*Summary:* Requires a private institution to notify new students of the institution's handgun carry policy.

*Amendment  
Summary:*

Senate amendment 1 (014524) rewrites this bill and revises various provisions of the Tennessee Higher Education Authorization Act of 2016 (which governs proprietary higher education institutions), as follows: (1) Abolishes the committee on postsecondary educational institutions, which has responsibility for oversight and regulation of institutions pursuant to the Act; (2) Removes certain obsolete provisions and makes technical, nonsubstantive clarifications to the Act; (3) Redefines "postsecondary institution" for purposes of the Act. Present law defines the term to mean an academic, vocational, technical, online/distance learning, business, professional or other school, college or university, or other organization or person, offering educational credentials, or offering instruction or educational services, primarily to persons who have completed or terminated their secondary education or who are beyond the age of compulsory high school attendance, for attainment of educational, professional or vocational objectives. This amendment redefines the term to include, but not be limited to, a school, college, university, or other type of entity offering educational credentials, instruction, educational services, or other activities as described in present law, primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for the attainment of educational, professional, or vocational objectives; (4) Broadens eligibility for optional expedited authorization. Under present law, degree-granting postsecondary educational institutions accredited by a regional or national institutional accrediting agency recognized by the United States department of education may apply annually for an eligibility review and an optional expedited authorization by the Tennessee higher education commission (THEC (referred to as "fast track" authorization). This amendment makes nondegree granting institutions eligible for fast track authorization. This amendment revises other provisions governing fast track authorization, as discussed below; (5) Removes a requirement that institutions exempt from the Act file an annual information request form. This amendment also revises the exemption provisions to provide that an institution that engages in supervised field experiences in this state without a physical location in this does not qualify for exemption and has to be authorized under the Act; (6) Revises the exemption under the Act for "educational programs conducted by state-licensed health care institutions" so that the exemption only applies to the provision of "health-related" educational programs; (7) Requires THEC to provide notification of an exemption determination to an institution upon completion of an exemption determination request; (8) Clarifies that rules promulgated by THEC must be promulgated in accordance with the Uniform Administrative Procedures Act; (9) Specifies that the commission is not required to authorize an institution if, in its judgment, adequate provisions for the institution or its programs exist within the proposed service area; or if, in its judgment, there is insufficient evidence that adequate employment opportunities exist in the related occupations for persons successfully completing the institution's programs, or if the costs of a program is unreasonable in relation to the reasonably expected earnings in occupations for which the program is designed; (10) Removes provisions regarding agent's permits, which are defined as nontransferable written authorization issued to a natural person by the commission that allows that person to solicit or enroll students for education in an authorized postsecondary educational institution; (11) Revises the requirement to obtain authorization to operate. Under present law, each postsecondary educational institution desiring to operate in this state must make application to THEC. This amendment revises the requirement to instead require each postsecondary educational institution "creating a physical presence in Tennessee" to apply for authorization. This amendment provides that when physical presence activities or operation is not the result of instruction at a postsecondary educational institution location as determined by the commission, such as supervised field experiences or similar activities or operations, then the postsecondary educational institution location from which the

educational credential is awarded must be the authorized location; (12) Adds that an institution that receives multi-year authorization must annually submit a certification of compliance on a form provided by the commission, and pay the requisite fee by the date established by THEC; (13) Authorizes the executive director of THEC to grant provisional initial authorization subject to review and ratification by the commission. Provisional initial authorization must list any limitations as to time, procedures, functions, or other conditions as deemed necessary by the commission; (14) Requires a student who files a complaint against an institution under the Act for damage or loss to first exhaust the grievance process at the institution. This amendment revises other various provisions of the complaint, review, and appeals process, including adding a provision requiring THEC to attempt to effectuate resolution of the complaint by persuasion and conciliation. Present law provides for judicial review of a final action by THEC; this amendment adds a process for commission review of a decision of the executive director. At the hearing, the party may employ counsel, has the right to hear the evidence upon which the adverse action is based, and present evidence in opposition or in extenuation. The commission may request that a hearing officer from the secretary of state be appointed to issue an initial order or a member of the commission may preside, except where a clear conflict of interest may be demonstrated. A decision of the commission or of a hearing officer following a hearing will not be a final decision until it is final under the Uniform Administrative Procedures Act; (15) Revises the present law bond requirements. Present law requires a surety bond of \$10,000 for in-state institutions and \$20,000 for out-of-state institutions; this amendment sets the bond requirement at \$10,000 regardless of in-state or out-of-state status. Under present law, the bond may be continuous; this amendment makes this provision mandatory instead of permissive. Under present law, authorization is conditional, subject to revocation, by operation of law when the institution is no longer covered by a surety bond. This amendment adds that, absent exceptional circumstances, a postsecondary educational institution may not continue to engage in activities or operations without a surety bond for more than 90 days; (16) Adds that if a person, agent, group, or entity fails to comply with the Act or with the rules promulgated pursuant to the Act, then the person, agent, group, or entity may be ordered to cease and desist from the noncompliant act or practice and may be required to reimburse a complainant full or partial restitution for the damage or loss resulting from the noncompliant action; (17) Changes the date by which a tuition guaranty fund fee must be paid from "at least 30 days before the beginning of a new academic year" to "May 15 each year"; this amendment maintains authorization for THEC to establish an alternative date to account for variations in institutional programs and schedules. The board may also establish late payment penalties by rule. Under present law, in the event an institution participating in the fund goes into bankruptcy, or ceases operations without completing its educational obligations or reimbursing its students, the board may reimburse valid claims of students for tuition paid to that institution. If a student is attending on a loan, the board directs reimbursement to that lender rather than to the student. As a condition of receiving reimbursement from the fund, a student or lender must agree to subrogate the person's right of recovery against the institution to the board. This amendment removes the provision for reimbursement to a lender; (18) Clarifies that an institution must post information on its webpage that provides graduation rates and statistics on credential attainment along with a reference to the availability of graduation rates and statistics on credential attainment; and (19) Under the provisions for optional expedited authorization (fast track), adds authorization for provisional fast track authorization to be granted by the executive director or commission staff subject to review and ratification by the commission. Provisional authorization must contain limitations as to time, procedures, functions, and other conditions as deemed necessary. The term for which

authorization is given may not extend for more than six years and may be issued for a lesser period of time on terms and conditions specified by, or otherwise determined by, the commission. An institution that receives multi-year authorization must annually submit a certification of compliance on a form provided by the commission, and must pay the requisite fee by the date established by the commission. Also, under present law an institution whose optional expedited authorization is revoked by the commission is ineligible to reapply for optional expedited authorization for no less than 24 months from the date of revocation; this amendment revises this provision to instead provide that an institution for which the commission revokes an optional expedited authorization is ineligible to reapply for optional expedited authorization until the commission determines that the institution has resolved each of the grounds for revocation. House amendment 2 (017170) dissolves the Committee on Postsecondary Educational Institutions. Makes various changes related to the authority and duties of the Tennessee Higher Education Commission without making any substantives changes.

*Senate Status:* 04/21/22 - Senate concurred in House amendment 2 (017170).

*House Status:* 04/18/22 - House passed with amendment 2 (017170).

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1044 effective May 11, 2022.

*Public Chapter:* PC1044.pdf

### **SB2887/HB1850 Makes revisions to the Course Access Program Act.**

*Sponsors:* Sen. Hensley, Joey , Rep. Hurt, Chris

*Summary:* Removes authorization for students in grades seven and eight to enroll in course access program courses. Removes the authority of the state board of education to approve and adopt additional enrollment requirements for course access program courses. Authorizes the state board to establish additional grounds and requirements for the exclusion of courses from the course access catalog, including if the course is offered by a school that was issued a "D" or "F" letter grade by the department of education on the most recent state report card.

*Amendment Summary:* House amendment 1 (016169) adds business, industry, educator, for-profit-entity, U.S. Armed Forces, and trade association to the definition of course provider under the Course Access Program Act. Removes the authority of the State Board of Education (SBE) to approve and adopt additional enrollment requirements for the course access program. Specifies that SBE may exclude a course from the course access catalog if the course is offered by a school that was issued a "D" or "F" letter grade on the most recent state report card. Requires SBE to adopt a policy on extended learning opportunities.

*Senate Status:* 04/12/22 - Senate passed.

*House Status:* 03/28/22 - House passed with amendment 1 (016169).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0929 effective July 1, 2022.

*Public Chapter:* PC929.pdf

### **ESTATES & TRUSTS**

### **SB2242/HB2284 Holographic wills written within one month prior to a testator's death by suicide.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Beck, Bill

*Summary:* Creates a presumption of suspicious circumstances if a holographic will is written within one month prior to a testator's death by suicide and places the burden of presenting evidence that the testator had the capacity to execute the will on the proponent of the will. Broadly captioned.



*Amendment Summary:* House amendment 1 (016020) changes from within one month to within 30 days the applicable time period between the making of a holographic will and the testator's suicide for purposes of the presumption that this bill creates.

*Senate Status:* 04/11/22 - Senate passed.

*House Status:* 04/11/22 - House passed with amendment 1 (016020).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0942 effective July 1, 2022.

*Public Chapter:* PC941.pdf

## **FAMILY LAW**

### **SB1661/HB1666 Video conferencing allowed for mediation in divorce proceeding.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Smith, Robin - RESIGNED 03-07-22

*Summary:* Authorizes a court to allow mediation between parties in a divorce proceeding to occur by video conference when appropriate.

*Senate Status:* 01/31/22 - Senate passed.

*House Status:* 02/28/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0697 effective July 1, 2022.

*Public Chapter:* PC697.pdf

### **SB1806/HB1866 Loss of visitation or custody rights for failure to pay child support.**

*Sponsors:* Sen. White, Dawn , Rep. Casada, Glen

*Summary:* Specifies that a person for whom a child support obligation has been ordered by a court and who has not paid child support for three years or more will not have custody or visitation rights with respect to that child. Permits the other parent of the child to request that the court grant the parent who has not paid child support reasonable visitation rights with the child. Broadly captioned.

*Amendment Summary:* House amendment 1 (013132) rewrites the bill. Under present law, in a proceeding requiring the court to make a custody determination regarding a minor child, the determination must be made on the basis of the best interest of the child, taking into consideration several factors. This amendment adds as a factor to be considered by the court, whether a parent has failed to pay court-ordered child support for a period of three years or more.

*Senate Status:* 03/03/22 - Senate passed.

*House Status:* 02/28/22 - House passed with amendment 1 (013132).

*Executive Status:* 03/30/22 - Enacted as Public Chapter 0671 effective March 18, 2022.

*Public Chapter:* PC671.pdf

### **SB1984/HB2046 Members of child protective team.**

*Sponsors:* Sen. Walley, Page , Rep. Bricken, Rush

*Summary:* Establishes that each child protective team may include an appropriately credentialed medical provider and a mental health representative.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 02/28/22 - House passed.

*Executive Status:* 03/21/22 - Enacted as Public Chapter 0649 effective March 15, 2022.

*Public Chapter:* PC649.pdf

### **SB2056/HB2070 Parental rights and adoption.**

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

*Summary:* Expands crimes considered to be child sexual abuse and outlines the ability of a parent or adoptive parent to terminate parental rights of the abusive parent. Includes that once rights are terminated and adoptions are finalized, no orders requesting visitation or other contact with the child are permitted, parent with custody can no longer receive child support, and the adoption records must be sealed for 100 years after the adoption was finalized. Details further what situations qualify for petition of terminated parental rights.

*Amendment Summary:* House amendment 1 (013303) clarifies that if a parent executing the parental consent required for the adoption of the parent's child by an unrelated person cannot be found or does not appear at the time of the hearing to surrender the parent's parental rights, the court may terminate that parent's rights upon any grounds pursuant to a petition filed for the termination of parental or guardianship rights. This amendment also revises the present law provision defining consent to specify that the process allows the court to give the adoptive parents custody of the child pending "confirmation or revocation" of the consent of the parent. Senate amendment 3 (001015) changes a provision of present law concerning abandonment. For purposes of terminating the parental or guardian rights of a parent or parents or a guardian or guardians of a child to that child in order to make that child available for adoption, present law provides five sets of circumstances that constitute abandonment, one of which is that the parent or guardian is incarcerated at the time of the filing of a proceeding, pleading, petition, or amended petition to terminate the parental rights of the parent or guardian of the child who is the subject of the petition for termination of parental rights or adoption, or a parent or guardian has been incarcerated during all or part of the four consecutive months immediately preceding the filing of the action and has: (1) Failed to visit, has failed to support, or has failed to make reasonable payments toward the support of the child for four consecutive months immediately preceding the parent's or guardian's incarceration; (2) Failed to visit, has failed to support, or has failed to make reasonable payments toward the support of the child during an aggregation of the first 120 days of non-incarceration immediately preceding the filing of the action; or (3) Has engaged in conduct prior to incarceration that exhibits a wanton disregard for the welfare of the child. This amendment changes (3) to be "with knowledge of the existence of the born or unborn child, engaged in conduct prior to, during, or after incarceration that exhibits a wanton disregard for the welfare of the child".

*Senate Status:* 03/31/22 - Senate passed with amendment 3 (001015).

*House Status:* 04/07/22 - House concurred in Senate amendment 3 (001015).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0937 effective July 1, 2022.

*Public Chapter:* PC937.pdf

### **SB2114/HB2375 Child custody case prioritization.**

*Sponsors:* Sen. Bell, Mike , Rep. Littleton, Mary

*Summary:* Requires the court to expedite a contested custody proceeding with unmarried parties should a paternity test be in existence or be requested by the court. Such a case must be given priority. Broadly captioned.

*Senate Status:* 04/13/22 - Senate passed.

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1028 effective May 11, 2022.

*Public Chapter:* PC1028.pdf

### **SB2182/HB2354 Noah's Law.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Garrett, Johnny

*Summary:* Creates “Noah’s Law” which permits a custodial parent to seek an emergency court order declaring their child to be in imminent danger of injury or death if the non-custodial parent fails to return the child as specified in a current court ordered custody agreement. Specifies that 48 hours must have passed with no contact from the noncustodial parent, a missing persons report be filed with law enforcement, and there be a pending court case regarding custody, parentage, child support, or dependency and neglect proceeding in order to apply.

*Amendment Summary:* Senate amendment 1 (013591) removes references to the TBI from this bill and specifies that this bill does not "modify the discretion" (instead of "limit the authority) of a law enforcement agency to investigate a report of a missing child, notify local media about a missing child, or issue any form of missing child alert.

*Senate Status:* 03/17/22 - Senate passed with amendment 1 (013591).

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/08/22 - Enacted as Public Chapter 0767 effective April 6, 2022.

*Public Chapter:* PC767.pdf

### **SB2476/HB2575 Anonymous reports of child abuse made to DCS.**

*Sponsors:* Sen. Bowling, Janice , Rep. Doggett, Clay

*Summary:* Clarifies that if a report of harm to a child was made to DCS anonymously, then the juvenile court is prohibited from ordering the parents or person responsible for the care of the child to allow the department entrance for purposes of interview, examination, and investigation unless the department has presented evidence corroborating the anonymous report of harm.

*Senate Status:* 04/07/22 - Senate passed.

*House Status:* 03/28/22 - House passed.

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0849 effective April 20, 2022.

*Public Chapter:* PC849.pdf

### **SB2729/HB2711 DCS report on probation and juvenile justice evidence-based treatment services.**

*Sponsors:* Sen. White, Dawn , Rep. Howell, Dan

*Summary:* Changes the date by which the commissioner of the department of children's services must submit a report to the governor and the general assembly on probation and juvenile justice evidence-based treatment services from January 31 to March 1. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (017213) rewrites this bill and revises present law provisions governing child care agencies, as follows: (1) This amendment specifies licensure and other requirements for nontraditional child care agencies (as discussed below in items (6)-(10)) and defines "nontraditional child care agency" as a child care agency that provides residential child care for one or more children that must be transported across state lines to enter or leave the agency's care and whose transport across state lines is not subject to the Interstate Compact on Juveniles or the Interstate Compact on the Placement of Children. (2) This amendment requires the department of children's services, through its duly authorized agents, to inspect, at least twice per year, without previous notice, all nontraditional child care agencies or suspected nontraditional child care agencies. (3) Present law requires each child care agency to make an annual report of its work to the department. This amendment requires each nontraditional child care agency to include in its annual report to the department: (A) The number of children who have been under the agency's care during the license period; (B) The number of children adopted or for whom care has been transferred to an individual or entity during the license period; (C) The state and county where the children were adopted or transferred; (D) The average length of stay of the children with the agency; and (E) The

amount in grants and public funds received by the agency from federal, state, and local governments. (4) Present law requires the department to prepare a comprehensive annual report of the status of child care agencies within the state subject to its jurisdiction, accompanied by special comments and recommendations. Under present law, the reports must be published at state expense for the information of the general assembly and for distribution to interested persons; this amendment revises this provision to instead require the department to publish the report on the department's website for the public. (5) This amendment requires the department to make a presentation of the report to the appropriate committees of the senate and the house of representatives, as determined by each respective speaker. The presentation shall describe, at a minimum, the information described above in item (3). (6) Under this amendment, an individual or entity operating a nontraditional child care agency that serves or intends to serve children must be licensed by the department as provided by the present law provisions governing child care agencies. This amendment authorizes the department to issue rules for the licensing of individuals or entities subject to this part and the enforcement of appropriate standards for the health, safety, and welfare of children under the care or supervision of those individuals or entities. The rules of the department that are in effect on July 1, 2000, will remain in effect until modified by regulatory action of the department to the extent the rules are not inconsistent with the present law provisions governing child care agencies. This amendment requires the department to develop the rules for nontraditional child care agencies and to base the continued approval of the licensing of a nontraditional child care agency, upon certain criteria, as specified in this amendment, such as the quality of the methods of care and instruction provided for the children. This amendment requires the department to provide reasonable assistance to applicants or licensees in meeting the child care standards of the department, unless the circumstances demonstrate that further assistance is not compatible with the continued safety, health, or welfare of the children in the agency's care, and that regulatory action affecting the agency's license is warranted. Costs and expenses arising from or related to meeting the child care standards of the department will be borne entirely by the applicant or licensee. If a licensee is denied the renewal of an existing license or an existing license is revoked, or if an applicant for a license cannot meet the standards, then the department must assist in planning for the placement of the children in licensed nontraditional child care agencies, or other suitable care, return them to their own homes, or make other plans as are necessary and advisable to meet the particular needs of the children involved. (7) This amendment requires the department to issue a temporary license to an applicant for a nontraditional child care agency license that is not the renewal of an existing license if the department determines that the applicant has presented satisfactory evidence that: (A) The facility that is proposed for the care of children complies with local and state building, fire, environmental, health, and safety laws and regulations; and includes separate sleeping quarters for children of different genders; (B) The applicant and the personnel who will care for the children are capable to care for the children; (C) The applicant has the ability and intent to comply with the licensing law and rules; and (D) The applicant has obtained liability insurance of no less than \$2 million. (8) This amendment specifies that the department will not issue a temporary license for nontraditional child care agencies that federal law or regulations prohibit the department from licensing until all necessary licensing requirements are met. If the department determines that the conditions of the nontraditional child care agency license applicant's facility, its methods of care, or other circumstances warrant, then the department may issue a restricted license that limits the agency's authority in one or more areas of operation. This amendment states that the purpose of the temporary license is to permit the nontraditional child care agency license applicant to demonstrate to the department that it has complied with all licensing laws and rules applicable to its

classification prior to the issuance of an initial annual license. Within 90 days of the issuance of the temporary license, the department will determine if the applicant has complied with all licensing laws and rules governing the nontraditional child care agency for which the application was made. If the department determines that the applicant has complied with all licensing laws and rules for the nontraditional child care agency for which the application was made, then the department shall issue an annual license. If the department determines that the conditions of the applicant's facility, its methods of care, or other circumstances warrant, then the department may issue a restricted license that limits the agency's authority in one or more areas of operation. If the department fails to issue or deny an annual license within 90 days of the granting of the temporary license, then the temporary license remains in effect, unless suspended, until a determination is made. If an annual license is denied following the issuance of a temporary license, and if a timely appeal is made of the denial of the annual license, then the temporary license remains in effect, unless suspended, until the board of review renders a decision regarding the denial of the annual license. If a temporary or annual license is denied, or an annual license is restricted, then the applicant may appeal the denial or restriction. (9) This amendment specifies that in granting a license, the department may limit the total number of children who may be enrolled in the nontraditional child care agency regardless of whether the agency may have the physical capacity to care for more children. The department will not approve a license for a nontraditional child care agency to provide care for more than 25 children during the license period that must be transported across state lines to enter the agency's care and whose transport across state lines is not subject to the Interstate Compact for Juveniles or the Interstate Compact on the Placement of Children. This amendment also establishes requirements for limited circumstances under which a license may be transferred. (10) Under this amendment, a nontraditional child care agency must pay an application fee of \$25.00 and a fee of \$100 per child that the agency is licensed to care for during the licensure period. Licensure application and renewal fees collected by the department must be paid into the general fund, but be earmarked for and dedicated to the department. The department must use the earmarked fees exclusively to improve child care quality in this state by funding activities that include, but are not limited to, child care provider training activities, but excluding costs associated with conducting criminal background checks. This amendment sets out provisions for criminal history records checks of persons who will manage or operate a nontraditional child care agency, to be conducted by the TBI or FBI, or both, and provides for the confidentiality of the information; and revises the present law provision for criminal history background checks for other child care agencies so that the provisions for nontraditional and other child care agencies are the same. (11) This amendment adds that a child has a cause of action against a nontraditional child care agency that authorizes an individual to be present on the premises of the child care agency and the authorized individual inflicts abuse, neglect, or sexual abuse upon the child. The attorney general may bring an action under this provision on behalf of a child and may seek damages for the benefit of the child as permitted by law. (12) This amendment adds that within 72 hours of beginning to provide care for a child who was transported across state lines to enter the agency's care and whose transport across state lines was not subject to the Interstate Compact for Juveniles or the Interstate Compact on the Placement of Children a nontraditional child care agency must prepare a file containing minimal identification requirements of the child (this amendment sets out in detail the information to be provided); and submit a copy of the file to the department in a form deemed appropriate by the department by rule. At least 10 business days prior to the transport of a child from the care of the agency to the care of an individual or entity, the nontraditional child care agency must notify the department that the child will be transported and provide the department with identifying information as deemed appropriate

by the department by rule. This amendment requires the department to maintain the information in a database and to provide access to the database to law enforcement and other individuals and entities as deemed appropriate by the department by rule and in accordance with all applicable law. If the department determines that a nontraditional child care agency has violated these provisions, then the department may revoke the agency's license. (13) This amendment requires the department to notify the state board of education within three business days of issuance of a license to a facility that intends to provide care, or provides care, to children who are transported across state lines to enter the facility's care and whose transport across state lines is not subject to the Interstate Compact for Juveniles or the Interstate Compact on the Placement of Children. (14) This amendment requires the state board of education, through the department of education, to enforce standards for child care provided in facilities licensed by the department of children's services under the child care agency provisions, who are transported across state lines to enter the facility's care and whose transport across state lines is not subject to the Interstate Compact for Juveniles or the Interstate Compact on the Placement of Children. This amendment also requires the state board, through the department of education, to ensure that educational services provided in such facilities meet all attendance and academic requirements applicable to children enrolled in a public school serving K-12, as provided in applicable statutes and rules.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (017213).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1126 effective June 1, 2022.

*Public Chapter:* PC1126.pdf

### **SB2730/HB2712 Department of Children's Services annual report date changed.**

*Sponsors:* Sen. White, Dawn , Rep. Howell, Dan

*Summary:* Changes the due date for DCS commissioner to publish an annual report on the operation of the department and the services and program, from January 31 to March 30. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015942) rewrites this bill and adds requirements in regard to child care agencies as follows: (1) This amendment requires, on or after July 1, 2022, an applicant seeking a license, including renewal of an existing license, for a child care agency that provides residential child care to disclose all contracts and agreements, including contract or agreement amendments, with third parties through which the applicant intends to provide placement, housing, or care services for children in this state. (2) This amendment requires the department of children's services to revoke the license that provides residential child care, if the department determines at any time that in a period of one year, the greater of two employees or 3 percent or more of facility employees have been charged with a criminal offense for conduct alleged to: (A) Have occurred on the premises of the agency; (B) Be in connection with the agency employee's job responsibilities; or (C) Involve a child served by the agency. (3) For purposes of the provisions described above in (2), this amendment defines "employee" to include a person who directly interacts with children served by the agency to provide services on behalf of the agency, regardless of whether the person is an employee, independent contractor, or volunteer. (4) This amendment prohibits a person who has served as full or part owner or director, or as a member of the management, of a child care agency with a license revoked pursuant to the provisions described above in (2) from receiving a license to operate a child care agency for one year following the date of the revocation. (5) This amendment requires an approved or suspected child care agency that provides, or is suspected of providing, residential child care to provide a census of the number and names of

children currently in the agency's care, if the department makes a request for such census. (6) Under this amendment, upon the escape or disappearance of a child in the care of an approved child care agency, the agency must immediately report the disappearance of the child to the department and the chief law enforcement officer of the county in which the agency is located. This amendment requires the agency to designate an individual who is responsible for making the required reports. An individual so designated by the agency who intentionally fails to comply with the reporting requirement commits a Class B misdemeanor. (7) Under present law, each child care agency must make an annual report of its work to the department. This amendment requires an agency that provides residential child care to include the following in its annual report: (A) The number of children who have been under the agency's care during the license period; (B) The disposition of children for whom care has been transferred to an individual or entity during the license period, including, but not limited to: (i) The number of children for whom care has been transferred; (ii) The state and county where each child was adopted or transferred; and (iii) The reason for the transfer, including whether the child was placed in foster care or with a family member; and (C) Any contracts or agreements with third parties, including contract or agreement amendments, through which the child care agency has agreed to provide placement, housing, or care services for children.

*Senate Status:* 04/07/22 - Senate passed with amendment 1 (015942).

*House Status:* 04/07/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0906 effective April 19, 2022.

*Public Chapter:* PC906.pdf

### **SB2741/HB2702 Information required to be provided in writing to foster parents by DCS.**

*Sponsors:* Sen. White, Dawn , Rep. Casada, Glen

*Summary:* Expands the information required to be provided in writing to foster parents by the department of children's services to include all information available to the department regarding the child's education status, mental health history and status, behavioral history, and physical disabilities. Broadly captioned.

*Senate Status:* 04/13/22 - Senate passed.

*House Status:* 04/11/22 - House passed.

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0956 effective April 29, 2022.

*Public Chapter:* PC956.pdf

### **GOVERNMENT CONTRACTS**

### **SB1977/HB2676 Fiscal review committee comment on proposed noncompetitive contract.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Zachary, Jason

*Summary:* Extends, from 40 business days to 45 business days, the amount of time from receipt of request that the fiscal review committee has to comment on a proposed noncompetitive contract. Broadly captioned.

*Amendment Summary:* House amendment 1 (015615) rewrites this bill and requires, for each emergency purchase the central procurement office approves, the reporting of certain information, as specified in this amendment, to the fiscal review committee within 30 days of the approval. The required information includes: (1) Any delegated emergency purchase authority granted by the central procurement office; (2) The procurement-related actions taken in response to the emergency, including the procurement methods used; and (3) Total funding for the emergency purchase agreement and funding source. This amendment specifies that it does not apply to purchases procured pursuant to rules, regulations, policies, or procedures established under the present

law provisions governing informal solicitations, small purchases, and active solicitation of responses from small business or businesses owned by minorities, women, serviced-disabled veterans, and persons with disabilities. This amendment authorizes the fiscal review committee of the general assembly, upon agreement of the chair and vice chair, to hold hearings on an emergency purchase reported to the committee pursuant to this amendment. Senate amendment 1 (015974) incorporates the changes made by House Amendment #1 and adds that the provisions requiring the central procurement office to report certain information relative to emergency purchases does not apply to small purchases procured pursuant to rules, regulations, policies, or procedures established by the chief procurement officer under present law.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (015974).

*House Status:* 04/27/22 - House concurred in Senate amendment 1 (015974).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1076 effective May 25, 2022.

*Public Chapter:* PC1076.pdf

### **SB2464/HB2309 Outsourcing of facilities management services to private, nonstate government entities.**

*Sponsors:* Sen. Reeves, Shane , Rep. Freeman, Bob

*Summary:* Extends, from not less than 30 days to 45 days, the time before a department or agency of state government executes a state professional facilities management contract for services within a state legislative district that would result in the outsourcing of facilities management services to private, nonstate government entities, that the respective department or agency must notify each member of the general assembly representing such district of the contract.

*Amendment Summary:* House amendment 1 (015002) rewrites this bill to add to the Eligibility Verification for Entitlements Act. Except where prohibited by federal law, present law requires every state governmental entity and local health department to verify that each applicant 18 years of age or older, who applies for a federal, state, or local public benefit from the entity or local health department, is a United States citizen or lawfully present in the United States. This amendment adds that a public benefit does not include a professional or commercial license for purposes of the citizenship verification requirement. To be eligible for a professional or commercial license, this amendment specifies that an applicant must show that the applicant is either a United States citizen or authorized under federal law to work in the United States as verified by the SAVE program.

*Senate Status:* 04/14/22 - Senate passed.

*House Status:* 04/11/22 - House passed with amendment 1 (015002).

*Executive Status:* 04/29/22 - Enacted as Public Chapter 0911 effective July 1, 2022.

*Public Chapter:* PC911.pdf

### **GOVERNMENT ORGANIZATION**

### **SB1693/HB1774 Sunset - applied behavior analyst licensing committee of the board of examiners in psychology.**

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

*Summary:* Extends the applied behavior analyst licensing committee of the board of examiners in psychology to June 30, 2028.

*Senate Status:* 02/07/22 - Senate passed.

*House Status:* 02/14/22 - House passed.

*Executive Status:* 03/07/22 - Enacted as Public Chapter 0599 effective February 28, 2022.

*Public Chapter:* PC599.pdf



**SB1700/HB1781 Sunset - bureau of TennCare within the department of finance and administration.**

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

*Summary:* Extends the bureau of TennCare within the department of finance and administration to June 30, 2026.

*Amendment Summary:* House amendment 1 (017173) extends the termination date of the Bureau of TennCare to June 30, 2024. Under the Tennessee Governmental Entity Review Law, the Bureau is scheduled to terminate June 30, 2022.

*Senate Status:* 04/28/22 - Senate adopted conference committee report (018239).

*House Status:* 04/28/22 - House adopted conference committee report (018239).

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1023 effective May 11, 2022.

*Public Chapter:* PC1023.pdf

**SB1704/HB1785 Sunset - council on children's mental health care.**

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

*Summary:* Extends the council on children's mental health care to June 30, 2028.

*Senate Status:* 02/07/22 - Senate passed.

*House Status:* 02/14/22 - House passed.

*Executive Status:* 03/07/22 - Enacted as Public Chapter 0606 effective February 28, 2022.

*Public Chapter:* PC606.pdf

**SB1706/HB1787 Sunset - department of education.**

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

*Summary:* Extends the department of education to June 30, 2026.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0724 effective March 24, 2022.

*Public Chapter:* PC724.pdf

**SB1707/HB1788 Sunset - department of human services.**

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

*Summary:* Extends the department of human services to June 30, 2026.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0751 effective March 28, 2022.

*Public Chapter:* PC751.pdf

**SB1711/HB1792 Sunset - domestic violence state coordinating council.**

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

*Summary:* Extends the domestic violence state coordinating council to June 30, 2030.

*Senate Status:* 02/03/22 - Senate passed.

*House Status:* 02/24/22 - House passed.

*Executive Status:* 03/14/22 - Enacted as Public Chapter 0628 effective March 11, 2022.

*Public Chapter:* PC628.pdf

**SB1714/HB1795 Sunset - Interstate Compact on Mental Health.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Interstate Compact on Mental Health to June 30, 2030.  
*Senate Status:* 02/03/22 - Senate passed.  
*House Status:* 02/24/22 - House passed.  
*Executive Status:* 03/14/22 - Enacted as Public Chapter 0629 effective March 11, 2022.  
*Public Chapter:* PC629.pdf

**SB1715/HB1796 Sunset - Interstate Compact on the Placement of Children.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the Interstate Compact on the Placement of Children to June 30, 2030.  
*Senate Status:* 02/03/22 - Senate passed.  
*House Status:* 02/24/22 - House passed.  
*Executive Status:* 03/14/22 - Enacted as Public Chapter 0630 effective March 11, 2022.  
*Public Chapter:* PC630.pdf

**SB1720/HB1801 Sunset - school bond authority.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the school bond authority to June 30, 2030.  
*Senate Status:* 02/03/22 - Senate passed.  
*House Status:* 02/24/22 - House passed.  
*Executive Status:* 03/14/22 - Enacted as Public Chapter 0634 effective March 11, 2022.  
*Public Chapter:* PC634.pdf

**SB1723/HB1804 Sunset - state family support council.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state family support council to June 30, 2028. Sunset bill.  
*Senate Status:* 02/07/22 - Senate passed.  
*House Status:* 02/14/22 - House passed.  
*Executive Status:* 03/07/22 - Enacted as Public Chapter 0612 effective February 28, 2022.  
*Public Chapter:* PC612.pdf

**SB1724/HB1805 Sunset - state university and community college system, board of regents.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Ragan, John  
*Summary:* Extends the state university and community college system, board of regents to June 30, 2026.  
*Amendment Summary:* Senate amendment 1 (011783) extends the termination date of the State University and Community College System, Board of Regents, to June 30, 2026. Under the Tennessee Governmental Entity Review Law, the Board is scheduled to terminate on June 30, 2022. Increases the membership of the Board, from 18 to 19 total members. Requires that meetings of the Board and meetings of the standing committees of the Board be made available for viewing via the internet, accessible from the Board's website, and further requires that archived videos of meetings be available to the public through the Board's website.  
*Senate Status:* 02/24/22 - Senate passed with amendment 1 (011783).  
*House Status:* 03/17/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0755 effective March 31, 2022.

*Public Chapter:* PC755.pdf

**SB1725/HB1806 Sunset - statewide planning and policy council for the department of intellectual and developmental disabilities.**

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

*Summary:* Extends the statewide planning and policy council for the department of intellectual and developmental disabilities to June 30, 2028.

*Senate Status:* 02/07/22 - Senate passed.

*House Status:* 02/14/22 - House passed.

*Executive Status:* 03/07/22 - Enacted as Public Chapter 0613 effective February 28, 2022.

*Public Chapter:* PC613.pdf

**SB1728/HB1809 Sunset - Tennessee arts commission.**

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

*Summary:* Extends the Tennessee arts commission to June 30, 2028.

*Senate Status:* 02/14/22 - Senate passed.

*House Status:* 02/14/22 - House passed.

*Executive Status:* 03/07/22 - Enacted as Public Chapter 0615 effective February 28, 2022.

*Public Chapter:* PC615.pdf

**SB1734/HB1815 Sunset - THEC.**

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

*Summary:* Extends the Tennessee higher education commission to June 30, 2026.

*Senate Status:* 02/07/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0728 effective March 24, 2022.

*Public Chapter:* PC728.pdf

**SB1743/HB1824 Sunset - Tennessee student assistance corporation.**

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

*Summary:* Extends the Tennessee student assistance corporation, board of directors to June 30, 2026.

*Senate Status:* 02/07/22 - Senate passed.

*House Status:* 03/14/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0752 effective March 28, 2022.

*Public Chapter:* PC752.pdf

**SB1754/HB1707 Codifies the Acts of the 2021 regular and extraordinary sessions.**

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

*Summary:* Codifies the Acts of the 2021 regular and extraordinary sessions.

*Senate Status:* 01/31/22 - Senate passed.

*House Status:* 02/14/22 - House passed.

*Executive Status:* 03/07/22 - Enacted as Public Chapter 0620 effective February 28, 2022.

*Public Chapter:* PC620.pdf

**HEALTH CARE**

**SB2043/HB2565 Plan for providing remote use of special supplemental food program for women, infants.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Hakeem, Yusuf

*Summary:* Requires the department of health to develop a plan for providing remote use of the special supplemental food program for women, infants, and children at a substantially similar level as has been available during 2020 and 2021 and deliver the plan developed to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives no later than December 15, 2022. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014708) rewrites this bill to authorize the department of health, as allowed via federal department of agriculture waiver of the physical presence requirement, to utilize remote use of the special supplemental food program for women, infants, and children at a substantially similar level as has been available during calendar years 2020, 2021, and 2022. This amendment also authorizes the department to promote remote use options and educate eligible recipients about remote use. For purposes of this amendment, "remote use" means effectuating the requirements of the special supplemental nutrition program for women, infants, and children via telephone, audio video equipment, or similar technology. This amendment requires the department of health to conduct a review of remote use of the special supplemental food program for women, infants, and children and deliver a report to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives no later than December 15, 2022.

*Senate Status:* 03/30/22 - Senate passed with amendment 1 (014708).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/01/22 - Enacted as Public Chapter 1099 effective May 27, 2022.

*Public Chapter:* PC1099.pdf

**SB2162/HB2649 Authorizes healthcare facilities to employ and commission police officers.**

*Sponsors:* Sen. Watson, Bo , Rep. Williams, Ryan

*Summary:* Authorizes healthcare facilities to employ and commission police officers to provide security and law enforcement at the facilities. Allows a facility to establish additional qualifying factors, training standards, and policies for its police officers. Requires each police officer employed by a facility to be appointed as a special deputy or a special police officer by the chief law enforcement officer of the county or municipal law enforcement agency in which the facility is located.

*Amendment Summary:* Senate amendment 1 (016236) authorizes healthcare facilities to employ and commission police officers who, at a minimum, meet requirements under the peace officer standards and training (POST) commission to provide security and law enforcement at the facilities. States that a law enforcement agency may enter into a written mutual assistance or other agreement with other law enforcement agencies as are necessary to preserve and protect the property, patients, and employees of the facility employing the officers. Senate amendment 2 (017046) adds authorization for a local governmental entity to contract with an entity working on the megasite of West Tennessee for the provision of security services at the megasite.

*Senate Status:* 04/12/22 - Senate passed with amendment 1 (016236) and amendment 2 (017046).

*House Status:* 04/18/22 - House concurred in Senate amendment 1 (016236) and amendment 2 (017046).

*Executive Status:* 05/09/22 - Enacted as Public Chapter 0997 effective May 4, 2022.

*Public Chapter:* PC997.pdf

**SB2188/HB2746 Ivermectin to be sold as an over-the-counter medication.**

*Sponsors:* Sen. Niceley, Frank , Rep. Lynn, Susan  
*Summary:* Permits ivermectin suitable for human consumption to be sold and purchased as an over-the-counter medication, not requiring a prescription. Broadly captioned.  
*Amendment Summary:* Senate amendment 1 (014995) rewrites the bill to authorize a pharmacist to provide ivermectin to a patient, who is 18 years of age or older, pursuant to a valid collaborative pharmacy practice agreement containing a non-patient-specific prescriptive order and standardized procedures developed and executed by one or more authorized prescribers. This amendment requires the board of pharmacy to adopt rules to establish standard procedures for the provision of ivermectin by pharmacists, including rules to provide the patient with a standardized fact sheet regarding ivermectin. This amendment provides that a pharmacist or prescriber acting in good faith and with reasonable care involved in the provision of ivermectin under this amendment is immune from disciplinary or adverse administrative actions for acts or omissions during the provision of ivermectin. Also, a pharmacist or prescriber involved in the provision of ivermectin under this amendment will be immune from civil liability in the absence of gross negligence or willful misconduct for actions authorized by provisions of this amendment.  
*Senate Status:* 04/06/22 - Senate passed with amendment 1 (014995).  
*House Status:* 04/07/22 - House passed.  
*Executive Status:* 04/26/22 - Enacted as Public Chapter 0908 effective April 22, 2022.  
*Public Chapter:* PC908.pdf

**SB2304/HB2213 Task force to review healthcare workers' reimbursements and wages.**

*Sponsors:* Sen. Massey, Becky , Rep. Hazlewood, Patsy  
*Summary:* Creates a healthcare task force designated to review the reimbursement of health professionals employed by agencies performing healthcare services in this state. Task force is administratively attached to the department of health and is composed of thirteen members. Requires the task force to submit an interim progress report of its findings and recommendations to both speakers and the chair for both the house and senate health committees no later than July 1, 2023.  
*Amendment Summary:* Senate amendment 2 (016239) revises various provisions of this bill, as follows: (1) Removes the provision for the task force being administratively attached to the department of health; (2) Increases the membership of the task force from 13 to 15 members by adding the commissioner of health and the executive director of the Tennessee commission on aging and disability, or such officials' designee; (3) Removes eligibility for per diem or reimbursement of travel expenses for task force members in carrying out their duties under this bill; (4) Reduces the required meetings from monthly to once every two months; (5) Authorizes the chair to utilize subcommittees composed of task force members; and (6) Changes the final report and task force termination date from December 31, 2024, to December 31 2023.  
*Senate Status:* 04/04/22 - Senate passed with amendment 2 (016239).  
*House Status:* 04/27/22 - House passed.  
*Executive Status:* 06/06/22 - Enacted as Public Chapter 1138 effective June 3, 2022.  
*Public Chapter:* PC1138.pdf

**SB2409/HB2156 Submission of nominees for consideration as county health director.**

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

*Summary:* Extends the period, from 10 days to 15 days, in which a county mayor must submit a slate of nominees for consideration as the county health director to the commissioner of health. Broadly captioned. Part of Administration Package.

*Amendment Summary:* Senate amendment 1 (015324) rewrites this bill and revises present law provisions governing county health departments. Generally, this amendment restores certain provisions of law to the version that they were prior to Chapter 4 of the Public Acts of 2021 (3rd Ex. Sess.) and revises certain of the provisions enacted by Chapter 4, as follows: (1) Present law authorizes the commissioner of health to appoint a county health officer responsible for providing medical direction including medical enforcement actions with the approval of the commissioner or the county mayor. This amendment removes the requirement for the approval of the commission or the county mayor, which was added by Chapter 4; (2) This amendment authorizes county health officers to order rules as are necessary or appropriate to protect the general health and safety of the county. This authorization existed prior to Chapter 4 and was deleted by the act. This amendment does make such authorization subject to present law provisions governing COVID; and (3) Under present law, enacted by Chapter 4, for the purposes of effectively mitigating the impact of a pandemic, upon declaration of a pandemic by the world health organization and a subsequent declaration of a state of emergency by the governor indicating that the pandemic impacts this state, and until such pandemic ceases to exist, the governor has exclusive jurisdiction to issue executive orders and directives with respect to each county health department in this state. This amendment specifies that the orders and directives must be "related to the pandemic."

*Senate Status:* 03/17/22 - Senate passed with amendment 1 (015324).

*House Status:* 03/24/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0786 effective April 8, 2022.

*Public Chapter:* PC786.pdf

### **SB2421/HB2171 Makes various changes to the controlled substance monitoring database.**

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

*Summary:* Makes various changes to the controlled substance monitoring database dealing with patient reports and release of confidential information regarding healthcare practitioners, healthcare practitioner delegates, or patients. Part of Administration Package.

*Amendment Summary:* House amendment 1 (015056) requires a healthcare practitioner whose practice is a Part 2 Program shall submit the dispensing and administrating of all controlled substances, however, the reporting of the dispensing and administrating by a Part 2 Program is not required until the commissioner promulgates rules regarding the reporting of dispensing and administrating controlled substances. States a healthcare practitioner or delegate may place a copy of a patient's record from the database in the patient's medical records in exception to information reported by a Part 2 Program. States the commissioner is authorized to enter into agreements with the CDC, other states, and other government entities for the purposes of sharing and disseminating data and information in the database, however, the agreement must be approved by the operations committee prior to the execution of the agreement.

*Senate Status:* 03/30/22 - Senate passed.

*House Status:* 03/24/22 - House passed with amendment 1 (015056).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0825 effective April 14, 2022.

*Public Chapter:* PC825.pdf

### **SB2465/HB2228 Prescription for naloxone hydrochloride.**

*Sponsors:* Sen. Reeves, Shane , Rep. Ramsey, Bob

*Summary:* Requires a health care prescriber to prescribe naloxone hydrochloride, or another drug approved for the complete or partial reversal of an opioid overdose, when a patient receives a prescription for an opioid medication. Exempts palliative care patients and specifies conditions that apply. Failure by a prescriber to comply could result in penalty. Broadly captioned.

*Amendment Summary:* House amendment 1 (016756) makes the following changes to this bill: (1) Removes the reference to naloxone hydrochloride; (2) Replaces this bill's conditions under which a healthcare prescriber will be required to offer a prescription for an opioid antagonist, or another drug approved by the United States FDA for the complete or partial reversal of an opioid overdose event, to be: (A) The healthcare provider prescribes more than a three-day supply of an opioid medication; and (B) The healthcare provider prescribes an opioid medication concurrently with a prescription by the same provider for benzodiazepine, or the patient presents with an increased risk for overdose; (3) Removes the provision that authorizes administrative sanctions against a prescriber; (4) Adds an exception for opioid prescriptions written by licensed veterinarians; (5) Specifies that this amendment and present law concerning regulations and registration for controlled drugs does not create a private right of action; (6) Adds that a person who fails to comply with this amendment's requirements is not guilty of a felony under present law that generally makes it a Class D felony offense for a person to distribute or dispense a controlled substance in violation of requirements for prescription drugs. This amendment specifies that a person who fails to comply with this amendment's requirements is punishable only by a civil penalty assessed by the provider's licensing board and only in cases involving a pattern of willful failure to comply; and (7) Changes this bill's effective date from upon becoming a law to July 1, 2022.

*Senate Status:* 04/27/22 - Senate passed.

*House Status:* 04/25/22 - House passed with amendment 1 (016756).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1061 effective July 1, 2022.

*Public Chapter:* PC1061.pdf

### **SB2550/HB2667 Availability of healthcare personnel in healthcare facilities.**

*Sponsors:* Sen. Jackson, Ed , Rep. Sexton, Cameron

*Summary:* Authorizes the commissioner of health and the commissioner of mental health and substance abuse services to allow certain rules be waived for healthcare professionals, graduate students and undergraduate upper respiratory care students in order for those persons to operate outside of normal licensure requirements during a healthcare staffing crisis. Allows a graduate nurse to engage in the practice of practical nursing without a license under certain circumstances. Requires that out-of-scope tasks be performed in a licensed hospital or licensed behavioral healthcare facility. Allows the commissioner of health to determine whether a healthcare staffing crisis exists and requires notice be given to the governor and speakers of the senate and house of representatives. Defines relevant terms.

*Amendment Summary:* Senate amendment 1 (015972) authorizes the Commissioner of the Department of Health (DOH), while there is a healthcare staffing crisis brought on by an infectious disease or catastrophic event, to allow healthcare professionals, who are licensed in another state, to temporarily engage in the practice of that professional's profession in Tennessee. Requires that the forms and process for this must be published on the DOH's health professional boards' website. States that a healthcare professional practicing pursuant to this legislation be subjected to all licensing fees, rules, and disciplinary actions. Gives authority to the Commissioner to allow healthcare professionals to perform tasks outside of their professional

scope of practice, when performed in certain facilities and there is a healthcare staffing crisis. Gives authority to the Commissioner to allow students enrolled in a graduate school program or an undergraduate respiratory care program, who meet certain requirements, to perform supervised tasks in certain facilities. Prohibits the Commissioner from extending a healthcare staffing crisis determination for more than 120 days, unless the Commissioner determines that a healthcare staffing crisis still exists. Allows a graduate nurse to engage in the practice of practical nursing without a license for up to 120 days from the date of receipt of the first authorization to take the NCLEX-PN examination if certain criteria are met. Allows the DOH, Department of Mental Health and Substance Abuse Services (DMHSAS), and the Department of Intellectual and Developmental Disabilities (DIDD) to promulgate rules to effectuate the purposes of this act. House amendment 1 (015223) gives authority to the Commissioner of the Department of Health (DOH), while there is a healthcare staffing crisis brought on by an infectious disease or catastrophic event, to allow healthcare professionals, who are licensed in another state, to temporarily engage in the practice of that professional's profession in Tennessee. Requires that the forms and process for this must be published on the DOH's health professional boards' website. States that a healthcare professional practicing pursuant to this legislation be subjected to all licensing fees, rules, and disciplinary actions. Gives authority to the Commissioner to allow healthcare professionals to perform tasks outside of their professional scope of practice, so long as they are performed in certain facilities and there is a healthcare staffing crisis. Gives authority to the Commissioner to allow students enrolled in a graduate school program or an undergraduate respiratory care program, who meet certain requirements, to perform supervised tasks in certain facilities. Prohibits the Commissioner from extending a healthcare staffing crisis determination for more than 180 days, unless additional findings are provided to the governor and both house speakers. Allows a graduate nurse to engage in the practice of practical nursing without a license for up to 120 days from the date of receipt of the first authorization to take the NCLEX-PN examination if certain criteria are met. Allows the DOH, Department of Mental Health and Substance Abuse Services (DMHSAS), and the Department of Intellectual and Developmental Disabilities (DIDD) to promulgate rules to effectuate the purposes of this act.

*Senate Status:* 04/07/22 - Senate passed with amendment 1 (015972).

*House Status:* 04/14/22 - House concurred in Senate amendment 1 (015972).

*Executive Status:* 05/03/22 - Enacted as Public Chapter 0954 effective April 29, 2022.

*Public Chapter:* PC954.pdf

## **INSURANCE HEALTH**

### **SB1846/HB1843 Expands the definition of provider-based telemedicine.**

*Sponsors:* Sen. Watson, Bo , Rep. Terry, Bryan

*Summary:* Expands the definition of provider-based telemedicine to include HIPAA compliant audio-only conversations for the provision of healthcare services beyond behavioral health services when other means are unavailable. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015805) allows the use of a HIPPA compliant audio-only conversation when other telemedicine services are not available and requires that the patient's financial responsibility for the audio-only encounter be consistent with that of other in-person or video encounters.

*Senate Status:* 03/14/22 - Senate passed with amendment 1 (015805).

*House Status:* 03/21/22 - House concurred in Senate amendment 1 (015805).

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0807 effective April 8, 2022.



**SB2453/HB2655 Telehealth services reimbursement regulations.**

*Sponsors:* Sen. Yager, Ken , Rep. Hawk, David

*Summary:* Extends the statutory provision regulating reimbursements for healthcare services provided during a telehealth encounter beyond April 1, 2022. Tolls for the duration of any state of emergency the 16-month period that a provider can offer telemedicine services to the patient without having an in-person encounter. Allows a healthcare provider to provide medical services through telehealth if the service is not otherwise outside the provider's license.

*Amendment Summary:* House amendment 1 (014001) extends indefinitely the period for reimbursement for healthcare services provided by a telehealth encounter past April 1, 2022. Tolls the 16-month period that a provider can offer telemedicine services to their patient without having an in-person encounter for the duration of a state of emergency declared by the governor, provided that the healthcare services provider or the patient, or both, are located in the geographical area covered by the applicable state of emergency.

*Senate Status:* 03/21/22 - Senate passed.

*House Status:* 02/28/22 - House passed with amendment 1 (014001).

*Executive Status:* 04/08/22 - Enacted as Public Chapter 0766 effective April 1, 2022.

*Public Chapter:* PC766.pdf

**SB2771/HB2544 Coverage for breast examinations.**

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

*Summary:* Requires a benefit plan that covers an annual screening for patients 35 years and older, of low dose mammography screening for breast cancer. Includes required coverage for diagnostic imaging and supplemental breast screening.

*Amendment Summary:* House amendment 1 (014197) revises the required coverage to require a health benefit plan that provides coverage for imaging services for screening mammography to provide coverage to a patient for low-dose mammography according to the following guidelines: (1) A baseline mammogram for a woman 35 to 40 years of age; (2) A yearly mammogram for a woman 35 to 40 years of age if the woman is at high risk based upon personal family medical history, dense breast tissue, or additional factors that may increase the individual's risk of breast cancer; and (3) A yearly mammogram for a woman 40 years of age or older based on the recommendation of the woman's physician.

*Senate Status:* 04/27/22 - Senate passed.

*House Status:* 04/27/22 - House passed with amendment 1 (014197).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1068 effective May 25, 2022.

*Public Chapter:* PC1068.pdf

**JUDICIARY**

**SB1779/HB2699 Statute of limitations for challenging a voluntary acknowledgment of paternity.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Parkinson, Antonio

*Summary:* Removes the five-year statute of limitations for challenging a voluntary acknowledgment of paternity on the basis of fraud, duress, or mistake of fact. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013908) adds a provision to this bill concerning acknowledgement of paternity. Under present law, a voluntary acknowledgment of paternity signed by a child's mother and biological father constitutes a legal finding of paternity on the individual named as the father of the child in the acknowledgment, subject to rescission as provided by law.

This amendment specifies that the finding applies when the acknowledgement is signed by an unwed father.

*Senate Status:* 03/10/22 - Senate passed with amendment 1 (013908).

*House Status:* 03/31/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0863 effective July 1, 2022.

*Public Chapter:* PC863.pdf

**SB2010/HB1708 Campaign activities of judicial candidates.**

*Sponsors:* Sen. Bell, Mike , Rep. Lamberth, William

*Summary:* Allows a judicial candidate to personally solicit and accept campaign contributions.

*Senate Status:* 03/03/22 - Senate passed.

*House Status:* 02/14/22 - House passed.

*Executive Status:* 03/30/22 - Enacted as Public Chapter 0668 effective March 18, 2022.

*Public Chapter:* PC668.pdf

**SB2478/HB2538 Deletes references to advisory task force to review composition of judicial districts.**

*Sponsors:* Sen. Bell, Mike , Rep. Curcio, Michael

*Summary:* Deletes the references of the advisory task force to review composition of judicial districts, which no longer exist. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (017215) rewrites this bill. Under present law, in addition to the qualifications provided for judges by the Constitution of Tennessee, judges of the supreme court, court of appeals, chancery courts, circuit courts, criminal courts, and courts exercising the jurisdiction imposed in one or more of the chancery courts, circuit courts or criminal courts, must be learned in the law, which must be evidenced by the judge being authorized to practice law in the courts of this state. This amendment adds that to be considered "learned in the law" there also has to be evidence of: (1) Being in good standing with the board of responsibility; and (2) Not having been publicly censured or suspended or disbarred from the practice of law by the board of professional responsibility within the 10 years preceding the judge's term of office for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; provided, that this provision will not apply to those serving in a judicial position as of the effective date of this bill as amended. This bill as amended will take effect October 1, 2022. House amendment 5 (017912) clarifies that the person must not have been publicly censured by the board of professional responsibility or suspended or disbarred from the practice of law. This amendment also updates an internal cross-reference to the state constitution.

*Senate Status:* 04/27/22 - Senate concurred in House amendment 5 (017912).

*House Status:* 04/25/22 - House passed with amendment 5 (017912).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1120 effective October 1, 2022.

*Public Chapter:* PC1120.pdf

**SB2836/HB2728 Removes language regarding advisory task force on the composition of judicial districts.**

*Sponsors:* Sen. Hensley, Joey , Rep. Ogles, Brandon

*Summary:* Removes outdated requirements for the advisory task force pertaining to the composition of judicial districts. Broadly captioned.

*Amendment Summary:* House amendment 1 (014785) rewrites this bill and classifies as a state employee, for purposes of the present law provisions governing the defense of state employees by the

attorney general; payment of judgments by the board of claims; and the jurisdiction of the claims commission, contracted court reporter when the contracted court reporter is named in a civil action for damages alleging an act or omission by the contracted court reporter in the course of performing the contracted court reporter's official duties.

*Senate Status:* 04/07/22 - Senate passed.

*House Status:* 03/24/22 - House passed with amendment 1 (014785).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0853 effective April 20, 2022.

*Public Chapter:* PC853.pdf

## **LABOR LAW**

### **SB1780/HB1853 Work authorization status of new hires verified through E-Verify.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Boyd, Clark

*Summary:* Lowers the threshold for employers having to verify work authorization status of new hires through E-Verify from those with 50 or more employees to those with 25 or more employees. Requires the office of employment verification assistance to offer, at no charge, E-Verify sign ups and work authorization status checks for employers with less than 50 employees. Specifies that an employer is not in violation of the Tennessee Lawful Employment Act if the employer acts upon false results generated by the E-Verify program concerning an employee's work authorization status. Prohibits certain wrongful or retaliatory discharge or discrimination actions by employees who are not authorized to work in the US under federal immigration laws when the employer is unaware that the employee is not authorized to work in the US. Prohibits certain rehires.

*Amendment Summary:* Senate amendment 1 (014571) requires, on or after January 1, 2023, employers with 35 or more employees to enroll in the E-Verify program. Establishes that no employee has a civil cause of action for alleging wrongful or retaliatory discharge against their employer if: the employee is not authorized to work in the United States under federal immigration laws; and the employer was not aware that the employee was not authorized to work in the United States under federal immigration laws. Furthermore, establishes that any discharge of an employee due to results produced by positive results of the E-Verify program cannot provide a cause of action for discrimination based on national origin. Requires the Office of Employment Verification to enroll any employer in the E-Verify program, at no charge, if such employer has less than 35 full-time equivalent employees. Requires employers to maintain an E-Verify case result for each employee that shows that the employee is authorized to work, whether on the E-Verify Quick Audit Report, the E-Verify User Audit Report, or the individual employee E-Verify case verification result. Requires the E-Verify case result to be visible showing the work authorization status. House amendment 1 (013765) revises the present law provision that requires an employer to maintain, for employees, a record of any results generated by the E-Verify program for that particular employee to instead require an employer to maintain an E-Verify case result for each employee that visibly shows that the employee is authorized to work, whether on the E-Verify Quick Audit Report, the E-Verify User Audit Report, or the individual employee E-Verify case verification result. This amendment provides that the E-Verify case result must be visible showing the work authorization status.

*Senate Status:* 03/28/22 - Senate passed with amendment 1 (014571).

*House Status:* 04/04/22 - House concurred in Senate amendment 1 (014571).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0832 effective April 19, 2022.

*Public Chapter:* PC832.pdf

### **SB2042/HB2078 Tennessee Integrated and Meaningful Employment Act.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Bricken, Rush

*Summary:* Enacts the "Tennessee Integrated and Meaningful Employment Act," which requires an employer to pay an employee who is impaired by age, physical or mental deficiency, or injury, no less than the federal minimum wage regardless of the subminimum wage. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014362) clarifies that this bill will require employers to pay employees no less than the minimum wage, regardless of the subminimum wage for an employee whose earning or productive capacity is impaired by age, physical, or mental deficiency or injury.

*Senate Status:* 03/07/22 - Senate passed with amendment 1 (014362).

*House Status:* 03/28/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0870 effective July 1, 2022.

*Public Chapter:* PC870.pdf

### **SB2426/HB2176 Youth apprenticeships.**

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

*Summary:* Removes youth apprentices from being considered apprenticeships for the Tennessee Registered Apprenticeship Program Act. Broadly captioned. Part of Administration Package.

*Senate Status:* 03/10/22 - Senate passed.

*House Status:* 02/28/22 - House passed.

*Executive Status:* 03/30/22 - Enacted as Public Chapter 0688 effective March 28, 2022.

*Public Chapter:* PC688.pdf

## **LOCAL GOVERNMENT**

### **SB2902/HB2881 Gibson County - juvenile judge to be full-time position.**

*Sponsors:* Sen. Stevens, John , Rep. Halford, Curtis

*Summary:* Local bill for Gibson County that changes the office of juvenile court judge from a part-time to a full-time position. Amends Chapter 307 of the Private Acts of 1982.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 02/28/22 - House passed.

*Executive Status:* 03/30/22 - Enacted as Private Chapter 38 effective March 18, 2022.

## **LOTTERY**

### **SB2493/HB2638 Charitable gaming.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Gillespie, John

*Summary:* Authorizes qualified nonprofit organizations to file an application to operate an annual event in the July 1, 2022, to June 30, 2023, fiscal year.

*Amendment Summary:* House amendment 1 (014411) authorizes nonprofit organizations to submit an annual charitable gaming event application to the Secretary of State's office (SOS) within three calendar days after March 30, 2022, for events to be held from the period beginning July 1, 2022, and ending June 30, 2023. Senate amendment 2 (016484) authorizes nonprofit organizations to submit an annual charitable gaming event application to the Secretary of State's office (SOS) within three calendar days after April 18, 2022, for events to be held from the period beginning July 1, 2022, and ending June 30, 2023.

*Senate Status:* 04/07/22 - Senate passed with amendment 2 (016484).

*House Status:* 04/14/22 - House concurred in Senate amendment 2 (016484).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0851 effective April 20, 2022.

*Public Chapter:* PC851.pdf

## **MEDIA & PUBLISHING**

### **SB2061/HB1957 Confidential records - law enforcement body camera video.**

*Sponsors:* Sen. Johnson, Jack , Rep. Gillespie, John

*Summary:* Extends the date for repeal of a current law specifying certain law enforcement body camera video must be treated as confidential and not subject to public inspection from July 1, 2022 until July 1, 2027. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (014687) extends, from July 1, 2022, to July 1, 2027, the date upon which certain law enforcement body camera footage would become open to public inspection. Adds video footage taken by law enforcement body camera depicting a child care agency, a child care program, a preschool, or a nursery school to the types of footage which must be treated as confidential and not subject to public inspection.

*Senate Status:* 03/07/22 - Senate passed with amendment 1 (014687).

*House Status:* 04/11/22 - House passed.

*Executive Status:* 04/29/22 - Enacted as Public Chapter 0916 effective April 27, 2022.

*Public Chapter:* PC916.pdf

### **SB2725/HB2308 Photographic evidence depicting the remains of a deceased minor is confidential.**

*Sponsors:* Sen. White, Dawn , Rep. Hawk, David

*Summary:* Specifies that photographic evidence depicting the remains of a deceased minor is confidential. Allows parental waiver of confidentiality.

*Amendment Summary:* Senate amendment 1 (016579) rewrites this bill and adds to present law concerning confidentiality of photographic evidence that depicts certain deceased persons. Present law generally classifies as confidential and not open for public inspection photographic evidence of a fatal motor vehicle accident that depicts a deceased minor victim at the scene of the accident. The custodial parent or legal guardian of the deceased minor victim whose photograph is made confidential under present law may waive confidentiality and allow the minor victim's photograph to be used and obtained in the same manner as other public records. This amendment instead classifies as confidential and not open for public inspection: (1) Photographic evidence of a fatal motor vehicle accident that depicts a deceased victim at the scene of the accident; and (2) Photographic evidence that depicts the remains of a deceased minor. Under this amendment, the estate or, in the case of a minor, the custodial parent or legal guardian of the deceased person whose photograph is made confidential pursuant to (1) or (2) may waive confidentiality and allow the deceased person's photograph to be used and obtained in the same manner as other public records.

*Senate Status:* 04/25/22 - Senate passed with amendment 1 (016579).

*House Status:* 04/27/22 - House concurred in Senate amendment 1 (016579).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1064 effective July 1, 2022.

*Public Chapter:* PC1064.pdf

### **SB2819/HB1760 Personal information of public employees deemed confidential.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Curcio, Michael

*Summary:* Clarifies that employment records or information of public employees maintained by an employing governmental entity or person is confidential.

*Amendment Summary:* House amendment 1 (014286) clarifies that certain personal information of public employees maintained by an employing governmental entity or person is confidential and not open for public inspection.

*Senate Status:* 04/14/22 - Senate passed.

*House Status:* 03/24/22 - House passed with amendment 1 (014286).

*Executive Status:* 05/09/22 - Enacted as Public Chapter 0989 effective May 4, 2022.

*Public Chapter:* PC989.pdf

## **MENTAL HEALTH**

### **SB2240/HB2335 Study on prescribing of buprenorphine.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Vaughan, Kevin

*Summary:* Requires the department of mental health and substance abuse services to study the effect of rules concerning the prescribing of buprenorphine products in nonresidential office-based opiate treatment facilities, nonresidential substitution-based treatment centers for opiate addiction, pharmacies, and hospitals for calendar years 2019, 2020, and 2021, including effects on patient access, prescriber availability, and the delivery of substance abuse treatment. Requires the department to report findings and recommendations to health-related committees of the general assembly by February 1, 2023. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (015936) rewrites this bill to prohibit a healthcare provider who is authorized to prescribe buprenorphine under federal law from prescribing via telehealth a buprenorphine product, as approved by the federal food and drug administration for use in recovery or medication-assisted treatment, unless: (1) The healthcare provider is employed by or contracted with: (A) A licensed nonresidential office-based opiate treatment facility or licensed nonresidential opioid treatment program; (B) A community mental health center; (C) A federally qualified health center; (D) A licensed hospital; or (E) The bureau of TennCare's comprehensive enhanced buprenorphine treatment network; and (2) The delivery of telehealth is being provided on behalf of the entity that employs or contracts with the provider.

*Senate Status:* 03/31/22 - Senate passed with amendment 1 (015936).

*House Status:* 04/04/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0881 effective April 14, 2022.

*Public Chapter:* PC881.pdf

### **SB2555/HB2376 Annual report on medication-assisted treatment for opiate addiction.**

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

*Summary:* Requires the department of mental health and substance abuse to submit an annual report of data related to the use of medication-assisted treatment for opiate addiction, specifically its utilization in recovery courts, jails, safe baby courts and the TennCare program. Further requires that any treatment funded by grant dollars, direct or indirect appropriations and federal, state or local expenditures be reported. Requires the report be submitted annually by December 31.

*Amendment Summary:* House amendment 1 (014951) requires the Department of Mental Health and Substance Abuse Services (DMHSAS) to submit a report to the Tennessee General Assembly by February 15 of each year, beginning in 2024, of specified data collected related to the use of medication-assisted treatment for opiate addiction by department-funded providers in Tennessee.

*Senate Status:* 04/07/22 - Senate passed.

*House Status:* 04/04/22 - House passed with amendment 1 (014951).

**SB2806/HB2663 Term for members serving on advisory committee that reviews drug court treatment program.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Sexton, Cameron

*Summary:* Increases the additional consecutive terms a member of the advisory committee that reviews drug court treatment program criteria from one consecutive term to two consecutive terms.

*Amendment Summary:* House amendment 1 (014166) rewrites this bill and enacts the "Mental Health Treatment Act of 2022." This amendment states the intent of the general assembly through this Act to create programs to facilitate the implementation of new, and the continuation of existing, mental health treatment court programs in all counties within this state in order to, among other goals, reduce the use of jail and prison beds and other correctional services by offenders with mental health disorders by diverting them into treatment programs and promoting effective interaction and the use of resources among local criminal justice agencies and community agencies. This amendment requires the department of mental health and substance abuse services to administer mental health treatment court programs by: (1) Defining, developing, and gathering outcome measures for mental health treatment court programs relating to the purposes and goals stated in the Act; (2) Collecting, reporting, and disseminating mental health treatment court program data; (3) Supporting a state mental health treatment mentor program; (4) Sponsoring and coordinating mental health treatment court program training; (5) Administering and evaluating mental health treatment court programs; and (6) Developing standards of operation for mental health treatment court programs to ensure that funds are allocated to meet the greatest need. This amendment requires the department to consult and collaborate with the Tennessee district attorney general's conference and the public defenders conference. Under this amendment, a court exercising criminal jurisdiction within this state or an existing drug court treatment program or a veterans treatment court program created by a court exercising criminal jurisdiction may apply for mental health treatment court program grant funds. If the department of mental health and substance abuse services determines that the court is able to administer a mental health treatment court program, then the department will award the court grant money to fund a mental health treatment court program. If the department determines that a court is able to administer a mental health treatment court program and grant money is awarded, then the county in which the court resides must provide a courtroom and a judge for the mental health treatment court program and all necessary supplies and equipment for the maintenance of the court, and shall defray the expenses thereof from the general fund of the county. This amendment specifies that the funds may be used to: (1) Fund a full-time or part-time program director position; (2) Fund treatment court program staff whose job duties are directly related to program operations; (3) Fund mental health treatment and other direct services for court program participants; and (4) Fund program costs directly related to program operations. This amendment prohibits the use of the funds: (1) To pay for costs not directly related to mental health treatment court program operations; (2) To pay for additional judges to preside over a mental health treatment court program; (3) For construction or land acquisition; (4) To pay bonuses or commissions to any individuals or organizations; or (5) To form a corporation. This amendment requires that eligibility criteria be established to address public safety and consider a community's treatment capacity, in addition to the availability of alternatives to pretrial detention for defendants with severe and persistent mental illnesses; and to take into account the relationship between mental illness and a defendant's offenses, while allowing the individual

circumstances of each case to be considered. Each participant in a mental health treatment court program: (1) Must not be a violent offender or sexual offender; (2) Must have a diagnosis of a severe and persistent mental illness; and (3) Must be willing to participate in the program. This amendment requires that mental health treatment court programs use a nonadversarial approach, and requires that the programs connect participants to comprehensive and individualized treatment supports and services in the community. This amendment also requires that data be collected and analyzed to demonstrate the impact of the mental health treatment court program.

*Senate Status:* 04/28/22 - Senate passed.

*House Status:* 04/27/22 - House passed with amendment 1 (014166).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1071 effective May 25, 2022.

*Public Chapter:* PC1071.pdf

## **PROFESSIONS & LICENSURE**

### **SB1927/HB1917 Notification to the applied behavioral analyst licensing committee.**

*Sponsors:* Sen. Powers, Bill , Rep. Whitson, Sam

*Summary:* Reduces the time within which a licensed assistant behavioral analyst must notify the licensing committee of a change in their supervision status from 10 to 5 days. Broadly captioned.

*Amendment Summary:* Senate amendment 1 (013748) allows an LBA to administer behavioral scales that are within the scope of the practice of applied behavior analysis. When administering behavioral scales, an LBA must only use the results to guide treatment planning and monitor the treatment progress, must not interpret the overall results for diagnosis, an overall conceptualization of psychological functioning, intelligence, or neuropsychological functioning, and may submit the results to an insurer if required to do so.

*Senate Status:* 03/07/22 - Senate passed with amendment 1 (013748).

*House Status:* 03/17/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0758 effective March 31, 2022.

*Public Chapter:* PC758.pdf

### **SB2356/HB2207 Number of votes needed to pass an examination to practice psychology increased.**

*Sponsors:* Sen. Walley, Page , Rep. Hicks, Tim

*Summary:* Increases the number of votes needed by members of the board of examiners in psychology to confirm that a person has passed the examination for a license or certificate to practice psychology from three to four.

*Amendment Summary:* Senate amendment 1 (013779) rewrites this bill and revises present law provisions governing temporary and provisional licenses for psychologists. Present law authorizes the board of examiners in psychology to issue a temporary license to an applicant who has successfully completed the academic course work and training for the license sought and who is scheduled for initial written examination. This provision does not apply to psychological examiners; present law prohibits the issuance of a temporary license for that level of practice unless the applicant applied prior to December 31, 2004. This amendment adds that a temporary license is valid for a period not to exceed one year. This amendment authorizes the board to extend the expiration date of a temporary license following a petition from the licensee and finding that extraordinary circumstances exist that necessitate a delay in taking a required written examination prior to the expiration of the initial temporary license period. Under this amendment, a temporary license will be revoked 30 days after the date a temporary licensee



receives notice of the licensee's second failure of the examination for professional practice in psychology (EPPP) or jurisprudence examination. During the 30-day period prior to revocation of the temporary license, the licensee and the licensee's supervisor must ensure the notification, and transfer, of care for the temporary licensee's clients. Under present law, a provisional license to practice as a psychologist with the designation as a health service provider may be issued by the board to an applicant who has successfully completed the academic and internship requirements and who is to be engaged in a one-year post-doctoral experience as required by present law. Present law provides that: (1) In order for a provisional license to remain valid, the licensee must take and pass the examination for professional practice in Tennessee (EPPP) at the level set for licensure as a psychologist in Tennessee within one year of the issuance of the provisional license unless the applicant previously passed the EPPP at that level. A second failure of the EPPP after the issuance of a provisional license results in its revocation; and (2) In order for the provisional license to remain valid, the licensee must take and pass the oral and/or jurisprudence examination developed by the board within two years of the issuance of the provisional license. The second failure of the oral and/or jurisprudence examination results in the revocation of the provisional license. This amendment revises the provisions of (1) and (2) as follows: (1) Under this amendment, a provisional license will be revoked 30 days after the date a provisional licensee receives notice of the licensee's second failure of the EPPP following issuance of the provisional license. During the 30-day period prior to revocation of the provisional license, the licensee and the licensee's supervisor must ensure the notification, and transfer, of care for the provisional licensee's clients; and (2) Under this amendment, a provisional license will be revoked 30 days after the date a provisional licensee receives notice of the licensee's second failure of the oral or jurisprudence examination following issuance of the provisional license. During the 30-day period prior to revocation of the provisional license, the licensee and the licensee's supervisor must ensure the notification, and transfer, of care for the provisional licensee's clients.

*Senate Status:* 03/17/22 - Senate passed with amendment 1 (013779).

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1035 effective May 11, 2022.

*Public Chapter:* PC1035.pdf

### **SB2694/HB2531 Requirements for professional counselors designated as mental health service providers.**

*Sponsors:* Sen. Briggs, Richard , Rep. Ramsey, Bob

*Summary:* Revises requirements necessary to be met for licensure as a professional counselor. Requires completion of supervised field experience as either a practicum or internship. Restricts validity of temporary license for up to four years, eligible for extension at the Board's discretion.

*Amendment Summary:* Senate amendment 1 (014047) changes certain requirements for professional counselors seeking licensure. Allows for a temporary license to be valid for up to four years and to be eligible for extension at the discretion of the Board of Professional Counselors, Marital and Family Therapists and Clinical Pastoral Therapists (Board). Effective July 1, 2022 for purposes of promulgating rules and January 1, 2023 for all other purposes.

*Senate Status:* 03/24/22 - Senate passed with amendment 1 (014047).

*House Status:* 04/25/22 - House passed.

*Executive Status:* 05/18/22 - Enacted as Public Chapter 1040 effective July 1, 2022.

*Public Chapter:* PC1040.pdf

## PROPERTY & HOUSING

### **SB1994/HB2443 Requirement for tenant when judgement rendered in favor of landlord.**

*Sponsors:* Sen. Bell, Mike , Rep. Farmer, Andrew

*Summary:* Provides that a plaintiff landlord is not required to post a bond to obtain immediate possession if a defendant tenant appeals a judgment without executing a bond, posting a cash deposit or irrevocable letter of credit from a financial institution or providing personal sureties in the amount of one year's rent. Removes the requirement that the action was brought due to the tenant's failure to pay rent. Provides that the plaintiff is entitled to interest on the judgement if the appeal fails.

*Senate Status:* 03/24/22 - Senate passed.

*House Status:* 03/17/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0817 effective April 8, 2022.

*Public Chapter:* PC817.pdf

### **SB2167/HB2612 Uniform Partition of Heirs Property Act.**

*Sponsors:* Sen. Stevens, John , Rep. Farmer, Andrew

*Summary:* Enacts the "Uniform Partition of Heirs Property Act," which applies to partition actions filed on or after July 1, 2022. Requires the court, in an action to partition real property under this chapter, to determine whether the property is heirs property. If the court determines that the property is heirs property, then the property must be partitioned unless all of the cotenants otherwise agree in a record. Requires the court, after determining that the property that is the subject of a partition action is heirs property, to determine the fair market value of the property by ordering an appraisal. Specifies other requirements for determination of value. Specifies process for a cotenant buyout and specifies partition alternatives. Establishes process for open-market sale of property, sale of property by sealed bids, and sale of property by auction (12 pp.).

*Amendment Summary:* Senate amendment 1 (015819) adds and revises various provisions, including the following: (1) Clarifies that property will be partitioned under this bill if a cotenant seeks partition; (2) Allows the court to consider the county's tax appraised value when determining the value of the heir property, and if an objection to the tax appraisal is filed by a party within 30 days of receipt of the appraisal then the court must determine the fair market value of the property by ordering an appraisal; (3) Removes the requirement for the court to order the plaintiff to send notice to each party, but retains a requirement for the plaintiff to send notice to each party; (4) Specifies that the court must conduct a hearing to determine the fair market value of the property, "upon motion of a party"; (5) Allows the court to set a time period for a cotenant to file notice with the court and serve notice to all parties that the cotenant elects to buy all interests of the cotenants that requested partition of sale and for a cotenant to move the court to set a hearing authorizing a sale; (6) Clarifies that a party may move the court to set a hearing to determine the allocation of the interests subject to certain rules described in the summary above; (7) Allows the parties the option to agree on a special commissioner, in addition to a real estate broker, to offer an heir property for sale; and (8) Requires a broker appointed to offer heirs property for open market sale to serve a copy of the report concerning the property on all parties, in addition to filing the report with the court. House amendment 1 (017052) incorporates the provisions of Senate Amendment #1 with one change. Under the provisions of Senate Amendment #1, if a court orders a sale of heirs property, then the sale shall be an open-market sale, unless the court in its discretion finds that a sale by sealed bids or an auction would be more economically advantageous and in the best interest of the

cotenants as a group. This amendment instead provides that, if the court orders a sale of heirs property, then the court shall determine the method of sale that is most economically advantageous and in the best interest of the cotenants as a group. The method of sale may be an open-market sale, a sale by sealed bids, or an auction.

*Senate Status:* 04/27/22 - Senate concurred in House amendment 1 (017052).

*House Status:* 04/25/22 - House passed with amendment 1 (017052).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1109 effective July 1, 2022.

*Public Chapter:* PC1109.pdf

## **PUBLIC EMPLOYEES**

### **SB1765/HB1916 Baccalaureate degree as a condition of state employment.**

*Sponsors:* Sen. Southerland, Steve , Rep. Eldridge, Rick

*Summary:* Prohibits a state agency from requiring a baccalaureate degree as a condition of state employment unless the knowledge, skills, or abilities required for the position can only reasonably be obtained through a course of study in pursuit of, and culminating in the award of, a baccalaureate degree. Broadly captioned.

*Amendment Summary:* House amendment 1 (015861) prohibits a state agency from requiring, as a condition of eligibility for hire, an applicant to have obtained a baccalaureate degree, if the position for hire doesn't require knowledge, skills, or abilities that can only be reasonably obtained, as determined by the appointing authority, through a course of study culminating in the rewarding of such degree.

*Senate Status:* 03/30/22 - Senate passed.

*House Status:* 03/28/22 - House passed with amendment 1 (015861).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0823 effective July 1, 2022.

*Public Chapter:* PC823.pdf

### **SB2152/HB2273 TCRS - procurement of goods and services for a pension administration system.**

*Sponsors:* Sen. Hensley, Joey , Rep. Williams, Ryan

*Summary:* Permits the retirement system to procure goods and services for a pension administration system that may replace the system currently in existence, subject to appropriation made in the general appropriations act. Broadly captioned.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0780 effective April 8, 2022.

*Public Chapter:* PC780.pdf

### **SB2326/HB2382 TCRS - payment of retirement service credit.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Boyd, Clark

*Summary:* Defines the term "legacy plan" as the Tennessee consolidated retirement system established in present law but excluding the Hybrid Retirement Plan for State Employees and Teachers for purposes of determining which members receive payment of retirement service credit.

*Amendment Summary:* Senate amendment 1 (014489) rewrites this bill. Under present law, a member who left the employ of an employer participating in the Tennessee consolidated retirement system in order to perform military service in the armed forces of the United States, and who is reemployed by such employer within six months of honorable discharge from such service, has the option of establishing retirement credit for the military service under certain conditions. This

amendment establishes a reserve account in the retirement system for the payment of state liabilities, and the interest that would have been earned thereon, resulting from military service credit established pursuant to that present law provisions on or after the effective date of this bill. Deposits into the reserve account must come from state appropriations. The interest and dividends earned on the funds in the reserve account must be credited to the account and not revert to the general fund. The state treasurer may assess a charge to the reserve account, in an amount determined by the treasurer, to meet the expenses of the treasury department in administering and investing the reserve account assets.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (014489).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 05/24/22 - Enacted as Public Chapter 1045 effective May 23, 2022.

*Public Chapter:* PC1045.pdf

**SB2342/HB2384 Grants to eligible employers for the purpose of funding of a length of service award program.**

*Sponsors:* Sen. Yager, Ken , Rep. Gant, Ron

*Summary:* Authorizes the state treasurer to develop, implement, and administer a program to award grants to eligible employers for the purpose of funding of a length of service award program.

*Senate Status:* 04/21/22 - Senate passed.

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1113 effective June 1, 2022.

*Public Chapter:* PC1113.pdf

**SB2413/HB2163 DSC to calculate the average caseloads of case managers monthly.**

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

*Summary:* Requires the department of children's services to calculate the average caseload of case managers at least monthly. Part of Administration Package.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0711 effective March 18, 2022.

*Public Chapter:* PC711.pdf

**SB2422/HB2172 Filling positions in state service.**

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

*Summary:* Replaces "list of eligibles" with "pool of candidates" for purposes of filling positions in state service. Removes language specifying the appointing authority has the authority to layoff or furlough employees or reduce hours due to a lack of funds or a reduction in spending authorization. Deletes requirement that the department of human resources and the department of finance and administration report electronically each month to the finance committees and the fiscal review committee on employee promotions. Revises appeal provisions for employees who have filed a complaint regarding the dismissal, demotion, or suspension of the employee. Part of Administration Package.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 02/28/22 - House passed.

*Executive Status:* 03/21/22 - Enacted as Public Chapter 0655 effective July 1, 2022.

*Public Chapter:* PC655.pdf

**SB2561/HB1877 HSAs and FSAs for public school teachers.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Curcio, Michael

*Summary:* Creates a health savings account or flexible spending account for eligible instructional employees who do not enroll in a health plan. Health savings accounts and flexible spending accounts will be funded by “cost savings” defined as the money a state and local government saves by an eligible instructional employee not enrolling in a health plan.

*Senate Status:* 02/07/22 - Referred to Senate State & Local Government Committee.

*House Status:* 02/15/22 - Taken off notice in House State Government Committee.

**SB2639/HB2743 State treasurer powers - investment policies.**

*Sponsors:* Sen. Stevens, John , Rep. Hicks, Gary

*Summary:* Clarifies that the state treasurer has the power to administer the implementation of the investment policy established by the board of trustees for the investment of retirement system funds, upon the board of trustees delegating the implementation to the state treasurer.

*Amendment Summary:* House amendment 1 (015127) allows the investment committee of the board of trustees to cause the retirement system to divest from an investment into a system that has an entity found to be doing business with or supporting a country sanctioned by the office of foreign assets control. Requires the state treasurer to report such divestments to the council on pensions.

*Senate Status:* 04/07/22 - Senate passed.

*House Status:* 03/28/22 - House passed with amendment 1 (015127).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0855 effective April 20, 2022.

*Public Chapter:* PC855.pdf

**SB2702/HB2783 Reemployment as a teacher, substitute teacher, or bus driver after retirement.**

*Sponsors:* Sen. Yager, Ken , Rep. Alexander, Rebecca

*Summary:* Authorizes retirees who have been retired for at least 60 days from TCRS or from a superseded system administered by the state, or from a local retirement fund, to accept re-employment as a kindergarten through twelfth grade teacher, substitute teacher, or school bus driver without loss or suspension of retirement benefits if certain conditions are met. Repeals this authorization July 1, 2027.

*Amendment Summary:* House amendment 1 (013895) authorizes retired members of the Tennessee Consolidated Retirement System (TCRS) to return to work as a kindergarten through twelfth (K-12) grade teacher. Returning teachers are entitled to only seventy percent of the retirement allowance they would have received in absence of returning to work and are not entitled to additional retirement benefits as the result of reemployment. Reemployment as a K12 teacher cannot exceed one year, unless hired to additional one-year periods. Employers of returning teachers are required to contribute the greater of either the amount they would have been mandated to pay had the retired member been a member of the retirement system during the time they are reemployed, or the amount equal to five percent of the member’s pay rate. Effective from July 1, 2022 to June 30, 2025.

*Senate Status:* 03/21/22 - Senate passed.

*House Status:* 03/14/22 - House passed with amendment 1 (013895).

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0821 effective July 1, 2022.

*Public Chapter:* PC821.pdf

**SB2812/HB2450 TCRS member can purchase retirement credit for previous service.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Weaver, Terri

*Summary:* Authorizes a member of the Tennessee consolidated retirement system to purchase, instead of obtain, retirement credit for all of the member's previous service rendered while a full-time employee and participating member of a political subdivision's defined benefit retirement plan. Authorizes the member to use funds from any source to purchase such retirement credit. Make other changes relative to TCRS.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0797 effective April 8, 2022.

*Public Chapter:* PC797.pdf

**SB2869/HB2668 Health benefits for retired members of TWRA and TBI.**

*Sponsors:* Sen. Bailey, Paul , Rep. Sexton, Cameron

*Summary:* Requires that any commissioned member of the Tennessee wildlife resources agency or Tennessee bureau of investigation who is a retiree with 25 years of service receive 80% of the scheduled premium for defined contribution for healthcare benefits.

*Senate Status:* 04/27/22 - Senate passed.

*House Status:* 04/27/22 - House passed.

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1074 effective May 25, 2022.

*Public Chapter:* PC1074.pdf

**SB2876/HB2275 TCRS - employment as an emergency medical services employee.**

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

*Summary:* Allows, until July 1, 2023, an emergency medical service employee who has been retired for at least nine months from TCRS from a superseded system administered by the state, or from a local retirement fund to accept employment as an emergency medical services employee without loss or suspension of retirement benefits if certain conditions met.

*Amendment Summary:* House amendment 1 (013902) reduces from nine months to 60 days the amount of time the person must have been retired, changes this bill's repeal date from July 1, 2023, to July 1, 2025, and rewrites the other conditions of reemployment and payment provisions to be as follows: (1) The retired member, as of the date of reemployment, must possess a current, valid license issued by the emergency medical services board through the department of health to provide emergency medical services; (2) During the reemployment, the retirement benefit payable to the retired member is reduced to 70 percent of the retirement allowance the member would have otherwise been entitled to receive; (3) The retired member's reemployment must not exceed one year; however, the retired member may be reemployed for additional one-year periods as long as the conditions contained in this section are met for each period of reemployment; (4) To fund the liability, the retired member's new employer must pay to TCRS during each period of reemployment the greater of: (A) A payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or (B) An amount equal to 5 percent of the retired member's pay rate; (5) The retired member will not accrue additional retirement benefits as a result of the member's reemployment; and (6) The retiree must not be drawing disability retirement benefits.

*Senate Status:* 03/30/22 - Senate passed.

*House Status:* 03/21/22 - House passed with amendment 1 (013902).

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0827 effective July 1, 2022.

*Public Chapter:* PC827.pdf

## **PUBLIC FINANCE**

### **SB1875/HB1864 Capital outlay notes to be refunded with public building authority loans.**

*Sponsors:* Sen. Watson, Bo , Rep. Baum, Charlie

*Summary:* Authorizes capital outlay notes to be refunded with public building authority loans, subject to review by the comptroller. Makes other revisions to provisions governing bonds and notes issued by local governments.

*Senate Status:* 03/30/22 - Senate passed.

*House Status:* 02/24/22 - House passed.

*Executive Status:* 04/25/22 - Enacted as Public Chapter 0822 effective April 14, 2022.

*Public Chapter:* PC822.pdf

### **SB2897/HB2882 Appropriations - fiscal years beginning July 1, 2021, and July 1, 2022.**

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

*Summary:* Makes appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2021, and July 1, 2022, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations and restrictions under which appropriations may be obligated and expended.

*Amendment Summary:* House amendment 4 (017810) appropriated the sum of \$15,000,000 (nonrecurring) to the Legislature for the planning and construction of a new parking garage with at least 400 parking spaces, to be attached to the Cordell Hull Building on the northside and used solely by legislative employees. House amendment 1 (017648) is the stripper amendment. House amendment 2 (013999) is the administration amendment. House amendment 3 (014000) is the legislative budget. House amendment 3-1 (017986) authorizes the commissioner of Economic and Community Development to use funds appropriated or available to the department to provide rural economic opportunity grants described on Page B-340 of the 2022-2023 Budget Document. House amendment 3-2 (017988) transfers \$110,606,100 to the Highway Fund and \$5,170,000 to the Police Pay Supplement Fund.

*Senate Status:* 04/21/22 - Senate concurred in House amendment 4 (017810), amendment 1 (017648), amendment 2 (013999) and amendment 3 (014000) as amended.

*House Status:* 04/21/22 - House passed with amendment 4 (017810) amendment 1 (017648), amendment 2 (013999), and House amendment 3 (014000) as amended by amendment 3-1 (017986) and amendment 3-2 (017988).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1130 effective July 1, 2022.

*Public Chapter:* PC1130.pdf

### **SB2898/HB2883 Appropriations - increase in match for state 401(k) plan.**

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

*Summary:* Increases, for FY22-23, the state employer match to 200 percent of the amount contributed by each state employee to the state's 401(k) plan per month, up to a maximum of \$100.00 per

month. Makes additional statutory revisions required for implementation of the annual appropriations act.

*Amendment  
Summary:*

Senate amendment 1 (017000) requires that proceeds from the sale and conveyance of surplus real property or improvements used for operation of state prisons, if not managed as state office buildings and support facilities revolving fund property, be deposited in a reserve for correction facilities, within the General Fund, to be used for capital outlay for replacement facilities of the Department of Correction (DOC) and outer capital outlay of the Department. Establishes that for FY22-23, the state employer 401(k) match equals 200 percent of the amount contributed by each state employee to the plan per month, up to a maximum of \$100 per month. In subsequent fiscal years, such employer match reverts to the previous calculation. Exempts from the sales tax on retail sales of food and food ingredients any such relevant transactions occurring between 12:01 a.m. on Monday, August 1, 2022, and Wednesday, August 31, 2022. Senate amendment 1 (017505) excludes vending machines and micro markets from the August sales tax holiday.

*Senate Status:* 04/21/22 - Senate passed with amendment 1 (017000) and amendment 2 (017505).

*House Status:* 04/21/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1131 effective June 1, 2022.

*Public Chapter:* PC1131.pdf

**SB2899/HB2884 Index of appropriations.**

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

*Summary:* Authorizes the index of appropriations from state tax revenues for 2021-2022 fiscal year to exceed the index of estimated growth in the state's economy by \$2,997,600,000 or 16.08 percent.

*Senate Status:* 04/21/22 - Senate passed.

*House Status:* 04/21/22 - House passed.

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1132 effective June 1, 2022.

*Public Chapter:* PC1132.pdf

**SB2901/HB2886 Bond issuance.**

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

*Summary:* Authorizes the state to issue and sell bonds of up to \$83.5 million. Cancels the bonds authorized by Chapter 758, Public Acts of 2020.

*Amendment  
Summary:* House amendment 1 (017002) increases the authorized amount of bonds from \$83.5 million to \$583.5 million, with the proceeds of the additional \$500 million allocated to the department of finance and administration to provide funds for the purpose of making a grant to the Nashville/Davidson County for the construction of a domed sports stadium.

*Senate Status:* 04/21/22 - Senate concurred in House amendment 1 (017002).

*House Status:* 04/21/22 - House passed with amendment 1 (017002).

*Executive Status:* 06/02/22 - Enacted as Public Chapter 1133 effective June 1, 2022.

*Public Chapter:* PC1133.pdf

**TAXES BUSINESS**

**SB2397/HB2144 Deduction for research and experimental expenditures.**

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



*Summary:* Specifies that, for excise tax purposes, effective for tax years beginning on or after January 1, 2022, Section 174 of the Internal Revenue Code, concerning the deduction for research and experimental expenditures, must be applied as it was in effect immediately before the enactment of the Tax Cuts and Jobs Act. Part of Administration Package

*Senate Status:* 03/03/22 - Senate passed.

*House Status:* 03/10/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0743 effective March 24, 2022.

*Public Chapter:* PC743.pdf

## **TAXES SALES**

### **SB2484/HB2614 Distressed rural counties - retention of sales and use tax.**

*Sponsors:* Sen. Southerland, Steve , Rep. Faison, Jeremy

*Summary:* Extends the deadline by which a distressed rural county must apply to be eligible to retain the sales and use tax generated from a commercial development district from December 31, 2020, to December 31, 2024. Broadly captioned.

*Senate Status:* 04/21/22 - Senate passed.

*House Status:* 04/04/22 - House passed.

*Executive Status:* 05/09/22 - Enacted as Public Chapter 1006 effective May 17, 2022.

*Public Chapter:* PC1006.pdf

### **SB2799/HB1738 Sales tax holiday for retail sale of gun safes and gun safety devices.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Sparks, Mike

*Summary:* Extends the sales tax holiday for the retail sale of gun safes and gun safety devices until June 30, 2023.

*Senate Status:* 04/28/22 - Senate passed.

*House Status:* 04/27/22 - House passed.

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1053 effective May 25, 2022.

*Public Chapter:* PC1053.pdf

## **TENNCARE**

### **SB1687/HB1705 Information filed with comptroller pursuant to Access TN Act of 2006.**

*Sponsors:* Sen. Rose, Paul , Rep. Whitson, Sam

*Summary:* Removes the requirement that certain information be filed with the comptroller of the treasury pursuant to the Access Tennessee Act of 2006. Requires the board to submit to the commissioner an annual funding and operating plan to assure the fair, solvent and efficient administration of the program.

*Senate Status:* 02/24/22 - Senate passed.

*House Status:* 02/07/22 - House passed.

*Executive Status:* 03/21/22 - Enacted as Public Chapter 0662 effective March 16, 2022.

*Public Chapter:* PC662.pdf

### **SB1872/HB1719 Assessment on ground ambulance service providers.**

*Sponsors:* Sen. Yager, Ken , Rep. Reedy, Jay

*Summary:* Extends the expiration date for the ground ambulance provider assessment from June 30, 2022, to June 30, 2023. Requires, if the quarterly transport data is not adequate or available for the calculation of medicaid ambulance provider assessments, that the bureau of TennCare

use total transports submitted to the office of emergency medical services for calendar year 2021, instead of using such data for calendar year 2020.

*Amendment  
Summary:*

Senate amendment 1 (017047) revises present law provisions governing the Ground Ambulance Service Provider Assessment Act, as follows: (1) Generally under present law, each quarter of the state fiscal year, the assessment due from each ambulance provider equals the rate set in accordance with item (2) below, multiplied by each provider's total transports reported from the most recent available completed quarter of transport data recorded by the office of emergency medical services. Present law defines "total transports" as all transports reported during the base period by a provider to the office of emergency medical services. This amendment revises this provision to instead provide, effective from the date this bill becomes law until July 1, 2022, that for the third and fourth quarter of state fiscal year 2021-2022, the assessment due from each ambulance provider for each quarter will equal one-half the amount set in item (2) below, divided by the total taxable transports for the respective quarter and then multiplied by each provider's total taxable quarterly transports. The total taxable quarterly transport data must be based on the most recent available completed quarter of transport data recorded by the office of emergency medical services. And effective July 1, 2022, each quarter the assessment must equal one-fourth of the amount set in accordance with item (2) below, divided by the total taxable transports for the respective quarter and then multiplied by each provider's total taxable quarterly transports. This amendment defines "taxable transports" as the total ground ambulance transports reported during the base period by a provider to the office of emergency medical services that qualify as a permissible service to impose a healthcare-related provider assessment pursuant to federal regulation. (2) Under present law, the assessment must generate the lesser of: (A) \$9.09 per transport that is part of a provider's total transports; or (B) In the event that \$9.09 per transport causes the statewide assessment to exceed 6 percent of statewide net operating revenues, the per transport assessment will equal an amount that generates 6 percent of statewide net operating revenues. This amendment rewrites item (A) above to instead provide, effective from the date this bill becomes law until July 1, 2022, that for the third and fourth quarter of state fiscal year 2021-2022, the total amount of the assessment is \$5,327,000, except as provided in item (B) above. Effective July 1, 2022, the total amount of the assessment is \$10,655,000, except as provided in item (B) above. (3) Present law requires the TennCare bureau to disburse supplemental payments to ambulance providers based on medicaid transports from the base period as determined by the bureau and as authorized by the centers for medicare and medicaid services. Also under present law, moneys in the ambulance service assessment revenue fund may be used to create supplemental or directed payments for ground ambulance providers. This amendment provides for "directed" instead of "supplemental" payments to ambulance providers, removes the reference to supplemental payments from the provision concerning use of moneys in the fund, and specifies that the creation of directed payments must be as determined by the bureau and as authorized by the centers for medicare and medicaid services. (4) Under present law, cost and utilization reports must be submitted by May 31 of each calendar year, and the bureau assesses a penalty for failure to submit the report. Under this amendment, effective from the date this bill becomes law until July 1, 2022, the filing date is June 30 and the imposition of a penalty is discretionary instead of mandatory.

*Senate Status:* 04/21/22 - Senate passed with amendment 1 (017047).

*House Status:* 04/26/22 - House concurred in Senate amendment 1 (017047).

*Executive Status:* 05/31/22 - Enacted as Public Chapter 1052 effective May 25,2022.

*Public Chapter:* PC1052.pdf

## **SB1956/HB1985 Annual Coverage Assessment Act of 2022.**

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

*Summary:* Enacts the "Annual Coverage Assessment Act of 2022," which establishes annual coverage assessment on each covered hospital licensed as of July 1, 2022, for fiscal year 2021-2022.

*Amendment Summary:* Senate amendment 1 (014418) rewrites this bill to enact the Annual Coverage Assessment Act of 2022. Generally, under present law, an annual assessment is imposed on licensed, covered hospitals. A covered hospital is one licensed by the state for the provision of providing services for health care, mental health care, substance abuse, and intellectual and developmental disabilities, but does not include: (1) A hospital that has been designated by CMS as a critical access hospital; (2) A mental health hospital owned by the state of Tennessee; (3) A hospital providing primarily rehabilitative or long-term acute care services; (4) A children's research hospital that does not charge patients for services beyond that reimbursed by third-party payors; and (5) A hospital that is determined by the bureau of TennCare as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments. This amendment imposes on each covered licensed hospital in this state an annual coverage assessment for fiscal year 2023-2023. The annual assessment will be 4.87 percent of a covered hospital's annual coverage assessment base, which is the same rate as fiscal year 2021-2022. EXPENDITURE OF FUNDS The Annual Coverage Assessment Act of 2021 set the minimum amount of the payments that must be made from the maintenance of coverage trust fund to reduce unreimbursed costs of providing services to TennCare patients at 40.2 percent of unreimbursed TennCare costs for all hospitals licensed by the state that reported unreimbursed TennCare costs on the 2019 joint annual report (JAR), excluding state-owned hospitals. This amendment instead requires that the amount of the payment to covered hospitals for fiscal year 2022-2023 is based on their DSH class as prescribed in the annual directed payment pre-prints submitted to CMS, excluding state-owned hospitals. The classification of hospitals being established follow existing classifications in the TennCare DSH program and include children's, tier 1, tier 2 rural, tier 2 urban, tier 3, psychiatric, large safety net, small safety net, and hospitals that do not receive DSH payments. If CMS does not approve of the classified structure of directed payments to offset unreimbursed TennCare costs, then this amendment sets, for fiscal year 2022-2023, the minimum amount of the payments that must be made from the maintenance of coverage trust fund to reduce unreimbursed costs of providing services to TennCare patients at 38.4 percent of unreimbursed TennCare costs for all hospitals licensed by the state that reported TennCare charges and revenue and total expenses on the 2020 JAR, excluding state-owned hospitals. The full text of this amendment specifies various authorized expenditures from maintenance of coverage trust fund revenues for benefits and services under the TennCare program, including those that would have been subject to reduction or elimination from TennCare funding for fiscal year 2022-2023, except for the availability of one-time funding for that year only. The amounts and purposes for which such expenditures are authorized differ from some of the amounts and purposes authorized for the 2021-2022 fiscal year. The Annual Coverage Assessment Act of 2021 authorized expenditures from maintenance of coverage trust fund revenues for programs and initiatives developed by the bureau of TennCare, in consultation with the Tennessee Hospital Association, to offset the unreimbursed costs of providing services to TennCare enrollees and the financial consequences of the public health emergency caused by the COVID-19 pandemic. This amendment retains authorization for such expenditure in fiscal year 2022-2023, and adds that for fiscal year 2021-2022, the state portion will be provided to draw down the federal match to produce up to a maximum payment of \$318,700,000 in hospital pandemic assistance to account for hospital costs necessitated by the public health emergency caused by the COVID-19 pandemic.

*Senate Status:* 03/31/22 - Senate passed with amendment 1 (014418).  
*House Status:* 04/07/22 - House passed.  
*Executive Status:* 04/26/22 - Enacted as Public Chapter 0898 effective April 19, 2022.  
*Public Chapter:* PC898.pdf

**SB2150/HB2109 Doula services be provided to recipients of TennCare.**

*Sponsors:* Sen. Lamar, London , Rep. Love Jr., Harold  
*Summary:* Requires that certified doula services be provided to TennCare recipients. Requires that the department of health establish a doula certification process for persons who have met certification requirements from certain organizations or have demonstrated the ability to carry out the functions of a doula, including, but not limited to, the capacity to use various strategies for providing emotional support and resources during the prenatal period and an understanding of basic science related to pregnancy and the postpartum period.  
*Amendment Summary:* Senate amendment 1 (015894) rewrites this bill and requires the department of health to collaborate with the bureau of TennCare in order to study existing doula certification programs. The department and the bureau must provide a report on the study to the members of the general assembly and to the legislative librarian by December 31, 2022.  
*Senate Status:* 03/28/22 - Senate passed with amendment 1 (015894).  
*House Status:* 04/27/22 - House passed.  
*Executive Status:* 06/02/22 - Enacted as Public Chapter 1108 effective July 1, 2022.  
*Public Chapter:* PC1108.pdf

**TORT LIABILITY**

**SB1844/HB1765 Liability of charitable organization providing services to the homeless community.**

*Sponsors:* Sen. Watson, Bo , Rep. Parkinson, Antonio  
*Summary:* Clarifies that a charitable organization providing services to the homeless community is not liable for a loss, damages, injury, or death that results from providing such services, unless the charitable organization's conduct constitutes gross negligence or willful and wanton misconduct. Broadly captioned.  
*Amendment Summary:* House amendment 1 (013375) establishes that a charitable organization providing services to the homeless community is not liable for a loss, damages, injury, or death resulting from providing such services, unless the organization's conduct in providing services constitutes gross negligence or willful and wanton misconduct.  
*Senate Status:* 03/24/22 - Senate passed.  
*House Status:* 03/07/22 - House passed with amendment 1 (013375).  
*Executive Status:* 04/13/22 - Enacted as Public Chapter 0805 effective July 1, 2022.  
*Public Chapter:* PC805.pdf

**SB2016/HB1847 Limits liability for person or entity contracting with DCS to provide foster care services.**

*Sponsors:* Sen. Bell, Mike , Rep. Littleton, Mary  
*Summary:* Grants limited tort exposure to non-governmental independent contractors, other persons or entities that contract with the department of children's services for the provision of foster care service for children in the department's custody when the non-governmental independent contractors, other persons or entities are providing contractual foster care services. Under such, deems non-governmental independent contractors, other persons or entities the functional equivalent of the department of children's services with regard to tort exposure.

*Amendment Summary:* Senate amendment 1 (013808) grants limited tort exposure to independent contractors providing contracted foster care continuum services to children in the custody of the Department of Children's Services (DCS) in the same manner as the monetary limits set for DCS in civil actions or claims filed by a child or family who is the intended or actual recipient of such services. Specifies that a claim against a contractor arising from the contractor's provision of foster care services to children in DCS custody must be filed with a court of competent jurisdiction rather than the Tennessee Claims Commission (TCC).

*Senate Status:* 03/21/22 - Senate passed with amendment 1 (013808).

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0777 effective July 1, 2022.

*Public Chapter:* PC777.pdf

### **SB2201/HB1943 Tort settlements involving minors.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Beck, Bill

*Summary:* Removes the requirement for court approval on tort claim settlements involving minors that is less than \$10,000.

*Amendment Summary:* Senate amendment 1 (014849) adds a requirement that, in any tort claim settlement involving a minor, the court must also conduct a hearing at which the minor and legal guardian are present if the tort claim settlement: (1) Is a structured settlement; or (2) Involves a minor who is not represented by an attorney licensed to practice in this state. This amendment specifies that a tort claim settlement does not otherwise require court approval merely because it involves a minor. This amendment authorizes the court to conduct the hearing, discussed above, in chambers or by remote communication. The court may excuse the minor from attending the hearing. As noted above in the bill summary, under present law, in any action, claim, or suit in which a minor or person with a disability is a party or in any case of personal injury to a minor or person with a disability caused by the alleged wrongful act of another, the court in which the action, claim, or suit is pending, or the court supervising the fiduciary relationship if a fiduciary has been appointed, has the power to approve a compromise on behalf of the minor or person with a disability. This amendment removes this bill's provision which would have made that present law provision applicable to compromises in the amount of \$10,000 or more; and this amendment removes the applicability of that present law provision to actions, suits, and claims involving a minor.

*Senate Status:* 03/30/22 - Senate passed with amendment 1 (014849).

*House Status:* 04/11/22 - House passed.

*Executive Status:* 04/29/22 - Enacted as Public Chapter 0917 effective April 27, 2022.

*Public Chapter:* PC917.pdf

### **TRANSPORTATION GENERAL**

### **SB2512/HB2550 Fine for failure to stop upon approaching a school bus.**

*Sponsors:* Sen. Massey, Becky , Rep. Lafferty, Justin

*Summary:* Increases the fine imposed for a first violation of the requirement to stop upon approaching a school bus that is based solely on evidence from a camera that is installed on the school bus from a maximum of \$50 to the amount of \$200.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0792 effective July 1, 2022.

*Public Chapter:* PC792.pdf

## TRANSPORTATION VEHICLES

### **SB2083/HB2041 Anderson County - operation of off-highway vehicles on certain highways.**

*Sponsors:* Sen. Yager, Ken , Rep. Ragan, John

*Summary:* Specifies certain segments of state highways in Anderson County where the operation of off-highway vehicles is authorized.

*Amendment Summary:* Senate amendment 1 (014045) rewrites the bill to expand the list of state highways upon which ATVs and off-highway vehicles may be operated to include the following areas: (1) State Route 330 from its intersection with Hoskins Gap Road in Anderson County westward to its intersection with Railroad Avenue and then north and westward to its intersection with Winter Gap Road in the jurisdiction of Oliver Springs in Roane County; (2) Windrock Road between Main Street and Hoskins Valley Road in Anderson County; (3) Hoskins Valley Road between Windrock Road and Hoskins Gap Road in Anderson County; and (4) Hoskins Gap Road between Hoskins Valley Road and Frost Bottom Road in Anderson County.

*Senate Status:* 03/07/22 - Senate passed with amendment 1 (014045).

*House Status:* 03/24/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0778 effective April 8, 2022.

*Public Chapter:* PC778.pdf

### **SB2176/HB2037 Driver licenses for minors.**

*Sponsors:* Sen. Akbari, Raumesh , Rep. Jernigan, Darren

*Summary:* Revokes the department of safety's ability to prevent a minor from getting their license due to lack of academic progress or poor grades. Exceptions still apply surrounding a minor not being enrolled in school.

*Amendment Summary:* House amendment 1 (015991) removes the requirement that a person under 18 years of age must be making satisfactory progress in a secondary school or course leading to a GED(R) or HiSET(R) in order to be eligible for a driver license or instruction permit.

*Senate Status:* 04/04/22 - Senate concurred in House amendment 1 (015991).

*House Status:* 03/31/22 - House passed with amendment 1 (015991).

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0878 effective April 14, 2022.

*Public Chapter:* PC878.pdf

### **SB2367/HB2251 Completion of approved defensive driving course by person convicted of speeding.**

*Sponsors:* Sen. Briggs, Richard , Rep. Parkinson, Antonio

*Summary:* Allows a person convicted of a speeding offence to have the points removed from their record upon completing a court approved defensive driving course. Includes that no more than five points may be removed, and course must be completed within 90 days.

*Senate Status:* 03/07/22 - Senate passed.

*House Status:* 03/07/22 - House passed.

*Executive Status:* 04/04/22 - Enacted as Public Chapter 0710 effective July 1, 2022.

*Public Chapter:* PC710.pdf

### **SB2435/HB2185 Payment plan for reinstatement or restoration fees for license or registration.**

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

*Summary:* Deletes provision that prevents a person from entering into a future payment plan if the person defaults on an installment payment plan for the payment of reinstatement or

restoration fees for a license or registration that is suspended or revoked. Takes effect on earlier of date that the department of safety's "A-List" driver license program is capable of implementing this act or July 1, 2022. Part of Administration Package.

*Senate Status:* 03/03/22 - Senate passed.

*House Status:* 03/21/22 - House passed.

*Executive Status:* 04/13/22 - Enacted as Public Chapter 0788 effective April 8, 2022.

*Public Chapter:* PC788.pdf

### **SB2592/HB2573 Designation for those convicted for human trafficking offences.**

*Sponsors:* Sen. Hensley, Joey , Rep. Doggett, Clay

*Summary:* Requires those convicted of human trafficking offence to receive a designation on their photo identification or license that allows law enforcement to identify them for this conviction. Begins July 1, 2022, and will affect all newly issued and renewed licenses. Broadly captioned.

*Senate Status:* 02/28/22 - Senate passed.

*House Status:* 04/21/22 - House passed.

*Executive Status:* 05/11/22 - Enacted as Public Chapter 1015 effective July 1, 2022.

*Public Chapter:* PC1015.pdf

## **UTILITIES**

### **SB2480/HB2608 Tennessee Broadband Investment Maximization Act of 2022.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Vaughan, Kevin

*Summary:* Enacts the "Tennessee Broadband Investment Maximization Act of 2022" that maximize the impact of the historic public and private sector investments in broadband anticipated to be made in this state during the next five years.

*Amendment Summary:* Senate amendment 1 (013742) deletes all the language after the enacting clause and substitutes the creation of the "Tennessee Broadband Investment Maximization Act of 2022" which is the intent of the general assembly to maximize the impact of the historic public and private sector investments in broadband anticipated to be made in this state during the next five years. Allows the exemption from the sales and use tax imposed by this chapter purchases and leases of all equipment, machinery, software, ancillary components, appurtenances, accessories, or other infrastructure that is used in whole or in part to provide broadband communication services and internet services. Senate amendment 2 (017567) reduces from five years to three years the duration of the sales tax exemption created by this bill. Under this amendment, the exemption will be in effect from July 1, 2022, through June 30, 2025. This amendment specifies that the sales tax exemption created by this bill does not apply to the retail sale of personal consumer electronics. This amendment requires the commissioner of revenue to reimburse counties and municipalities for loss of revenue resulting from the tax exemption provided for in this bill. Subject to appropriations, this amendment requires that a sum must be earmarked and allocated from the general fund for such reimbursements.

*Senate Status:* 04/27/22 - Senate passed with amendment 1 (013742) and amendment 2 (017567).

*House Status:* 04/27/22 - House passed.

*Executive Status:* 06/01/22 - Enacted as Public Chapter 1102 effective May 31, 2022.

*Public Chapter:* PC1102.pdf

## **WELFARE**

### **SB2071/HB2096 Department authorization pertaining to work requirements.**

*Sponsors:* Sen. Johnson, Jack , Rep. Lamberth, William  
*Summary:* Requires the department of human services to obtain specific authorization from the general assembly before seeking, applying for, accepting, or renewing a waiver of work requirements established by the Supplemental Nutrition Assistance Program. Prohibits the department from exercising the state's option to provide an exemption from work requirements. Requires the department to assign all individuals subject to requirements to an employment and training program.

*Amendment Summary:* Senate amendment 1 (016983) rewrites this bill and requires the department of human resources to submit a report to the general assembly no later than October 31, 2022, and annually thereafter, to include the following: (A) Information from the preceding federal fiscal year related to all instances in which the department sought, applied for, accepted, or renewed a waiver of or exemption to work requirements under the supplemental nutrition assistance program (SNAP) during that federal fiscal year, including details about why the waiver or exemption was sought, applied for, accepted, or renewed, the duration of the waiver or exemption, and the location where the waiver or exemption was applicable; and (B) Information from the preceding federal fiscal year related to the number of recipients receiving SNAP benefits in this state, the amount of benefits received, the number of recipients subject to the work requirements of SNAP, and the number of recipients participating in the SNAP employment and training program. This amendment prohibits the department from providing an exemption from the work requirement, as provided under federal law, to able-bodied adults without dependents (ABAWDs) if the individual: (1) Refuses, at the time of application and every 12 months thereafter, to register for employment in a manner prescribed by the United States department of agriculture; (2) Refuses, without good cause, to participate in an employment and training program to the extent required by the department; (3) Refuses, without good cause, to provide the department with sufficient information to allow the department to determine the employment status or the job availability of the individual; or (4) Voluntarily and without good cause quits a job or reduces work effort and, after the reduction, the individual is working less than 30 hours per week.

*Senate Status:* 04/13/22 - Senate passed with amendment 1 (016983).  
*House Status:* 04/18/22 - House passed.  
*Executive Status:* 05/05/22 - Enacted as Public Chapter 0972 effective May 3, 2022.  
*Public Chapter:* PC972.pdf

#### **SB2340/HB2211 Childcare agency background check investigations.**

*Sponsors:* Sen. Jackson, Ed , Rep. Russell, Lowell  
*Summary:* Allows the TBI to contract with the FBI, another law enforcement agency, or another legally authorized entity to assist in certain background check investigations. Revises procedural steps for childcare agencies to conduct background checks.

*Senate Status:* 03/14/22 - Senate passed.  
*House Status:* 04/18/22 - House passed.  
*Executive Status:* 05/05/22 - Enacted as Public Chapter 0977 effective May 3, 2022.  
*Public Chapter:* PC977.pdf

#### **SB2723/HB2559 Increases maximum daily hours at a drop-in childcare center.**

*Sponsors:* Sen. White, Dawn , Rep. Terry, Bryan  
*Summary:* Extends amount of time permitted for a child to be in daycare, previously from 7 hours to now not more than nine hours per day for any individual child. Broadly captioned.



*Amendment Summary:* Senate amendment 1 (014257) rewrites this bill to increase the authorized operation times/days for drop-in centers from "not to exceed 14 hours per week and for not more than seven hours per day for any individual child during regular working hours" to "not to exceed 18 hours per week and for not more than nine hours per day during regular working hours." This amendment also clarifies the provisions of law that such centers must follow in regard to registering as a "casual care operation."

*Senate Status:* 03/21/22 - Senate passed with amendment 1 (014257).

*House Status:* 03/31/22 - House passed.

*Executive Status:* 04/26/22 - Enacted as Public Chapter 0892 effective April 14, 2022.

*Public Chapter:* PC892.pdf

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