



Legislative Report

Bills filed in the 113th General Assembly – 4/24/2023

ALCOHOLIC BEVERAGES

SB200/HB304 Opiate antagonist nasal spray to be kept on premises of certain establishments.

Sponsors: Sen. Lamar, London , Rep. Camper, Karen

Summary: Requires establishments that have gross sales of alcoholic beverages of more than \$500,000 per calendar year, as a condition of receiving or renewing a liquor-by-the-drink license, to keep an opiate antagonist nasal spray in an easily accessible location on the premises and to provide satisfactory proof of such to the alcoholic beverage commission.

Senate Status: 03/07/23 - Senate State & Local Government Committee deferred to 03/21/23.

House Status: 01/25/23 - Referred to House Department & Agencies Subcommittee.

COVID-19

SB2 Limitation on claims against a person for loss, damage, injury, or death arising from COVID-19.

Sponsors: Sen. Johnson, Jack ,

Summary: Makes permanent limitations on claims against a person for loss, damage, injury, or death arising from COVID-19 and the prohibition on COVID-19 vaccine mandates.

Senate Status: 01/20/23 - Referred to Senate Health & Welfare Committee.

CAMPAIGNS & LOBBYING

SB136/HB246 Maintaining voter registration lists - reports of deaths.

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

Summary: Requires reports of deaths provided by the state office of vital records of the department of health to the coordinator of elections for maintaining voter registration lists to include the date of the death. Requires the coordinator of elections to prepare a report for the general assembly regarding deaths of registered voters.

Senate Status: 03/28/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/22/23 - Failed in House Elections & Campaign Finance Subcommittee.

SB137/HB835 Purging of records from statewide voter registration database.

Sponsors: Sen. Hensley, Joey , Rep. Richey, Bryan

Summary: Requires the coordinator of elections to compare the statewide voter registration database with those of other relevant state agencies and county records when compiling information to distribute to the county elections commissions for purposes of purging voters who have moved. Requires the coordinator of elections to compare the statewide voter registration database with the department of safety database to ensure non-United States citizens are not registered to vote in this state.

Amendment Summary: Senate State and Local Government Committee amendment 1, House Local Government Committee amendment 1 (006309) requires the Coordinator of Elections to compare statewide voter registration databases with other state agencies and county records to identify any voter who has changed addresses without notifying their county election commission, and to compare statewide voter registration databases with the Department of Safety database to ensure no non-United States citizens are registered to vote in Tennessee.

Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 04/19/23 - Re-referred to House Local Government Committee.

SB145/HB133 Election day time off for employees.

Sponsors: Sen. Walley, Page , Rep. Leatherwood, Tom

Summary: Increases the time allowed off for an employee to vote on election day from three hours to four hours.

*Senate Status:*01/20/23 - Referred to Senate State & Local Government Committee.

*House Status:*01/20/23 - Caption bill held on House clerk's desk.

SB160/HB183 Political action committees.

Sponsors: Sen. Briggs, Richard , Rep. Whitson, Sam

Summary: Broadens the term "political action committee" to include "political campaign committees" and "multicandidate political campaign committees," which include clubs, corporations, associations or others groups that receive contributions and make expenditures, which, in the aggregate exceed \$2000, to support of oppose two or more candidates in a calendar year. Outlines expenditure reporting requirements for political action committees and updates candidate obligations regarding contributions and reporting. Provides that all sworn complaints on a report of a candidate for state public office, a political action committee contributing to such a candidate, or a political action committee registered with the registry of election finance must be filed in that office. Directs that office to conduct a preliminary review to determine if further action is warranted. Outlines requirements of a district attorney investigating sworn complaints. Changes from July 1 to January 15 the date by which the registry must provide an annual report to the govern and the general assembly. Broadly captioned.

Amendment Summary: House amendment 1 (004425) incorporates the change made by Senate Amendment 1 and revises the provision of this bill prohibiting transfers of funds or assets from a candidate's campaign account or a political action committee controlled by a candidate for a federal election to a candidate's campaign account or a political campaign committee controlled by the candidate for the candidate in an election for a state or local public office in this state, such that only such transfers from a candidate's campaign account or a political action committee of or for such candidate, instead of controlled by a candidate, are prohibited.

Senate Status: 03/20/23 - Senate concurred in House amendment 1 (004425).

House Status: 03/13/23 - House passed with amendment 1 (004425).

*Executive Status:*04/11/23 - Enacted as Public Chapter 0108 effective April 4, 2023.

SB285/HB303 College ID to be used as voter identification at polling place.

Sponsors: Sen. Oliver, Charlane , Rep. Camper, Karen

Summary: Authorizes the use of an identification card issued by an accredited institution of higher education in this state for purposes of voter identification at a polling place. Requires the secretary of state to conduct studies on such use and file reports regarding such use on or before January 31, 2025.

Senate Status: 03/28/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/22/23 - Failed in House Elections & Campaign Finance Subcommittee.

SB286/HB302 Badges required for lobbyists engaged in lobbying the general assembly.

Sponsors: Sen. Oliver, Charlane , Rep. Camper, Karen

Summary: Requires each lobbyist registered in the state to wear a badge while engaged in lobbying the general assembly that displays the name of the lobbyist and the lobbyist's employer. Requires the Tennessee ethics commission to design and produce the badges and authorizes the commission to charge a lobbyist for the actual cost of producing the badge.

Senate Status: 01/21/23 - Referred to Senate State & Local Government Committee.

House Status: 03/28/23 - Failed in House Public Service Subcommittee.

SB346/HB933 Notice to high school seniors about eligibility to vote.

Sponsors: Sen. Campbell, Heidi , Rep. McKenzie, Sam

Summary: Requires each high school to inform each high school senior that upon reaching the age of 18 the student may be eligible to vote and to provide information from the secretary of state about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Broadly captioned.

Amendment Summary: House amendment 1 (007296) requires every high school in Tennessee to inform all high school seniors, upon reaching the age of 18, that they may be eligible to vote and provide them with information about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Prohibits any punitive measure from being taken against the person tasked by the high school to provide the information.

Senate Status: 04/20/23 - Senate concurred in House amendment 1 (007296).

House Status: 04/19/23 - House passed with amendment 1 (007296), which requires every high school in Tennessee to inform all high school seniors, upon reaching the age of 18, that they may be eligible to vote and provide them with information about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Prohibits any punitive measure from being taken against the person tasked by the high school to provide the information.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB387/HB421 Children entering the voting booth with parent or guardian.

Sponsors: Sen. Briggs, Richard , Rep. Wright, Dave
Summary: Clarifies previous law to allow children aged 17 and under to enter the voting booth with the child's parent or guardian.
Senate Status: 01/26/23 - Referred to Senate State & Local Government Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB730/HB687 Restoration of voting rights.

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob
Summary: Restores the voting rights of persons convicted of certain infamous crimes upon receipt of a pardon or completion of any sentence of incarceration, parole, or probation.
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 02/01/23 - Referred to House Criminal Justice Subcommittee.

SB796/HB751 Authorizes the use of campaign funds for the child care expenditures of a candidate.

Sponsors: Sen. Oliver, Charlane , Rep. Powell, Jason
Summary: Authorizes the use of campaign funds for the child care expenditures or dependent care expenditures of a candidate that are incurred by the candidate as a direct result of the candidate's participation in campaign-related events and activities. Defines "expenditures for child care or dependent care" as expenditures incurred directly by a candidate for the care of a minor child, a person 65 years of age or older, or a person with a documented disability or medical condition who requires routine assistance.
Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.
House Status: 02/01/23 - Referred to House Elections & Campaign Finance Subcommittee.

SB950/HB538 Voter registration.

Sponsors: Sen. Oliver, Charlane , Rep. Parkinson, Antonio
Summary: Requires the department of safety to automatically register a qualified person to vote from information on an application for a driver license or photo identification card unless the person opts out. Broadly captioned.
Senate Status: 03/07/23 - Failed in Senate State & Local Government Committee.
House Status: 03/08/23 - Taken off notice in House Elections & Campaign Finance Subcommittee.

SB1101/HB1099 Deletes provisions authorizing early voting.

Sponsors: Sen. Bowling, Janice , Rep. Davis, Elaine
Summary: Deletes provisions authorizing early voting; deletes provision authorizing a person other than the voter to fill out a request for an absentee ballot for the voter. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.
House Status: 02/09/23 - Withdrawn in House.

SJR41 Constitutional amendment - to allow people to propose laws by initiative.

Sponsors: Sen. Yarbro, Jeff ,
Summary: Proposes constitutional amendment to allow people to propose laws by initiative.
Senate Status: 03/29/23 - Failed in Senate Judiciary Committee.

COMMERCIAL LAW

SB138/HB761 Youth Mental Health Safety Act.

Sponsors: Sen. Hensley, Joey , Rep. Eldridge, Rick
Summary: Requires manufacturers of smart phones or tablets that are activated in this state, after January 1, 2024, to automatically enable a filter that prevents the user from accessing or downloading material that is harmful to minors. Specifies that a violation constitutes an unfair or deceptive act under the Consumer Protection Act of 1977.
Senate Status: 03/20/23 - Senate Commerce & Labor Committee deferred to the first calendar of 2024.
House Status: 03/21/23 - Taken off notice in House Banking & Consumer Affairs Subcommittee.

SB1299/HB1504 Requirement for social media platforms to provide certain information.

Sponsors: Sen. Bailey, Paul , Rep. Fritts, Monty

Summary: Requires a social media platform to provide certain information about its content and data management, business practices, and acceptable use policy. Prohibits a social media platform from censoring the expression of a user who resides in this state based on viewpoint or geographic location. Imposes other related requirements and prohibitions including federal statutes and bringing suit against social media platforms. (11pp). Broadly captioned.

Senate Status: 03/20/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/14/23 - Failed in House Banking & Consumer Affairs Subcommittee.

CONSTRUCTION

SB554/HB781 Statewide building construction standards relative to one-family and two-family dwellings.

Sponsors: Sen. Gardenhire, Todd , Rep. Butler, Ed

Summary: Provides that a resolution adopted by a county or municipal legislative body on or after July 1, 2023 to exempt itself from the statewide building construction standards relative to one-family and two-family dwellings expire 150 days, instead of 180 days, following the date of the election for the local legislative body next occurring following the adoption of the resolution. Broadly captioned.

Amendment Senate Commerce & Labor Committee amendment 1, House Property & Planning Subcommittee amendment 1 (004299)

Summary: requires local governments seeking to adopt mandatory sprinkler requirements for one-family and two-family dwellings to adopt the requirement by either ordinance or resolution. Authorizes instead of requires a vote for the adoption of such to be separate from any other ordinance or resolution addressing building construction safety standards. Removes requirements that such ordinance or resolution be adopted upon two-thirds vote on final reading and requirements regarding the timing of readings when multiple readings are required.

Senate Status: 03/20/23 - Failed in Senate Commerce & Labor Committee after adopting amendment 1 (004299).

House Status: 03/21/23 - Taken off notice in House Local Government Committee.

CORRECTIONS

SB69/HB235 Disclosure of the death of persons in the custody of the department of correction.

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

Summary: Reduces from ten to five business days after a death, the time within which the commissioner of correction must report the death of a person in custody to members of the general assembly representing the legislative districts where the deceased person resided. Requires that the information contained in the report include the name of the department facility where the death occurred. Broadly captioned.

Senate Status: 01/20/23 - Referred to Senate State & Local Government Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB240/HB58 Time period to report the death of an inmate by violence or accident extended.

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

Summary: Extends the period of time from 10 to 15 days after injury or death the prison warden must report to the commissioner of an inmate's death due to violence or accident. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate State & Local Government Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB321/HB479 Telephone services for persons in custody.

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

Summary: Requires the department of children's services, department of corrections and local jails to provide people that are in their custody with accessible and functional voice communication services free of charge.

Senate Status: 01/26/23 - Referred to Senate State & Local Government Committee.

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

SB335/HB1363 Report regarding effectiveness of diversion of offenders from state correctional institutions.

Sponsors: Sen. Gardenhire, Todd , Rep. Farmer, Andrew

Summary: Requires, by February 1 of each year, that the department submit its report regarding the effectiveness of diversion of offenders from state correctional institutions to the criminal justice committee of the house of representatives, judiciary committee of the senate, and fiscal review committee. Broadly captioned.

Senate Status: 03/21/23 - Senate State & Local Government Committee deferred to 2024.

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

SB496/HB385 Criminal sentence reductions credits.

Sponsors: Sen. Stevens, John , Rep. Lamberth, William
Summary: Removes provision allowing a jailer or superintendent to object to awarding a convicted felon sentence reduction credits. Requires the superintendent or jailer to notify the department of corrections of the amount of sentence reduction credits for good institutional behavior that a convicted felon should receive for jail time served prior to imposition of sentence. Clarifies that a convicted felon does not have the right to sentence reduction credits or a right to appeal the superintendent's or jailer's recommendation.
Amendment Summary: Senate amendment 1 (003719) makes the provisions of this bill that are applicable to a "jailer" applicable to a "jail administrator" instead.
Senate Status: 04/06/23 - Senate passed with amendment 1 (003719).
House Status: 04/20/23 - House passed.
*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB806/HB1476 Report on grants to fund reentry programs.

Sponsors: Sen. Jackson, Ed , Rep. Hulse, Bud
Summary: Changes from December 31 to December 1, the date by which the department of correction shall report to the speaker of the senate and the speaker of the house of representatives the grants awarded to local county sheriffs or probation departments in the previous fiscal year to fund reentry programs that reduce recidivism and probation revocations and the results of the measurable outcomes agreed upon by the department and the recipients. Broadly captioned.
Amendment Summary: Senate amendment 1 (006291) requires the criteria established by the Department of Correction (DOC) for awarding credits for good institutional behavior to inmates to include a requirement that the inmate completes a DOC-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. House amendment 1 (007364) requires the criteria established by the Department of Correction (DOC) for awarding credits for good institutional behavior to inmates to include a requirement that the inmate completes a DOC-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. Requires the DOC to administer the risk and needs assessment to an inmate, regardless of where the inmate is housed, unless the local jail is required to administer the assessment.
Senate Status: 04/21/23 - Senate concurred in House amendment 1 (007364).
House Status: 04/20/23 - House passed with amendment 1 (007364).
*Executive Status:*04/21/23 - Sent to the speakers for signatures.

CRIMINAL LAW

SB8/HB15 Penalty for aggravated assault involving strangulation if victim was pregnant.

Sponsors: Sen. Gardenhire, Todd , Rep. Martin, Greg
Summary: Increases the penalty for aggravated assault involving strangulation or attempted strangulation from a Class C felony to a Class B felony if the victim was pregnant at the time of the offense.
Senate Status: 03/29/23 - Taken off notice in Senate Judiciary Committee.
House Status: 01/12/23 - Referred to House Criminal Justice Subcommittee.

SB10/HB237 Enhanced or concealed handgun permit required in certain counties.

Sponsors: Sen. Lamar, London , Rep. Miller, Larry
Summary: Creates a requirement to obtain an enhanced or concealed handgun permit in order to carry a handgun.
*Senate Status:*03/13/23 - Failed in Senate Judiciary Committee.
*House Status:*03/21/23 - Taken off notice in House Civil Justice Subcommittee.

SB14/HB24 Sexual assault evidence collection kit analysis requirements.

Sponsors: Sen. Lamar, London , Rep. Freeman, Bob
Summary: Requires the TBI to perform a serology or DNA analysis on a sexual assault evidence collection kit within 30 days of its receipt of a kit from a law enforcement agency. Requires that kits not analyzed within this time frame be flagged in the electronic tracking system and stipulates that a written explanation for the delay be provided to the submitting law enforcement agency. Clarifies that delays in analysis does not affect a kit's admissibility in court or as a reason for challenging the validity of any analysis. States that the new requirement would take effect on July 1, 2023, and would apply to kits received on or after that date. Defines relevant terms.

Amendment Summary: Senate amendment 2 (004918) changes the effective date of this bill to upon becoming a law, and removes the provisions relative to sexual assault evidence collection kits, including the provision requiring the TBI to perform serology or DNA analysis on the kit within 30 days of the bureau's receipt of the kit from a law enforcement agency, and rewrites this bill to, instead, require the bureau to do the following: (1) Until January 1, 2025, provide quarterly updates on the bureau's efforts to hire and train employees within the forensic services division and the average amount of time taken to perform forensic analysis on evidence in cases involving sexual offenses to the judiciary committee of the senate and the criminal justice committee of the house of representatives; and (2) By January 1, 2025, submit a report to the judiciary and finance, ways and means committees of the senate and the criminal justice and finance, ways, and means committees of the house of representatives detailing any additional resources and personnel that would be required in order to perform forensic analysis on evidence in cases involving sexual offenses within 60 days of the bureau's receipt of the evidence from a law enforcement agency.

Senate Status: 03/20/23 - Senate passed with amendment 2 (004918).

House Status: 04/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to governor.

SB15/HB22 Audiovisual recording requirement for juvenile offenders.

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

Summary: Requires law enforcement personnel to utilize audiovisual recording when conducting formal interviews or interrogations of children taken into custody concerning any violation of state or federal law. Provides exceptions to this requirement for situations involving technical issues or exigent circumstances at the time of the interview which prevented recording. Provides that the law would take effect on July 1, 2023.

Senate Status: 02/06/23 - Senate passed.

House Status: 04/11/23 - House Criminal Justice Committee deferred to summer study.

SB17/HB380 Programs to reduce gun violence in communities.

Sponsors: Sen. Lamar, London , Rep. Beck, Bill

Summary: Encourages the department of labor and workforce development to create a youth employment program that includes training on the skills needed for employment, including nonviolent conflict resolution. Encourages the department of health to create a new hospital-based violence intervention program to be implemented in areas with the highest per capita gun violence within each municipality or county, which includes participation by local constituent groups. Permits the department of health to provide a gun safety program to be distributed through hospital emergency departments and primary care centers. Requires the department of education to develop a program for children enrolled in kindergarten through grade twelve schools, to teach the students strategies and nonviolent methods to resolve conflict in collaboration with community organizations. Requires the department of health to submit an annual report to the legislature and counties and municipalities on the public health impacts of gun violence in communities.

Senate Status: 03/13/23 - Failed in Senate Judiciary Committee.

House Status: 02/08/23 - Referred to House Criminal Justice Subcommittee.

SB18/HB5 Sentencing for especially aggravated kidnapping, aggravated rape, or rape.

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

Summary: Requires a person sentenced for especially aggravated kidnapping, aggravated rape, or rape to be sentenced at a minimum of Range II for the offense and up to Range III. Expands the requirement to register as a sexual offender to all defendants convicted of kidnapping instead of only defendants convicted of kidnapping minors.

Amendment Summary: House amendment 1 (003917) requires the sentence for a person convicted of especially aggravated kidnapping, aggravated rape, or rape be no less than a sentence imposed for a Range II offender.

Senate Status: 04/06/23 - Senate passed.

House Status: 03/13/23 - House passed with amendment 1 (003917).

*Executive Status:*04/21/23 - Signed by governor.

SB19/HB1359 Expunction of records - charges abated by death.

Sponsors: Sen. Massey, Becky , Rep. Farmer, Andrew

Summary: Authorizes a personal representative of the decedent to file a petition for the expunction of public records of a person who has been charged with a felony or misdemeanor if the charge has been abated by death.

Senate Status: 03/16/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB20 Expunction of public records related to driver's refusal to submit to breath and blood tests.

Sponsors: Sen. Massey, Becky ,

Summary: Authorizes the expunction of public records regarding a motor vehicle operator's refusal to submit to breath and blood tests to determine alcohol or drug content in the same manner as expunction for an eligible misdemeanor offense.

Senate Status: 01/19/23 - Withdrawn in Senate.

SB21 Voucher program for the purpose of offsetting cost of handgun safety course.

Sponsors: Sen. Massey, Becky ,

Summary: Authorizes the department of safety to utilize the application and processing fee to reimburse a person who completes an approved handgun safety course for up to thirty dollars. Requires the reimbursements to be used to offset the cost of the approved course. Requires the department to provide information to licensed federal firearms dealers in the state on handgun safety courses. Requires the department of safety to report to the chair of the senate judiciary committee and chair of the house criminal justice committee on the number of handgun safety courses provided during the preceding year.

Senate Status: 01/11/23 - Held on Senate clerk's desk.

SB71/HB104 TBI requirements regarding forensic analysis of sexual assault evidence collection kits.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio

Summary: Requires TBI to perform forensic analysis of sexual assault evidence collection kits within 30 days of the bureau's receipt of the sexual assault evidence collection kit from a law enforcement agency. Requires TBI to submit a plan for eliminating any existing backlog of sexual assault evidence collection kits waiting for analysis. Also requires TBI to expunge a DNA record from a local, state, or national DNA database if the bureau receives written confirmation from the investigating law enforcement agency or district attorney general's office that the DNA record was not connected to a criminal investigation.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB92/HB381 Offense committed with a minor - sentence enhancement.

Sponsors: Sen. Lamar, London , Rep. Beck, Bill

Summary: Adds as an enhancement factor to be used in determining the sentence for a criminal offense that the defendant is an adult and committed the offense with a minor, regardless of whether the minor was convicted of the offense. Broadly captioned.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

House Status: 04/11/23 - House Criminal Justice Committee recommended. Sent to House Finance.

SB101/HB143 Bail restrictions for defendant charged with assault with strangulation.

Sponsors: Sen. Gardenhire, Todd , Rep. Howell, Dan

Summary: Requires the magistrate to order the defendant that is charged with a violation that includes strangulation of the victim to post bail in order to ensure the appearance in court and meet other conditions of release imposed.

Senate Status: 03/29/23 - Taken off notice in Senate Judiciary Committee.

House Status: 01/24/23 - Referred to House Criminal Justice Subcommittee.

SB109/HB310 Expunction of records regarding a criminal offense.

Sponsors: Sen. Walley, Page , Rep. Chism, Jesse

Summary: Deletes the requirement that a person file a petition with the court in order to have the public records regarding a criminal offense expunged if certain qualifying events have occurred, including the charge against the person was dismissed or a no true bill was returned by a grand jury.

Senate Status: 01/20/23 - Referred to Senate Judiciary Committee.

House Status: 01/24/23 - Referred to House Criminal Justice Subcommittee.

SB110 Increases the penalty for assault committed against a youth sporting event official.

Sponsors: Sen. Watson, Bo ,

Summary: Increases the penalty for assault committed against an official in a youth sporting event from a Class A or B misdemeanor to a Class E felony; defines "official in a youth sporting event" as a person, either paid or volunteering, who is acting as a referee, umpire, or other official at an event in which minors or elementary, secondary, or post-secondary students are competing in an athletic activity.

Senate Status: 01/20/23 - Withdrawn in Senate.

SB172/HB159 Possession of pocketknives on school property by nonstudents while voting.

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

Summary: Permits a nonstudent adult to possess, without being subject to criminal penalties, a pocketknife while the adult is on school property for the sole purpose of voting in an election. Requires that the pocketknife is concealed on the adult's person and is not handled by the adult, or by any other person acting with the expressed or implied consent of the adult. Maintains Class E felony penalty for violation. Defines pocketknife.

Senate Status: 03/16/23 - Senate passed.

House Status: 03/23/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Public Chapter 0142 effective July 1, 2023.

SB181/HB1384 Aggravated prostitution changes.

Sponsors: Sen. Walley, Page , Rep. Ragan, John

Summary: Deletes the criminal offense of aggravated prostitution and permits a person to have a prior conviction for aggravated prostitution that was the result of the person's status as a human trafficking victim expunged if the person meets certain conditions. Broadly captioned.

Senate Status: 03/07/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Criminal Justice Subcommittee.

SB182/HB1383 Penalty for patronizing prostitution.

Sponsors: Sen. Walley, Page , Rep. Ragan, John

Summary: Prohibits the arrest or prosecution for prostitution of a person who reports a criminal act, committed against the person or another if the evidence for the arrest, charge, or prosecution for the offense of prostitution resulted solely from the person's report of the criminal act. Provides that an adult subject of the offense of prostitution is not exempt from prosecution if the person reasonably believed a minor victim of the offense was an adult. Increases the penalty for patronizing prostitution from a Class A misdemeanor to a Class E felony. Defines relevant terms.

Senate Status: 03/14/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Criminal Justice Subcommittee.

SB183/HB398 Abuse of animals by juveniles - mental health evaluation and treatment required.

Sponsors: Sen. Walley, Page , Rep. Littleton, Mary

Summary: Requires mental health evaluation and treatment for juveniles who commit aggravated animal cruelty when the child is adjudicated delinquent for conduct involving the intentional torturing, mutilating, maiming, burning, starving to death, crushing, disfiguring, drowning, suffocating, or impaling of a domesticated dog or cat.

Senate Status: 03/20/23 - Senate passed.

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB193/HB702 Increased penalties for fentanyl derivative drugs.

Sponsors: Sen. Lundberg, Jon , Rep. Doggett, Clay

Summary: Increases the penalty to a Class B felony with a fine of up to \$100,000 for drug offenses involving 0.5 grams or more of fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue.

Amendment Summary: House amendment 2 (004701) removes references to fentanyl derivatives and analogues and names this act the "One Pill Will Kill Act."

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 2 (004701).

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB202/HB96 Creates the Tennessee witness protection and relocation program.

Sponsors: Sen. Taylor, Brent , Rep. Hardaway, G.A.

Summary: Enacts the Tennessee witness protection and relocation program, which will be administered by the department of finance and administration's office of criminal justice programs. Creates intrastate and interstate compacts to coordinate witness protection, relocation, and assistance services within the state and with contiguous states for the benefit of witnesses in criminal proceedings. Requires the office of criminal justice programs to submit an annual report by July 1 of each year to the senate judiciary and government operations committees and the criminal justice and government operations committees of the house of representatives.

Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.

House Status: 04/04/23 - Taken off notice in House Criminal Justice Subcommittee.

SB213/HB248 Mandatory minimum sentence for domestic assault involving strangulation.

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

Summary: Requires a defendant convicted of domestic assault involving strangulation to serve a mandatory minimum sentence of 30 days incarceration. Specifies that a defendant who commits aggravated assault in which the victim of the offense loses consciousness due to strangulation may be prosecuted for attempted second degree murder. Broadly captioned.

Amendment Summary: Senate amendment 1 (005821) makes the following changes to this bill: (1) Adds a requirement that the sentence for a person convicted of domestic assault involving strangulation or attempted strangulation include participation in programming that is evidence-based for domestic violence; (2) Adds that an aggravated assault involving strangulation or attempted strangulation, in which the victim of the offense lost consciousness due to strangulation, may be prosecuted as attempted second-degree murder or attempted first-degree murder; (3) Under present law, aggravated assault that involves strangulation or attempted strangulation is a Class C felony. This amendment enhances such offense to a Class B felony, if the victim is pregnant at the time of the offense; and (4) Prohibits the release of a person charged with aggravated assault or assault against a first responder or nurse, involving strangulation, on the person's own recognizance or upon execution of an unsecured bond. This amendment requires a magistrate to require a person charged with such offense to post bail.

Senate Status: 04/03/23 - Senate passed with amendment 1 (005821).

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB241/HB59 Cases involving sexual exploitation of children - injunction regarding removal of material.

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

Summary: Increases from 45 days to 60 days the time period a temporary injunction enjoining a person from removing certain material relevant to a violation of certain criminal offenses from the jurisdiction of the court may remain in effect before it terminates. Broadly captioned. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB242/HB60 Requirement for clerk of court sentencing person to special alternative incarceration.

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

Summary: Extends, from five working days to ten working days, the time within which the clerk of a court sentencing a person to a special alternative incarceration unit must mail to the department of correction a certified copy of the sentence and indictment, a personal history statement, and an affidavit of the custodian provided by the sheriff of the county. Broadly captioned. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB284/HB612 Determination of intellectual disability of those sentenced to death.

Sponsors: Sen. Gardenhire, Todd , Rep. Hawk, David

Summary: Establishes the procedure for the administrative office of the courts to issue payment to an expert who makes a court-ordered determination of intellectual disability in a person who has been sentenced to death prior to May 11, 2021.

Senate Status: 02/23/23 - Senate passed.

House Status: 04/17/23 - House passed.

*Executive Status:*04/20/23 - Sent to governor.

SB287/HB701 Offense of solicitation of a minor.

Sponsors: Sen. Haile, Ferrell , Rep. Doggett, Clay

Summary: Adds statutory rape by an authority figure to the conduct included in the offense of solicitation of a minor. Requires a person convicted of continuous sexual abuse of a minor for offenses committed on or after July 1, 2023, to be sentenced to community supervision for life in addition to any other punishment.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB303/HB470 Gabby Act.

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

Summary: Enacts the Gabby Act to establish a statewide "Purple Alert" system for the rapid dissemination of information in cases of missing or endangered domestic abuse victims. Authorizes the creation of a domestic violence and child abuse task force of the Tennessee bureau of investigation to investigate and to assist local law enforcement agencies in investigating matters pertaining to domestic abuse, domestic assault, child abuse, neglect or endangerment and child sexual abuse. Provides guidelines for the task force and local law enforcement agencies requesting task force assistance for cases involving such offenses and requires the TBI to utilize existing resources to cover the task force development and implementation.

Senate Status: 03/22/23 - Senate Judiciary Committee deferred to 03/28/23.

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

SB318/HB240 Results of DNA data analysis on victim's sexual assault evidence collection kit.

Sponsors: Sen. Oliver, Charlane , Rep. Hardaway, G.A.

Summary: Requires a law enforcement agency to notify the victim of a sexual offense of the results of DNA data analysis on the victim's sexual assault evidence collection kit prior to releasing the results to the public. Requires law enforcement agency or victim-witness coordinator to make victim of sexually oriented crime aware available counseling. Also requires the department of mental health and substance abuse services or another appropriate provider to provide counseling to a victim of a sexually oriented crime at no charge to the victim.

Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

House Status: 04/04/23 - Taken off notice in House Criminal Justice Subcommittee.

SB320/HB480 Investigatory report of a social service agency into financial affairs of the accused.

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

Summary: Allows to be submitted electronically the investigatory report of a social service agency into the financial affairs of the accused, when the agency is ordered to conduct such investigation by a court having reasonable cause to believe that the accused has the financial resources to employ counsel. Broadly captioned.

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

House Status: 04/04/23 - House Criminal Justice Subcommittee deferred to the first calendar of 2024.

SB328/HB144 Second offense DUI - participation in substance abuse program.

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

Summary: Changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program. Requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety.

Amendment Summary: Senate amendment 1 (003437) corrects the typo "tamper events" in Section 2 to "tampering events". Senate amendment 2 (004232) revises present law provisions governing penalties for violations of the offense of DUI, by adding that a person convicted for a third or subsequent DUI is required to pay all costs associated with an ignition interlock device, transdermal monitoring device, global positioning monitoring system, or any other monitoring device and is not eligible for electronic monitoring indigency fund assistance, regardless of whether the person is indigent.

Senate Status: 03/16/23 - Senate passed with amendment 1 (003437) and amendment 2 (004232).

House Status: 03/16/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0116 effective July 1, 2023.

SB331/HB253 Establishes misdemeanor offense of parentage fraud.

Sponsors: Sen. Lundberg, Jon , Rep. Parkinson, Antonio

Summary: Establishes the Class A misdemeanor of parentage fraud when a person fraudulently claims that the victim is the biological parent of a child or fraudulently seeks to be legally established as a child's parent based on the person's status as a biological parent of the child.

Amendment Summary: Senate amendment 1 (005171) clarifies that parentage fraud occurs when the individual that a person seeks to legally establish as the biological parent of a child in the person's custody with intent to deprive the individual of property and the person knows or reasonably should know that the individual is not the child's biological parent is "another individual". This amendment also reduces the classification of parentage fraud from a Class A misdemeanor to a Class B misdemeanor.

Senate Status: 03/20/23 - Senate passed with amendment 1 (005171).

House Status: 04/06/23 - House passed.

*Executive Status:*04/12/23 - Sent to governor.

SB360/HB1307 Voucher program to offset costs of person taking a first time handgun safety course.

Sponsors: Sen. Massey, Becky , Rep. Kumar, Sabi

Summary: Authorizes the department of safety to create a voucher program for the purpose of offsetting the cost of persons taking a handgun safety course for the first time. Requires the department to report the number of courses taken using vouchers to the senate judiciary committee and house criminal justice committee. Broadly captioned.

Senate Status: 04/18/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB388/HB574 Restoration of voting rights after pardon or completion of sentence of incarceration.

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

Summary: Restores the voting rights of persons convicted of certain infamous crimes upon receipt of a pardon or completion of any sentence of incarceration, parole, or probation. Requires that a person convicted of an infamous crime who becomes eligible to vote upon completion of the person's sentence be issued a certificate of voting rights restoration upon a form approved by the coordinator of elections by the pardoning authority, the warden or parole officer of the supervising authority. Makes other provisions with regard to voting restoration certificates. Requires the department of correction to report at least twice monthly to the secretary of state a list of those newly eligible persons along with certain information about each.

Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

House Status: 04/04/23 - Taken off notice in House Criminal Justice Subcommittee.

SB396/HB971 Active shooter alert system.

Sponsors: Sen. Kyle, Sara , Rep. Thompson, Dwayne

Summary: Requires the bureau to develop and implement an alert system, in coordination with the department of safety, department of transportation, and local law enforcement agencies, to be activated on report of an active shooter.

Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

House Status: 04/04/23 - House Criminal Justice Subcommittee deferred to the first calendar of 2024.

SB406/HB120 Carrying of firearms unlawfully exceptions.

Sponsors: Sen. Hensley, Joey , Rep. Richey, Bryan

Summary: Expands the exception to the offense of unlawful carrying of a firearm with the intent to go armed from handguns to firearms if a person meets the age requirements, lawfully possesses the firearm, and is in a place where the person is lawfully present.

Senate Status: 03/07/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Criminal Justice Subcommittee.

SB419/HB557 Admissibility of child forensic interviews.

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

Summary: Increases the age for the admissibility of statements made during a forensic interview from age 13 to age 17. Expands admissible forensic interviews from statements made by a child describing sexual contact performed with or on the child by another to statements describing sexual, abusive, or violent contact performed with or on the child by another or performed by a person with or on another and witnessed by the child. Retains current requirements for forensic interviewer qualification but adds provision allowing a person to conduct forensic interviews who has been supervised by an experienced forensic interviewer for a minimum of 20 forensic interviews.

Amendment Summary: House amendment 1 (004700) makes the following changes to this bill: (1) Revises what the child's statement may be describing to, instead, provide that the statement made by a child under 18 may be describing an act of sexual or physically violent contact, removing abusive contact, performed with or on the child by a person, or performed by a person with or on another and witnessed by the child; (2) Removes juvenile court proceedings from the forensic interview's scope of admissibility, and adds that the evidence may be considered at any stage of a criminal proceeding of the person for any offense arising from the sexual or physically violent contact if the requirements of this amendment are met; (3) Removes the provision that states a video recording admitted pursuant to this section is discoverable in proceedings governed by the Tennessee Rules of Criminal Procedure; and (4) Adds a new section to this bill that revises present law provisions governing basic rights at a hearing in juvenile court by adding the following: (A) A video recording of a child by a forensic interviewer, as described in this amendment, is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of proceedings in an action under laws governing juveniles, if the requirements of this (4) are met; (B) Except for delinquency and unruly conduct proceedings, a video recording may generally be admissible if the following conditions are met: (i) The video recording is shown to the reasonable satisfaction of the court to possess particularized guarantees of trustworthiness, as determined by the court in accordance with law; (ii) The interview was conducted by a qualified forensic interviewer at the time the video recording was made; (iii) The recording is both visual and oral and is recorded on film or videotape or by other similar audiovisual means; (iv) The entire interview of the child was recorded on the video recording and the video recording is unaltered and accurately reflects the interview of the child; and (v) Every voice heard on the video recording is properly identified as determined by the court; (C) In delinquency and unruly conduct proceedings, a video recording may be admissible if the admissibility requirements of present law provisions governing evidence and witnesses have been met; (D) If a video recording is offered into evidence, then the court must make specific findings of fact on the record as to the basis for the court's ruling regarding the admission or denial of admission of the video recording; and enter a protective order to restrict the video recording from further disclosure or dissemination; and (E) A video recording offered into evidence is not a public record. The court must order the video recording to be sealed and preserved following the conclusion of any proceeding.

Senate Status: 03/16/23 - Senate passed.

House Status: 03/13/23 - House passed with amendment 1 (004700).

Executive Status: 04/11/23 - Enacted as Public Chapter 0139 effective April 6, 2023.

SB442/HB535 Restitution order for child maintenance payments.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark
Summary: Allows the surviving parent or guardian of a child whose parent was a victim of vehicular homicide to convert a restitution order for child maintenance payments to a civil judgment at any time rather than following conclusion of the defendant's sentence. Broadly captioned.
Amendment Summary: Senate amendment 1 (003205) provides that this bill is known and may be cited as "Dillard's Law."
Senate Status: 03/06/23 - Senate passed with amendment 1 (003205).
House Status: 04/10/23 - House passed.
*Executive Status:*04/13/23 - Sent to governor.

SB501/HB659 Sexual offenses committed against minor victims.

Sponsors: Sen. Watson, Bo , Rep. Martin, Greg
Summary: Specifies that certain sexual offenses committed against minor victims of a certain age apply based on the age of the victim at the time of the offense.
Senate Status: 02/23/23 - Senate passed.
House Status: 03/07/23 - House Criminal Justice Subcommittee deferred to Summer Study.

SB509/HB720 Interrogation of a child in custody due to suspicion of a delinquent act or unruly conduct.

Sponsors: Sen. Lamar, London , Rep. Sparks, Mike
Summary: Requires a child that is taken into custody due to suspicion that the child has committed a delinquent act or unruly conduct that places the child in jeopardy of being removed from the home to be informed of the reason the child was taken into custody, the right to be released to a parent or guardian within a reasonable time, the right to legal counsel, and the right to have the child's parent or guardian present during any interview or interrogation.
Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.
House Status: 04/04/23 - Returned to House clerk's desk.

SB524/HB1360 Release of defendants - approval of trial court judge.

Sponsors: Sen. Jackson, Ed , Rep. Farmer, Andrew
Summary: Prohibits from being released on their own recognizance, a person charged with a Class A or B felony without the approval of a general sessions judge, criminal court judge or circuit court judge having jurisdiction over their current charges. Provides that a defendant who has been released pending trial or appeal and who is charged with the commission of one or more bailable offenses while released under certain conditions and that the magistrate or judge must set bail on each new offense in an amount not less than double than the standard amount for the specific offense.
Senate Status: 03/22/23 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.
House Status: 02/07/23 - Referred to House Criminal Justice Subcommittee.

SB542/HB606 Creates the tort of wrongful adoption.

Sponsors: Sen. Walley, Page , Rep. Hawk, David
Summary: Creates the tort of wrongful adoption. Creates the Class A misdemeanor of engaging or attempting to engage in placing children for adoption in violation of state law. Allows a party to a wrongful adoption to bring an action against any licensed child-placing agency, chartered child-placing agency, or licensed clinical social worker that performed or otherwise participated in the adoption and knew or reasonably should have known that the adoption violated state law. Allows a person bringing a successful claim to recovery compensatory and punitive damages and liquidated damages of no less than \$100,000.

Amendment House amendment 1 (006436) rewrites this bill to make changes to present law relative to adoption, as described below.

Summary: TENNESSEE CONSUMER PROTECTION ACT OF 1977 This amendment makes the following an unfair or deceptive act or practice in violation of the Tennessee Consumer Protection Act of 1977: (1) Violating law relative to entities authorized to place children for adoption; (2) Violating law relative to illegal payments in connection with placement of a child; and (3) Providing services related to the placement of a child or children for adoption, including, but not limited to, counseling or facilitating, and the services are provided using false or misleading representations of fact or deceptive representations. ADOPTION FACILITATORS This amendment prohibits an adoption facilitator from operating in this state, advertising their services within the boundaries of this state, or providing services to any resident of this state, including, but not limited to, prospective adoptive parents or parents considering placing their child, whether born or not yet born, for adoption. This amendment defines an "adoption facilitator" as a person, corporation, agency, or other entity, located inside or outside of this state, that provides or engages in any of the following services in exchange for compensation in violation of law, whether directly or indirectly: (1) Soliciting parents who are considering placing their child for adoption, whether born or not yet born, for the purpose of acting as a link between the prospective adoptive parents, or the prospective adoptive parents' representative, attorney, or agency, for the transfer of legal or physical custody of their child, including, but not limited to, adoptive placement; or (2) Soliciting prospective adoptive parents for the purpose of acting as a link between parents who are considering placing their child for adoption, whether born or not yet born, and the prospective adoptive parents, or the prospective adoptive parents' representative, attorney, or agency, for the transfer of legal custody of their child, including, but not limited to, adoptive placement. However, this amendment clarifies that an "adoption facilitator" does not include the department of children's services, a licensed child-placing agency, a chartered child-placing agency, a licensed clinical social worker, a licensed attorney, a prospective adoptive parent, or a parent considering placing their child for adoption. ADVERTISEMENTS Present law provides that any advertisement in this state for the placement of children for adoption in another state by an agency or individual not licensed or authorized to do such business in this state must clearly state that the agency or individual is not licensed or authorized to do such business in this state. This amendment revises this provision to provide, instead, that any advertisement in this state for the placement of children for adoption in another state by an agency or individual not licensed or authorized to do such business in this state must clearly disclose on any advertisement in this state for the placement of a child or children for adoption, the name of the government authority by which they are licensed, and that they are not licensed by the state of Tennessee. The disclosure must be in a form similar to "(Person/Entity) is (a child-placing agency/an attorney/a clinical social worker) licensed by (government authority). Not licensed in Tennessee.". PLACING A CHILD FOR ADOPTION IN VIOLATION OF LAW This amendment establishes a Class A misdemeanor offense for a person who engages, or attempts to engage, in placing a child or children for adoption in violation of law relative to adoption or child care agencies. REMEDIES Present law provides that, if the court finds that any person, corporation, agency, or other entity has engaged in the illegal placement of children for adoption, that person, corporation, agency, or other entity is liable for all the costs of the legal proceedings and for all attorney fees for private persons or private agencies who brought the action, or for the cost of attorney and staff time for the department, involved in the proceeding. This amendment revises this provision to hold the person, corporation, agency, or other entity liable to additional remedies, as described in the next paragraph. This amendment provides that adoptive parents or prospective adoptive parents who have provided compensation, whether directly or indirectly, to an adoption facilitator may bring a civil action alleging an adoption facilitation claim against such adoption facilitator. This amendment defines an "adoption facilitation claim" as any claim for damages, losses, indemnification, contribution, or other relief against an adoption facilitator arising out of, based on, or in any way related to the adoption or prospective adoption of a child. A person who brings a successful claim for adoption facilitation may recover the following: (1) Compensatory damages, including, but not limited to, noneconomic damages; (2) Punitive damages, if appropriate; and (3) Liquidated damages of no less than twice the total amount paid to the adoption facilitator. Liquidated damages must be awarded on a per-child basis for each child who is adopted in violation of state law. This amendment clarifies that a claim or judgment entered against an adoption facilitator does not affect the finalization of a pending adoption and must not be used to set aside a final order of adoption.

Senate Status: 04/17/23 - Senate passed after reconsidering their actions and withdrawing Senate amendment 1 (005513).

House Status: 04/03/23 - House passed with amendment 1 (006436).

Executive Status: 04/17/23 - Sent to the speakers for signatures.

SB591/HB764 Abolishes community oversight boards and creates police advisory and review committees.

Sponsors: Sen. Pody, Mark , Rep. Davis, Elaine

Summary: Abolishes community oversight boards and authorizes municipalities to create police advisory and review committees to ensure the timely, fair, and objective review of citizen complaints and to make recommendations concerning such complaints. Specifies membership, appointment process, and terms for members of police advisory and review committees.

*Amendment
Summary:*

Senate amendment 1 (006990) makes the following changes to this bill: (1) Expands the provisions of this bill to apply to local governing bodies, instead of just municipal governmental bodies; POLICE ADVISORY AND REVIEW COMMITTEES (2) Clarifies that a local governing body is authorized upon the adoption of an ordinance or resolution to create a police advisory and review committee and limits the recommendations of the board concerning citizen complaints to be made only to the head of a law enforcement agency; (3) Changes requirement (2) in the summary under POLICE ADVISORY AND REVIEW COMMITTEES for a committee member to require that they not be a current employee of a local governing body; (4) Adds that no more than two persons may be appointed from one district or ward within a local government entity that is represented by a member of a local governing body; (5) Adds that members of the committee who fail to complete required courses are considered to have vacated their positions on the committee and may be replaced; (6) Clarifies that members of the committee must respect an individual's, including a local law enforcement officer's, right to privacy, and maintain materials received pertaining to their membership; MISCONDUCT BY A COMMITTEE MEMBER (7) Requires that the attorney for the local government entity investigate an allegation of misconduct by a committee member or their staff and submit a written report of investigative findings to the mayor or local governing body; EXECUTIVE DIRECTOR OF THE COMMITTEE (8) Changes the requirement that the mayor select an executive director of the committee, and instead authorizes the mayor to do so. As the selection is no longer a requirement, the requirement that the committee provide the executive director with support staff and an adequate office space and equipment is deleted. This amendment deletes the requirement that the executive director be a nonclassified exempt employee of the community relations department or similar division for the municipality; (9) Changes the requirement pertaining to the executive director's employment to provide that the executive director must not be a former employee of a law enforcement agency for the preceding 12 months. This amendment adds that no person may be approved as executive director until the person has submitted to a state criminal history background check and investigation to be conducted by the Tennessee bureau of investigation; a national criminal history background check to be conducted by the federal bureau of investigation; and a lawfully administered test designed to detect the presence of a controlled substance or a controlled substance analogue; (10) Clarifies that if the executive director determines an investigation is incomplete, then the director must notify the committee that in the director's opinion additional investigation or additional time may be required for the investigation to be complete; (11) Authorizes the director to request legal services and advice from the attorney for the local government entity that provides legal services to the local government for which the executive director is employed; (12) Deletes the requirement that the executive director administer oaths to complainants and witnesses. This amendment also clarifies that the director must compile statistical information regarding complaints of misconduct by law enforcement officers that were reported to the executive director from a member of the public, reported to the internal affairs unit where the investigation was reviewed by the executive director, or which were initiated by the executive director; (13) Revises what the executive director can do if they find that an investigation is not complete by authorizing the director to return the investigation to the internal affairs unit for additional investigation; MEETINGS (14) Deletes the requirement that the chief of police or chief of police's designee attend all meetings of the committee; (15) Deletes the authorization of the committee to subpoena witnesses to appear before the internal affairs unit or the executive director, and to compel witnesses to provide statements or produce documents in furtherance of an investigation when necessary. Instead, this amendment provides that a police advisory and review committee does not have power to issue subpoenas for documents or compel witness testimony. However, a local governing body is not prohibited from issuing a subpoena and may do so on behalf of the policy advisory and review committee following the same requirements as provided by the bill; LIMITATIONS ON REVIEW (16) Changes the limitation against reviewing an incident that occurred prior to July 1, 2023, to prior to January 1, 2023; and INVESTIGATIONS OF POLICE OFFICERS (17) Changes present law that provides that the laws governing investigations of police officers, such as questioning, disclosure, notice, and procedure requirements, apply only to those agencies that now provide a property interest in employment for their police officers and that have no other established procedures for dealing with the dismissal, demotion, suspension or transfer for punitive reasons of police officers. This amendment limits the laws that apply only to those agencies providing a property interest in employment so that present law pertaining to the prohibition of a law enforcement officer engaging in political activity and the requirement that an investigative record of officer-involved shooting death become public record applies to all law enforcement agencies. House amendment 2 (008051) incorporates the changes made by Senate Amendment #1 with the following changes and additions: (1) Makes numerous non-substantive grammatical changes; (2) Specifies that this bill will preempt local legislation concerning police oversight boards that does not conform with this bill as of January 1, 2023; (3) Changes the date by which a local governing body that created a police oversight body prior to July 1, 2023, must comply with this this bill from within 90, to within 120, days of July 1, 2023, or the police oversight body is terminated; and (4) Specifies that a candidate for appointment as executive director of a police review and oversight committee must submit a fingerprint sample to be used for their criminal history background check. This amendment requires the local government to pay for the background check, but authorizes local governments to require an applicant to pay such costs. This amendment requires the TBI to provide the results of a background check to the mayor within five days of receipt of such results. This amendment classifies the results of the background checks as confidential and not open for public inspection.

Senate Status: 04/21/23 - Senate concurred in House amendment 2 (008051).

House Status: 04/20/23 - House passed with amendment 2 (008051).

Executive Status: 04/21/23 - Sent to the speakers for signatures.

SB601/HB510 Justifies the use of deadly force under certain circumstances.

Sponsors: Sen. Hensley, Joey , Rep. Reedy, Jay

Summary: Justifies a person using deadly force to protect against real or personal property if the person reasonably believes deadly force is immediately necessary to prevent or terminate the other from committing or attempting certain crimes, believes the real or personal property cannot be protected or recovered by other means, or the use of any other force besides deadly force would expose the person or a third person to risk of death or serious bodily injury.

Senate Status: 03/07/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/07/23 - Taken off notice in House Criminal Justice Subcommittee.

SB607/HB1121 Program to provide services and assist in transitioning juveniles out of DCS custody.

Sponsors: Sen. Jackson, Ed , Rep. Moon, Jerome

Summary: Requires the department of children's services to create a pilot program for juveniles in the custody of the department and housed at the John S. Wilder youth development center that utilizes a step-down approach to provide services and support to juveniles and assist in a juvenile's transition out of the custody of the department and reunification with family members. Requires the department to evaluate the pilot program and report its findings to the general assembly by February 15, 2026.

Senate Status: 03/22/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

House Status: 03/21/23 - House Children & Family Affairs Subcommittee deferred to first calendar of 2024.

SB608/HB1104 Minimum age for a juvenile to be transferred to penitentiary.

Sponsors: Sen. Jackson, Ed , Rep. Stevens, Robert

Summary: Changes, from 18 years to 17 years, the age at which a juvenile committed to the department for an offense punishable by confinement in the penitentiary may be found to be incorrigible and, subject to an agreement between the commissioner of correction and the commissioner of children's services, may be transferred to the penitentiary. Broadly captioned.

Senate Status: 03/22/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

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

SB610/HB589 Release of confidential information by DCS upon presentation of court order.

Sponsors: Sen. Walley, Page , Rep. Gant, Ron

Summary: Adds district attorneys general to those the department of children's services must release confidential information to upon presentation of an appropriate court order. Broadly captioned.

Senate Status: 03/06/23 - Senate passed.

House Status: 04/03/23 - House passed.

Executive Status: 04/12/23 - Sent to governor.

SB611/HB1106 Transfer of juvenile to a criminal court to be tried as an adult.

Sponsors: Sen. Walley, Page , Rep. Littleton, Mary

Summary: Allows a juvenile court to transfer a juvenile 16 years of age or older to a criminal court of competent jurisdiction to be tried as an adult for committing the offense of escape from a youth development center approved, certified, or licensed by the department of children's services.

Senate Status: 03/30/23 - Senate passed.

House Status: 04/17/23 - House passed.

Executive Status: 04/20/23 - Sent to governor.

SB615/HB1105 DCS evaluating success of programs for at risk adolescents and reporting findings to general assembly.

Sponsors: Sen. Akbari, Raumesh , Rep. Stevens, Robert

Summary: Changes from January 15 to February 15 of each year the date by which the department of children's services must evaluate the success of programs for at risk adolescents and report findings and recommendations to the judiciary committee of the senate and the civil justice committee of the house of representatives. Broadly captioned.

Senate Status: 03/07/23 - Taken off notice in Senate Judiciary Committee.

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

SB616/HB862 Access to behavioral health services provided by DCS to juveniles in custody of department.

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

Summary: Requires the department of children's services to provide juveniles who are in the department's custody and housed at juvenile detention facilities approved, certified, or licensed by the department, including youth development centers, with twenty-four-hour access, seven days a week, to psychological and behavioral health services.

Amendment Senate Judiciary Committee amendment 1, House Civil Justice Committee amendment 1 (004621) requires the Department of Children's Services (DCS) to provide juveniles in DCS's custody and housed at juvenile detention facilities, hardware secure residential facilities, or youth development centers with 24- hour, 7 days a week, access to psychological and behavioral health services.

Summary: Children's Services (DCS) to provide juveniles in DCS's custody and housed at juvenile detention facilities, hardware secure residential facilities, or youth development centers with 24- hour, 7 days a week, access to psychological and behavioral health services.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB617/HB1120 Requirements for department of children's services training.

Sponsors: Sen. Akbari, Raumesh , Rep. Russell, Lowell

Summary: Requires the department to provide annual training to youth service officers on best practices for behavior management and conflict resolution in the context of supervision of juvenile justice youth. Requires the department to make chaplain services available on a regular basis to juveniles who are in the department's custody and housed in a juvenile detention facility approved, certified, or licensed by the department, including youth development centers. Prohibits the department from requiring a juvenile to attend or make use of chaplain services. Requires juveniles 16 years of age or older in the department's custody in a Level III or Level IV facility to be housed, educated, and maintained separately from children less than 16 years of age. Broadly captioned.

Amendment House amendment 1 (004147) requires the Department of Children's Services (DCS) to make chaplain services available on a regular basis to juveniles who are in DCS custody and housed in a youth development center. Requires DCS to provide annual training to all youth service officers on best practices for behavior management and conflict resolution in the supervision of juveniles. Prohibits children aged 16 or older who have been committed to DCS and are housed in a hardware secure juvenile detention facility or youth development center from being housed with juveniles less than 16 years of age except under certain circumstances. Effective January 1, 2024.

Summary: House amendment 1 (004147) requires the Department of Children's Services (DCS) to make chaplain services available on a regular basis to juveniles who are in DCS custody and housed in a youth development center. Requires DCS to provide annual training to all youth service officers on best practices for behavior management and conflict resolution in the supervision of juveniles. Prohibits children aged 16 or older who have been committed to DCS and are housed in a hardware secure juvenile detention facility or youth development center from being housed with juveniles less than 16 years of age except under certain circumstances. Effective January 1, 2024.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/06/23 - House passed with amendment 1 (004147).

*Executive Status:*03/27/23 - Enacted as Public Chapter 0067 effective January 1, 2024.

SB623/HB373 Adds criminal offenses of aggravated assault with a firearm to nonprobated sentences.

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

Summary: Adds the criminal offenses of aggravated assault resulting in serious bodily injury to another or the death of another and aggravated assault involving the actual discharge of a firearm to those offenses that are not eligible for probated sentence, if the offenses were committed intentionally or knowingly.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB624/HB430 Blended sentence for 16 and older children.

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

Summary: Allows a juvenile court to impose a blended sentence on a child 16 years of age or older for a juvenile offense that would be a Class A, B, or C felony if committed by an adult. Defines blended sentencing as a combination of any disposition otherwise provided for juveniles and a period of adult probation to be served after the child turns 18 years of age and which ends on or before the child's twenty-fifth birthday. Broadly captioned.

Amendment Summary: Senate amendment 1, House Criminal Justice Committee amendment 1 (007085) rewrites this bill to authorize a court to classify a child 16 years of age or older as a serious youthful offender if the child is adjudicated delinquent for: (1) An act that would be a Class A felony if committed by an adult; (2) An act that would be a Class B felony if committed by an adult and the child has two or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult; or (3) An act that would be a Class C felony if committed by an adult and the child has three or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult. This amendment authorizes a court to impose any of the dispositions authorized for a child who is adjudicated delinquent under present law upon a juvenile classified as a serious youthful offender. If the court imposes a determinate commitment for the serious youthful offender, then the time credits for good institutional behavior or satisfactory performance do not apply to shorten the time of a serious youthful offender's determinate commitment. This amendment authorizes a court to impose an additional sentence to be served after a serious youthful offender turns 19 years of age, which ends on or before the offender's twenty-fourth birthday. If imposed, the additional sentence beyond the serious youthful offender's nineteenth birthday must extend for at least: (1) Four years if the child is adjudicated delinquent for an act that would be a Class A felony if committed by an adult; (2) Three years if the child is adjudicated delinquent for an act that would be a Class B felony if committed by an adult; or (3) One year if the child is adjudicated delinquent for an act that would be a Class C felony if committed by an adult. A court may set aside an additional sentence imposed pursuant to (1)-(3). This amendment requires the court to conduct a hearing within four months of the serious youthful offender's nineteenth birthday to review the offender's circumstances and determine whether the additional sentence should be set aside. The full text of this amendment specifies five factors for the court's consideration when making such determination. If the court imposes an additional sentence beyond a serious youthful offender's nineteenth birthday, then the court is required to enter an order on or before the offender's nineteenth birthday committing the offender to the custody of the department of correction to serve the additional sentence imposed by the juvenile court. This amendment requires a court to make an audio recording of a hearing conducted pursuant to this amendment, which recording must include all proceedings in open court and such other proceedings as the judge may direct and must be preserved as part of the record of the hearing.

Senate Status: 04/13/23 - Senate passed with amendment 1 (007085).

House Status: 04/11/23 - House Criminal Justice Committee deferred to the first calendar of 2024 after adopting amendment 1 (007085).

SB659/HB37 Removes certain exclusions from TN Firearms Freedom Act.

Sponsors: Sen. Lowe, Adam , Rep. Warner, Todd

Summary: Prohibits any employee or elected or appointed official of a state or local government entity from enforcing or assisting in enforcing any federal law which violates the Tennessee constitution's guarantee for Tennessee citizens to keep and bear arms without government interference. Removes prior exclusions for a firearm that cannot be carried and used by one person, a firearm that discharges two or more projectiles with one activation of the trigger or other firing device, a firearm that has a bore diameter greater than one and one-half inches and that uses smokeless powder as a propellant, and ammunition with a projectile that explodes after leaving the firearm. Creates a Class A misdemeanor, a Class B misdemeanor and a Class E felony for offenses involving a person disenfranchising another of that person's constitutional rights under this Act.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Civil Justice Subcommittee.

SB700/HB268 Crisis intervention services contact information to victims.

Sponsors: Sen. Crowe, Rusty , Rep. Terry, Bryan

Summary: Requires a law enforcement agency to provide victims of crime with the contact information for crisis intervention services and emergency and medical services, in addition to the availability of any such services. Broadly captioned.

Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.

House Status: 01/24/23 - Referred to House Criminal Justice Subcommittee.

SB718/HB696 Extended Juvenile Jurisdiction Act.

Sponsors: Sen. Lamar, London , Rep. Glynn, Ronnie

Summary: Enacts the "Extended Juvenile Jurisdiction Act," which establishes a juvenile justice pilot program in Shelby County (26 pp.).

Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Criminal Justice Subcommittee.

SB719/HB1140 Communications between human trafficking victims and employees of anti-human trafficking organization.

Sponsors: Sen. Lamar, London , Rep. Miller, Larry

Summary: Specifies that a communication between a human trafficking victim advocate or trained volunteer and a human trafficking victim is confidential if it is not intended to be disclosed to third persons other than: (1) those persons present to further the interest of the human trafficking victim in the consultation, examination, or interview; (2) those persons necessary for the transmission of the communication; and (3) those persons to whom disclosure is reasonably necessary to accomplish the purposes for which the human trafficking victim advocate or trained volunteer is consulted. Requires nurses to obtain two hours in continuing education on human trafficking prior to license renewal.

Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.

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

SB727/HB1496 GPS monitoring device for domestic abusers.

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

Summary: Requires a magistrate to order a defendant to carry or wear a global positioning monitoring system device as a condition of bail if the defendant was arrested for certain criminal offenses or a violation of an order of protection and the alleged offense or violation involved the strangulation or attempted strangulation of the victim or the use or threatened use of a firearm against the victim.

Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.

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

SB740 POST commission curriculum requirements for courses on citations in lieu of arrest.

Sponsors: Sen. Kyle, Sara ,

Summary: Requires the Tennessee peace officer standards and training commission to submit the curriculum requirements concerning the use of citations in lieu of arrest, domestic violence training, and proper procedures to respond to persons with mental illnesses by February 1, 2024, to the chair of the senate judiciary committee and the chair of the criminal justice committee of the house of representatives. Requires the commission to also submit any proposed amendments to those requirements to the same chairs at least 60 days prior to the amendments being implemented. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

SB758/HB1252 Enforcement of a victims' constitutional and statutory rights.

Sponsors: Sen. Jackson, Ed , Rep. Crawford, John

Summary: Provides a procedure for the enforcement of a victims' constitutional and statutory rights in a court exercising jurisdiction over the criminal offense committed against the victim by the district attorney general prosecuting the criminal offense or the victim.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB764/HB986 Offense of assault while defendant was trespassing on school property.

Sponsors: Sen. Campbell, Heidi , Rep. Beck, Bill

Summary: Increases from a Class A misdemeanor to a Class E felony the punishment for the offense of assault by intentionally, knowingly, or recklessly causing bodily injury to another if the offense occurred while the defendant was trespassing on school property and was committed against a school employee.

Amendment Summary: Senate Judiciary Committee amendment 1 (004610) expands the offense of aggravated assault to include a person who intentionally or knowingly commits or attempts to commit an assault against a school employee while trespassing on school property and the assault results in bodily injury to the school employee. Establishes aggravated assault against a school employee is a Class E felony offense.

Senate Status: 03/14/23 - Failed in Senate Judiciary Committee after adopting amendment 1 (004610).

House Status: 03/28/23 - Taken off notice in House Criminal Justice Committee.

SB812/HB46 Denials for termination of sex offender registration requirement.

Sponsors: Sen. Gardenhire, Todd , Rep. Doggett, Clay

Summary: Requires the Tennessee bureau of investigation to include a reason for the denial when rejecting an offender's request to be relieved of his or her sexual offender registry registration requirement.

Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB844/HB31 Offense of rape - eligibility for probation.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay

Summary: Adds rape to the list of offenses for which a defendant is not eligible for a probated sentence under the Tennessee Criminal Sentencing Reform Act of 1989.

Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.

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

SB857/HB1440 Exemptions to the offense of criminal abortion.

Sponsors: Sen. Haile, Ferrell , Rep. Rudder, Iris

Summary: Exempts from the offense of criminal abortion an abortion that is performed on a patient whose pregnancy is the result of rape or incest if the abortion is performed prior to a certain gestational age. Requires the physician performing the abortion to confirm that the patient reported the offense to the appropriate law enforcement agency and submitted to a forensic medical examination prior to the procedure. Adds a mandatory minimum sentence of three years incarceration for filing a false report of rape or incest for the purpose of obtaining an abortion. Broadly captioned.

Senate Status: 02/28/23 - Taken off notice in Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB877/HB1520 Establishes an extended juvenile court jurisdiction pilot project.

Sponsors: Sen. Akbari, Raumesh , Rep. Hardaway, G.A.

Summary: Establishes an extended juvenile court jurisdiction pilot project through which a juvenile court in Davidson County or Shelby County may choose to proceed with a case against a juvenile that could be transferred to criminal court as an extended juvenile court jurisdiction case and allow the youth to remain under the jurisdiction of the juvenile court until the age of 24.

Amendment Summary: House Criminal Justice Subcommittee amendment 1 (005582) creates a pilot program that authorizes a court to retain jurisdiction over a child found delinquent until their 25th birthday if best suited for the child's treatment, rehabilitation, and welfare. Authorizes the court to impose a sentence upon the child that could be imposed if the offense was committed by an adult. Prohibits the court from committing a juvenile offender participating in the pilot program to the Department of Children's Services (DCS) or placing the offender on probation under the supervision of DCS. Requires any portion of the disposition imposed that extends prior to the child's 25th birthday be stayed pending completion of requirements set forth by the court at the time of disposition. Requires the pilot program be implemented in a county in which an authorizing resolution is approved by the county legislative body by a two-thirds majority and be paid for by local or grant funding. Requires a county that approves the pilot program to submit an annual report to the Chairs of the Senate Judiciary Committee and the Criminal Justice Committee of the House of Representatives detailing outlined information regarding the program.

Senate Status: 04/04/23 - Taken off notice in Senate Judiciary Committee.

House Status: 04/04/23 - Taken off notice in House Criminal Justice Subcommittee after adopting amendment 1 (005582).

SB885/HB1084 Term abortion as defined for offense of criminal abortion.

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

Summary: States that the term abortion, as defined for the offense of criminal abortion, does not include the use of contraceptives, including hormonal birth control, intrauterine devices, or emergency contraceptives. Broadly captioned.

Senate Status: 02/28/23 - Failed in Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB904/HB279 Restoration of voting rights and child support obligations.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Allows certain persons deprived of the right of suffrage to apply for a voter registration card and have the right of suffrage provisionally restored if the person enters into a payment plan to become current on all child support obligations.

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

House Status: 04/04/23 - House Criminal Justice Subcommittee deferred to the first calendar of 2024.

SB905/HB1171 Sentencing a minor convicted as an adult.

Sponsors: Sen. Akbari, Raumesh , Rep. Dixie, Vincent

Summary: Specifies that when sentencing a minor convicted as an adult, a court may impose a sentence less than the minimum under the law. Prohibits courts from sentencing juvenile offenders to life without the possibility of parole. Authorizes minors convicted as adults who served at least 20 years to file a motion for a sentence reduction. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Criminal Justice Subcommittee.

SB929/HB539 Requirements for interrogation of a child taken into custody for a delinquent act.

Sponsors: Sen. Taylor, Brent , Rep. Harris, Torrey

Summary: Requires that an interview or interrogation of a child taken into custody for a delinquent act must be recorded or conducted in the presence of an attorney who represents the child.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB941/HB277 TACIR study on sentencing.

Sponsors: Sen. Oliver, Charlane , Rep. McKenzie, Sam

Summary: Directs TACIR to conduct a study on sentencing in this state. Requires TACIR to compare the length of sentences imposed on individuals currently incarcerated with current sentencing guidelines used by courts. Specifies that the study must identify any disparities between sentences imposed for similar offenses and identify any reasons for the disparities. Requires the department of correction and the administrative office of the courts to provide assistance to TACIR upon the request of the executive director of TACIR. Requires TACIR to submit a report disclosing the findings of the study to members of the general assembly no later than January 1, 2025. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/21/23 - House Criminal Justice Subcommittee deferred to summer study.

SB956/HB973 Report by community oversight board on number and nature of matters reported to board.

Sponsors: Sen. Lamar, London , Rep. Dixie, Vincent

Summary: Changes from February 1 to February 15 the date by which a community oversight board must submit a report to the chair of the senate judiciary committee and the chair of the criminal justice committee of the house of representatives that includes the number and nature of matters reported to the board, the number and nature of reviews conducted by the board, and the number and nature of advisory reports and recommendations issued by the board. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

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

SB957/HB1098 Delinquent or unruly child committed to custody of department of children's services.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio

Summary: Removes the requirement that a delinquent or unruly child committed to the custody of the department for an indefinite time remain in custody for no longer than six months in absence of certain circumstances. Requires a delinquent or unruly child committed to the custody of the department for an indefinite time to remain in the department's custody until discharge or other placement is warranted by the child's response to evidence-based services and programs or so long as necessary to receive evidence-based treatment or services provided by a qualified provider.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/08/23 - Referred to House Children & Family Affairs Subcommittee.

SB982/HB113 Community-based alternative to incarceration programs to offer info on voting rights restoration.

Sponsors: Sen. Yager, Ken , Rep. Russell, Lowell

Summary: Requires that information on restoration of voting rights be offered to all eligible persons as part of services rendered by a community-based alternative to incarceration. Provides that alternatives to incarceration include, but are not limited to, day reporting center programs or recovery and treatment programs.

Senate Status: 03/22/23 - Senate Judiciary Committee deferred to 03/28/23.

House Status: 03/21/23 - House Criminal Justice Subcommittee deferred to 03/28/23.

SB983/HB778 Limits the offense of criminal abortion to only apply to elective abortions.

Sponsors: Sen. Yager, Ken , Rep. Helton-Haynes, Esther

Summary: Limits the offense of criminal abortion to only apply to elective abortions. Defines elective abortion as any abortion that is not medically necessary to prevent the death of the pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman. Broadly captioned.

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

House Status: 03/21/23 - Taken off notice in House Population Health Subcommittee.

SB1001/HB831 Expunction - certificate of eligibility.

Sponsors: Sen. Yager, Ken , Rep. Lamberth, William

Summary: Requires the Tennessee bureau of investigation (TBI) to develop a request for a certification form to be completed by the court and submitted to the TBI prior to entering an order of expunction. Requires the TBI to determine and certify whether a submitted offense is eligible for expunction. Prohibits the entry of an order of expunction on or after January 1, 2024, unless a certificate of eligibility from the TBI is attached to the order of expunction.

Amendment Summary: House amendment 1 (005000) adds that a court is not required to submit a certificate to the TBI if the expungement is upon petition by a defendant in the court that entered a nolle prosequi in the defendant's case, or if the expungement is pursuant to (1) (-)(6) below. This amendment adds to present law by: (1) Authorizing a person to petition for expunction of the person's arrest record if the court with jurisdiction over the offense for which the person was arrested has no history of the person's arrest for the offense within the court's records. Upon filing of the petition, the clerk must serve the petition on the district attorney general for that judicial district; (2) Authorizing both the petitioner and the district attorney general to file evidence with the court relating to a petition filed under (1); (3) Requiring the clerk's office to search the court's records and certify to the court whether there is any history of the person's arrest for the offense at issue within the court's records; (4) Requiring, prior to entering an order on the petition, the court to review and consider the clerk's certification and all evidence submitted by the petitioner and the district attorney general; (5) Authorizing the court to enter an order of expunction of the arrest record if the court finds that there is no history of the person's arrest for the offense within the court's record; and (6) Requiring person petitioning the court for expunction pursuant to this amendment to be charged the appropriate clerk's fee, if applicable..

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 1 (005000).

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB1012/HB1404 Notification to board of medical examiners given by physician criminally charged for performing abortion.

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

Summary: Reduces from seven calendar days to three business days the period within which a physician must notify the board of medical examiners after learning that the physician has been criminally charged with violating the statutory prohibition on the performance or attempted performance of an abortion upon a pregnant woman when the physician knows the pregnant woman is seeking the abortion because of the sex or race of the unborn child or because of a prenatal diagnosis, test, or screening indicating Down syndrome or the potential for Down syndrome in the unborn child. Broadly captioned.

Amendment Summary: House Population Health Subcommittee amendment 1 (004079) includes in the definition of "abortion," preservation of the life or health of a child after live birth, to remove a dead fetus or to treat an ectopic pregnancy or fetal anomaly not consistent with life. Defines "viability" as the point in a pregnancy when, in the good medical judgement of a physician, based on certain facts before the physician, there is a reasonable likelihood of the fetus's survival outside the uterus without the application of extraordinary measures. Makes statements related to a person's fundamental right to make decisions about the person's reproductive healthcare, including the right to use or refuse contraception, to continue a pregnancy and give birth or to have an abortion before viability or when necessary to protect the life or health of the woman.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 03/14/23 - Failed in House Population Health Subcommittee after adopting amendment 1 (004079).

SB1029/HB1233 Storage of firearms on motor vehicles or boats - penalties.

Sponsors: Sen. Yarbro, Jeff , Rep. Hemmer, Caleb

Summary: Creates the offense of storing a firearm or firearm ammunition in a motor vehicle or boat while the person is not in the motor vehicle or boat unless the firearm or firearm ammunition is kept from ordinary observation and locked within the trunk, utility or glove box, or a locked container securely affixed to the motor vehicle or boat. Requires the owner of a firearm to report the loss or theft of the firearm to law enforcement within 24 hours of the discovery of the loss or theft.

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

House Status: 04/04/23 - Taken off notice in House Criminal Justice Subcommittee.

SB1031/HB1397 Overnight shelter locations near off-limits locations - sexual offenders.

Sponsors: Sen. Yarbro, Jeff , Rep. Harris, Torrey

Summary: Clarifies that staying in an overnight shelter that is administered by a municipality is a legitimate reason for a sexual offender to remain within 1,000 feet of a public school, private or parochial school, licensed daycare center, other child care facility, public park, playground, recreation center, or public athletic field when children under 18 years of age are present.

Amendment Summary: Senate amendment 1 (006232) includes staying in an overnight shelter that is located in a fixed, permanent building and administered by a municipality to provide shelter from adverse weather or other emergency as a specific or legitimate reason for which a sexual offender or violent sexual offender may stand, sit idly, whether or not the offender is in a vehicle, or remain within 1,000 feet of the property line of any building owned or operated by any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public when children under 18 years of age are present.

Senate Status: 04/12/23 - Failed in Senate after adopting amendment 1 (006232).

House Status: 04/04/23 - House Criminal Justice Subcommittee deferred to the first calendar of 2024.

SB1047/HB1041 Access to juvenile justice data provided to TN Commission on Children and Youth.

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

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

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

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

SB1056/HB1459 Administrative record of inmates when considering sentences.

Sponsors: Sen. Jackson, Ed , Rep. Moody, Debra

Summary: Permits, for purposes of considering whether to order a defendant to serve multiple sentences consecutively, a judge to consider the defendant's administrative record of violent behavior while incarcerated, regardless of whether the defendant was charged or convicted for such acts. Broadly captioned.

Amendment Summary: Senate amendment 1 (006502) rewrites this bill and adds the following to the present law relative to offenses committed within a penal institution: (1) A warden or chief administrative officer employed by a penal institution, who knows that an offense enumerated in (2) below has occurred within the penal institution, must report the offense to the district attorney general for the judicial district in which the penal institution is located and the district attorney general who prosecuted the offense for which the offender is incarcerated within five business days of becoming aware of the offense being committed; (2) The above requirement applies to aggravated assault; first degree murder; second degree murder; voluntary manslaughter; criminally negligent homicide; aggravated rape; rape; aggravated sexual battery; sexual battery; and indecent exposure; and (3) A violation of (1) above is a Class A misdemeanor. This amendment also authorizes the court to order sentences to run consecutively if the court finds by a preponderance of the evidence that the defendant was incarcerated at the time of the offense and is convicted of an offense enumerated in (2) above.

Senate Status: 04/10/23 - Senate passed with amendment 1 (006502).

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB1057/HB1083 Removal of material that district attorney general believes violates law regarding material harmful to minors.

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

Summary: Changes from two days to two business days the time frame during which an adversary hearing on a petition to enjoin or restrain removal from the jurisdiction of material the district attorney general believes violates certain laws regarding material harmful to minors must be held and the timeframe after the conclusion of the hearing within which the court will reach a determination. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

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

SB1059/HB841 Removal of the educational justification for possessing obscene material on school property.

Sponsors: Sen. Hensley, Joey , Rep. Lynn, Susan

Summary: Removes the educational justification for a person who possesses obscene material on school property. Defines school property as any school building, bus, campus, grounds, recreational area, athletic field, or other property used by a local educational agency.

Amendment Summary: Senate amendment 1 (005934) rewrites this bill to make it a Class E felony for a book publisher, distributor, or seller to knowingly sell or distribute obscene matter to a public school serving any of the grades K-12. In addition to the punishment authorized for a Class E felony (one to six years imprisonment and a fine of up to \$3,000), a person who violates this amendment's prohibition will additionally be fined at least \$10,000, but not more than \$100,000.

Senate Status: 04/10/23 - Senate passed with amendment 1 (005934).

House Status: 04/17/23 - House passed.

*Executive Status:*04/20/23 - Sent to governor.

SB1061/HB1090 Possession of obscene material on school property.

Sponsors: Sen. Hensley, Joey , Rep. Lynn, Susan

Summary: Removes the educational justification of a person possessing obscene material if the person is at a school building, bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by a local education agency.

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

House Status: 03/21/23 - Taken off notice in House Criminal Justice Subcommittee.

SB1066/HB1204 Timeline for the reporting of any change in residence for a handgun carry permit holder.

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

Summary: Extends the time in which a handgun carry permit holder is required to inform the department of safety of any change in the permit holder's principal place of residence from 60 days to 90 days. Broadly captioned.

Senate Status: 03/07/23 - Taken off notice in Senate Judiciary Committee.

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

SB1112/HB289 Imposition of the death penalty.

Sponsors: Sen. Bowling, Janice , Rep. Russell, Lowell

Summary: Allows a jury to use certain criteria to determine if a death sentence it imposed should be expedited. Requires the jury's determination to be unanimous. Stipulates that a death sentence may be expedited for offenses involving the death of three or more victims killed by at least one deadly weapon or the use of one or more deadly weapons on any public or private school grounds. Provides for an expediated sentence for an offense involving the killing a first responder during the course of the first responder performing job duties. Requires the defendant's guilt to be incontestable based on certain evidence presented at trial such as video of the defendant committing the crime or DNA linking the defendant to the crime. Provides that death sentences meeting the prescribed criteria be carried out within 30 business days of the exhaustion of post-conviction relief options and appeals.

Senate Status: 04/19/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB1113/HB372 Ed's Law.

Sponsors: Sen. Bowling, Janice , Rep. Hale, Michael

Summary: Enacts "Ed's Law," which requires a juvenile accused of certain criminal offenses to be transferred from juvenile court to criminal court to be tried as an adult if the juvenile court finds probable cause that the juvenile committed the act.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1150/HB1246 Offense of transporting illegal aliens.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis

Summary: Removes exemptions from prosecution of the offense of transporting illegal aliens for common carriers and those transporting individuals for religious purposes. Broadly captioned.

Senate Status: 03/14/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/22/23 - Referred to House Department & Agencies Subcommittee.

SB1159/HB1029 Notice regarding hearing to transfer juvenile to adult court.

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

Summary: Increases the period in which a juvenile and the juvenile's parents must receive notice of a hearing to transfer the juvenile to adult court from 14 days prior to the hearing to 15 days prior to the hearing. Broadly captioned.

Amendment Summary: House Criminal Justice Subcommittee amendment 1 (004849) allows a child to be charged as an adult under certain circumstances and types of crime. Describes different ages to be charged with different crimes. Requires a hearing to determine if the child should be charged as an adult before trial. Prohibits punishment of death or life in prison without parole. Allows a prison transfer to an adult facility when the child reaches age 16. Changes other regulations to meet juveniles tried as an adult in court.

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to 04/11/23.

House Status: 04/11/23 - Returned to House clerk's desk.

SB1187/HB968 Report by community oversight board on matters reported to board.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio

Summary: Changes, from February 1 to February 15 of each year, the date by which a community oversight board must submit a report to the chairs of the civil justice and criminal justice committees of the house of representatives and the judiciary committee of the senate that includes for the previous calendar year the number and nature of matters reported to the board, the number and nature of reviews conducted by the board, and the number and nature of advisory reports and recommendations issued by the board. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/14/23 - Taken off notice in House Civil Justice Subcommittee.

SB1205/HB686 Victim advocate's communication - disclosure of certain info prohibited.

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

Summary: Prohibits an advocate from disclosing any communication received by the advocate from a victim, records regarding a victim stored by the advocate, counseling the victim received, crisis intervention the victim receiving, or the location of the shelter that accommodated the victim during any judicial, legislative, or administrative proceeding unless the victim waives this right by written consent. Allows the court to compel disclosure if the information is deemed relevant and material evidence, the probative value of the information outweighs the harmful effect of disclosure, and the information cannot be obtained by reasonable means from any other source.

Amendment Summary: Senate amendment 1 (005093) revises the provisions relative to a court's ability to compel disclosure, to provide that this bill does not limit the ability of a court to compel disclosure if, upon the motion of a party, the court determines after an in-camera review that: (1) The information sought is relevant and material evidence of the facts and circumstances involved in an alleged criminal act that is the subject of a criminal proceeding or a proceeding brought by the department of children's; (2) The probative value of the information outweighs the harmful effect of disclosure, if any, on the victim, the victim-advocate relationship, and the treatment services; and (3) The information cannot be obtained by reasonable means from any other source.

Senate Status: 04/13/23 - Senate passed with amendment 1 (005093).

House Status: 04/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to governor.

SB1211/HB555 Removes requirements for a victim to report an offense in a certain period of time in order to receive compensation.

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

Summary: Enables victims of human trafficking offenses to still be eligible to receive compensation from the criminal injuries compensation fund without having to prove the victim reported the offense to proper law enforcement within a previously required period of time.

Amendment Summary: House amendment 1 (005357) makes a technical clarification by removing a duplicative cross reference, revises this bill's provision concerning the burden of proof in claims for compensation by victims of human trafficking offenses, and revises other present law provisions governing criminal injury compensation claims, as described below. BURDEN OF PROOF. Present law provides that the claimant has the burden of presenting all facts necessary in determining whether the claimant is entitled to compensation, and prohibits a claimant from being entitled to compensation unless the claimant proves certain requirements by a preponderance of the evidence, including, but not limited to, that the claimant has fully cooperated with the police and the district attorney general in the investigation and prosecution of the offender. This amendment creates an exception to the above requirement for cases involving a victim of human trafficking where it is determined that the victim's cooperation may be impacted due to the victim's age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim's well-being. PROCEDURE. Under present law, an award of compensation under the Criminal Injuries Compensation Act of 1976 cannot be made where the law enforcement records show that the victim or victim's family failed to report the crime within 48 hours unless, for good cause shown, it is found that the delay was justified. Present law further provides that good cause for the failure of a victim or a member of the victim's family to report a crime may be found if the victim is: (1) Physically unable; (2) A victim of sexual assault; or (3) A victim of domestic abuse. This amendment adds that good cause for the failure of a victim or a member of the victim's family to report a crime may also be found if the victim is a victim of human trafficking.

Senate Status: 04/17/23 - Senate passed.

House Status: 04/10/23 - House passed with amendment 1 (005357).

*Executive Status:*04/17/23 - Sent to the speakers for signatures.

SB1212/HB115 Tennessee Businesses Against Trafficking program.

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

Summary: Authorizes the secretary of state to establish and implement the Tennessee Businesses Against Trafficking program to engage corporations and private entities to assist in identifying, preventing, and combating human trafficking. Provides participating corporations and private entities a certificate of recognition. Requires participating corporations and private entities to adopt a zero-tolerance policy toward human trafficking, take measures to ensure employees comply with rules promulgated by the secretary of state's office, participate in training and public awareness campaigns, and enhance awareness and encourage participation within the program.

Amendment Summary: Senate amendment 1 (003680) makes technical corrections to the headers in the bill.

Senate Status: 03/16/23 - Senate passed with amendment 1 (003680).

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

SB1222/HB267 Expunction of juvenile court records.

Sponsors: Sen. White, Dawn , Rep. Terry, Bryan

Summary: Allows a juvenile court to order a child who has requested the expunction of their juvenile records to undergo a mental health evaluation and use the evaluation to assist in determining if the records should be expunged.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 01/24/23 - Referred to House Criminal Justice Subcommittee.

SB1224/HB114 Sentencing - offenses involving more than one victim.

Sponsors: Sen. White, Dawn , Rep. Russell, Lowell

Summary: Allows a court to impose consecutive sentences to a defendant convicted of two or more criminal offenses to more than one victim irrespective if the offenses occurred in the same criminal episode.

Senate Status: 03/30/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB1225/HB556 Notice requirement for offender placed on registry for abusing vulnerable individuals.

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

Summary: Requires that court clerks notify the health facilities commission, instead of the department of health, when an offender is to be placed on the registry of persons who have been determined to have abused, neglected, misappropriated, or exploited the property of vulnerable individuals. Requires that such notice is given within 90 days of conviction of the offense.

Senate Status: 03/06/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0103 effective March 31, 2023.

SB1319/HB1109 Offense of custodial interference.

Sponsors: Sen. Bailey, Paul , Rep. Travis, Ron

Summary: Adds to the offense of custodial interference for any person who harbors or hides a child that has been placed in the custody of the department of children's services by a protective custody order or an emergency custody order.

Senate Status: 03/30/23 - Senate passed.

House Status: 04/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to governor.

SB1321/HB1028 Study on those convicted for certain firearms related offenses.

Sponsors: Sen. Bailey, Paul , Rep. Butler, Ed

Summary: Requires the administrative office of the courts to conduct a study, within existing resources of the number of individuals convicted under offenses for carrying or possessing weapons with the intent to go armed and the penalties assessed for the convictions, and submit a report of the study's findings to the chairs of the senate judiciary committee and the criminal justice committee of the house of representatives by January 15, 2024. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1343/HB1466 Defines the legal age to purchase or own a firearm.

Sponsors: Sen. Lamar, London , Rep. Towns Jr., Joe

Summary: Prohibits a person under the age of 21 from purchasing or owning a firearm unless the person is over the age of 18 and an active, retired, or honorably discharged member of the armed forces.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 03/21/23 - House Civil Justice Subcommittee deferred to 2024.

SB1347/HB1251 Expansion of the definition of sexual activity relating to the exploitation of minors.

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

Summary: Expands the definition of "sexual activity," as used in the offense of soliciting sexual exploitation of a minor, to include exhibition of the female breast, genitals, buttocks, anus, or pubic or rectal area of any person that can be reasonably construed as being for the purpose of the sexual arousal or gratification of the defendant or another.

Senate Status: 03/20/23 - Senate passed.

House Status: 04/03/23 - House passed.

*Executive Status:*04/12/23 - Sent to governor.

SB1390/HB1348 Child adjudicated delinquent committed to custody of DCS.

Sponsors: Sen. Hensley, Joey , Rep. Farmer, Andrew

Summary: Allows a child to be committed to the custody of the department of children's services if the child is adjudicated delinquent for an offense that would constitute a misdemeanor if committed by an adult and the child has previously been adjudicated delinquent for another listed offense. Requires an officer to make efforts to contact a child's parent or guardian when issuing the child a misdemeanor citation in lieu of continued custody, if the officer deems it appropriate. Broadly captioned.

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

House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB1402/HB1425 Creation of a misdemeanor offense for the possession of vapor products by an underage person on public school property.

Sponsors: Sen. Reeves, Shane , Rep. Hicks, Gary

Summary: Creates a Class C misdemeanor for a person under 21 years of age to consume or possess vapor products on the property of a public school.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1416/HB1021 Accounting of money held by a custodian of a minor who was a victim of a crime.

Sponsors: Sen. Rose, Paul , Rep. Doggett, Clay

Summary: Increases the time period, from 30 days to 60 days, in which the custodian of a minor who was a victim of a crime must provide an accounting to the court as of how the money was spent after released by the order of a court.

Amendment Summary: Senate Judiciary Committee amendment 1, House Criminal Justice Subcommittee amendment 1 (006757) deletes a requirement that a victim of a crime or a member of the victim's family report the crime to the proper authorities within 48 hours of the crime's occurrence in order for a claim for compensation from the Criminal Injuries Compensation Fund (fund) to be eligible for award.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

House Status: 04/04/23 - House Criminal Justice Subcommittee recommended with amendment 1 (006757). Sent to full committee.

SB1482/HB688 Penalties for reckless endangerment-criminal gangs.

Sponsors: Sen. Oliver, Charlane , Rep. Hardaway, G.A.

Summary: Creates a Class C felony of reckless endangerment committed against a population within a geographic territory by members of a criminal gang who regularly engage in gang-related activity. Authorizes a court to revoke or prohibit the issuance of a driver license to individuals convicted of such offenses for a five-year period. Directs a court to prohibit convicted persons sentenced to probation from entering the geographic territory in which the offense was committed as defined in the sentencing order. Allows a person whose driver's license has been revoked or who has been prohibited from being issued a driver's license to, upon release from custody, apply to an appropriate court for a restricted driver's license for certain limited purposes.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 04/04/23 - Taken off notice in House Criminal Justice Subcommittee.

SB1484/HB1301 Community service stipulations - offenders with minor victims.

Sponsors: Sen. Kyle, Sara , Rep. Thompson, Dwayne

Summary: Clarifies that a sexual offender whose victim was a minor may not engage in community service or volunteer work that would cause the offender to be in contact with a minor while required to register with the sexual offender registry. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

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

SB1492/HB888 Report on enforcement of Prevention of Youth Access to Tobacco, Smoking Hemp, and Vapor Products Act.

Sponsors: Sen. Reeves, Shane , Rep. Hawk, David

Summary: Requires the department of agriculture to make its annual report on its enforcement of the Prevention of Youth Access to Tobacco, Smoking Hemp, and Vapor Products Act available on its website. Broadly captioned.

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

House Status: 03/08/23 - Referred to House Finance, Ways & Means Subcommittee.

SB1498/HB1158 Lowers the age requirement to obtain an enhanced or concealed handgun carry permit.

Sponsors: Sen. Niceley, Frank , Rep. Todd, Chris

Summary: Lowers the age requirement to obtain an enhanced or concealed handgun carry permit or lawfully carry a handgun in public from 21 to 18 years of age. States that the statutory authorization to transport or store a firearm or firearm ammunition in a motor vehicle under certain circumstances does not apply to a person under 21 years of age in a parking area that is owned, operated, or while in use by any school, unless the person is at least 18 years of age and meets certain military qualifications. Broadly captioned.

Amendment House Civil Justice Subcommittee adopting amendment 1 (003933) substitutes the language "handgun" and replaces it with
Summary: "firearm". Lowers the legal age to possess a firearm to 18 years of age. States that person's or entities that are authorized to prohibit the possession of firearms on their property are not immune to civil liabilities. Deletes various provisions that outline unlawful possession of a firearm. Removes provisions that outlined exemptions to previous law regarding unlawful possession.
Senate Status: 03/07/23 - Senate Judiciary Committee deferred to first calendar of 2024.
House Status: 02/21/23 - Taken off notice in House Civil Justice Subcommittee.

SB1500/HB1002 Untested sexual assault kit reports.

Sponsors: Sen. Taylor, Brent , Rep. Lamberth, William
Summary: Requires law enforcement agencies and departments charged with the maintenance, storage, and preservation of sexual assault collection kits to conduct an inventory of all such kits by January 1, 2024 and compile a report of the number of untested kits and the date collected. Requires the agency or department to transmit the report to the Tennessee bureau of investigation. Requires the Tennessee bureau of investigation to prepare and transmit a report to the speaker of the senate and speaker of the house of representatives containing the number of untested sexual assault collection kits by July 1, 2024. Broadly captioned.

Amendment House amendment 1 (005770) rewrites this bill to revise provisions of present law pertaining to post-conviction procedure.
Summary: ATTORNEY GENERAL AND REPORTER Present law generally makes it the responsibility of district attorneys general responsible for representing the state in post-conviction proceedings. In cases where a defendant has been sentenced to death and is seeking collateral review of a conviction or sentence, this amendment gives the attorney general and reporter exclusive control over the state's defense of the request for collateral review. The attorney general and reporter will not be bound by any stipulations, concessions, or other agreements made by a district attorney general related to a request for collateral review. This amendment restricts a trial court from entering a final order granting relief on a request for collateral review until the attorney general and reporter files a response to the request. This amendment provides that the state will be responsible for the attorney general and reporter's expenses associated with post-conviction proceedings to the same extent as district attorneys general in non-capital cases. This amendment requires district attorneys general and their staff to lend necessary assistance to the attorney general and reporter in the trial and disposition of requests for collateral review. This amendment defines collateral review as any post-conviction proceeding, including a petition requesting analysis of evidence, a proceeding to determine if a defendant had an intellectual disability at the time the defendant committed first degree murder, a proceeding for a writ of error coram nobis, a proceeding involving a challenge to a capital inmate's competency to be executed, and any other judicial reexamination of a judgment or claim in a proceeding outside the direct review process. INTELLECTUALLY DISABLED DEFENDANTS Under present law, a defendant with an intellectual disability at the time of committing first degree murder may not be sentenced to death. The burden of production and persuasion to demonstrate intellectual disability by a preponderance of the evidence is upon the defendant. The determination of whether the defendant had intellectual disability at the time of the offense of first degree murder must be made by the court. A determination by the trier of fact that the defendant does not have intellectual disability must not be appealable by interlocutory appeal, but may be a basis of appeal by either the state or defendant following the sentencing stage of the trial. A defendant sentenced to death prior to May 11, 2021, and whose conviction is final on direct review may petition the trial court for a determination of whether the defendant is intellectually disabled. The motion must set forth a colorable claim that the defendant is ineligible for the death penalty due to intellectual disability. This amendment reopens the period within which a defendant may petition for review for a determination of whether the defendant is intellectually disabled from a defendant who was sentenced to the death penalty prior to May 11, 2021, to a defendant who was sentenced to the death penalty prior to the date that this bill becomes a law. This amendment requires the defendant filing a motion under these provisions to serve the attorney general and reporter. Senate amendment 1 (006336) establishes that, in cases in which a defendant has been sentenced to death and is seeking collateral review of a conviction or sentence, the Attorney General (AG) has exclusive control over the state's defense of the request and that the AG is not bound by any stipulations, concessions, or other agreements made by the district attorney general related to a request for collateral review. Establishes that the trial court lacks jurisdiction to enter a final order granting relief on a request for collateral review in such cases until the AG files a response to the request. Requires the district attorney general and staff to lend whatever assistance may be necessary to the AG in the trial and disposition of requests for collateral review in such cases, including, but not limited to, providing the AG with the district attorney general's case file and any other case-related material. Entitles the AG to reimbursement, to be paid by the state, for any expenses, including travel, incurred in connection with the preparation and trial of any such proceeding. Extends, from May 11, 2021, to the effective date of this legislation, the date before which a defendant sentenced to the death penalty may petition the trial court for a determination of whether or not the defendant is intellectually disabled. Requires the defendant who is filing such a motion to serve the AG. Applies to all currently pending, reopened, and future requests for collateral review.

Senate Status: 04/10/23 - Senate passed with amendment 1 (006336).
House Status: 04/17/23 - House concurred in Senate amendment 1 (006336).
*Executive Status:*04/18/23 - Sent to governor.

SB1502/HB1017 Tennessee human trafficking resource center hotline.

Sponsors: Sen. Stevens, John , Rep. Grills, Rusty
Summary: Requires the Tennessee bureau of investigation to post information on its website about the Tennessee human trafficking resource center hotline. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 03/29/23 - Referred to House Civil Justice Subcommittee.

SJR35 American Law Institute's 2022 changes to Article 213 of the Model Penal Code: Sexual Assault and Related Offenses.

Sponsors: Sen. Walley, Page ,

Summary: Rejects and expresses disapproval of the American Law Institute's 2022 changes to Article 213 of the Model Penal Code: Sexual Assault and Related Offenses.

Senate Status: 03/06/23 - Senate adopted.

House Status: 04/10/23 - House concurred.

*Executive Status:*04/14/23 - Sent to governor.

HB10 Exceptions to criminal abortion for rape, incest, or health of the woman.

Sponsors: Rep. Hakeem, Yusuf

Summary: Specifies that the offense of criminal abortion does not include an abortion performed or attempted by a licensed physician who determined it was necessary to protect the physical or mental health of the pregnant woman or performed on a patient whose pregnancy is due to rape or incest. Requires the physician to verify that the patient has reported the crime to the appropriate law enforcement agency prior to the procedure in instances of abortion due to rape or incest.

House Status: 02/01/23 - Withdrawn in House.

HB56 Law enforcement officer qualifications.

Sponsors: Rep. Lamberth, William

Summary: Removes a prior stipulation that a permanent legal resident of the United States must be an honorably discharged military veteran who applies for citizenship within six years of accepting employment in order to be certified as a law enforcement officer. Allows any qualified permanent legal resident of the United States to be certified as a law enforcement officer. Requires the commission to evaluate the qualifications of a person certified as a law enforcement officer in another state by reviewing the person's training and practical experience. Prohibits the certification of a person decertified in another state due to criminal or other misconduct.

House Status: 01/20/23 - Withdrawn in House.

HB94 Pilot program for juvenile offender until their twenty-fifth birthday.

Sponsors: Rep. Hardaway, G.A.

Summary: Creates a pilot program allowing juvenile courts to retain jurisdiction, at the court's discretion, over a juvenile offender until that person's 25th birthday. Provides that a court may impose a sentence allowable if the offense was committed by an adult but may not commit the offender to the custody of the department of children's services or place an offender on probation under the supervision of the department of children's services. Stipulates that any portion of a sentence that extends prior to the offender's 25th birthday must be stayed. Allows an offender, prior to his or her 25th birthday, to file a petition requesting the court review the offender's original disposition to determine if program requirements have been met. Requires that the request be made before the judge or a successor of the original juvenile court, must state the reasoning for the recommendation and make specific recommendations for placement. After review, provided that the district attorney general has no objection, directs the court to schedule a hearing within 15 days or allows the judge to release without a hearing. Outlines certain requirements for hearings, including the opportunity for the victim to be heard. Requires each county to submit an annual report to the chairs of the judiciary committee of the senate and the criminal justice committee of the house of representatives stating the number of offenders sentenced under the program, the cost of implementation and other information.

House Status: 01/30/23 - Withdrawn in House.

HB95 Class C felony of reckless endangerment that involves community terrorism.

Sponsors: Rep. Hardaway, G.A.

Summary: Creates a Class C felony of reckless endangerment that involves community terrorism, defined as gang-related offenses committed by members of a criminal gang that regularly engages in gang conduct or criminal gang activity as defined by statute. Authorizes a court to revoke or prohibit the issuance of a driver license to individuals convicted of such offenses for a five-year period. Directs the court to submit a copy of the conviction and order for revocation or prohibition to the department of safety. In cases where the person is sentenced to probation, allows the court to require certain conditions, including prohibiting the person from entering the geographic area in which the offense was committed for the duration of the sentence. Provides that a person whose driver's license has been revoked or prohibited from being issued may, upon release from confinement, apply to applicable courts for a restricted license. Outlines criteria for a restricted license and the process and fees associated with obtaining a restricted license.

House Status: 01/30/23 - Withdrawn in House.

HB101 Exclusions to offense of criminal abortion.

Sponsors: Rep. Glynn, Ronnie
Summary: Excludes from the offense of criminal abortion an abortion performed to prevent the death of a pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of a pregnant woman or on a patient whose pregnancy is the result of incest or aggravated or especially aggravated rape, including aggravated or especially aggravated rape of a child. Deletes the preponderance of evidence requirements physicians must meet and removes this as an affirmative defense to prosecution. Removes a woman's conduct or mental health factors from consideration in determining what qualifies as an authorized abortion. Permits a law enforcement officer to confirm to a physician that the pregnant woman has filed a report of alleged rape or incest.
House Status: 01/30/23 - Withdrawn in House.

HB123 Cash bail deposit presented by a charitable bail organization.

Sponsors: Rep. Baum, Charlie
Summary: Prohibits a clerk of court from accepting a cash bail deposit presented by a charitable bail organization on behalf of a defendant; excludes a person soliciting donations with respect to a defendant who is related to the person by blood, marriage, or adoption and a nonprofit corporation organized for the purpose of religious worship from the meaning of "charitable bail organization."
House Status: 01/30/23 - Withdrawn in House.

HB241 Establishes Tennessee witness protection and relocation grant pilot program.

Sponsors: Rep. Hardaway, G.A.
Summary: Establishes the Tennessee witness protection and relocation grant pilot program to be administered by the attorney general and reporter. Requires the attorney general and reporter to award grants from the pilot program on a competitive basis to local governments that provide witness protection, relocation, and assistance services. Specifies that grant recipients may use funds to provide witnesses services including armed protection or escort by law enforcement officials or security personnel before, during, or subsequent to legal proceedings.
House Status: 01/30/23 - Withdrawn in House.

HB911 Timeframe victim of rape has to notify law enforcement.

Sponsors: Rep. Gillespie, John
Summary: Changes from three years to 10 years, the time period during which a victim of aggravated rape or rape must notify law enforcement or the office of the district attorney general of the offense in order for the offender to be prosecuted, tried, and punished at any time after the commission of the offense. Broadly captioned.
House Status: 02/07/23 - Referred to House Criminal Justice Subcommittee.

ECONOMIC DEVELOPMENT

SB1053/HB1336 Workers Need Child Care Act.

Sponsors: Sen. Yarbro, Jeff , Rep. Camper, Karen
Summary: Enacts the "Workers Need Child Care Act"; establishes the child care infrastructure fund from which the department of economic and community development disperses grants to nonprofit entities for establishing new licensed child care agencies in this state. Provides that the department of economic and community development will administer the program with funds composed of general assembly appropriations, grants, gifts and other donations. States that the funds be used for program administration, marketing expenses and program evaluation in an amount not to exceed five percent. Stipulates that funds are subject to annual review by the commissioner and findings are to be submitted to the chair of the health and welfare committee of the senate and the chair of the health committee of the house of representatives.
Amendment Summary: Senate State & Local Government Committee amendment 1, House Government Operations Committee amendment 1 (006761) enacts the Workers Need Child Care Act. Creates a special account within the General Fund to be known as the Child Care Infrastructure Fund (CCI Fund). Requires the Department of Human Services (DHS) to administer the CCI Fund by allocating grants to nonprofit entities establishing newly licensed childcare agencies. Requires the Commissioner of Human Services to submit an annual report to the Chair of the Health and Welfare Committee of the Senate and the Chair of the Health Committee of the House of Representatives detailing annual CCI Fund expenditures. Requires the CCI Fund to be composed of money appropriated by the General Assembly, and gifts, grants, and other donations received by DHS. Authorizes DHS to use five percent of the total annual amount appropriated to the CCI Fund for program administration, marketing expenses, and program evaluation. Requires the Commissioner of DHS to submit an annual report to the Chair of the Health and Welfare Committee of the Senate and the Chair of the Health Committee of the House of Representatives, detailing CCI Fund expenditures.
Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.
House Status: 04/10/23 - House Government Operations Committee recommended with amendment 1 (006761). Sent to House Finance.

SB4/HB435 Establishes a deaf mentor and parent advisor program.

Sponsors: Sen. Massey, Becky , Rep. White, Mark
Summary: Establishes a deaf mentor and parent advisor program to assist families in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind at the Tennessee Schools for the Deaf and the West Tennessee School for the Deaf.
Senate Status: 04/17/23 - Senate passed.
House Status: 04/19/23 - House passed.
*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB12/HB433 Eligibility criteria for education savings account expanded.

Sponsors: Sen. Gardenhire, Todd , Rep. White, Mark
Summary: Expands eligibility criteria for education savings accounts to include students zoned within local education agencies with at least five schools that are identified as priority schools in the 2015, 2018, and 2021 cycles, and among the bottom 10% of schools identified in 2017.
Senate Status: 04/20/23 - Senate non-concurred in House amendment 1 (005095).
House Status: 04/21/23 - House repassed bill.
*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB24/HB7 Instructional supplies allowances for teachers raised.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Raises the amount each local education agency and charter school are required to give each teacher for instructional supplies from \$200 to \$500. Prohibits the use of these funds to be used on basic building needs.
Amendment Summary: Senate Education amendment 1, House Education Administration Committee amendment 1 (003757) requires sufficient funding to be included in the Tennessee Investment in Student Achievement (TISA) to pay \$100 for every teacher in kindergarten through grade twelve (K-12) to be used by teachers to purchase instructional supplies in the 2023-24 school year in addition to the \$200 amount required by Tenn. Code Ann. § 49-3-359(a).
Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB74/HB27 HOPE scholarship eligibility after earning first baccalaureate degree.

Sponsors: Sen. Watson, Bo , Rep. Lamberth, William
Summary: Permits a student who earns the student's first baccalaureate degree in less than the projected completion time to continue to receive the Tennessee HOPE scholarship in pursuit of an advanced degree under certain conditions. Stipulates that the student must continue to meet all applicable eligibility and academic requirements for the scholarship and be enrolled in coursework for a program of study in pursuit of a master's degree, doctorate or other advanced degree at eligible public postsecondary institution within three months of receiving the first degree. Provides that the scholarship be disbursed in the same amount received during the last semester in which the student was making satisfactory progress towards the awarded first degree. Prohibits a student to receive a HOPE scholarship if five years have passed from the initial enrollment except under certain circumstances. Allows the Tennessee student assistance corporation, upon the act becoming law, to promulgate rules in accordance with the Uniform Administrative Procedures Act and sets July 1, 2023, as the effective date for all other purposes.
Amendment Summary: House amendment 1 (004053) authorizes an eligible Tennessee HOPE scholarship student to continue to receive the HOPE scholarship until the student has earned an advanced degree or for up to five years from initial enrollment, whichever is first. House amendment 2 (004114) authorizes an eligible Tennessee HOPE scholarship student who has earned their first baccalaureate degree to continue to receive the HOPE scholarship if the student has earned their degree in less time than the projected completion time. Establishes that the scholarship is to be in the amount received by the student for the last semester in which the student was making satisfactory progress in the course of study that culminated with the student earning the student's first baccalaureate degree. Requires such students to be admitted to and enrolled in coursework for a program of study in pursuit of an advanced degree within three months of the student receiving the first baccalaureate degree. Specifies that the student is only eligible to continue to receive the HOPE scholarship for the number of semesters that the student would have been eligible to receive the scholarship had the student not completed their program of study earlier than the projected time and within five years of initial enrollment.
Senate Status: 04/21/23 - Senate passed.
House Status: 04/21/23 - House passed with amendment 1 (004053) and amendment 2 (004114).
*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB82/HB146 Persons designated to check buses transporting children with disabilities.

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

Summary: changes, from August 1 each year to July 31 each year, the date by which the name, address, and telephone number of persons designated to check buses transporting children with disabilities for such children must be supplied to the LEA each year. Broadly captioned.

Senate Status: 01/20/23 - Referred to Senate Education Committee.

House Status: 01/20/23 - Caption bill held on House clerk's desk.

SB89/HB29 Developmental instruction in higher education.

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

Summary: Allows a public institution of higher education to offer remedial or developmental courses or coursework to address student remedial needs. Current law prohibits four-year institutions governed by the board of regents and the University of Tennessee board of trustees from offering such courses.

Amendment Summary: House amendment 1 (003805) revises this bill to authorize a state university and the University of Tennessee system to coordinate with a two-year institution governed by the board of regents for the two-year institution to provide remedial or developmental courses or coursework, regardless of whether the university offers remedial or developmental courses or coursework at present.

Senate Status: 04/05/23 - Senate passed.

House Status: 02/23/23 - House passed with amendment 1 (003805).

*Executive Status:*04/18/23 - Sent to governor.

SB102/HB158 Implicit bias training in education.

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

Summary: Prohibits a local education agency, public charter school, public institution of higher education, the state board of education, and the department of education from requiring an educator, employee of an LEA or charter school, faculty member, or employee of a public institution of higher education to complete or participate in implicit bias training. Defines "implicit bias training"; prohibits adverse licensure and employment actions from being taken against such an individual for the individual's failure or refusal to participate in implicit bias training.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB112/HB116 TN HOPE scholarship - eligible postsecondary institution redefined.

Sponsors: Sen. Watson, Bo , Rep. Hurt, Chris

Summary: Expands the definition of eligible postsecondary institutions to include a private postsecondary institution that has established a partnership with the state to a memorandum of understanding executed in 2013, accredited by a regional accrediting association, uses a competency-based model, established and continuously maintains a physical campus within the state, maintains a governing body or advisory board, and has been chartered in the state as a not-for-profit entity for at least five consecutive years.

Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.

House Status: 03/20/23 - Failed in House Higher Education Subcommittee.

SB134/HB117 Early grades reading report submission date.

Sponsors: Sen. Stevens, John , Rep. Hicks, Tim

Summary: Specifies the department of education must submit the early grades reading report to the senate and house education committees annually by January 15.

Senate Status: 02/22/23 - Taken off notice in Senate Education Committee.

House Status: 02/21/23 - Taken off notice in House K-12 Subcommittee.

SB135/HB1191 Font size on transferability of credits disclosure given to students.

Sponsors: Sen. Stevens, John , Rep. Williams, Ryan

Summary: Increases from 16 to 20 point font the minimum font size that a postsecondary educational institution must use for the required transferability of credits disclosure given to a student prior to the student signing an enrollment contract. Broadly captioned.

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

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

SB141/HB127 Use of mechanical restraint on student in an emergency situation.

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

Summary: Allows a school resource officer, school security officer, or other law enforcement officer who is trained and certified for completing a behavior intervention training program to use a mechanical restraint on a student receiving special education services in an emergency situation.

Amendment Summary: House K-12 Subcommittee amendment 1 (004789) authorizes a school resource officer, school security officer, or other law enforcement officer who is trained and certified for completing a behavior intervention training program to use a mechanical restraint on a student in grades five through twelve receiving special education services in an emergency situation. Establishes that a local education agency (LEA), a school resource officer, a school security officer, or other law enforcement officer is not civilly liable, unless the officer's conduct was reckless and results in injury to a student. Following the use of a mechanical restraint on a student, requires an LEA or public charter school to contact and provide certain information to the student's parent or legal guardian and to report the school security officer's use of a mechanical restraint to the Department of Education (DOE). Requires DOE to review each report submitted to the department and to determine whether a school security officer's use of a mechanical restraint was reasonable and done in compliance with this section.

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

House Status: 03/21/23 - Failed in House K-12 Subcommittee after adopting amendment 1 (004789).

SB152/HB177 Report due date change for the parent-teacher engagement pilot program.

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

Summary: Changes from July 31 to August 15 the date by which the department of education must submit an annual report on the outcomes of the parent-teacher engagement pilot program to the education committee of the senate and the education administration committee of the house of representatives.

Senate Status: 01/20/23 - Referred to Senate Education Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB169/HB739 Compensation for charter school staff.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: Directs the comptroller of the treasury to obtain pertinent information from LEAs for the purpose of compiling for each school year the average statewide compensation for licensed administrative and supervisory staff employed by LEAs according to the position and that person's training and experience. Requires a public charter school governing body to compare the proposed compensation to the comptroller's compilation for the school year in which the compensation is to be paid. Directs the governing body to obtain its authorizer's approval prior to offer of employment if the proposed compensation is more than 150 percent of the average statewide compensation of licensed personnel in a similar role with comparable training and experience. Requires a majority roll call for approval and stipulates that, without approval, the compensation must not exceed 150 percent of the statewide compensation. Requires compensation data to be published on the comptroller's website. States that these requirements apply to the 2023-2024 school year and each school year thereafter.

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

House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.

SB185/HB569 Challenges to student assignments - timeframe.

Sponsors: Sen. Powers, Bill , Rep. Carringer, Michele

Summary: Extends the amount of time, from within ten days to within 30 days, from the order making the assignment, within which a parent who is dissatisfied with the assignment of the parent's student may make a written application to the board for a hearing before the board as to the reasonableness of the assignment and ask for a transfer to another school. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.

SB188/HB525 Removal of requirements for principal-administrator academy training.

Sponsors: Sen. Lundberg, Jon , Rep. Haston, Kirk

Summary: Removes the requirement that the principal-administrator academy offer training to educators in evaluation techniques and procedures consistent with processes provided in provisions that have been repealed.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

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

SB190/HB340 OREA report on the formation and operation of community schools.

Sponsors: Sen. Lundberg, Jon , Rep. Cepicky, Scott

Summary: Deletes a provision of code that required the office of research and education accountability (OREA) in the office of the comptroller of the treasury to, by November 1, 2018, study and file a report on the formation and operation of community schools. Broadly captioned.

Amendment Summary: House amendment 1 (004052) rewrites this bill to revise the present law requirement that a student must be considered in violation of a zero tolerance offense and be expelled for not less than one calendar year, except that a director of schools may modify such expulsion on a case-by-case basis, for the following conduct: (1) A student brings to school or is in unauthorized possession on school property of a firearm; (2) A student commits aggravated assault or commits an assault that results in bodily injury upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer; or (3) A student is in unlawful possession of any drug, including any controlled substance, controlled substance analogue, or legend drug, on school grounds or at a school-sponsored event. This amendment adds to the above list a student who threatens mass violence, meaning an act which a reasonable person could conclude would lead to serious bodily injury or death of two or more persons, on school property or at a school-related activity.

Senate Status: 04/05/23 - Senate passed.

House Status: 03/13/23 - House passed with amendment 1 (004052).

*Executive Status:*04/18/23 - Sent to governor.

SB191/HB390 Requirements for teaching supervisors.

Sponsors: Sen. Lundberg, Jon , Rep. Cepicky, Scott

Summary: Deletes a provision authorizing the state board of education to, in its discretion, waive the requirement that a person employed as a supervisor for the supervision of teaching grades 1-12 have a license of qualification issued by the board if the supervisor was employed and serving in that capacity in a nonequalizing local school district as of January 1, 1957. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

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

SB197/HB809 Establishing of maximum class size by LEAs and public charter schools.

Sponsors: Sen. Lundberg, Jon , Rep. Moody, Debra

Summary: Repeals the maximum class sizes, maximum class size averages, student-teacher ratios, and the prohibition against split-grade classes established by law. Authorizes each local education agency (LEA) and public charter school to establish the maximum class sizes for schools under its control and jurisdiction. Requires the state board of education, in consultation with the department of education, to develop guidance for LEAs and public charter schools in establishing maximum class sizes.

Amendment Summary: House K-12 Subcommittee amendment 1, Senate amendment 1 (004324) requires each local education agency (LEA) and public charter school to adopt a policy that student-teacher ratios must not exceed the maximum class sizes, as opposed to the maximum class-size averages established. Requires the student-teacher ratios, as opposed to the average student-teacher ratios, to establish the minimum number of regular classroom teaching positions in a school. Requires the maximum class size, as opposed to the average size specified for the grade levels involved in split-grade classes, to be the maximum size allowed for such classes. Deletes the average class size column from the prescribed class size table in this section. Removes the authority of LEAs that use the career academy or small learning community model to extend class sizes in career and technical education (CTE) classes in grades nine through twelve (9-12). Upon request of an LEA or public charter school, expands the authority of the Commissioner of DOE to grant a waiver from the maximum class sizes established in this section, rather than only in the event of a natural disaster that results in the enrollment of displaced students.

Senate Status: 03/06/23 - Senate passed with amendment 1 (004324).

House Status: 03/21/23 - Failed in House K-12 Subcommittee after adopting amendment 1 (004324).

SB198/HB250 Nationally recognized assessments for high school seniors.

Sponsors: Sen. Lundberg, Jon , Rep. Haston, Kirk

Summary: Requires, beyond the 2022-2023 school year, each LEA and public charter school to provide each high school senior, instead of students generally, the opportunity to take nationally recognized assessments provided that the assessments are standardized, criterion-referenced tests designed to measure a broad range of foundational workplace skills. Specifies other requirements for such assessments.

Amendment Summary: Senate amendment 2 (007264) requires local education agencies (LEAs) and public charter schools to provide each high school senior, instead of students in general, the opportunity to take nationally recognized assessments in the 2023-24 school year. Establishes certain criteria that the assessments must meet in order to be used pursuant to this section. Deletes language that stipulates that the section is subject to available federal funds.

Senate Status: 04/21/23 - Senate refused to recede from its actions in Senate amendment 2 (007264).

House Status: 04/21/23 - House repassed bill after reconsidering actions and withdrawing House amendment 3 (008003).

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB199/HB439 Cataloging of underutilized and vacant properties by LEAs.

Sponsors: Sen. Lundberg, Jon , Rep. White, Mark

Summary: Changes from no later than October 1 of each year to no later than October 15 of each year in which an LEA in which one or more charter school operates must catalog all underutilized or vacant property owned or operated by the LEA or that is within any educational facility owned or operated by the LEA. Broadly captioned.

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

House Status: 03/21/23 - House K-12 Subcommittee deferred to 03/28/23.

SB205/HB238 Requirements for alternative schools and programs to provide remote instruction.

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

Summary: Requires an LEA that provides suspended students with remote instruction as part of an alternative school or alternative program to record the students as present for attendance purposes in the same manner as students attending regular classes.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/20/23 - Introduced in the House

SB208/HB255 Free school breakfast and lunch programs.

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Summary: Requires each local school board to establish a school lunch program and a school breakfast program that provides a free breakfast and lunch to each student enrolled in a school under the board's jurisdiction. Requires the state to reimburse each LEA the cost of providing a free breakfast and lunch to each student enrolled in the LEA after all available federal funds have been applied.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 02/28/23 - Taken off notice in House K-12 Subcommittee.

SB225/HB588 Remote instruction to students enrolled in LEA who have been suspended or expelled.

Sponsors: Sen. Walley, Page , Rep. Gant, Ron

Summary: Specifies that an LEA that has established a virtual school to enter into an agreement with an LEA that has not established a virtual school for the LEA's virtual school to provide remote instruction to students enrolled in either LEA who have been suspended or expelled from the regular school program.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/20/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0111 effective July 1, 2023.

SB231/HB276 Changes amount of minority teaching fellowship award for recipients in teacher program.

Sponsors: Sen. Yarbro, Jeff , Rep. McKenzie, Sam

Summary: Changes the amount of a minority teaching fellowship award for a recipient who is enrolled in a degree program leading to licensure as a teacher in an institution of higher education with an approved educator preparation program from \$5,000 to the cost of tuition and fees at the respective institution.

Amendment Summary: Senate Education Committee amendment 1, House Education Administration Committee amendment 1 (004657) codifies current rules and practices established by the Tennessee Student Assistance Corporation (TSAC) relative to the eligibility and selection of Minority Teaching Fellows Program (MTFP) recipients. Increases MTFP award amount from \$5,000 to the cost of tuition and fees, less all other gift aid at the institution in which the recipient is enrolled. Prohibits the award from exceeding the average cost of tuition and fees at public institutions of higher education. Converts MTFP awards from a scholarship loan awards program to a scholarship awards program made non-repayable effective for all scholarship loans that have not yet been executed prior to July 1, 2023 and in each subsequent year thereafter. House Education Administration Committee amendment 2 (007167) increases the Minority Teaching Fellows Program (MTFP) scholarship loan award (award) amount from \$5,000 to the cost of tuition and fees at the institution in which the recipient is enrolled. Prohibits the award from exceeding the average cost of tuition and fees at public institutions of higher education. Reduces the interest rate for such awards made payable to the Tennessee Student Assistance Corporation (TSAC) from nine percent to five percent.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB249/HB68 Learning loss remediation by use of summer learning camps.

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

Summary: Requires LEAs to conduct summer learning camps and after-school learning mini-camps for priority students annually rather than summers only. Updates the definition of "priority student" to include additional "at-risk" children and students entering certain grade levels to participate in after-school learning mini-camps, learning loss bridge camps, and summer learning camps. Provides that an "at-risk" student is a student who will be entering first, second, or third grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent state-approved screenings or certain other assessments. For purposes of a learning loss bridge camp, an at-risk student is defined as a student who will be entering the fourth, fifth, sixth, seventh, eighth, or ninth grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent TCAP test or state-adopted benchmark assessment. For summer learning camps, an at-risk student is one who will be entering kindergarten, first, second or third grade and who attends a public school or public charter school in with fewer than 50 percent of students in grades three through five scored proficient in math or English language arts on the most recently administered TCAP test. An "at-risk" student is further defined as one who will be entering kindergarten through third grade and who is eligible for TANF. Provides guidelines for determining program requirements. Part of Administration Package.

Amendment Summary: Senate amendment 1 (003486) changes the effective date of the bill from October 1, 2023, to upon becoming a law.

Senate Status: 03/06/23 - Senate passed with amendment 1 (003486).

House Status: 03/23/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Public Chapter 0144 effective April 13, 2023.

SB250/HB69 Teacher leave requirements if not returning.

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

Summary: Extends, from 30 days to 45 days, the period of time before a teacher on leave is scheduled to return to work that the teacher must give the director of schools notice if the teacher does not intend to return to the position from which the teacher is on leave. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB251/HB70 Publishing of TISA guide on department of education website.

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

Summary: Requires the department of education to publish the TISA guide on its website. Broadly captioned. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB255/HB74 High school equivalency credentials.

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

Summary: Replaces the terms "general education development credential," "GED(R)," "high school equivalency test," "HiSET(R)," and variations of the terms wherever they appear in the code, with the term "high school equivalency credential." Also replaces any reference to GED(R) or HiSET(R) classes, coursework, testing, or services with the phrase "adult education programming to include preparation and testing toward obtaining a high school equivalency credential." Part of Administration Package.

Amendment Summary: Senate amendment 1 (003768) revises present law provisions relative to the department of labor and workforce development being authorized to make recommendations relative to assessments that lead to the award of a high school equivalency credential. Such law requires the state board of education to review the recommendations of the department, and provides that any recommendation approved by the board must be considered a high school equivalency assessment and that the successful completion of such assessment must lead to the award of a high school equivalency credential. This amendment clarifies that the board is authorized to promulgate rules to effectuate these provisions. This amendment also changes the effective date from upon becoming a law to July 1, 2023.

Senate Status: 02/27/23 - Senate passed with amendment 1 (003768).

House Status: 03/16/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0114 effective July 1, 2023.

SB278/HB326 Extends the repeal date for the Virtual Public Schools Act.

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

Summary: Extends the repeal date for the Virtual Public Schools Act from June 30, 2023, to June 30, 2027. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/30/23 - Referred to House Education K-12 Subcommittee.

SB281/HB329 Publishing the annual state salary schedule on the department of education's website.

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

Summary: Requires the commissioner of education to publish the annual state salary schedule on the department's website. Effective July 1, 2023. Part of Administration Package.

Amendment Summary: House amendment 1 (005368) rewrites this bill to revise law relative to teachers' wages, as described below. STATE SALARY SCHEDULE FOR TEACHERS. Under present law, the commissioner, as approved by the state board of education, must annually formulate a table of training and experience factors and a state salary schedule to be effective for each school year, which must be applicable to all licensed personnel in every LEA, and which must include an established base salary per school year consisting of a term of 200 days for beginning licensed personnel with a bachelor's degree and zero years of experience. Licensed personnel having more training and experience must receive more than the established base per school year. Certified personnel having less training and experience must receive less than the established base per school year. The salary schedule must not be applicable to substitute personnel. This amendment requires that the state salary schedule for teachers formulated by the commissioner must establish a base salary that is no less than the following: (1) \$42,000 for the 2023-2024 school year; (2) \$44,500 for the 2024-2025 school year; (3) \$47,000 for the 2025-2026 school year; and (4) \$50,000 for the 2026-2027 school year. PROHIBITED DEDUCTIONS FROM WAGES. This amendment prohibits an LEA from deducting dues from the wages of the LEA's employees for a professional employees' organization, including, but not limited to, a professional employees' organization that is affiliated with a labor organization under federal law. However, an employee of an LEA is not prohibited from personally and voluntarily remitting dues to a professional employees' organization. House amendment 2 (006529) removes Section 2 from the bill that prohibits an LEA from deducting dues from the wages of and LEA employee for a professional employees' organization.

Senate Status: 04/20/23 - Senate concurred in House amendment 2 (006529) and House amendment 1 (005368).

House Status: 04/19/23 - House passed with amendment 2 (006529) and amendment 1 (005368).

Executive Status: 04/20/23 - Sent to the speakers for signatures.

SB283/HB307 Pilot program to award grants to students pursuing a quality non-degree credential.

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

Summary: Requires the board of regents to develop and administer a two-year pilot program to award grants to students enrolled in an eligible program and to students pursuing a Quality non-degree credential (QNDC). Specifies student eligibility requirements for grants. Requires the board of regents to submit a report on the outcomes of the pilot program to the higher education commission, the education committee of the senate, and the education committees of the house of representatives no later than June 30, 2025. Prohibits the board of regents from using net proceeds of the state lottery to fund grants awarded pursuant to this section and requires funds to be appropriated from the general fund.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/30/23 - Withdrawn in House.

SB300/HB437 Explanation of appeals process to be posted on website for student who is identified for retention.

Sponsors: Sen. Lundberg, Jon , Rep. White, Mark

Summary: Requires the department to post on the department's website an explanation of the appeals process, administered by the department, for a student who is identified for retention in third grade, based on the student's performance level rating on the ELA portion of the student's most recent TCAP test.

*Amendment**Summary:*

Senate amendment 2 (007359) rewrites this bill to revise various provisions of present law pertaining to the promotion of students from third grade, as described below. PROMOTION TO NEXT GRADE LEVEL Under present law, beginning with the 2022-2023 school year, a student in the third grade must not be promoted to the next grade level unless the student is determined to be proficient in English language arts (ELA) based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test. However: (1) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted if: (A) The student is an English language learner and has received less than two years of ELA instruction; (B) The student was previously retained in any of the grades K-3; (C) The student is retested before the beginning the next school year and scores proficient in ELA; (D) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a 90 percent attendance rate at the camp, and the student's performance on the post-test administered to the student at the end of the learning loss bridge camp demonstrates adequate growth, as determined by the department; or (E) The student is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department; and (2) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "below" on the ELA portion of the student's most recent TCAP test may be promoted if: (A) The student is an English language learner and has received less than two years of ELA instruction; (B) The student was previously retained in any of the grades K-3; (C) The student retested before the beginning the next school year and scores proficient in ELA; or (D) The student attends a learning loss bridge camp before the beginning of the upcoming school year and maintains a 90 percent attendance rate at the camp, and is assigned a tutor through the TALLC to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. This amendment adds another option under (1), providing that, beginning with the 2023-2024 school year, a student may be promoted if the student demonstrates proficiency in ELA standards based on the student's scoring within the 50th percentile on the most recently administered state-provided benchmark assessment, if the benchmark assessment is administered to the student in a test environment, as determined by the department, and the student's LEA or public charter school agrees to provide tutoring services to the student for the entirety of the student's fourth-grade year based on tutoring requirements established by the department. If a student is promoted to the fourth grade pursuant to this, then the student's LEA or public charter school must notify the student's parent or guardian, in writing, of the benefits of enrolling their student in a learning loss bridge camp and encouraging the parent or guardian to do so. RULES BY STATE BOARD OF EDUCATION Under present law, the state board of education must promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test. The rules must provide that if an appeal is filed, the filing must be made by the student's parent or guardian. This amendment revises this present law provision to require that the rules provide, for the 2023-2024 school year and every school year thereafter: (1) That if an appeal is filed, the filing must be made by the student's parent or guardian unless the student's parent or guardian consents, in writing, to a principal, guidance counselor, teacher, or other administrator of the student's school filing the appeal, in which case the appeal may be filed by such individual; and (2) The process by which a principal, guidance counselor, teacher, or other administrator of the student's school must obtain the written consent of a student's parent or guardian for purposes of filing an appeal on behalf of the student's parent or guardian. REPORT BY DEPARTMENT This amendment requires that the department must report, to the education committees of the senate and house of representatives, for each LEA: (1) The number of students identified for mandatory retention who were promoted to the fourth grade pursuant to the new option for promotion under (1); (2) The provider, format, and frequency of tutoring services provided to students in the fourth grade who were promoted pursuant the new option for promotion under (1); (3) The percentage of students promoted pursuant to the new option under (1) that demonstrated growth or proficiency in ELA after receiving tutoring services in the fourth grade; (4) The number of students promoted pursuant to the new option under (1) that enrolled in a learning loss bridge camp; and (5) The percentage of students promoted pursuant to the new option under (1) and who enrolled in a learning loss bridge camp, that demonstrated growth or proficiency in ELA at the conclusion of the camp. The information in (1) must be reported no later than December 1, 2024, and each December 1 thereafter. The other information must be provided no later than December 1, 2025, and then each December 1 thereafter. TUTORING SERVICES This amendment requires that, beginning with the 2023-2024 school year, a student who is retained in any of the grades K-3 must be assigned a tutor to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. The department may procure up to three online tutoring providers for LEAs and public charter schools to use to provide online tutoring services to students. The chief procurement officer is authorized to approve an emergency purchase of online tutoring providers using procurement methods authorized by law and the rules of the department of general services' central procurement office.

Senate Status: 04/18/23 - Senate passed with amendment 2 (007359).

House Status: 04/20/23 - House passed.

Executive Status: 04/20/23 - Sent to the speakers for signatures.

SB301/HB961 Allows adjunct faculty to participate in the Brian Byrge Act.

Sponsors: Sen. Lundberg, Jon , Rep. Hicks, Gary

Summary: Allows adjunct faculty to participate in the Brian Byrge Act by allowing them to enroll in one course consisting of no more than four credit hours or 120 clock hours, per term at the community college or Tennessee college of applied technology at which they are employed, without paying tuition charges or maintenance fees.

Senate Status: 04/05/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB315/HB1456 School resource officers provided to private schools.

Sponsors: Sen. Niceley, Frank , Rep. Faison, Jeremy

Summary: Authorizes a private school and a local government to execute a contract or memorandum of understanding to allow the law enforcement agency of the local government to provide school resource officers to the private school. Broadly captioned.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/09/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0087 effective March 31, 2023.

SB317/HB1416 Extension of benefits to children of military families.

Sponsors: Sen. Powers, Bill , Rep. Ragan, John

Summary: Extends the benefits and opportunities provided to children of active duty members of the uniformed services in the Interstate Compact on Educational Opportunity for Military Children to school-aged children in the household of a member of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard who are enrolled in any of the grades kindergarten through 12.

Senate Status: 04/05/23 - Senate passed.

House Status: 04/17/23 - House passed.

*Executive Status:*04/20/23 - Sent to governor.

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

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

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

Senate Status: 03/22/23 - Senate Education Committee deferred to second calendar of 2024.

House Status: 03/28/23 - Taken off notice in House K-12 Subcommittee.

SB323/HB369 Application to public institution of higher education - inquiries about criminal history prohibited.

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

Summary: Prohibits a public institution of higher education that accepts applications for admission from inquiring about an applicant's criminal history on the application.

Amendment Summary: House amendment 1, Senate Education Committee amendment 1 (006028) rewrites this bill to require public institutions of higher education that inquire about an undergraduate admission applicant's criminal history to develop and implement an additional review process for those applicants.

Senate Status: 03/29/23 - Failed in Senate Education Committee after adopting amendment 1 (006028).

House Status: 04/10/23 - House deferred to 04/24/23 after adopting amendment 1(006028).

SB324/HB367 Student performance and growth data for student transferring from public charter school to LEA.

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

Summary: Requires the TCAP and end of course exams to be used for the student's final grade and the school's performance designation if a student transfers from a public charter school to a local education agency in the spring semester.

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

House Status: 03/28/23 - Taken off notice in House K-12 Subcommittee.

SB330/HB436 TSAC/THEC report on data regarding the TN Promise scholarship program.

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

Summary: Changes, from October 1 to March 30, the date by which the Tennessee student assistance corporation and the Tennessee higher education commission must report the findings of its research and analysis of data concerning the Tennessee Promise scholarship program to the education committee of the senate and the education committee of the house of representatives. Broadly captioned.

Senate Status: 01/26/23 - Referred to Senate Education Committee.

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

SB349/HB597 Entrepreneurial programs at higher education institutions for students interested in starting a business.

Sponsors: Sen. Campbell, Heidi , Rep. Powell, Jason

Summary: Requires the board of regents to develop a standardized entrepreneurial program that must be offered at each institution governed by the board to provide a cost-effective training program for students interested in starting a new business.

Amendment Summary: Senate Education Committee amendment 1, House Education Administration Committee amendment 1 (003899) requires the Tennessee Board of Regents (TBR) to establish a standardized entrepreneurship training program for students interested in starting a new business. Authorizes the program to be offered through TBR's center for workforce development and its institutions through the TN eCampus online management system.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB350/HB294 Student ID cards to include contact info for certain crisis and suicide prevention lifelines.

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

Summary: Expands the Save Tennessee Students Act to require public institutions of higher education that issue new student identification cards to students enrolled in the institution to include the telephone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines on the cards. Requires the institutions to post the phone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines in a noticeable place on each campus.

Amendment Summary: House amendment 1 (006012) expands the Save Tennessee Students Act to include public institutions of higher education, requiring such institutions when issuing new student identification (ID) cards purchased by the institutions on or after July 1, 2023 to include on the ID card the telephone number for the 988 Suicide and Crisis Lifeline and the social media handle, telephone number, or text number for at least one additional crisis resource selected by the institution. Clarifies that the crisis resource information does not apply to digital ID cards. Requires such institutions to also post such information in a conspicuous place on each campus operated by the institution. Requires each institution to create and feature a webpage on the institution's website or a mobile application that contains information dedicated solely to the mental health resources available to the institution's students. Further requires each institution to include a strategy to raise awareness of the mental health and crisis support services and resources, that are available to students, faculty, and staff as part of the institution's suicide prevention plan. Requires any Local Education Agency (LEA) that serves grades 6th-12th to update any newly issued ID cards to include the telephone number for the 988 Suicide and Crisis Lifeline rather than the National Suicide Prevention Lifeline.

Senate Status: 04/03/23 - Senate concurred in House amendment 1 (006012).

House Status: 03/23/23 - House passed with amendment 1 (006012).

*Executive Status:*04/12/23 - Sent to governor.

SB355/HB1150 Form for reporting student allergy to school.

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

Summary: Requires the department of education to make the standardized form on which a student with an allergy may report the allergy to the school in which the student is enrolled available to all LEAs on the department's website. Broadly captioned.

Amendment Summary: Senate amendment 2 (006281) requires the Department of Education (DOE) to conduct a statewide needs analysis of preschool education in Tennessee and to report the results on the department's website by March 31, 2024. Requires DOE to establish the Tennessee Preschool Task Force (Task Force). Requires the Task Force to develop a strategic plan for preschool education in the state with recommendations on how to expand preschool opportunities by June 1, 2024. Requires the Task Force to submit the strategic plan and recommendations to the education committees of the Senate and House of Representatives. Requires DOE to implement a pilot program to award grant funds to five local education agencies (LEAs) to implement innovative and high-quality preschool programs in the 2023-24 school year.

Senate Status: 04/19/23 - Senate passed with amendment 2 (006281).

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB371/HB715 LEA or public charter school authorized to use TANF program funds.

Sponsors: Sen. Crowe, Rusty , Rep. Sparks, Mike

Summary: Authorizes an LEA or public charter school to use TANF program funds to cover costs associated with programs in the LEA or public charter school that provide covered services to eligible students. Requires the department of education, in consultation with the department of human services, to determine which programs are eligible to be funded with TANF program funds. Requires the department of education to publish a list of such eligible programs on its public website. Broadly captioned.

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

House Status: 03/01/23 - Taken off notice in House Education Administration Committee.

SB382/HB678 Repeal of Virtual Public Schools Act.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis

Summary: Deletes the provision repealing the Virtual Public Schools Act on June 30, 2023.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

SB404/HB391 Grants to students enrolled in an eligible workforce training program.

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

Summary: Requires the board of regents to develop and administer a two-year pilot program to award grants to students enrolled in an eligible workforce training program. Specifies that the pilot program is to be established and grants are to be awarded by the beginning of the 2023-2024 academic year. Specifies eligibility requirements for grants under this program. Requires the board of regents to submit a report on the outcomes of the pilot program to THEC, the education committee of the senate, and the education committees of the house of representatives no later than June 30, 2025.

Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.

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

SB412/HB1035 Student retention for third grade students not testing proficient on ELA portion of TCAP.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny

Summary: Removes the retention requirement for third grade students who did not test proficient on the English language arts (ELA) portion of their most recent Tennessee comprehensive assessment program test. Authorizes a student's ELA teacher or school principal to retain the student in the third or fourth grade if the teacher or principal determines that the student is not proficient in ELA. Requires written notice to a student's parent of the student's potential retention and of any alternatives to retention that are available to the student.

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

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

SB414/HB975 Retired persons returning to work as teach or school bus driver.

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

Summary: Allows a retired person to work as a substitute teacher or bus driver in addition to the current 120 days limit if employed as a substitute teacher or bus driver in a public school system if the compensation does not exceed the rate of compensation set by the public school system for substitute teachers to fill similar vacancies or exceeds the pertinent pro rata share of average salary at the institution.

Amendment Summary: Senate amendment 1 (004912) restores the requirement that a retired member's new employer pay to TCRS during each period of reemployment the greater of 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 an amount equal to 5 percent of the retired member's pay rate for reemployed in a position covered by the retirement system without the loss or suspension of the retired member's TCRS benefits.

Senate Status: 04/13/23 - Senate passed with amendment 1 (004912).

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

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

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

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

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

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

SB421/HB896 Duties of standards review and development committees and advisory teams.

Sponsors: Sen. Lundberg, Jon , Rep. Hurt, Chris

Summary: Extends, from six years to eight years, the minimum period of time from the last adoption within which the board is required to ensure that the standards review and development committees and advisory teams review the standards for English language arts, mathematics, science, and social studies. Extends, from 73 months to 97 months, the maximum term of a contract made by the state textbook and instructional materials quality commission with a publisher. Broadly captioned.

Senate Status: 02/27/23 - Senate passed.

House Status: 04/03/23 - House passed.

*Executive Status:*04/12/23 - Sent to governor.

SB443/HB1271 Access and Opportunity Act.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark

Summary: Enacts the "Access and Opportunity Act" which requires each LEA and public school to provide home school students in good academic standing and students who transfer into the LEA or public school in good academic standing equal access to all academic, arts, or athletic programs, clubs, events, and opportunities offered by the LEA or public school.

Amendment Summary: Senate amendment 1 (004300) revises this bill to apply the provisions to transfer students and home school students, regardless of whether such students are in good academic standing, who enroll or re-enroll in the LEA or public charter school.

Senate Status: 03/06/23 - Senate passed with amendment 1 (004300).

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

SB444/HB534 Fourth grade promotion with adequate growth in ELA.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark

Summary: Allows a student who did not test proficient in English language arts (ELA) on the Tennessee comprehensive assessment program test administered to the student in third grade, but who was promoted to fourth grade after attending a learning loss bridge camp, to be promoted to fifth grade if the student's parent or guardian mutually agrees with the LEA or public charter school in which the student is enrolled that the student has shown adequate growth in ELA based on the student's grades or performance on assessments administered to the student in fourth grade.

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

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

SB445/HB648 Increases penalty for educational neglect of a child.

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Summary: Increases the penalty, from a Class C misdemeanor to a Class B misdemeanor, for any parent or guardian who is charged with educational neglect of a child who has poor academic standing.

Senate Status: 03/14/23 - Failed in Senate Judiciary Committee.

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

SB466/HB1269 Student pronouns.

Sponsors: Sen. Rose, Paul , Rep. Cochran, Mark

Summary: Employee of a public school or LEA is not required to refer to a student using the student's preferred pronoun if the pronoun is not consistent with the student's biological sex. Insulates a teacher or other employee of a public school or LEA from civil liability and adverse employment action for referring to a student using the pronoun that is consistent with the student's biological sex.

Senate Status: 04/06/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB484/HB401 Establishes a school safety technology fund.

Sponsors: Sen. Stevens, John , Rep. Sherrell, Paul

Summary: Establishes a school safety technology fund within the general fund to provide local education agencies with necessary funding to purchase a technology platform designed to assist the schools in performing routine checks to ensure doors are locked. Requires the funding to be used for this purpose and to not revert to the general fund at the end of a fiscal year.

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

House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.

SB508/HB426 Report on student performance.

Sponsors: Sen. Oliver, Charlane , Rep. Parkinson, Antonio

Summary: Requires the commissioner of education to report the average student performance level rating achieved in each subject tested on the most recently administered Tennessee comprehensive assessment program test and on the most recently administered assessment for purposes of the National Assessment of Educational Progress to the education committee of the senate and the education administration committee of the house of representatives. Requires the median household income for each county in which each LEA or public charter school is located to be included in the report. Establishes that the deadline for the report be no later than 60 days after the National Assessment of Educational Progress is issued.

Amendment Summary: Senate Education Committee amendment 1, House amendment 1 (004243) rewrites this bill to require the commissioner of education to report the percentage of students scoring at each performance level at each school within an LEA and at each public charter school in each subject tested on the most recently administered TCAP test along with the median household income of each zip code within the geographic boundaries of the respective school zone to the education committee of the senate and the education administration committee of the house of representatives no later than December 1 of each year. This amendment requires the department of economic and community development to provide the department of education with the median household income of each zip code in this state. However, the information reported pursuant to this provision must comply with the Family Educational Rights and Privacy Act (FERPA); open records law; the Data Accessibility, Transparency, and Accountability Act; and all other relevant privacy laws.

Senate Status: 03/22/23 - Failed in Senate Education Committee after adopting amendment 1 (004243).

House Status: 03/20/23 - House passed with amendment 1 (004243).

SB556/HB784 Reimbursement of assessment costs for educators.

Sponsors: Sen. Powers, Bill , Rep. White, Mark

Summary: Requires the department of education to establish a fund to reimburse educators in an amount equal to the cost of an assessment required for licensure if the educator receives a qualifying score on the required assessment and receives a license to teach in this state or an endorsement while currently employed by an LEA or public charter school.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB557/HB649 Opportunity for LEA employees to serve in a working group.

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Summary: Requires an LEA to provide employees the opportunity to serve in a working group that annually collects, compiles, and submits a report of written suggestions received from the LEA's employees on how to improve the LEA to the LEA's director of schools and local board of education.

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

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

SB579/HB258 Examinations of school bus drivers and specifications for school buses.

Sponsors: Sen. Pody, Mark , Rep. Moody, Debra

Summary: Changes the entity responsible for requiring annual physical and mental examinations of school bus drivers from the state board of education to the local boards of education. Also changes the entity responsible for revocation of a certificate issued to a school bus driver if the driver is found to be unfit physically, mentally, morally, or if the school bus driver is convicted of certain violations from the state board of education to local boards of education. Requires the department of education to develop the specifications for school buses and to recommend the specifications for school buses to the department of safety. Removes the state board of education from language that prohibits the limiting of use of conventional or Class D school buses by mileage driven. Revises various other provisions to change, from the state board of education to the department of safety, the entity responsible for adopting specifications for school buses.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0122 April 4, 2023.

SB582/HB453 Intentional assault on educational personnel.

Sponsors: Sen. Pody, Mark , Rep. Moody, Debra

Summary: Specifies that a civil cause of action exists for an intentional assault upon educational personnel by any person on school grounds or in vehicles owned, leased, or under contract by the LEA and used for transporting students or faculty, even if such assault occurs outside of school hours or school functions. Broadly captioned.

Senate Status: 01/30/23 - Referred to Senate Education Committee.

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

SB599/HB481 Identifying academic standards.

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

Summary: Requires the standards recommendation committees to identify each academic standard it recommends to the state board of education for adoption on or after January 1, 2024, as foundational or advanced based on the standards complexity. Requires the department of education to include student proficiency rates for foundational and advanced academic standards that are tested on each Tennessee comprehensive assessment program test to be published on the department's website. Broadly captioned.

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

House Status: 03/21/23 - House K-12 Subcommittee deferred to 03/28/23.

SB603/HB571 Diversity training requirement for the issuance of a degree prohibited.

Sponsors: Sen. Hensley, Joey , Rep. Carringer, Michele

Summary: Prohibits medical institutions of higher education offering certain medical and health-related degree or certificate programs from requiring diversity, equity, and inclusion (DEI) training and education for purposes of the issuance of a degree. Also prohibits those institutions from requiring applicants to ascribe to DEI ideologies or from discriminating against applicants who do not ascribe to DEI ideologies during the application process. Prohibits a medical institution of higher education from conducting internal DEI audits or otherwise engage DEI consultants. States that medical institutions of higher education shall require a standardized admissions test focused on knowledge and critical thinking around science and medical training, as a requirement for admission. Requires such institutions to submit any changes to their academic standards to the speakers of the House and Senate and to THEC prior to altering the standards. Prohibits healthcare-related professional licensing boards from adopting or imposing, as a condition of obtaining or renewing licenses, any incentives or requirements that applicants for licensures undergo, demonstrate familiarity with, or support any DEI training, education, material, or program.

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

House Status: 03/13/23 - Taken off notice in House Higher Education Subcommittee.

SB605/HB873 Faculty tenure policies required to be posted on respective websites.

Sponsors: Sen. Hensley, Joey , Rep. Lafferty, Justin

Summary: Requires the board of regents and each state university board to post on their respective websites the tenure policy or policies for faculty at their respective institutions. Broadly captioned.

Senate Status: 01/30/23 - Referred to Senate Education Committee.

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

SB619/HB875 Student participation in community service.

Sponsors: Sen. Briggs, Richard , Rep. Lafferty, Justin

Summary: Requires a public high school from which a student who participated each semester of attendance in community service graduates to recognize the student's achievement at graduation by acknowledging such achievement on the school's website. Broadly captioned.

Senate Status: 02/02/23 - Referred to Senate Education Committee.

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

SB622/HB179 Achievement school district assignation.

Sponsors: Sen. Taylor, Brent , Rep. Leatherwood, Tom

Summary: Removes the department of education commissioner's authority to operate or contract for the management of a school within the achievement school district. Prohibits schools from being assigned to the achievement school district on or after July 1, 2024. Removes all schools currently within the district and any requirements established by July 1, 2024.

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

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

SB638/HB559 Expansion of student eligibility for an education savings account.

Sponsors: Sen. Lundberg, Jon , Rep. Todd, Chris

Summary: Expands student eligibility for an education savings account (ESA) to include students who were not enrolled, and who did not attend, a Tennessee public school for the one full school year immediately preceding the school year for which the student receives an ESA, but who were enrolled in, and who attended, a Tennessee public school in the 2019-2020, 2020-2021, or 2021-2022 school year, and to include students who are not eligible, for the first time, to enroll in a Tennessee school, but who were eligible, for the first time, to enroll in a Tennessee school in the 2019-2020, 2020-2021, or 2021-2022 school year.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/30/23 - House passed.

Executive Status: 04/17/23 - Signed by governor.

SB644/HB252 Exemption from immunization requirements for home school students.

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

Summary: Removes the requirement that a parent-teacher of a home school student provide proof of the student's immunizations and receipt of health services or examinations required by law generally for children in this state to the local education agency. Exempts home school students from the immunization requirements applicable to students attending a school, nursery school, kindergarten, preschool, or childcare facility.

Amendment Summary: House amendment 1 (003991) removes the requirement that proof must be submitted to the local director of schools that a home school student has been vaccinated or received any other health services or examinations required by law for children in the state unless the home school student participates in a local education (LEA)-sponsored interscholastic activity or event or an LEA-sponsored extracurricular activity.

Senate Status: 04/06/23 - Senate passed.

House Status: 03/02/23 - House passed with amendment 1 (003991).

*Executive Status:*04/18/23 - Sent to governor.

SB660/HB583 Virtual education program report due date.

Sponsors: Sen. Hensley, Joey , Rep. Whitson, Sam

Summary: Changes the due date, from July 1 to August 1, of the annual report the department of education gives to the general assembly and state board of education on virtual education programs.

Senate Status: 02/02/23 - Referred to Senate Education Committee.

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

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

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

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

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

House Status: 03/21/23 - House K-12 Subcommittee deferred to 03/28/23.

SB703/HB676 Exclusion of student growth evaluation composites.

Sponsors: Sen. Yarbrow, Jeff , Rep. Hemmer, Caleb

Summary: Deletes obsolete provision regarding the exclusion of student growth evaluation composites generated by assessments administered in the 2017-2018 school year for the 2018-2019 and 2019-2020 school years. Broadly captioned.

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

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

SB712/HB670 First grade promotion requirements.

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

Summary: Requires a student to be at least 7 years of age on or before August 15 or test proficient in the kindergarten academic standards on the first-grade entry assessment. Requires the department of education to create a first-grade entry assessment to determine whether a student is prepared to succeed in the first grade. Requires each local education agency and public charter school to administer the first-grade entry assessment developed by the department.

Amendment Summary: House K-12 Subcommittee amendment 1 (005719) prohibits a student from being promoted to the second grade unless the student is eight years of age or older on or before August 15 or scores in the 50th percentile on the most recently administered Tennessee universal reading screener provided by the Department of Education or on a universal reading screener approved by the State Board of Education.

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

House Status: 03/21/23 - House K-12 Subcommittee deferred to first calendar of 2024 after adopting amendment 1 (005719).

SB743/HB459 Individuals prohibited from employment with an educational entity.

Sponsors: Sen. White, Dawn , Rep. Slater, William

Summary: Clarifies that public charter schools and the state board of education are prohibited from employing individuals found by the department of children's services to have committed an act of child abuse, severe child abuse, child sexual abuse, or child neglect, in the same manner as other educational entities such as LEAs. Clarifies that the state board is prohibited from granting, reactivating, or restoring an educator license or temporary teaching permit for such persons. Adds the state board and public charter schools to the list of educational entities to which the department is required to make certain disclosures when one of its employees is alleged to have committed an act of child abuse.

Senate Status: 02/27/23 - Senate passed.

House Status: 04/10/23 - House passed.

*Executive Status:*04/13/23 - Sent to governor.

SB744/HB529 Revises provisions regarding the automatic revocation of educator licenses.

Sponsors: Sen. White, Dawn , Rep. Slater, William
Summary: Requires the state board of education to automatically revoke an educator's active license without the right to a hearing upon receiving verification of the identity of the teacher or administrator together with a certified copy of a criminal record showing the teacher or school administrator has been convicted of certain specified offenses. Removes provisions related to due process in cases where the educator has been identified by the department of children's services as having committed child abuse, severe child abuse, child sexual abuse or child neglect. Makes other provisions related to the revocation of an educator's active license.
Amendment Summary: House amendment 1 (004195) deletes the provisions of this bill relative to the list of events that trigger the requirement of automatic revocation of the active license of a licensed educator without a hearing and provides, instead, that such an event includes receiving verification of the identity of the educator together with a certified copy of a court order, settlement agreement, or plea agreement in a criminal, civil, or administrative action requiring the educator to surrender their Tennessee license. This amendment requires that unless otherwise stated in the court order, settlement agreement, or plea agreement, the educator's license must be revoked for a period of no less than five years after which the educator may apply for restoration of their license.
Senate Status: 04/13/23 - Senate concurred in House amendment 1 (004195).
House Status: 04/10/23 - House passed with amendment 1 (004195).
*Executive Status:*04/19/23 - Sent to governor.

SB748/HB924 Requirements for written disclosure regarding transferability of credits.

Sponsors: Sen. Haile, Ferrell , Rep. Martin, Brock
Summary: Requires the written disclosure regarding transferability of credits made by a postsecondary educational institution to a prospective student to be in 20 point font instead of 16 point font. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB750/HB785 Promising futures scholarship program.

Sponsors: Sen. Massey, Becky , Rep. White, Mark
Summary: Requires the department to create and implement a promising futures program to provide scholarships to children who are not school age to assist them in developing early language and literacy skills in a high-quality early care and learning program. Redirects, from the lottery for education account to an account administered by the department to provide funding for the promising futures scholarship program, a certain percentage of the privilege tax collected from sports wagering licensees for certain fiscal years. Broadly captioned.
Amendment Summary: Senate Education Committee amendment 1, House Education Administration Committee amendment 1 (005672) creates the "Promising Futures Account" in the State Treasury. Requires the State Treasurer to distribute privilege tax collections on sports wagering in various amounts to the Promising Futures Account and the Lottery for Education Account, beginning in FY23-24. Requires the Department of Human Services (DHS), in consultation with the Department of Education (DOE), to create and implement the Promising Futures Program to provide scholarships to assist parents and legal guardians of children who are not school age to develop early language and literacy skills in high-quality early care and learning programs by July 1, 2024. Establishes Promising Futures Scholarship requirements. Requires DOE to appoint an advisory group that makes recommendations to the department on the implementation of the Promising Futures Program by July 1, 2023. Authorizes DHS and DOE to use funds in the Promising Futures Account for expenses incurred by either department due to the Promising Futures Program's administration, marketing expenses, and evaluation.
Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.
House Status: 04/05/23 - House Education Administration Committee deferred to the first calendar of 2024.

SB772/HB824 Virtual education program annual report date changed.

Sponsors: Sen. Taylor, Brent , Rep. Gillespie, John
Summary: Changes, from July 1 to August 1, the annual report date the department of education must submit its annual report on virtual education programs.
Senate Status: 03/15/23 - Taken off notice in Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB773/HB457 Provisions of the Safe Stars Act made applicable to community-organized youth sports and private schools.

Sponsors: Sen. Lamar, London , Rep. Hakeem, Yusuf

Summary: Makes provisions for the Safe Stars Act concerning safety in youth sports applicable to community-organized youth sports and private schools when the sports are high risk, participated in by children aged 14 and younger and conducted on public property. Defines high risk youth athletic activity as an organized sport in which there is a significant possibility for a minor participant to sustain a serious physical injury, including, but not limited to, football, basketball, baseball, volleyball, soccer, hockey, cheerleading and lacrosse. Makes other changes such as the requirement that annual training in physical conditioning and equipment use be completed and that an emergency action plan be established that facilitates, organizes and rehearses the actions of coaches and athletes in an emergency. Does not exempt providers of school youth athletic activities or community-based youth athletic activities from other youth sport-related safety provisions, including the Sudden Cardiac Arrest Prevention Act. Requires certain entities and nonprofits to adhere to these standards and recommends private schools also comply.

Amendment Summary: Senate amendment 1 (004714) rewrites this bill to provide that a director of schools, or a director's designee, is not required to assign a student in grades 7-12 who has been suspended for more than 10 days or expelled from the regular school program for an offense of violence or threatened violence, or an offense that threatened the safety of persons attending or assigned to the student's school, to an alternative school or alternative program if the director of schools, or the director's designee, determines that assigning the student to the alternative school or alternative program may endanger the safety of the students or staff of the alternative school or alternative program. Senate amendment 3 (003510) encourages, instead of requires, cities, counties, businesses, and nonprofit organizations that organize a community-based youth athletic activity to comply with the safety standards outlined in this bill. This amendment also provides that such entities shall ensure that at least one individual who is actively involved in organizing, training, or coaching the community-based youth athletic activity has completed, and is in compliance with, the safety standards applicable to coaches and volunteers outlined in this bill, and that at least one individual who has completed, and is in compliance with, the safety standards applicable to coaches and volunteers outlined in this bill is present at each practice and competition of a community-based youth athletic activity, if: (1) Youth 14 or younger are eligible to participate in the community-based youth athletic activity; and (2) The community-based youth athletic activity is conducted on property that is owned, managed, or maintained by this state or a political subdivision. House amendment 2 (007080) revises this bill to delete any reference to "high-risk youth athletic activity" and instead applies the provisions of the bill to any school youth athletic activity and to community-based youth athletic activities when the activity is organized by a city, county, business, or nonprofit organization. This amendment deletes the requirement that all coaches annually complete training in physical conditioning and training equipment use, instead requiring each LEA and public charter school to encourage all coaches, whether employed by the LEA or a volunteer, to annually complete such training to the extent such training is readily available. This amendment further requires that those individuals involved in organizing school youth athletic activities must implement the safety standards.

Senate Status: 04/20/23 - Senate passed with previously adopted amendment 1 (004714) and newly adopted amendment 3 (003510).

House Status: 04/21/23 - House concurred in Senate amendment 3 (003510).

Executive Status: 04/21/23 - Sent to the speakers for signatures.

SB794/HB1047 Disclosures by persons offering a scholarship to a student-athlete.

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

Summary: Requires a person who is required to disclose a relationship with an educational institution offering a student-athlete a scholarship to also provide, within 48 hours instead of 72 hours of providing the initial disclosure, another written disclosure of such relationship to the student-athlete's parent or legal guardian, the secretary of state, and to the athletic director, president, and the general counsel of the educational institution from which such person has influenced or attempted to influence the student-athlete to accept the scholarship. Broadly captioned.

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

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

SB802/HB1033 Student retention - third grade student who has not shown basic understanding of curriculum.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny

Summary: Authorizes an LEA or public charter school to retain a student in the third grade if the student has not shown a basic understanding of the curriculum and an ability to perform the skills required in the subject of reading, as demonstrated by the student's grades or standardized test results, instead of requiring an LEA or public charter school to retain a third grade student who did not achieve a performance level rating of "on track" or "mastered" on the English language arts portion of the student's most recent Tennessee comprehensive assessment program test. Broadly captioned.

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

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

SB805/HB524 Report by office of early learning on status of pre-kindergarten programs.

Sponsors: Sen. Jackson, Ed , Rep. Haston, Kirk

Summary: Clarifies that the office of early learning is required, by February 1, to provide an annual report to the governor and the general assembly on the status of pre-kindergarten programs, which must include, at a minimum, the number, location, and types of providers of pre-kindergarten classrooms and the number of at-risk children served. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 03/28/23 - Taken off notice in House K-12 Subcommittee.

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

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

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

Amendment Summary: Senate Education Committee amendment 1 (004257) revises the Voluntary Pre Kindergarten (pre-K) for Tennessee Act of 2005.

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

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

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

SB815/HB1144 Duties for transporting children with disabilities on school buses.

Sponsors: Sen. Gardenhire, Todd , Rep. Vital, Greg

Summary: Clarifies that if a new person is designated to check school buses each time a bus returns from transporting children with disabilities to their respective destinations to ensure that all children have left the bus in the interim period between when annual reports are submitted to the LEA, then the name and contact information of the new designee must be submitted within 10 calendar days, instead of just within 10 days. Broadly captioned.

Amendment Summary: Senate amendment 1 (005248) establishes that the registration fee for one school bus owned by a person under contract with a local education agency (LEA), for the provision of transportation services is equal to the fee charged for a school bus owned by a local education agency (LEA).

Senate Status: 04/10/23 - Senate passed with amendment 1 (005248).

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB817/HB1376 Tennessee Higher Education Freedom of Expression and Transparency Act.

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

Summary: Enacts the "Tennessee Higher Education Freedom of Expression and Transparency Act." Broadly captioned.

Amendment Summary: Senate amendment 1 (005889) makes the following changes and additions to this bill: (1) Revises some of the legislative findings; (2) Requires an institution to take appropriate steps to correct any violation that is found to have occurred after a report is filed; (3) Replaces the requirement that an institution make reports available for public inspection on the institution's website with a requirement that an institution report violations and any corrective action annually to the comptroller of the treasury through the comptroller's office of research and education accountability; (4) Deletes the requirement that each institution publish a current syllabus for every course offered in the current semester on the institution's website and the requirement to submit data and information pertaining to details on the number of students who completed a program at the institution for the three most recent academic years; (5) Prohibits a public institution of higher education from requiring an applicant for employment or admission to submit a personal diversity statement or to affirm the applicant's agreement with an institutional diversity statement as part of the application or admissions process; (6) Prohibits an institution from approving or using state funds, fees, dues, subscriptions, or travel in conjunction with the membership, meetings, or activities of an organization if participation in such organization requires an individual or an individual's employer to endorse or promote a divisive concept (instead of, if the organization endorses or promotes a divisive concept); (7) Revises the provisions concerning employees of a public institution of higher education whose primary job title includes diversity, equity, or inclusion to require: (A) The institution to ensure that the employee's efforts strengthen and increase intellectual diversity and promote a climate that facilitates the free and respectful exchange of ideas; and (B) The institution to ensure that the employee's duties include efforts devoted to supporting student academic achievement and workforce readiness, such as mentoring, career readiness and support, workforce development, or other related learning support activities necessary for the academic and professional success of all students; and (8) Requires institutions to provide employee training to ensure compliance with the provisions.

Senate Status: 04/05/23 - Senate passed with amendment 1 (005889).

House Status: 04/13/23 - House passed.

Executive Status: 04/19/23 - Sent to governor.

SB818/HB1381 Promotion of third grade student not proficient in ELA.

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

Summary: Authorizes a third-grade student who is not proficient in English language arts (ELA) to be promoted to fourth grade if at least 66 percent of the third-grade students in the student's LEA or public charter school test proficient on the ELA portion of the most recently administered Tennessee comprehensive assessment program test and if the student's parent or guardian, teacher, and school principal mutually agree and recommend in writing that the student should be promoted to fourth grade. Broadly captioned.

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

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

SB819/HB1412 Annual report - integrating physical activity in a school week.

Sponsors: Sen. Hensley, Joey , Rep. Raper, Kevin

Summary: Changes the date, from October 1 to October 15, by which the office of coordinated school health in the department of education must submit an annual report regarding the implementation of local education agencies integrating physical activity in a school week. Broadly captioned.

Amendment Summary: House K-12 Subcommittee amendment 1 (003952) names the legislation the "Tennessee Elementary Reading Proficiency Act," or TERPA. Makes stipulations regarding next-grade-level promotion criteria for students in grades K-3.

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

House Status: 03/14/23 - Taken off notice in House K-12 Subcommittee after adopting amendment 1 (003652).

SB824/HB850 Removes obsolete language regarding administration of TCAP tests.

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

Summary: Deletes obsolete language that removed the requirement for Tennessee comprehensive assessment program tests to be administered in the 2019-2020 school year. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB825/HB527 Release of TCAP and end-of-course assessment blueprints and scoring methodology to general assembly.

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

Summary: Requires the department of education to annually release the Tennessee comprehensive assessment program and end-of-course assessment blueprints and scoring methodology to the education committees of the general assembly. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB826/HB851 Report on school security deficiencies and recommendations for improvement.

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

Summary: Deletes an obsolete requirement that certain chief law enforcement officers submit a report by September 1, 2021, concerning school security deficiencies and recommendations for security improvement of schools. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB830/HB1190 Notice to LEAs regarding reports germane to kindergarten through grade 12 education.

Sponsors: Sen. Jackson, Ed , Rep. Williams, Ryan

Summary: Requires the commissioner of education to notify each LEA when the office of research and education accountability publishes a report germane to kindergarten through grade 12 education. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB834/HB1445 Internet restrictions for public institutions of higher education.

Sponsors: Sen. Lundberg, Jon , Rep. Faison, Jeremy

Summary: Prohibits a public institution of higher education that provides internet access to students, faculty, staff, or the general public from allowing an individual to access a video platform using the institution's network if the video platform is owned by a company headquartered outside of the United States. Broadly captioned.

Amendment Summary: Senate amendment 1 (004290) rewrites this bill to, instead, prohibit a public postsecondary institution that provides internet access, through a hard-wired or wireless network connection, to students, faculty, staff, or the general public from allowing an individual to access a social media platform using the institution's network if the platform is operated or hosted by a company based in the People's Republic of China. This amendment clarifies that this prohibition does not apply to institutions or employees of such institutions if downloading, accessing, or using such a social media platform is necessary to perform law enforcement activities; investigatory functions to carry out official duties for bona fide law enforcement, investigative, or public safety purposes; or audit, compliance, or legal functions of the institution.

Senate Status: 03/02/23 - Senate passed with amendment 1 (004290).

House Status: 03/23/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Public Chapter 0152 effective April 13, 2023.

SB838/HB962 High school course credit without course enrollment.

Sponsors: Sen. White, Dawn , Rep. Slater, William

Summary: Authorizes an LEA to award a high school student credit for a course offered by the LEA's high school if the student attains a qualifying score on the course's final examination without requiring the student to enroll in the course.

Amendment Summary: Senate amendment 1 (004984) revises this bill as follows: (1) Changes the term "final exam" to "credit exam," which is defined as a comprehensive assessment designed by an LEA or public charter school that is aligned to the Tennessee academic standards for a course identified by the department of education, and approved by the state board of education, for which there is no end-of-course assessment; (2) Changes the authorization to granting credit for an eligible course from an LEA that operates one or more high schools, to an LEA or public charter school that serves students in any of the grades 9-12; (3) Requires the department of education to recommend to the state board of education for approval a list of eligible courses for which an LEA or public charter school may develop a credit exam. The list of eligible courses must include courses in math, English language arts, science, and social studies. However, the department is authorized to recommend eligible courses in additional subject areas; (4) Authorizes a student to earn a maximum of four graduation credits from credit exams; (5) Deletes the requirement that the department of education must develop guidelines for LEAs to use when setting qualifying scores. Instead, a credit exam developed by an LEA or public charter school must cover the entirety of the Tennessee course standards for the course for which the student may receive credit; (6) Provides that the policy established by an LEA or public charter school for implementation of these provisions must include, at a minimum, when and how credit exams are to be administered to students seeking course credit; the qualifying score for each credit exam administered to students; and the grade that will be included in a student's overall grade point average for the student's achieving the qualifying score on each credit exam administered to the student; and (7) Provides that, upon the request of the education committee of the senate, the education administration committee of the house of representatives, or the education instruction committee of the house of representatives, the department of education must submit a report regarding the implementation of this bill.

Senate Status: 04/03/23 - Senate passed with amendment 1 (004984).

House Status: 04/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to governor.

SB842/HB1075 Dual enrollment grants.

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

Summary: Expands eligibility for a dual enrollment grant to include students who are sophomores in high school and admitted to an eligible postsecondary institution as a dual enrollment student.

Senate Status: 04/20/23 - Taken off notice in Senate Finance, Ways & Means Committee.

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

SB843/HB1076 Office of research and education accountability report requirement deleted.

Sponsors: Sen. Hensley, Joey , Rep. Sherrell, Paul

Summary: Deletes language that required the office of research and education accountability in the office of the comptroller to submit a report by November 1, 2019, to the education committees of the senate and house of representatives regarding the formation and operation of community schools. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB872/HB736 Academic standards for social studies.

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

Summary: Changes from urges to requires the standards recommendation committee to include certain academic standards regarding the civil rights movement in the committee's final recommendation of academic standards in the subject of social studies for students in grades nine through 12.

Senate Status: 03/02/23 - Senate passed.

House Status: 03/20/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0127 effective April 4, 2023.

SB878/HB691 Mathematics credits required for high school graduation.

Sponsors: Sen. Akbari, Raumesh , Rep. Parkinson, Antonio

Summary: Requires the state board of education to allow one credit of data science to satisfy one of the mathematics credits required for high school graduation. Broadly captioned.

Amendment Summary: House Education Instruction Subcommittee amendment 1(004154) beginning with the next adoption of academic standards in mathematics, requires the Standards Recommendation Committee to include academic standards for a course in data science for students in any of the grades nine through twelve in the committee's final recommendations to the State Board of Education (SBE). Authorizes a local education agency (LEA) that serves students in any of the grades nine through twelve to offer a data science course to the students enrolled in the LEA. Requires SBE to allow one credit of data science to satisfy one of the mathematics credits required for graduation.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/21/23 - House Education Instruction Subcommittee deferred to summer study after adopting amendment 1 (004154).

SB879 Removes provisions establishing three-year pilot program concerning parent-teacher engagement.

Sponsors: Sen. Akbari, Raumesh ,

Summary: Removes provisions establishing a three-year pilot program concerning parent-teacher engagement in any grade from kindergarten through grade two that began with the 2018-2019 school year.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

SB881/HB36 Automatic revocation of a public charter school agreement.

Sponsors: Sen. Akbari, Raumesh , Rep. Hardaway, G.A.

Summary: Revokes a public charter school agreement if the public charter school receives priority school identification for two consecutive cycles based on an evaluation of no less than three years of schools' performance data. Prohibits the 2022 list of priority schools from applying towards the two consecutive cycles requirement.

Amendment Summary: House amendment 1 (004641) makes the following changes and additions to this bill and present law concerning charter schools that are identified as priority schools: (1) Prohibits both the 2022 and 2023 priority school list from being considered as one of the priority school cycles required for automatic revocation of a public charter school agreement; (2) Removes the provision that limits application of the automatic revocation requirement to situations where each of the two consecutively issued priority school lists identify priority schools based on an evaluation of no less than three consecutive years of all schools' performance data; and (3) Prohibits application of the present law permissive revocation provision, whereby an authorizer may revoke a public charter school agreement if the public charter school receives identification as a priority school for any single year, based on the public charter school being identified as a priority school on the priority school list issued in 2022 or 2023.

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

House Status: 04/06/23 - House passed with amendment 1 (004641).

*Executive Status:*04/20/23 - Sent to governor.

SB882/HB454 Payment for teaching supplies.

Sponsors: Sen. Akbari, Raumesh , Rep. Glynn, Ronnie

Summary: Increases from \$200 to \$600, the amount each LEA is required to pay every teacher in kindergarten through grade 12 for the purchase of instructional supplies for the 2023-2024 school year. Stipulates that these funds be used at the teacher's discretion to purchase items for the benefit of the instructional program but cannot be used for basic building needs such as HVAC, carpets or furniture. States that unused funds at the end of the school year be pooled at the school level to be used for the teachers' common equipment needs. Clarifies that these funds do not constitute an appropriation and that funding must be specifically appropriated by the general appropriations act.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 03/07/23 - Taken off notice in House K-12 Subcommittee.

SB883/HB1334 Tuition discount for children of full-time educational assistants.

Sponsors: Sen. Akbari, Raumesh , Rep. Camper, Karen

Summary: Extends the 25 percent discount on tuition to any state institution of higher education to children under 24 years of age whose parent is employed full-time as an educational assistant in a public school in Tennessee.

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

House Status: 03/13/23 - Taken off notice in House Higher Education Subcommittee.

SB884/HB1295 Report on the academic performance of historically underserved student groups.

Sponsors: Sen. Akbari, Raumesh , Rep. Camper, Karen

Summary: Requires the commissioner of education to report on the academic performance of historically underserved student groups to the education committee of the senate and the education administration and education instruction committees of the house of representatives by January 31 of each year. Broadly captioned.

Amendment Summary: House amendment 1 (006404) rewrites this bill to require the department of education to conduct a study of best practices in other states for the use of ninth grade "on-track" indicators in state accountability systems to prevent students from dropping out of high school; no later than January 31, 2024, submit a report of the outcomes of the study to the education committee of the senate and the education administration committee of the house of representatives; and publish the report on the department's website. The study must include, but is not limited to, research into how states: (1) Define "on-track" high school success; (2) Develop specific indicators to identify students who are at risk of dropping out of high school; (3) Develop and use statewide dropout early warning systems in the middle school and high school grades; (4) Utilize methods to publicly report relevant data regarding "on-track" high school success indicators and outcomes; (5) Set goals and monitor how many students remain "on track" in ninth grade in alignment with statewide graduation goals; and (6) Provide supports and guidance to schools and districts to improve and increase the number of ninth grade students who are "on track."

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

House Status: 04/10/23 - House passed with amendment 1 (006404).

Executive Status: 04/20/23 - Sent to governor.

SB890/HB1338 Minority teaching fellows program scholarships - interest rates.

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

Summary: Removes the interest rate for scholarship loans evidenced by notes made payable to the Tennessee student assistance corporation for fellowship awards received by an aspiring teacher through the minority teaching fellows program.

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

House Status: 03/20/23 - Taken off notice in House Higher Education Subcommittee.

SB892/HB928 Teacher licensure exemptions.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Expands the exemption from an assessment to advance or renew a teaching license to include a public school teacher who, at the time of the application of an initial license, possessed an active teaching license in another state and has taught for more than 10 years.

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

House Status: 03/28/23 - Taken off notice in House K-12 Subcommittee.

SB897/HB520 Information for students and parents on water safety courses.

Sponsors: Sen. Akbari, Raumesh , Rep. Dixie, Vincent

Summary: Requires each LEA, including public adult education classes, to provide information on the importance of water safety and swimming lessons play in saving lives to each student enrolled in a school of the LEA, or a parent of a student if the student is under 18 years of age, each school year. Specifies that the information must include information on local options available for age-appropriate water safety courses and swimming lessons, including courses offered for free or at a reduced price.

Amendment House Education Administration Committee amendment 1 (004029) deletes the requirement for each public institution of higher education to provide information on the importance water safety education and swimming lessons play in saving lives to each student enrolled in the institution each academic year.

Summary:

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

House Status: 03/30/23 - Re-referred to House Education Administration.

SB901/HB927 Student retention - third grade student who is not proficient in ELA.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Allows a third-grade student who is not proficient in English language arts (ELA) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test to be promoted to fourth grade if the student maintains a 90 percent attendance rate at a learning loss bridge camp without having to demonstrate adequate growth on the post-test administered at the end of the camp. Requires the student to show adequate growth on the ELA portion of the student's fourth grade TCAP test before the student may be promoted to fifth grade.

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

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

SB903/HB1168 Financial literacy webinar for students in grades six through eight.

Sponsors: Sen. Akbari, Raumesh , Rep. Glynn, Ronnie

Summary: Requires the Tennessee financial literacy commission to host a financial literacy webinar for students in each of the grades six through eight that is age and grade-appropriate and designed to educate students on budgeting, saving, spending, credit, debit, insurance, investment, and other topics and concepts associated with personal financial responsibility. Requires public school students in any of the grades six through eight to participate in the financial literacy webinar.

Senate Status: 03/08/23 - Taken off notice in Senate Education Committee.

House Status: 03/07/23 - Taken off notice in House Education Instruction Subcommittee.

SB906/HB1357 Full teacher salary if missed duties due to violent criminal act.

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

Summary: Requires an LEA to pay a teacher their full salary, in addition to their full benefits, if the teacher is absent from assigned duties as the result of a personal injury caused by a physical assault or other violent criminal act committed against the teacher in the course of the teacher's employment activities, with certain limitations and exceptions.

Senate Status: 04/18/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB910/HB1244 Local School District Empowerment Act.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis

Summary: Enacts the "Local School District Empowerment Act" which allows for the establishment of the office of elected superintendent of schools. Adjusts duties of local boards of education in school systems in which the office of elected superintendent of schools is established. (15pp). Broadly captioned.

Senate Status: 03/01/23 - Failed in Senate Education Committee.

House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.

SB916/HB1165 Offense rising from an investigation of bullying of a student.

Sponsors: Sen. Lowe, Adam , Rep. Russell, Lowell

Summary: Requires law enforcement officers, school resource officers, or other school security officers to report to a law enforcement agency a suspected offense rising from an investigation of harassment, intimidation, bullying, hazing, or cyber-bullying of a student or a visitor of a school who is under 18. Creates a criminal offense for a person to knowingly interfere with a law enforcement officer, school resource officer, or other school security officer consulting with a district attorney general's office regarding the investigation. Broadly captioned.

Amendment Senate Judiciary Committee amendment 1, House K-12 Subcommittee amendment 1 (004761) requires a law enforcement officer, school resource officer, or other school security officer who investigates harassment, intimidation, bullying, hazing, or cyber-bullying of a student or a visitor of a school within an LEA who is under 18 years of age and involves an alleged criminal offense, to file a report with the law enforcement agency with jurisdiction. Creates a Class A misdemeanor for a person who knowingly interferes with a law enforcement officer's, school resource officer's, or other school security officer's effort to consult with a district attorney general's office regarding an alleged criminal offense involving harassment, intimidation, bullying, hazing, or cyber-bullying of a person who is under 18 years of age.

Summary:

Senate Status: 03/14/23 - Failed in Senate Judiciary Committee after adopting amendment 1 (004761).

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

SB920/HB852 Student retention - third-grade student who is not proficient in ELA.

Sponsors: Sen. Rose, Paul , Rep. Leatherwood, Tom

Summary: Allows a third-grade student who is not proficient in English language arts (ELA) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent Tennessee comprehensive assessment program test to be promoted to the next grade level if the student has demonstrated growth above the national norm on a universal reading screener and has demonstrated growth in standards mastery based on the student's scores on a state-adopted benchmark assessment.

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

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

SB943/HB697 THEC work-based learning program applications.

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

Summary: Authorizes nonprofit entities that have entered into an agreement with THEC to administer the work-based learning program to provide, in consultation with THEC, a method for employers of work-based learning students to submit applications electronically. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB945/HB737 Unexpended TANF funds to be used for meals for students in after school programs.

Sponsors: Sen. Oliver, Charlane , Rep. Love Jr., Harold

Summary: Requires the department of human services to allocate any unexpended TANF funds at the end of a fiscal year to an eligible after school program located in an underserved community to provide nutritious meals to students enrolled in the program. Clarifies that a program that receives surplus TANF funds pursuant to this section can only use the funds to provide nutritious meals to students.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 03/28/23 - Taken off notice in House Health Subcommittee.

SB951/HB848 Third grade student English proficiency requirements.

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

Summary: Adds various exceptions to mandatory retention for third grade students who are not proficient in English language arts. Allows an LEA to retain students in any of the grades kindergarten through two who have not shown a basic understanding of the curriculum and an ability to perform the skills required in reading. Requires the department of education to provide LEAs with individual student performance level ratings from the Tennessee comprehensive assessment program tests by May 19 each year. Broadly captioned.

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

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

SB961/HB1078 Adoption education instruction guidelines for K-12 grades.

Sponsors: Sen. Lamar, London , Rep. Glynn, Ronnie

Summary: Requires the department of education to make available to LEAs on its website the guidelines developed by the state board of education, with the assistance of the department, for appropriate kindergarten through grade 12 instruction on adoption, what adoption is, and the benefits of adoption.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 03/07/23 - Taken off notice in House Education Instruction Subcommittee.

SB966/HB663 Scholars Summer Guide on the school's website.

Sponsors: Sen. Powers, Bill , Rep. Hicks, Tim

Summary: Requires that the Scholars Summer Guide, which is given to each student in grades kindergarten through eight prior to the last day of the school year, to be made available on the school's website. Broadly captioned.

Amendment Summary: House amendment 1 (005818) adds that a determination made by a local board of education or public charter school governing body that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, will trigger the requirement that the school remove the material from the library collection in the same manner as if the determination was made by an LEA or public charter school.

Senate Status: 04/20/23 - Senate concurred in House amendment 1 (005818).

House Status: 04/19/23 - House passed with amendment 1 (005818).

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB967/HB662 Website version of high school scholar's prep guide.

Sponsors: Sen. Powers, Bill , Rep. Hicks, Tim

Summary: Requires the scholars prep guide, which is provided to each high school student in grades nine through 12 upon registering for a course, to be available to students on the school's website. Broadly captioned.

Amendment Summary: Senate amendment 1 (006664) requires each local education agency (LEA) to maintain a notice of deleted policies on file at the LEA's central office. Establishes that if a person holds an active industry license or credential relevant to a career and technical education (CTE) course as determined by the Department of Education (DOE), then the person may provide instruction to students in the CTE course as long as the instruction provided by the person is supervised at all times by a licensed teacher who serves as the teacher of record for the course. Establishes that a person providing instruction to students in a CTE course is subject to investigation.

Senate Status: 04/12/23 - Senate passed with amendment 1 (006664).

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB968/HB1114 Eligibility for the Tennessee reconnect grant.

Sponsors: Sen. Powers, Bill , Rep. Lafferty, Justin

Summary: Expands eligibility for the Tennessee reconnect grant to include students who completed high school or obtained a GED® or HiSET® diploma during the 2019-2020 or 2020-2021 school year, and who are at least 21 years of age by January 1 of the academic year in which they enroll in an eligible program of study.

Amendment Summary: Senate Education amendment 1, House Higher Education Subcommittee amendment 1 (004209) expands the Tennessee Reconnect Grant (TRG) to give eligibility to students who completed high school or obtained a high school equivalency credential approved by the State Board of Education during the 2019- 2020 or 2020-2021 school year, and who are at least 21 years of age by January 1 of the academic year in which they enroll in an eligible program of study. Repeals the act on January 1, 2027.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

House Status: 03/20/23 - Taken off notice in House Higher Education Subcommittee.

SB971/HB782 Financial literacy education for elementary and middle schools.

Sponsors: Sen. Powers, Bill , Rep. White, Mark

Summary: Requires at least one grade level in each public elementary and middle school to schedule five days during each school year to highlight age-appropriate financial literacy concepts, either inside or outside of the classroom. Specifies that the financial literacy concepts must include, at a minimum, earning income, spending, saving, managing credit, and investing. Requires the department of education, in consultation with the Tennessee financial literacy commission, to develop guidance to assist public elementary and middle schools in implementing this requirement.

Amendment Summary: House amendment 1 (005325) rewrites this bill to require, upon the request of the commission, each public elementary and middle school, or each LEA on behalf of the schools, to provide information to the commission or department of education about the financial literacy education provided to elementary and middle school students during the school year.

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

House Status: 03/23/23 - House passed with amendment 1 (005325).

*Executive Status:*04/20/23 - Sent to governor.

SB972/HB995 Corporal punishment for students with disabilities.

Sponsors: Sen. Powers, Bill , Rep. Stevens, Robert

Summary: Clarifies that a communication made in an electronic format in which a parent of a child with a disability gives permission for the use of corporal punishment against the child constitutes permission given in writing such that the chief administrative officer, or the chief administrative officer's designee, may administer such corporal punishment to the child in accordance with the LEA's discipline policy.

Amendment Summary: Senate amendment 1 (006314) rewrites this bill to revise present law relative to corporal punishment. Under present law, a teacher or school principal may use corporal punishment in a reasonable manner against a pupil for good cause in order to maintain discipline and order within the public schools. However, teachers, school principals, or other school personnel are prohibited from using corporal punishment against a student who has a disability, unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. This amendment adds that, prior to the administration of corporal punishment against a student, the student's teacher or school principal must document in the student's educational record that they have: (1) Acted to address the student's behavior; (2) Provided consequences to the student to address the behavior; (3) Consulted with the student's parent or legal guardian about the student's behavior; and (4) Considered the need to conduct an initial evaluation to determine whether the student has a disability in accordance with the Individuals with Disabilities Education Act, state law, and the state board of education's rules. This amendment also provides that if, as a result of the evaluation provided in (4), a student is found to have a disability, then corporal punishment may only be administered against the student if authorized in accordance with the present law described above.

Senate Status: 04/12/23 - Senate passed with amendment 1 (006314).

House Status: 04/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to governor.

SB973/HB959 Nonresident students allowed to enroll in a school in which spaces are available.

Sponsors: Sen. Powers, Bill , Rep. Slater, William

Summary: Requires LEAs to allow nonresident students to enroll in a school in which spaces are available.

Amendment Summary: Senate Education Committee amendment 1 (006820) requires a local education agency (LEA) to adopt a policy to establish a process for non-resident students to participate in open enrollment if space is available. Authorizes an LEA to deny a non-resident student permission to enroll in a particular program or school within the LEA only if: there is a lack of space or teaching staff within a particular program or school requested; the student does not meet the established eligibility criteria for participation in a particular program; a desegregation plan is in effect for the school district; or the student is expelled from school. Establishes procedures for acceptance and denial of enrollment requests.

Senate Status: 03/29/23 - Senate Education Committee recommended with amendment 1 (006820). Sent to Senate Calendar Committee.

House Status: 04/05/23 - Taken off notice in House Education Administration Committee.

SB980/HB1086 Revises various provisions relative to charter schools.

Sponsors: Sen. Gardenhire, Todd , Rep. Baum, Charlie

Summary: Revises various provisions relative to charter schools including the performance, grade bands, enrollment of students residing outside the geographic boundaries of the LEA, economically disadvantaged students, and revoking of a public charter school agreement.

Amendment Summary: House amendment 1 (005134) incorporates the changes made by Senate Amendment 1 and makes the following changes to this bill: (1) Conditions the provision that allows a public charter school to enroll students residing outside the geographic boundaries of the LEA in which said school is located if capacity is available to a public charter school with an authorizer that has a policy allowing out-of-district enrollment; and (2) Provides, however, that if a public charter school's authorizer has a policy that prohibits out-of-district enrollment, then the public charter may request to adopt an out-of-district enrollment policy through the waiver process. However, the waiver request may only be submitted to the public charter school's authorizer for approval. House amendment 2 (006205) revises the provisions concerning preferences for admission to public charter schools, so that preferences will only be authorized for: (1) Students who are economically disadvantaged, which means, as defined in Tennessee's Every Student Succeeds Act plan, a homeless, foster, runaway, or migrant student or a student eligible for free or reduced-price school meals or milk through the direct certification eligibility guidelines established pursuant to federal law; and (2) Children of the public charter school's employees or the children of a member of the public charter school's governing body, not to exceed 10 percent of the public charter school's total enrollment or 25 students, whichever is less. This amendment specifies that an enrollment lottery preference may apply to all children described in (1).

Senate Status: 04/03/23 - Senate concurred in House amendment 1 (005134) and House amendment 2 (006205).

House Status: 03/20/23 - House passed with amendment 1 (005134) and amendment 2 (006205).

*Executive Status:*04/12/23 - Sent to governor.

SB987/HB680 Elective credit for released time courses.

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

Summary: Increases the credit amount a student may earn, from half a unit to one unit of credit, for work completed in a released time course.

Senate Status: 03/20/23 - Senate passed.

House Status: 03/20/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0130 effective July 1, 2023.

SB999/HB849 Rural Schools Innovation Act.

Sponsors: Sen. Yager, Ken , Rep. Haston, Kirk
Summary: Enacts the "Rural Schools Innovation Act," which requires the department of education to establish a two-year pilot program for rural districts to partner together to expand access to high-quality, robust college and career pathways. Requires the department of education, by December 1, 2025, to submit a report to the chairs of the education committee of the senate, the education administration committee of the house of representatives, and the education instruction committee of the house of representatives evaluating the successes and challenges of the pilot program.

Amendment Summary: Senate Education Committee amendment 1, House Education Administration Committee amendment 1 (004132) requires the Department of Education (DOE) to create and implement a two-year pilot program that awards grants to rural pathway partnerships to expand access to high-quality college and career pathways for students in grades nine through twelve (9-12). Requires DOE to begin accepting grant applications for the pilot program no later than September 1, 2023, and to distribute grants to partnerships no later than December 1, 2023. Establishes grant eligibility criteria. Subject to appropriations, establishes the total amount of grants provided to partnerships pursuant to this section is \$3,000,000. Requires DOE to award a grant pursuant to one partnership from each grand division. Requires DOE to study the effectiveness of the pilot program and to submit a report to the chairs of education committees in the Senate and the House of Representatives by December 1, 2025. Repeals this section on December 1, 2025.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB1008/HB456 Makes changes to the Tennessee Learning Loss Remediation and Student Acceleration Act.

Sponsors: Sen. Campbell, Heidi , Rep. Hakeem, Yusuf
Summary: Makes changes to the Tennessee Learning Loss Remediation and Student Acceleration Act, including changes to require LEAs and participating public charter schools to conduct summer learning camps and after-school learning mini-camps annually beginning in the summer of 2021, instead of only in the summers immediately following the 2020-2021 and 2021-2022 school years. Requires the department of education to issue guidance to assist LEAs and public charter schools in making retention decisions for students with a disability or suspected disability. Requires each LEA and public charter school that provides instruction to students through the learning loss remediation and student acceleration program to ensure that the instruction is aligned to state academic standards.

Amendment Summary: House K-12 Subcommittee amendment 1 (003357) requires LEAs and participating public charter schools to conduct summer learning camps and after-school learning mini-camps. Makes provisions for summer learning camps and after-school learning mini-camps. Requires each LEA and public charter school that provides learning loss remediation and student acceleration program to ensure that the instruction is aligned to state academic standards.

Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 03/14/23 - House K-12 Subcommittee deferred to Summer Study after adopting amendment 1 (003357).

SB1014/HB992 Changes the name of the Tennessee public charter school commission to the Tennessee charter school commission.

Sponsors: Sen. Campbell, Heidi , Rep. Beck, Bill
Summary: Changes the name of the Tennessee public charter school commission to the Tennessee charter school commission; changes references of public charter schools to charter schools. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/08/23 - Referred to House Education Administration Committee.

SB1018/HB1495 Comptroller's TISA study report.

Sponsors: Sen. Campbell, Heidi , Rep. Clemmons, John
Summary: Requires the comptroller of the treasury to submit a report on the comptroller's study of TISA to determine the effectiveness of state expenditures on K-12 education and any legislative recommendations to the general assembly, instead of only to the speakers of the senate and house of representatives and to the members of the education committee of the senate and the education administration committee of the house of representatives.

Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.

SB1024/HB741 Repeals the TN Education Savings Account Pilot Program.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo
Summary: Repeals the Tennessee Education Savings Account Pilot Program.
Senate Status: 03/22/23 - Senate Education Committee deferred to second calendar of 2024.

House Status: 03/28/23 - House K-12 Subcommittee deferred to second calendar of 2024.

SB1026/HB745 Transparency in Charter School Finance Act.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: Specifies that a charter school and the chartering management organization is subject to the open records law. Requires a charter school to disclose certain information each fiscal year to the comptroller of the treasury, including the salaries and other payments made to each charter school employee and the amount and a description of all contract payments that exceed \$10,000.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.

SB1040/HB1115 THEC - termination of higher education programs.

Sponsors: Sen. Watson, Bo , Rep. Lafferty, Justin

Summary: Authorizes the commission to require the governing board of a public institution of higher education to terminate an existing on-campus or off-campus program, instead of only making recommendations regarding the termination of certain programs. Requires the commission's executive director to notify the education committee of the senate and the education administration committee of the house of representatives of the commission's vote to terminate an existing program within 10 days of such action.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/07/23 - Referred to House Higher Education Subcommittee.

SB1042/HB783 Tennessee student assistance corporation - lottery funds.

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

Summary: Increases, from 90 to 95, the number of days before the date on which the Tennessee student assistance corporation anticipates that it will need to draw funds from the lottery for education accounts that the Tennessee student assistance corporation is required to provide notice to the general assembly, state treasurer, state funding board, and THEC. Broadly captioned.

Amendment Summary: House Higher Education Subcommittee amendment 1 (005212) details who is eligible for a Wilder-Naifeh technical skills grant without a minimum number of hours of enrollment. Requires that the student must maintain satisfactory academic progress in accordance with the standards and practices used for federal Title IV programs by the institution at which the student is enrolled to continue the grant. Adds a quality non-degree credential at acceptable programs.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 04/05/23 - House Education Administration Committee deferred to the first calendar of 2024.

SB1054/HB1152 Timeline for the availability of a district-wide school safety plan.

Sponsors: Sen. Rose, Paul , Rep. Sherrell, Paul

Summary: Changes, from 30 to 45, the number of days prior to a local education agency's adoption of a district-wide school safety plan or building-level school safety plan that a summary of the plan must be made available for public comment. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1060/HB843 Higher education hearing center operation report.

Sponsors: Sen. Hensley, Joey , Rep. Lynn, Susan

Summary: Extends the deadline, from September 15 to October 1, in which each public institution of higher education operating a hearing center must provide a written report regarding the operation of the hearing center.

*Amendment**Summary:*

House amendment 1 (006005) rewrites this bill to revise various provisions of present law pertaining to the Age-Appropriate Materials Act of 2022 and the state textbook and instructional materials quality commission. AGE-APPROPRIATE MATERIALS ACT Under present law, beginning with the 2022-2023 school year, each school operated by an LEA and each public charter school must maintain a current list of the materials in the school's library collection. The list must be posted on the school's website. By the 2022-2023 school year, each local board of education and public charter school governing body (LEA) must adopt a policy for developing and reviewing school library collections. The policy must include: (1) A procedure for the development of a library collection at each school that is appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school; (2) A procedure for the LEA to receive and evaluate feedback from a student, a student's parent or guardian, or a school employee regarding one or more of the materials in the library collection of the student's or employee's school; and (3) A procedure to periodically review the library collection at each school to ensure that the school's library collection contains materials appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school. An LEA must evaluate each material for which feedback is provided to determine whether the material is appropriate for the age and maturity levels of the students who may access the materials, and to determine whether the material is suitable for, and consistent with, the educational mission of the school. If the LEA determines that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, then the school must remove the material from the library collection. The procedures adopted are not the exclusive means to remove material from a school's library collection, and do not preclude an LEA from developing or implementing other policies, practices, or procedures for the removal of materials from a library. This amendment adds to present law by specifying that the following material is not appropriate: (1) Material that contains nudity or descriptions or depictions of sexual excitement, sexual conduct, excess violence, or sadomasochistic abuse for the age or maturity level of a student in any of the grades K-12 and must not be maintained in a school's library collection; or (2) Is patently offensive, or appeals to the prurient interest for the age or maturity level of a student in any of the grades K-12 and must not be maintained in a school's library collection. Under this amendment, if an LEA receives feedback concerning a material under the policy described in (1)-(3), then the LEA must evaluate and determine, within 60 days from the date the feedback was received, whether the material is appropriate. If the LEA does not make a determination within 60 days, the person who submitted the feedback may request the state textbook and instructional materials quality commission to evaluate the material. This amendment specifies that an LEA's determination made on whether a material is appropriate for the age and maturity level of the students who may access the material, and whether the material is suitable for, and consistent with, the educational mission of the school, does not establish a contemporary community standard for purposes of the criminal offenses involving obscenity. TEXTBOOK COMMISSION This amendment requires the commission to evaluate and determine whether a material in a school's library collection is appropriate for the age and maturity level of the students who may access the materials, and whether the material is suitable for, and consistent with, the educational mission of the school if the LEA does not make a timely determination as described above. The commission must issue the commission's determination in writing and each LEA must include, or remove, the challenged material in, or from, the library collection for each of the LEA's schools for the grade levels for which the commission has found the challenged material to be appropriate or inappropriate for students.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 04/17/23 - House passed with amendment 1 (006005).

SB1064/HB889 Reporting of student offenses.

Sponsors: Sen. Hensley, Joey , Rep. Warner, Todd

Summary: Requires a school official or teacher who observes or otherwise has knowledge of an assault and battery or vandalism endangering life, health, or safety committed by a student on school property to report the action immediately to the school principal and the director of schools, instead of reporting only to the school principal.

Senate Status: 03/29/23 - Returned to Senate clerk's desk.

House Status: 04/17/23 - House passed.

SB1069/HB826 Annual report on school security deficiencies.

Sponsors: Sen. Hensley, Joey , Rep. Gillespie, John

Summary: Requires the chief law enforcement officer of each law enforcement agency with jurisdiction of a school that utilizes armed school security officers to submit an annual report to the governor, house education administration committee chair, senate education committee chair, and the commissioner of education that details any school security deficiencies and any recommendations for security improvements on or before September 1.

Amendment Summary: Senate amendment 1 (004977) rewrites this bill to provide that a director of schools, or a director's designee, is not required to assign a student in grades 7-12 who has been suspended for more than 10 days or expelled from the regular school program for an offense of violence or threatened violence, or an offense that threatened the safety of persons attending or assigned to the student's school, to an alternative school or alternative program if the director of schools, or the director's designee, determines that assigning the student to the alternative school or alternative program may endanger the safety of the students or staff of the alternative school or alternative program.

Senate Status: 04/12/23 - Senate passed with amendment 1 (004977).

House Status: 04/17/23 - House passed.

Executive Status:04/20/23 - Sent to governor.

SB1070/HB897 Submission of annual report on the Schools Against Violence in Education (SAVE) Act.

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

Summary: Authorizes the commissioner of education to submit the annual report on the Schools Against Violence in Education (SAVE) Act to the governor and the general assembly in an electronic format. Broadly captioned.

Amendment Summary: Senate amendment 1 (004964) rewrites this bill to revise present law relative to temporary teaching permits. Under present law, the physical education classes required by law for elementary and secondary education must be taught by a licensed teacher with an endorsement in physical education or by a specialist in physical education. However, upon the request of a director of schools or the director of a public charter school, present law authorizes the commissioner of education to issue an endorsement exemption to a teacher or a temporary permit to a person to teach any course or subject area, except for special education courses, for the 2021-2022 school year, and an endorsement exemption to a teacher to teach any course or subject area, except a physical education class required under law or a special education course, for the 2022-2023 and 2023-2024 school years. This amendment adds that, upon a request of a director of schools or the director of a public charter school, the commissioner of education may issue an endorsement exemption to a teacher, in accordance with state board rules, to teach a physical education class required by law to elementary school students. A director of schools or the director of a public charter school who applies for an endorsement exemption to teach must certify to the commissioner that the LEA or public charter school is unable to secure a qualified teacher for the physical education class. An endorsement exemption is valid only until June 30 following the date of the permit's issuance.

Senate Status: 04/12/23 - Senate passed with amendment 1 (004964).

House Status: 04/13/23 - House passed.

*Executive Status:*04/19/23 - Sent to governor.

SB1071/HB629 LEA website includes career-based experiences.

Sponsors: Sen. Hensley, Joey , Rep. Leatherwood, Tom

Summary: Requires an LEA to provide information on its website concerning the career-based experiences available to high school students.

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

House Status: 03/21/23 - House K-12 Subcommittee deferred to 03/28/23.

SB1078/HB1040 Materials obtained by individual teacher and made available in classroom to students.

Sponsors: Sen. Yarbrow, Jeff , Rep. Jernigan, Darren

Summary: Excludes materials obtained by an individual teacher, which are made available in the teacher's classroom to students assigned to the teacher's class or classes, from having to be identified in a list posted on the school's website, and from being subject to the development, review, and feedback process established by the school's local board of education or public charter school governing body for materials in the school's library collection. Broadly captioned.

Amendment Summary: Senate amendment 1, House K-12 Subcommittee amendment 1 (005107) makes the following changes to this bill: (1) Requires each local board of education and public charter school governing body to adopt a policy for classroom libraries; (2) Requires the policy to include a procedure for teachers, or for parents and legal guardians of students with access to a classroom library, to review and refer materials in a teacher's classroom library for review and evaluation consistent with this bill; (3) Requires the policy to include a procedure to ensure that parents and legal guardians of students with access to a classroom library have multiple opportunities throughout the school year to view the books in their student's classroom libraries; (4) Requires the policy to include a provision prohibiting teachers from knowingly or intentionally circumventing the LEA's or public charter school's library collection policy through the teacher's classroom library, such as including materials in the teacher's classroom library that have been found by the local board of education or public charter school governing body to be inappropriate for the age and maturity levels of the students who may access the materials, or that have been found by the local board or governing body to be unsuitable for, or inconsistent with, the educational mission of the school; (5) Provides, in the same manner as applied to school library collections, that, if the local board of education or public charter school governing body determines that material contained in a classroom library is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, then the school must remove the material from the classroom library; and (6) Provides, in the same manner as applied to school library collections, that the procedures adopted pursuant to this bill are not the exclusive means to remove material from a classroom library, and do not preclude an LEA, a school operated by an LEA, a public charter school, or the governing body of a public charter school from developing or implementing other policies, practices, or procedures for the removal of materials from a classroom library.

Senate Status: 03/20/23 - Senate passed with previously adopted amendment 1 (005107).

House Status: 03/28/23 - Failed in House K-12 Subcommittee after adopting amendment 1 (005107). Sent to full committee.

SB1081/HB1138 Distribution of written policy prohibiting hazing by any student or organization.

Sponsors: Sen. Kyle, Sara , Rep. Miller, Larry

Summary: Requires each higher education institution to distribute or make available, prior to the beginning of each school year instead of at the beginning of each school year, a written policy prohibiting hazing by any student or organization operating under the sanction of the institution. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/07/23 - Referred to House Higher Education Subcommittee.

SB1117/HB1411 Parental consent required for student to participate in instruction, evaluation, or survey offered by LEA.

Sponsors: Sen. Bowling, Janice , Rep. Fritts, Monty

Summary: Requires an LEA to obtain a student's parent's or legal guardian's consent to allow the student to participate in instruction, an activity, evaluation, assessment, survey, or analysis offered by the student's LEA. Provides that the parent or legal guardian may withdraw consent at any time. Requires the parent or legal guardian's consent for family life instruction and allows the parent or legal guardian to consent to the student receiving only a portion of instruction. Prohibits the LEA from penalizing a student whose parent or legal guardian has declined consent.

Amendment Summary: Senate Education Committee amendment 1 (005133) requires a local education agency (LEA) or public charter school to obtain written consent from the student's parent or legal guardian: 1) authorizing the student to receive or participate in a survey, analysis, or evaluation; 2) before the LEA or public charter school provides instruction in sexual orientation or gender identity curriculum to a student; and 3) in order for the student to receive any health services provided through the LEA's or public charter school's coordinated school health program. Prohibits a school from permitting a student to become a member or participate in any activity of a club or organization unless the student's parent or legal guardian provides consent to the student's membership or participation in the activity of the club or organization in writing that is signed and dated. House K-12 Subcommittee amendment 1 (004641) requires written consent from the parent or guardian for a student from an LEA to participate in the instruction, activity, survey, evaluation, assessment, or analysis. Details what is required for written consent from the parent.

Senate Status: 04/17/23 - Senate deferred to 2024.

House Status: 04/05/23 - Taken off notice in House Education Administration Committee.

SB1123/HB1042 Extending career and technical education class sizes in grades six through eight.

Sponsors: Sen. Bowling, Janice , Rep. Bricken, Rush

Summary: Allows an LEA that uses the career academy or small learning community model to extend career and technical education (CTE) class sizes in grades six through eight if the extended CTE class size does not exceed the maximum class size for general education classes in grades four through six. Allows an LEA to seek a waiver from the commissioner of education to exceed the average CTE class size in grades six through eight.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.

SB1139/HB1406 Publishing of lesson plans for private schools that participate in the education savings account program.

Sponsors: Sen. Oliver, Charlane , Rep. Johnson, Gloria

Summary: Requires private schools that participate in the education savings account program or the individualized education account program to publish the school's lesson plans and syllabus for each class offered by the school, a current list of materials in the school's library collection, and the academic standards for each class offered by the school on the school's website. Broadly captioned.

Senate Status: 03/22/23 - Failed in Senate Education Committee due to lack of second.

House Status: 03/28/23 - Taken off notice in House K-12 Subcommittee.

SB1155/HB892 Director of schools notification regarding criminal conduct on school property.

Sponsors: Sen. Stevens, John , Rep. Reedy, Jay

Summary: Adds the director of schools as a person to whom a principal must report the principal's direct knowledge of an offense of assault and battery or vandalism committed by a student on school property endangering the life, health, or safety of others; expands the educator's bill of rights to include the educator's right to report an offense of assault and battery or vandalism committed by a student on school property and the educator's right to receive benefits if the educator is a teacher who is absent from their assigned duties due to injuries caused by a criminal act committed against the teacher in the course the teacher's employment activities. Broadly captioned.

Senate Status: 03/20/23 - Senate passed.

House Status: 03/23/23 - House passed.

Executive Status: 04/17/23 - Enacted as Public Chapter 0153 effective April 13, 2023.

SB1167/HB1167 Denial of driver license for persons under 18 not enrolled in high school.

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

Summary: Removes the provisions of law regarding denial of a driver license or learner's permit to persons under 18 years of age who are not enrolled in and making satisfactory progress in high school or enrolled in a course leading to a GED or HiSET.

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

House Status: 03/22/23 - Taken off notice in House Transportation Subcommittee.

SB1177/HB1188 Annual report on virtual education programs.

Sponsors: Sen. Swann, Art , Rep. Russell, Lowell

Summary: Authorizes the department of education to submit, in electronic format, its annual report on virtual education programs to the governor, the general assembly, and the state board of education. Broadly captioned.

Amendment Summary: Senate amendment 2 (007565) requires each LEA and public charter school to require fifth grade students to complete one semester of Tennessee history in the first semester of the student's fifth grade year, beginning with the 2026-27 school year.

Senate Status: 04/21/23 - Senate passed with amendment 2 (007565), which requires each LEA and public charter school to require fifth grade students to complete one semester of Tennessee history in the first semester of the student's fifth grade year, beginning with the 2026-27 school year.

House Status: 03/08/23 - Referred to House Education Instruction Subcommittee.

SB1189/HB1097 Offering of independent study programs to enrolled high school students.

Sponsors: Sen. Lamar, London , Rep. Parkinson, Antonio

Summary: Requires each LEA that operates a high school and each public charter high school to offer independent study to meet the educational needs of its students. Specifies that educational opportunities offered through independent study may include special assignments extending the content of a course of instruction or individualized study in a particular area of interest or in a subject that is not otherwise available to the student as part of the school curriculum. Requires the state board of education to promulgate rules necessary to effectuate this section, including rules to establish a method for calculating the attendance hours that may be credited to a student who is participating in an independent study program and rules to establish a method for the awarding of academic credit to a student for the student's participation in the student's independent study program.

Amendment Summary: House Education Instruction Committee amendment 1 (005223) requires each local education agency (LEA) that operates a high school and each public charter high school to offer independent study to meet the educational needs of its students. Requires the local board of education for an LEA that operates a high school and the governing body of a public charter high school to adopt and implement a policy that complies with the rules of the State Board of Education (SBE). Establishes certain requirements for an LEA that operates a high school and a public charter high school that offers an independent study program. Requires SBE to promulgate rules relative to independent study programs. Applies to the 2023-24 school year and each school year thereafter.

Senate Status: 03/29/23 - Failed in Senate Education Committee due to lack of second.

House Status: 03/30/23 - Held on House clerk's desk.

SB1194/HB1214 Electronic participation of local board of education members.

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

Summary: Changes, from five days to five business days, the amount of notice a local board of education member must give the board before a scheduled meeting of the member's intent to participate in the meeting electronically because the member is or will be out of the county at the time of the meeting. Broadly captioned.

Amendment Summary: House Education Administration Committee amendment 1 (004560) makes various revisions regarding home school students and the operation of public charter schools. Establishes that: 1) public charter schools authorized by the Public Charter School Commission (Commission) may be formed to provide residential or boarding programs for all at-risk students in grades six through twelve (6-12) residing within this state, and that hybrid public charter schools may be formed to provide quality educational options for all home school students residing within this state. Authorizes the sponsor seeking to establish a public charter school to provide a residential or boarding program for at-risk students in grades (6-12) to apply either to a local board of education (LEA) or directly to the Commission. Requires the sponsor seeking to establish a hybrid public charter school to apply directly with the Commission. Authorizes hybrid public charter schools and public charter schools providing residential or boarding programs to enroll students residing outside the geographic boundaries of the LEA regardless of the LEA's out-of-district enrollment policy. Establishes certain instructional requirements for home school students and public charter schools. Authorizes tuition to be charged for certain out-of-district students by the LEA in which the hybrid public charter school is located and to which the student transfers. Prohibits public charter schools providing residential or boarding programs from charging registration fees, enrollment fees, or tuition. Effective January 1, 2024 for most purposes of the legislation.

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

House Status: 04/05/23 - Taken off notice in House Education Administration Committee.

SB1200/HB1500 Dyslexia advisory council report recipients.

Sponsors: Sen. Oliver, Charlane , Rep. McKenzie, Sam

Summary: Adds the education administration committee of the house of representatives to the committees of the general assembly to which the dyslexia advisory council is required to submit an annual report on the number of students screened for dyslexia intervention services. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1204/HB1293 Family life curriculum - instruction on contraceptives, consent, pregnancy, and abortion.

Sponsors: Sen. Campbell, Heidi , Rep. Hakeem, Yusuf

Summary: Authorizes a local education agency to revise its family life curriculum to include instruction on contraceptives, consent, pregnancy, abortion, and how to develop the relationship and communication skills necessary to form healthy, respectful relationships free of violence. Specifies that an individual or organization does not endorse student nonabstinence as an appropriate or acceptable behavior, or promote gateway sexual activity, in violation of state law by providing such instruction.

Senate Status: 03/01/23 - Taken off notice in Senate Education Committee.

House Status: 02/07/23 - Referred to House Education Instruction Subcommittee.

SB1208/HB1261 Notification to parents regarding child's eligibility for an individualized education account.

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

Summary: Requires the department of education, in administering the individualized education account program, to develop and implement a process for notifying all parents of their children's potential eligibility for an individualized education account, instead of only ensuring lower-income families are so notified. Requires the department to report whether the process increased student participation in the program to the education committee of the senate and the education administration committee of the house of representatives by January 31 of each year.

Amendment Summary: House amendment 1 (006063) in administering the Individualized Education Account (IEA) Program, requires the Department of Education (DOE) to develop and implement a process to notify parents of all children, as opposed to only lower income families, of the child's potential eligibility to participate in the program and to notify the Education Committee of the Senate and the Education Administration Committee of the House of Representatives on the process that the department develops.

Senate Status: 04/13/23 - Senate passed.

House Status: 04/06/23 - House passed with amendment 1 (006063).

*Executive Status:*04/20/23 - Sent to governor.

SB1209/HB918 Early grades reading report.

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

Summary: Specifies the early grades reading report should be submitted to the education administration committee of the house of representatives. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1210/HB996 Report date for assessments on the effectiveness of teacher training programs.

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

Summary: Changes from February 15 to February 1, the date by which the state board of education, with the assistance of the department of education and the Tennessee higher education commission, must issue a report card or assessment on the effectiveness of teacher training programs. Broadly captioned.

Amendment Summary: Senate Education Committee amendment 1 (004808) prohibits topics related to sexual activity from being taught to students in any of the grades kindergarten through five (K-5) as part of a family life curriculum.

Senate Status: 03/22/23 - Senate Education Committee recommended with amendment 1 (004808). Sent to Senate Calendar Committee.

House Status: 03/14/23 - Referred to House Education Instruction Subcommittee.

SB1213/HB978 Third grade student retention - appeals process.

Sponsors: Sen. White, Dawn , Rep. Terry, Bryan

Summary: Requires the rules promulgated by the board to establish an appeal process for certain students identified for retention in the third grade to allow, in addition to the student's parent or guardian, the parent's or guardian's student's principal, guidance counselor, teacher, or another administrator of the student's school to file an appeal with the department, if the student's parent or guardian consents to same in writing. Broadly captioned.

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

House Status: 03/21/23 - House K-12 Subcommittee deferred to 03/28/23.

SB1216/HB1088 Infrastructure stipend for LEA that experiences growth in ADM.

Sponsors: Sen. White, Dawn , Rep. Baum, Charlie

Summary: Allows a local education agency (LEA) that experiences growth in its average daily membership (ADM), excluding the ADM of the LEA's virtual schools, exceeding 2 percent for each year of a two-consecutive-year period to be eligible for an infrastructure stipend for the 2023-2024 school year. Broadly captioned.

Amendment House amendment 1 (005017) revises this bill to allow a local education agency (LEA) to be eligible for an infrastructure stipend

Summary: for the 2023-2024 school year, if the LEA experienced average daily membership (ADM) growth in non-virtual schools exceeding two percent in the 2019-2020, 2022-2023, and 2023-2024 school years.

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

House Status: 04/13/23 - House passed with amendment 1 (005017).

SB1217/HB270 Third grade student promotion.

Sponsors: Sen. White, Dawn , Rep. Terry, Bryan

Summary: Allows a third grade student to be promoted, even if the student does not test proficient on the English language arts (ELA) portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test, if the student tests proficient in reading on each Tennessee universal reading screener administered to the student in the student's third grade year. Allows a student's LEA to file an appeal regarding the student's identification for retention based on the student's performance on the ELA portion of the student's most recent TCAP test.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 03/21/23 - House K-12 Subcommittee deferred to 03/28/23.

SB1220/HB432 Tennessee Future Teacher Scholarship Act of 2023.

Sponsors: Sen. White, Dawn , Rep. White, Mark

Summary: Requires the Tennessee student assistance corporation to administer a five-year pilot program to award Tennessee Future Teacher scholarships to students pursuing a teaching degree at an eligible postsecondary institution who meet certain requirements and who agree to teach in a targeted setting for at least four years after the student completes an approved educator preparation program.

Amendment House amendment 1 (005381) enacts the "Tennessee Future Teacher Scholarship Act of 2023." Requires the TSAC to

Summary: administer a five-year pilot program to award a Tennessee Future Teacher scholarship to future educators with the pilot program beginning with the 2023-2024 academic year and terminating on July 1, 2028. Details eligibility for the scholarship with time frames and transferability from an eligible postsecondary institution to another. Details funding and rules of funding the scholarship.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 1 (005381).

Executive Status: 04/21/23 - Sent to the speakers for signatures.

SB1221/HB424 Educator preparation provider licensure requirements.

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

Summary: Allows a teacher with a temporary permit to satisfy the clinical experience required by the state board of education for licensure if the teacher receives guidance, evaluations, and instructions for an educator for an amount of time that is at least equal to the amount of time required for a candidate to meet the clinical experience requirements and meets the same evaluation requirements from an educator.

Amendment Summary: Senate amendment 1 (005010) rewrites this bill to provide the following: (1) The commissioner of education is authorized to grant, on behalf of the state board of education, under the conditions prescribed by the state board's rules, an individual pursuing clinical experience in an educator preparation program (EPP) who meets the requirements of this bill, a temporary permit to teach in a teaching position in which an LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists; (2) To be eligible to receive a temporary permit pursuant to (1): (A) An individual must be enrolled in an EPP and have completed all of the coursework in the program except for the clinical experience required pursuant to present law provisions governing teacher training, and submit with the individual's application for a temporary permit a letter of recommendation from the EPP in which the individual is enrolled; (B) A director of schools or a director of a public charter school must submit a conditional offer of employment made by the respective director of schools or the director of the public charter school for the individual to fill a position for which the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists; and (C) The conditional offer of employment must include a certification by the director of schools or the director of the public charter school that the director has notified the commissioner of the LEA's or public charter school's inability to fill the vacancy and its intent to employ the individual pursuant to a temporary permit; (3) The commissioner is authorized to grant an individual a temporary permit authorizing the individual to teach a course requiring an end-of-course examination to satisfy the graduation requirements established by the state board if the individual demonstrates sufficient content knowledge in the course material by taking and passing, at the teacher's own expense, a standardized or criterion-referenced test for the content area; (4) The commissioner is prohibited from granting an individual a temporary permit to teach a physical education class required under present law provisions for elementary and secondary education, or a special education course; (5) A temporary permit is valid only until June 30 following the date of the permit's issuance and is prohibited from being renewed; (6) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in present law provisions requiring automatic revocation of teacher's or administrator's license, is required to report the conviction to the state board; (7) The state board is required to set the time frame within which a director of schools or a director of a public charter school must report a conviction of a teacher holding a temporary permit, and the state board is authorized to specify other offenses for which a director of schools or a director of a public charter school is required to report to the state board upon learning of a conviction of a teacher holding a temporary permit for any such offense; (8) A director of schools or a director of a public charter school is required to report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules; and (9) The state board of education is required to promulgate rules to effectuate this bill.

Senate Status: 04/13/23 - Senate passed with amendment 1 (005010).

House Status: 04/17/23 - House passed.

Executive Status: 04/20/23 - Sent to governor.

SB1227/HB669 Annual report on the Schools Against Violence in Education Act.

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

Summary: Requires the commission of education to report annually, on or before February 1, on the implementation and compliance with the Schools Against Violence in Education Act to the governor, senate education committee chairmen, house education administration committee chairmen, and the legislative librarian instead of the general assembly.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1228/HB516 Results of school safety team's annual armed intruder drill.

Sponsors: Sen. White, Dawn , Rep. Terry, Bryan

Summary: Requires each school to make available to the department of education instead of upon request by the department, the results of the school safety team's annual armed intruder drill, conducted in coordination with the local law enforcement agency. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1229/HB997 THEC - revised higher education funding formula and projected tuition increases.

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

Summary: Changes, from December 1 to December 15, the date by which THEC is required to submit the revised higher education funding formula and any projected tuition increases for the next academic year to the office of legislative budget analysis and the comptroller of the treasury. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1231/HB1232 Training school for grades pre-kindergarten through 12 to provide practice teaching experience.

Sponsors: Sen. White, Dawn , Rep. Hemmer, Caleb

Summary: Authorizes a local board of education to contract with a private college or university accredited by the Southern Association of Colleges and Schools Commission on Colleges to maintain a training school for grades pre-kindergarten through 12 to provide practice teaching experience for teachers in training. Broadly captioned.

Amendment Summary: Senate amendment 1 (004818) makes the following changes to this bill: (1) Requires that the private college or university contracting with the local board of education have its primary campus domiciled in this state; (2) Requires that training schools meet the same requirements established by law and the state board's rules for public schools; (3) Allows a college or university that has entered into a contract with a local board of education pursuant to this bill to receive all state and federal funds received by the local board of education as a result of this contract for the operation of the training school, including TISA allocations and any other funds that may be allocated for the operation of public schools of this state; and (4) Clarifies that training schools are eligible to receive grants and other funds in the same manner as the public schools in this state.

Senate Status: 04/10/23 - Senate passed with amendment 1 (004818).

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB1237/HB306 Private school policies regarding participation in school athletics based on sex.

Sponsors: Sen. Hensley, Joey , Rep. Bulso, Gino

Summary: Authorizes a private school to create a policy to regulate a student's participation in the school's athletic activities or events based upon a student's biological sex. Broadly captioned.

Amendment Summary: Senate amendment 1 (005942) rewrites this bill to provide that a student enrolled in a private school in this state is only eligible to participate in an interscholastic athletic activity or event, where membership in the Tennessee Secondary School Athletic Association is required, in accordance with the student's immutable biological sex as determined by anatomy and genetics existing at the time of birth. This requirement does not prohibit a female student from participating on a team designated for male students if the school does not offer a separate team for female students in that sport.

Senate Status: 04/13/23 - Senate passed with amendment 1 (005942).

House Status: 04/17/23 - House passed.

*Executive Status:*04/20/23 - Sent to governor.

SB1240/HB582 Annual review of English language arts textbooks and instructional materials by comptroller.

Sponsors: Sen. Hensley, Joey , Rep. Whitson, Sam

Summary: Requires the office of the comptroller to annually conduct a review of the English language arts textbooks and instructional materials adopted for use by each LEA and public charter school to ensure they are aligned to Tennessee's academic standards and annually submit a report detailing the findings of the review to the education committees of the senate and house of representatives no later than February 1 of each year. Broadly captioned.

Amendment Summary: House K-12 Subcommittee 1 (005383) requires the commission to either approve or deny a public charter school application no later than 75 days from the date on which the commission received the notice of appeal. Prohibits the commission from approving a public charter school application on appeal if the LEA of the local board of education that denied the application does not have at least one school identified as a priority school on the most recently issued priority school list.

Senate Status: 03/29/23 - Returned to Senate clerk's desk.

House Status: 03/28/23 - Failed in House K-12 Subcommittee after adopting amendment 1 (005383).

SB1259/HB98 Rep. Barbara Ward Cooper Act.

Sponsors: Sen. Akbari, Raumesh , Rep. Hardaway, G.A.

Summary: Enacts the "Rep. Barbara Ward Cooper Act." Requires each LEA to include curricula in the course of instruction designed to educate students in conflict resolution. This would affect students in kindergarten through grade twelve (K-12) and would take effect during the 2023-2024 school year.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/21/23 - House Education Instruction Subcommittee deferred to summer study.

SB1261/HB102 Report requirements for underperforming schools.

Sponsors: Sen. Akbari, Raumesh , Rep. Parkinson, Antonio

Summary: Requires the principal of a public school in the bottom 20 percent of schools based on an evaluation of all schools' performance data to develop a written proposal each school year for the principal's school that identifies the resources the school needs to provide students an adequate and equitable education, that identifies areas of improvement for the school, and that provides data to evidence each of the needs identified in the proposal. Encourages principals of public schools that are not in the bottom 20 percent of schools to do the same.

Senate Status: 03/29/23 - Returned to Senate clerk's desk.

House Status: 03/28/23 - Failed in House K-12 Subcommittee.

SB1265/HB1410 Student retention - third grade student who has not shown basic understanding of curriculum.

Sponsors: Sen. Akbari, Raumesh , Rep. Johnson, Gloria

Summary: Authorizes, instead of requires, an LEA or public charter school to retain a student in the third grade if the student has not shown a basic understanding of the curriculum and an ability to perform the skills required in the subject of reading or English language arts. Requires an LEA or public charter school that conducts a learning loss bridge camp to offer a third-grade student identified for retention the opportunity to attend the camp before the start of the next school year. Prohibits an LEA or public charter school from requiring a student to attend a learning loss bridge camp.

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

House Status: 03/14/23 - Failed in House K-12 Subcommittee due to lack of motion.

SB1266/HB692 Annual report on the Schools Against Violence in Education Act.

Sponsors: Sen. Akbari, Raumesh , Rep. Parkinson, Antonio

Summary: Requires the commissioner of education to report to the governor and the general assembly by February 15 on the implementation and compliance with the Schools Against Violence in Education Act.

Amendment Summary: House Education Administration Committee amendment 1 (005145) creates the Tennessee Education Achievement Portal Act which requires the department of education to create and administer a Tennessee education portal that provides each LEA with access to educational support and notifies LEAs of educational grant opportunities. Requires the portal to include professional development resources for educators, guidance for providing foundational literacy skills instruction, instructional materials and strategies for LEAs to use for learning loss remediation and student acceleration programs, and enhanced educational supports for a school identified as a priority school. Makes transition plan provisions for ASDs removed from the ASD.

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

House Status: 03/30/23 - House Calendar & Rules Committee deferred to March 2024.

SB1267/HB958 Eligibility for TN middle college scholarship.

Sponsors: Sen. Akbari, Raumesh , Rep. Slater, William

Summary: Extends eligibility for a Tennessee middle college scholarship to students enrolled in any eligible postsecondary institution located in this state.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/07/23 - Referred to House Higher Education Subcommittee.

SB1268/HB1324 Posting of toll-free number for reports of child abuse.

Sponsors: Sen. Akbari, Raumesh , Rep. Camper, Karen

Summary: Requires each elementary and secondary school to post the toll-free telephone number operated by the department of children's services to receive reports of child abuse or neglect on the homepage of the school's website. Broadly captioned.

Amendment Summary: Senate amendment 1 (007032) rewrites this bill to revise present law concerning participation in school board meetings by electronic participation. Under present law, a school board member may participate in a school board meeting electronically if the member is absent because the member is required to be out of the county in which the LEA is located for the member's work, the member is dealing with a family emergency as determined by the LEA, or because of the member's military service. Present law generally limits to two per year the number of school board meetings in which a school board member may participate electronically. This amendment expands the reasons for which a school board member may participate in a board meeting electronically to the following: (1) The member is out of the county due to work; provided, that the member participates electronically for such reason no more than two times per year; (2) The member is sick or in a period of convalescence on the advice of a healthcare professional that the member not appear in person; provided, that the member participates electronically for such reason no more than three times per year; (3) The member is out due to inclement weather or natural disaster if the schools in the LEA are closed; provided, that the member participates electronically for such reason no more than three times per year; (4) The member has a family emergency that inhibits the member from attending the board meeting in person; provided, that the member participates electronically for such reason no more than two times per year; or (5) The member is out of the county due to military service.

Senate Status: 04/13/23 - Senate passed with amendment 1 (007032).

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB1302/HB773 Appointing a member to the TN council for career and technical education.

Sponsors: Sen. Bailey, Paul , Rep. Moon, Jerome

Summary: Extends the deadline for appointing a member to the Tennessee council for career and technical education to fill a vacancy created by the death or resignation of a member, or by other cause, from 15 days to 30 days after the vacancy occurs. Broadly captioned.

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

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

SB1303/HB1199 Annual report on data concerning scholarship and grant programs.

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

Summary: Changes the timeline, from October 1 to October 15, by which the Tennessee Higher Education Commission must submit its annual report on its findings regarding data concerning scholarship and grant programs.

Amendment Summary: Senate amendment 2 (006026) extends eligibility for tuition reimbursements provided to members of the Tennessee National Guard under the STRONG Act of 2017 to include Lincoln Tech (formerly Nashville Auto Diesel College) for members who completed initial active-duty training in April of 2022 and were enrolled in the college beginning August 2022 and submitted a timely application for tuition reimbursement. Sets forth limitations and conditions on eligibility for the tuition reimbursement. The expansion is repealed on July 1, 2024.

Senate Status: 04/21/23 - Senate passed with amendment 2 (006026), which extends eligibility for tuition reimbursements provided to members of the Tennessee National Guard under the STRONG Act of 2017 to include Lincoln Tech (formerly Nashville Auto Diesel College) for members who completed initial active-duty training in April of 2022 and were enrolled in the college beginning August 2022 and submitted a timely application for tuition reimbursement. Sets forth limitations and conditions on eligibility for the tuition reimbursement. The expansion is repealed on July 1, 2024.

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB1304/HB1203 Availability of a district-wide school safety plan.

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

Summary: Increases the timeline, from 30 days to 45 days, by which a local education agency must make a district-wide and building-level school safety plan available for public comment prior to the adoption of the plan.

Senate Status: 03/15/23 - Senate Education Committee deferred to 03/22/23.

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

SB1305/HB251 Tennessee Special Educator Scholarship Act.

Sponsors: Sen. Bailey, Paul , Rep. Haston, Kirk

Summary: Enacts the "Tennessee Special Educator Scholarship Act," which establishes the Tennessee special educator scholarship for individuals who agree to work full-time as a special education teacher in a Tennessee public school for at least three consecutive years immediately following the individual's graduation from the eligible postsecondary institution. Specifies requirements for scholarship.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB1306/HB107 Retention policy for third grade students not proficient in English language arts (ELA).

Sponsors: Sen. Bailey, Paul , Rep. Travis, Ron

Summary: Requires an LEA or public charter school to adopt and implement a retention policy for third-grade students who are not proficient in English language arts (ELA), rather than requiring the LEA to retain a third-grade student who does not achieve a certain performance level rating on the ELA portion of the student's most recent Tennessee comprehensive assessment program test. Establishes parental notice requirements for LEAs and public charter schools that recommend a third-grade student for retention. Removes the authority of the state board of education to establish an appeal process for certain students identified for retention.

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

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

SB1325/HB1202 Authorization of a school staff member to carry a concealed handgun on school grounds.

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

Summary: Authorizes a faculty or staff member of a school to carry a concealed handgun on school grounds subject to certain conditions, including obtaining an enhanced handgun carry permit and completing annual training.

Amendment Summary: House Civil Justice Committee amendment 1 (006139) permits a faculty or staff member employed by a LEA to possess and carry a concealed handgun on the school grounds. Requires the faculty or staff member to possess a valid handgun carry permit, not be prohibited from carrying a handgun under state or federal laws, have the written authorization of the chief of the appropriate law enforcement agency to carry or possess a concealed handgun on school grounds, and have successfully completed 40 hours in basic training in school policing when the authorization to carry a handgun on school grounds is issued and each year following. Requires the director of school to notify the chief of the appropriate law enforcement agency of the authorization of a faculty or staff member to carry a concealed handgun. Requires specific identifying information and documents to remain confidential. Prohibits the faculty or staff member from carrying the handgun openly or in stadiums, gymnasiums, auditoriums, in meetings regarding disciplinary or tenure issues, medical or health offices, or any location where a provision of state or federal law prohibits the carrying of a handgun. House Education Administration Committee amendment 1 (006894) authorizes a person employed by a local education agency (LEA) as a faculty or staff member at a school within the LEA to possess and carry a concealed handgun on the grounds of the school at which the person is assigned. Establishes requirements for a faculty or staff member at a school within the LEA to possess and carry a concealed handgun on the grounds of the school. Establishes that an LEA and law enforcement agency are immune from claims for monetary damages that arise solely from, or that are related to, a faculty or staff member's use of, or failure to use, a handgun. Establishes that the section does not apply to schools within the Department of Children's Services LEA or schools within the Department of Correction's LEA.

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

House Status: 04/17/23 - Held on House clerk's desk.

SB1374/HB423 School nurse funding.

Sponsors: Sen. Southerland, Steve , Rep. Davis, Elaine

Summary: Requires the department of education to allocate sufficient funds for local education agencies to employ one full-time public school nurse for every 750 students enrolled or one per school, whichever is greater. Requires each local education agency to use the funds to employ a public school nurse or notify the department of the agency's decision not to do so.

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

House Status: 03/07/23 - Taken off notice in House K-12 Subcommittee.

SB1400/HB1174 Removes incorrect reference to department of safety and homeland security.

Sponsors: Sen. Reeves, Shane , Rep. Hale, Michael

Summary: Removes language that incorrectly refers to the department of safety as the department of safety and homeland security in a provision that requires the department of safety, in collaboration with the department of education, to develop a school security assessment for use in Tennessee public schools. Broadly captioned.

Amendment Summary: Senate Education Committee amendment 1, House K-12 Subcommittee amendment 1 (005011) requires each local education agency (LEA) to assign at least one full-time school resource officer (SRO) at each school in the LEA to serve during the regular school day and during school-sponsored events held at the school. Requires the Tennessee School Safety Center (Center) to award SRO grants to LEAs in order for each LEA to have at least one full-time SRO assigned to each school in the LEA. Establishes that the awarding of SRO grants in any fiscal year is subject to the availability of funds specifically appropriated to the Center. Requires the Center to reimburse an eligible LEA in the amount of \$30,000 for each school in the LEA that employs at least one 1 full-time SRO. Requires all SRO grants to be awarded until each LEA receives one SRO or until all moneys in the SRO grant fund have been exhausted, whichever occurs first. Requires amounts appropriated to the Center for SRO grants that remain unexpended at the end of each fiscal year to be carried forward until expended. Requires LEAs to submit an SRO grant application to the Center by July 15th each year and requires the Center's director to notify the LEA by September 15th of any SRO grant available to the LEA. House Education Administration Committee amendment 1 (006606) requires the Tennessee School Safety Center (Center) to award SRO grants to LEAs in order for each LEA to have at least one full-time SRO assigned to each school in the LEA. Establishes that the awarding of SRO grants in any fiscal year is subject to the availability of funds specifically appropriated to the Center. Requires the Center to reimburse an eligible LEA in the amount of \$30,000 for each school in the LEA that employs at least one 1 full-time SRO. Requires all SRO grants to be awarded until each LEA receives one SRO or until all moneys in the SRO grant fund have been exhausted, whichever occurs first. Requires amounts appropriated to the Center for SRO grants that remain unexpended at the end of each fiscal year to be carried forward until expended. Requires LEAs to submit an SRO grant application to the Center by July 15th each year and requires the Center's director to notify the LEA by September 15th of any SRO grant available to the LEA.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB1408/HB957 Charging of tuition and fees for dual enrollment students.

Sponsors: Sen. Jackson, Ed , Rep. Slater, William

Summary: Prohibits eligible public postsecondary institutions from charging a student receiving a dual enrollment grant any tuition or fees in excess of the grant award. Allows eligible postsecondary institutions to charge a student receiving a dual enrollment grant costs that are incurred by the institution on the student's behalf, including book costs and examination fees.

Senate Status: 02/27/23 - Senate passed.

House Status: 04/10/23 - House passed.

*Executive Status:*04/13/23 - Sent to governor.

SB1412/HB791 Status of pre-kindergarten programs.

Sponsors: Sen. Akbari, Raumesh , Rep. White, Mark

Summary: Requires the department's office of early learning to include in its annual report on the status of pre-kindergarten programs submitted to the governor and general assembly, the number of open positions for at-risk children in pre-kindergarten programs that remained open for the majority of the immediately preceding school year, or that were filled by children who were not at-risk. Broadly captioned.

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

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

SB1419/HB1130 Student enrollment and appeal of assignment decision.

Sponsors: Sen. Roberts, Kerry , Rep. Gant, Ron

Summary: Requires an LEA to provide for the enrollment of students who are residents of this state, regardless of the student's residence, race, ethnicity, or language proficiency, the resources of the LEA or its schools, or other considerations regarding the appropriateness of a particular school for a particular student. Allows a student's parent or legal guardian to appeal an LEA's enrollment or assignment decision for the student to the commissioner of education.

Amendment Summary: Senate Education Committee amendment 1 (006444) decreases the list of factors that a local board of education may use when determining student assignment to a public school, and requires a local board of education to consider and base its decision on one or more of the following factors: 1) if the student has been suspended or expelled; 2) the attendance record of the student; 3) available capacity in the school; 4) the choice and interests of the student; and 5) the request or consent of the student's parent or legal guardian. Authorizes a student's parent or legal guardian to appeal a board of education's enrollment or assignment decision for the student to the Commissioner of the Department of Education (DOE). Requires the State Board of Education (SBE) to establish and appeals process.

Senate Status: 03/22/23 - Senate Education Committee recommended with amendment 1 (006444). Sent to Senate Calendar Committee.

House Status: 03/28/23 - Taken off notice in House K-12 Subcommittee.

SB1427/HB1107 TN State University report on progress in improving facilities and infrastructure.

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

Summary: Requires the chairs of the government operations committees of each house to review the report submitted to the general assembly by Tennessee State University on the university's progress in improving facilities and infrastructure and to determine if a further review of the university is needed based upon the university's progress of improvement in the report.

Amendment Summary: Senate Education Committee amendment 1 (006142) vacates, decreases, and restructures the Tennessee State University (TSU) Board of Trustees from 10 members to 5 members. Extends the termination date of the TSU Board of Trustees to June 30, 2025. Under the Tennessee Governmental Entity Review Law, the Board is scheduled to terminate on June 30, 2023. Senate Government Operations Committee amendment 1 (007115) adds that the state university board of trustees for Tennessee State University shall collaborate with the Tennessee higher education commission in the development and implementation of a corrective action plan for Tennessee State University that is designed to remedy recurring failures in the university's processes and controls to improve and ensure the university's operational effectiveness. Requires that the state university board of trustees for Tennessee State University and the commission jointly submit a report to the education committees of the senate and house of representatives on the development and implementation of Tennessee State University's corrective action plan no later than January 1, 2024. House amendment 1 (007385) extends the termination date of the TSU Board of Trustees to June 30, 2025 because, under the Tennessee Governmental Entity Review Law, the Board is scheduled to terminate on June 30, 2023.

Senate Status: 04/17/23 - Re-referred to Senate Calendar Committee.

House Status: 04/19/23 - House passed with amendment 1 (007385).

SB1429/HB41 Carrying of concealed handgun on school grounds by school employees.

Sponsors: Sen. Roberts, Kerry , Rep. Reedy, Jay

Summary: Expands, from only local boards of education in distressed rural counties to all local boards of education, the governing bodies for LEAs that are authorized to adopt a policy allowing the director of schools to authorize employees who may carry a concealed handgun on school grounds.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/08/23 - Referred to House Civil Justice Subcommittee.

SB1438/HB695 Amount of the occupational educator scholarship awarded to prospective educators.

Sponsors: Sen. Roberts, Kerry , Rep. Barrett, Jody

Summary: Authorizes the occupational educator scholarship to cover the cost of tuition and mandatory fees at the attended postsecondary institution after all other gift aid is credited.

Senate Status: 03/30/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

SB1443/HB727 Parental consent prior to student receiving instruction through the LEA's family life curriculum.

Sponsors: Sen. Roberts, Kerry , Rep. Fritts, Monty

Summary: Requires a student's parent or legal guardian, or the student if the student has reached the age of majority, to provide a written, informed, and voluntarily signed consent to the student's LEA before the student may receive instruction through the LEA's family life curriculum, participate in a survey, analysis, or evaluation, or receive health services provided through a coordinated school health program. Broadly captioned.

Amendment Summary: Senate amendment 1 (006523) makes the following changes to this bill: (1) Clarifies that the LEA is not required to obtain the written, informed, and voluntary signed consent of a student's parent or legal guardian if the full survey, analysis, or evaluation is related to classroom instruction of a curriculum and the survey, analysis, or evaluation is distributed to the students as a method of evaluating the effectiveness and instructional curriculum; (2) Changes the requirements established for a student to receive family life instruction under this bill to, instead, be the requirements for a student to receive instruction of a sexual orientation or gender identity curriculum; and (3) Prohibits a school from allowing a student to become a member of a club or organization, or allowing a student to participate in any activity of a club or organization unless the student's parent or legal guardian first provides written consent to the student's membership or participation in a dated, written consent. Senate amendment 3 (007605) makes the following revisions: (1) Makes the provisions relative to becoming a member of a club or organization apply only to minor students, which are students who are not 18 or older; and (2) Replaces present law provisions pertaining to a coordinated school health program with the requirement that a parent or legal guardian who wishes to excuse the parent's or legal guardian's student from participating in a health screening provided as part of a coordinated school health program must submit a request in writing to the student's nurse, instructor, school counselor, or principal. This amendment defines "health services" as including vision, dental, blood pressure, and hearing screenings.

Senate Status: 04/17/23 - Senate passed with amendment 1 (006523) and amendment 3 (007605).

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB1447/HB558 Excused absence for a student's mental or behavioral health.

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

Summary: Requires an LEA or public charter school to allow a student to be absent from school for one full school day each year to allow the student time to address the student's mental or behavioral health.

Amendment Summary: Senate Education Committee amendment 1 (004762) requires a local education agency (LEA) or public charter school to allow a student to use at least one excused absence from school within the number of days that the LEA or public charter school authorizes to be excused to allow the student-time to address the student's mental or behavioral health. Establishes that for an absence to be excused pursuant to this section, the students' parent or guardian must provide a personal note to the school stating that the student's absence is due to the student's mental or behavioral health, and that the absence must occur on a Friday on a date in which the student will not be administered a test or is not otherwise scheduled to participate in an extracurricular activity. Requires a student receiving an excused absence from school pursuant to this section to have the opportunity to make up school work missed and to not have the student's class grades adversely affected.

Senate Status: 03/08/23 - Senate Education Committee deferred to summer study after adopting amendment 1 (004762).

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

SB1464/HB823 University of Memphis to evaluate educational programs.

Sponsors: Sen. Jackson, Ed , Rep. Gillespie, John

Summary: Requires the University of Memphis to evaluate the university's educational programs to determine if changes are needed in any of the educational programs and to make the needed changes. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1501/HB1016 Annual report date on compliance with the Schools Against Violence in Education Act.

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

Summary: Changes the date, from February 1 to January 15, by which the commissioner must annually report to the governor and the general assembly on the implementation of and compliance with the Schools Against Violence in Education Act. Broadly captioned.

Amendment Summary: House amendment 1, Senate Education Committee amendment 1 (004972) rewrites this bill to make various changes to the present law relative to the offense of communicating a threat concerning a school employee. Under present law, a person commits the offense if: (1) The person communicates to another a threat to cause the death of or serious bodily injury to a school employee and the threat is directly related to the employee's scope of employment; (2) The threat involves the use of a firearm or other deadly weapon; (3) The person to whom the threat is made reasonably believes that the person making the threat intends to carry out the threat; and (4) The person making the threat intentionally engages in conduct that constitutes a substantial step in the commission of the threatened act and the threatened act and the substantial step, when taken together, are corroborative of the person's intent to commit the threatened act, and occur close enough in time to evidence an intent and ability to commit the threatened act. Present law establishes this offense as a Class B misdemeanor, punishable by a maximum term of imprisonment of 30 days. Present law defines a "school" as an elementary school, middle school, or high school; college or applied technology or postsecondary vocational or technical school; or two-year or four-year college or university. This amendment adds a student as a person protected under this law, providing that a person commits the offense of communicating a threat concerning a school student if the person communicates to another a threat to cause the death or serious bodily harm to a student on school property or at a school-related activity. This amendment defines "school property" as a school building or bus, school campus or grounds, recreational area, athletic field, or other property owned, used or operated by an LEA, private school board of trustees, or directors for the administration of any school.

Senate Status: 04/04/23 - Senate Judiciary Committee deferred to first calendar of 2024.

House Status: 04/06/23 - House passed with amendment 1 (004972).

SB1507/HB1249 Kindergarten prerequisite for attending first grade.

Sponsors: Sen. Powers, Bill , Rep. Sexton, Cameron

Summary: Deletes an obsolete reference to the date July 1, 1993, after which a child is not able to enter first grade without having attended an approved kindergarten program, unless the child otherwise meets the requirements of the state board of education for transfer or admission and is accepted by the LEA. Broadly captioned.

Amendment Summary: House K-12 Subcommittee amendment 1 (005594) rewrites the bill and creates a task force for the purpose of identifying each federal law, regulation or program from which the state or a political subdivision of the state received federal funding or educational programs or purposes in the current fiscal year and the amount of funding received. The task force is also responsible for determining whether the state has the option to not comply with, or participate in, the respective federal law, regulation or program. Requires the task force report to the administration and the general assembly on the feasibility of the state and each political subdivision of the state rejecting federal funding for educational programs or purposes to provide the state with the flexibility to establish its own educational goals, requirements and measures. Establishes criteria for the appointments of 11 task force members and other logistical considerations. Establishes repeal date of December 1, 2023, unless reenacted or extended by the general assembly.

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

House Status: 04/05/23 - Taken off notice in House Education Administration Committee.

SB1518/HB740 Director's annual report of the salary rating of school personnel.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: Authorizes the director of schools to submit, in an electronic format, to the commissioner of education the director's annual report of the salary rating of each person employed as teacher, principal-teacher, and other school personnel employed on a system-wide basis in the public schools. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

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

SB1519/HB1435 Removal of the Tennessee public charter school commission as an appellate charter school authorizer.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: removes the Tennessee public charter school commission as an appellate charter school authorizer. Transfers the commission's authority to authorize charter schools on appeal and to serve as the local education agency for each charter school it authorizes to the state board of education. Terminates the commission on July 1, 2023.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.

SB1524/HB1433 Retention requirements for students who did not achieve a certain English language arts performance level rating.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: Allows local education agencies and charter schools to retain or promote a student who has not shown a basic understanding of the curriculum and an ability to perform required skills in reading. Requires LEAs and charter schools to develop a retention policy for students who have not shown a basic understanding of the curriculum and an ability to perform required skills in reading and implement the program in the 2023-2024 school year and subsequent school years.

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

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

HB122 Family life instruction - instruction on benefits of adoption.

Sponsors: Rep. Baum, Charlie

Summary: Changes the grade levels, from grades kindergarten through 12 to grades six through 12, that may receive family life instruction beginning in the 2029-2030 school year. Requires family life curriculum to inform students about adoption and its benefits.

House Status: 01/20/23 - Withdrawn in House.

HB643 Family life instruction in schools.

Sponsors: Rep. Baum, Charlie

Summary: Requires the state board of education, with the assistance of the department of education, to develop guidelines for appropriate grade-level instruction on adoption and its benefits as part of the LEAs family life instruction. Requires that family life instruction may only be taught to students in grades six through 12 beginning with the 2023-2024 school year.

House Status: 01/30/23 - Introduced in the House

HB710 Paying for teacher instructional supplies.

Sponsors: Rep. Glynn, Ronnie

Summary: Increases the amount, from \$200 to \$600, each LEA is required to pay each teacher in kindergarten through grade 12 for the purchase of instructional supplies for the 2023-2024 school year.

House Status: 01/30/23 - Introduced in the House

HB839 Wholesome Public School Learning Environment Act.

Sponsors: Rep. Lynn, Susan

Summary: Enacts the "Wholesome Public School Learning Environment Act," which prohibits teachers or other employees of an LEA from discussing sexual preferences or drug use with a student of the LEA during school instruction or a school activity. Prohibits an LEA from displaying symbols of drugs or drug paraphernalia on school grounds.

House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.

HB1082 Makes changes to the Tennessee Education Savings Account Pilot Program.

Sponsors: Rep. Richey, Bryan

Summary: Makes various changes to the Tennessee Education Savings Account Pilot Program. Expands student eligibility to allow all students eligible to enroll in a Tennessee public school in any of the grades kindergarten through 12 to participate, regardless of a local education agency's academic performance or the student's household income level. Allows a participating student who is enrolled in a home school program to receive an education savings account. Broadly captioned.

House Status: 02/09/23 - Withdrawn in House.

HB1530 Required notice for regular meeting of state textbook and instructional materials quality commission.

Sponsors: Rep. Raper, Kevin

Summary: Increases from three to four days the amount of time within which notice of a regular meeting of the state textbook and instructional materials quality commission must be posted online. Broadly captioned.

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

ENTERTAINMENT

SB3/HB9 Adult cabaret performances - prohibitions.

Sponsors: Sen. Johnson, Jack , Rep. Todd, Chris

Summary: Creates an offense for a person who engages in an adult cabaret performance on public property or in a location where the adult cabaret performance could be viewed by a person who is not an adult.

Amendment Summary: House amendment 1 (003810) creates a Class A misdemeanor offense for a person to perform adult cabaret entertainment on public property or in a location where the adult cabaret entertainment could be viewed by a person who is not an adult. Establishes that a second or subsequent such offense is a Class E felony. Effective April 1, 2023.

Senate Status: 03/02/23 - Senate concurred in House amendment 1 (003810).

House Status: 02/23/23 - House passed with amendment 1 (003810).

*Executive Status:*03/07/23 - Enacted as Public Chapter 0002 effective April 1, 2023.

FAMILY LAW

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

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

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

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

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB204 Pilot program for children in dependency and neglect cases.

Sponsors: Sen. Walley, Page ,

Summary: Establishes an office of the guardian ad litem pilot project within the twenty-second judicial district to represent the best interest of children in dependency and neglect cases; requires the pilot project to be supervised by the secretary of state's office.

Senate Status: 01/23/23 - Withdrawn in Senate.

SB223/HB936 Study on challenges facing childcare centers.

Sponsors: Sen. Crowe, Rusty , Rep. Alexander, Rebecca

Summary: Requires the commissioner to study the challenges facing child care centers in hiring and maintaining adequate staff, the effects of inflationary pressures on child care staff wages and benefits and the impact of those effects on staff recruitment and retention, and statutory or regulatory changes that may assist child care centers in this state with recruiting qualified staff. Requires the commissioner to compile and deliver to the general assembly a report of findings on or before December 31, 2023. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.

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

SB224/HB1284 Study on availability of affordable childcare options.

Sponsors: Sen. Crowe, Rusty , Rep. Holsclaw, Jr., John

Summary: Requires the commissioner to study the factors that influence the availability of affordable child care options for working families, the impacts of recent inflationary pressures and cost of living increases on the cost of child care for working families, and statutory or regulatory changes that may make child care options more readily available and affordable for working families in this state; requires the commissioner to compile and deliver a report of findings to the general assembly on or before December 31, 2023. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.

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

SB244/HB62 Compensation provisions for teachers in a special school district removed.

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

Summary: Removes provisions requiring teachers in the special school district to be compensated at a rate of one tenth times twelve of the annual compensation in effect in the county in which the respective youth development center and other facilities deemed appropriate by the commissioner out of the state appropriations made to the youth development centers. Part of Administration Package.

Amendment Summary: Senate amendment 1 (003698) requires each teacher in the special school district to: 1) receive an annual compensation rate at the start of the teacher's employment in the special school district that is no less than the average annual compensation rate for teachers in the county in which the respective youth development center is located; 2) be eligible for merit pay, salary increases, bonuses, and other benefits implemented after July 1, 2023, in the same manner as other preferred service employees if the teacher in has completed an annual performance review cycle on or before July 1, 2023; and (3) be eligible for longevity pay. Establishes that this section is not to be construed to reduce the compensation currently paid to a teacher in the special school district.

Senate Status: 02/27/23 - Senate passed with amendment 1 (003698).

House Status: 03/13/23 - House passed.

SB245/HB63 Orders obtained by prospective adoptive parents terminating parental or guardianship rights.

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

Summary: Specifies that a copy of the order obtained by prospective adoptive parents terminating parental or guardianship rights must be filed as an exhibit to a petition for adoption and must be certified by the clerk of the court that entered the order. Broadly captioned. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB247/HB65 Periodic review of child support guidelines.

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

Summary: Changes the department's periodic review of the child support guidelines from every three years from the date of promulgation to every four years. Part of Administration Package.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/02/23 - House passed.

*Executive Status:*03/20/23 - Enacted as Public Chapter 0040 effective March 14, 2023.

SB264/HB312 Documents related to parental rights proceedings.

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

Summary: Makes various changes in regard to maintaining and securing documents in certain parental rights proceedings and the grounds for termination of parental rights. Includes documents from the court where the adoption was filed, the offices of a licensed child-placing agency, the offices of a licensed clinical social worker, the department of health, and the department of children's services. Part of Administration Package.

Senate Status: 03/23/23 - Senate passed.

House Status: 04/17/23 - House passed.

*Executive Status:*04/20/23 - Sent to governor.

SB270/HB318 Services from other states and agencies to be included in foster care services.

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

Summary: Requires the department of children's services to include a list of services available from other state programs or agencies for a child in foster care. Part of Administration Package.

Amendment Summary: Senate amendment 2 (006190) changes this bill's effective date to July 1, 2023, and adds new sections to this bill that revise present law provisions governing adoption and foster care, as described below. **ILLEGAL PAYMENTS IN CONNECTION WITH PLACEMENT OF CHILD** Under present law, it is unlawful for a person, corporation, agency, or other entity other than the department of children's services or any of its divisions or units ("department") or a licensed child-placing agency or licensed clinical social worker that is subject to regulation by the department, to charge or receive from or on behalf of any person or persons legally adopting or accepting a child for adoption any remuneration, fee, contribution, or thing of value whatsoever, for rendering any service in connection with the placement of such child for adoption or in connection with the placement of such child for foster care or adoption with one other than the child's parent or parents other than allowed by law. Present law further provides that: (1) The above provision does not prohibit the payment by any interested person of reasonable charges or fees for hospital or medical services for the birth of the child, or for medical care and other reasonable birth-related expenses for the mother or child incident thereto, for reasonable counseling fees for the parents or prospective adoptive parents or child, for reasonable legal services or the reasonable costs of legal proceedings related to the adoption of any child or for reasonable, actual expenses for housing, food, maternity clothing, child's clothing, utilities or transportation for a reasonable period not to exceed 90 days prior to or 45 days after the birth or surrender or parental consent to the adoption of the child, unless a court with jurisdiction for the surrender or adoption of a child, based upon detailed affidavits of a birth mother and the prospective adoptive parents and such other evidence as the court may require, specifically approves in a written order, based upon a motion filed by the prospective adoptive parents for that purpose, any expenses specifically allowed in this provision for a period prior to or after the periods noted above; and (2) Such expenses must be incurred directly in connection with the maternity, birth, or placement of the child for adoption, or for legal services or for costs of legal proceedings directly related to the adoption of the child, or for counseling for a period of up to one year for the parent who surrenders the child or consents to the adoption of the child; This amendment revises (1) above by changing the reasonable period to the duration of the pregnancy and 90 days after the birth or surrender or parental consent to the adoption of the child; and revises (2) by increasing the counseling period from up to one year, to up to two years. **SURRENDER OF CHILD** Present law requires all surrenders to be made in chambers before a judge of the chancery, circuit, or juvenile court except as provided in law, and requires the court to advise the person surrendering the child of the right of revocation of the surrender and time for the revocation and the procedure for such revocation. This amendment revises this provision to authorize, at the court's discretion, a surrender to be made in chambers or over a virtual

video platform on which the court sees the person surrendering the child. Under present law, a Tennessee surrender form must contain statements by the surrendering party, acknowledging that the person knows: (1) That the person should only sign the form if the person wants the person's parental rights terminated; (2) That, if the person wants to talk to the person's lawyer before signing the form, then the person should tell the judge or other officiant, and the surrender process will stop; and (3) That the person can talk to the person's lawyer and then decide if the person still wants to end the person's parental rights. This amendment adds to the above list, that a Tennessee surrender form must also contain a statement by the surrendering party acknowledging the following: (1) That the person understands, if the person does not have a lawyer, that the person is free to go obtain a lawyer and the surrender process will stop until the person has done so; and (2) That the judge or other officiant has also advised the person that once their child is born, the person is still free to obtain their own lawyer, who the person can consult with prior to and during any reaffirmation of this surrender. Present law prohibits any surrender or parental consent that is made prior to the birth of a child from being valid, except in certain cases where the person executing the surrender resides in another state or territory of the United States. This amendment revises the above provision to instead: (1) Authorize a surrender or parental consent to be made at any time prior to birth, but a surrender or parental consent made prior to the birth of a child must not be filed with the clerk of court until after the birth of the child and until the surrendering party or parties have filed a written reaffirmation of their desire to surrender the child, except in certain cases where the person executing the surrender resides in another state or territory of the United States; (2) Require, at the time of taking a parental consent prior to the birth of the child, the judge to explain to the consenting parent the legal effect of signing the document, the time limit for withdrawal of the consent, and the procedures for withdrawal of the consent; and (3) Require any surrender or parental consent made prior to the birth of a child to be reaffirmed within three calendar days of the birth of the child, except in certain cases where the person executing the surrender resides in another state or territory of the United States. Present law generally prohibits from being valid, any surrender or parental consent that is made within three calendar days subsequent to the date of the child's birth, such period to begin on the day following the child's birth. This amendment revises this provision to, instead, prohibit any surrender or parental consent from being valid, unless made after the earlier of discharge from a hospital or other birthing facility or 48 hours following the child's birth. FINAL ORDER OF ADOPTION Unless the child is related to the petitioners, present law prohibits a final order of adoption from being entered before the home study has been filed with the court and before the petition has been on file at least six months and before a final court report is filed with the court, except when the order is based upon a petition for readoption. This amendment adds to this provision that the court is authorized, considering the petition as a whole, to deem it in the best interest of the child to reduce the waiting period to three months. Under present law, if the child has already resided in the home of the petitioners for six months, the court has received the final court report concerning the circumstances of the child and the petitioners, and is satisfied that the adoption will be in the best interest of the child, then the court is authorized to waive the six-month waiting period after the filing of the adoption petition and may enter an order of adoption. This amendment revises this provision by lowering six months to three months. AVAILABILITY OF RECORDS TO ADOPTED AND CERTAIN OTHER PERSONS FOR ADOPTIONS FINALIZED OR ATTEMPTED PRIOR TO CERTAIN DATES This amendment: (1) Prohibits any identifying information from the sealed records, sealed adoption records, or post-adoption records from being released if: (A) The biological parent of the adopted person has executed a request for redaction of identifying information; and (B) The adopted person was less than six months old at the time the request was executed; (2) Requires such request for redaction to be made on a form created by the department of children's services, and (3) Provides that such request may only be rescinded by submission of a sworn, notarized statement requesting such rescission, and that the rescission is effective upon the department's acknowledgment of receipt of the rescission. FOSTER CARE This amendment requires: (1) The department of children's services: (A) To strive to identify and finalize a safe, stable, and permanent home for children in the custody of the department; and (B) To permit the foster parent or parents a period of respite for up to six months, free from placement of foster children in the family's home with follow-up contacts by the agency occurring at a minimum of every three months, without threat of reprisal; and (2) The foster parent or parents to provide reasonable notice, as determined by the department, to the department for

Senate Status: 04/06/23 - Senate passed with amendment 2 (006190).

House Status: 04/06/23 - House passed.

Executive Status: 04/12/23 - Sent to governor.

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

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

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

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

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

SB332/HB91 Child or family receiving services from DCS - confidentiality of records.

Sponsors: Sen. Lowe, Adam , Rep. Russell, Lowell

Summary: Allows the department of children's services to disclose information about a case to the public if all parties involved in the case, including the child, are deceased and all identifying personal information of the parties is redacted.

Amendment Summary: House amendment 1 (003760) authorizes the Department of Children's Services (DCS) to disclose to the public information about a case, so long as parties are deceased and identifying information is redacted.

Senate Status: 04/05/23 - Senate passed.

House Status: 02/27/23 - House passed with amendment 1 (003760).

*Executive Status:*04/18/23 - Sent to governor.

SB357/HB308 Establishes an office of the guardian ad litem pilot project within the 22nd judicial district.

Sponsors: Sen. Walley, Page , Rep. Capley, Kip

Summary: Creates a pilot project in the twenty-second judicial district to establish an office of the guardian ad litem to represent the best interest of children in dependency and neglect proceedings. Requires the pilot project to be supervised by the secretary of state's office.

Senate Status: 02/02/23 - Withdrawn in Senate.

House Status: 01/30/23 - Withdrawn in House.

SB372/HB672 Children in youth development centers.

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

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

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

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

SB528/HB551 Makes various revisions to adoption law.

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

Summary: Makes various changes to adoption law, including reducing the waiting period before finalization of adoption in certain circumstances, kinship foster care options, birth-related expenses, and required home study. Broadly captioned.

Amendment Summary: House amendment 2 (006775) clarifies that payments made by a person interested in the adoption of a child to the child's mother and child may be used for in person or virtual counseling. Authorizes the Department of Children's Services (DCS) to file written motions for the transfer of custody of a child. Authorizes the court to waive the three day revocation period if the birth parent is represented by an attorney when surrendering a child. Permits the termination of parental rights to be based on the parent having been charged or convicted of a rape from which the child was conceived. Requires DCS to file a petition to terminate parental rights within 90 days of a severe child abuse finding. Authorizes DCS to file a petition to terminate parental rights if a parent has not made reasonable progress toward obtaining custody during a six-month period where the child has been in foster care. Authorizes a petitioner or respondent to request an expedited case for termination of parental or guardianship rights if a case has not been completed within 90 days from when the petition was served. Requires a biological father to waive their parental rights prior to an adoption if that father has paid financial support to the child or child's mother, or if he has made a court filing or appearance consistent with the claim of paternity, or if he has openly lived with the child and held himself out as the father of the child. Decreases, from one year to nine months, the length of time a trial court has to overturn an adoption. Requires DCS to prioritize efforts to locate kinship foster care placement for a child at least 30 days after the child's removal from their home. Requires DCS to create and implement eligibility standards for temporary kinship placements. Makes various changes to who may attend foster parent hearings. Requires DCS to accept home studies performed by licensed child-placing agencies or licensed clinical social workers within the previous two years as a valid home study.

Senate Status: 04/12/23 - Senate concurred in House amendment 2 (006775).

House Status: 04/06/23 - House passed with amendment 2 (006775).

*Executive Status:*04/19/23 - Sent to governor.

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

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

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

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

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB531/HB630 Staffing of case managers by DCS.

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

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

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

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB532/HB552 Goal of department of children's services.

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

Summary: Specifies that the goal of the department of children's services is to act in the best interest of the child at all times. Requires such goal to be reflected in any mission statement or motto established by the department. Broadly captioned.

Senate Status: 04/06/23 - Senate passed.

House Status: 03/30/23 - House passed.

Executive Status: 04/18/23 - Sent to governor.

SB534/HB164 Voluntary delivery of infant - care by authorized nonprofit licensed child-placing agency.

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

Summary: Requires the department of children's services to designate an authorized nonprofit licensed child-placing agency to assume physical care, custody, and control of an infant voluntarily left at certain facilities or in a newborn safety device. Specifies that the court may waive the six-month waiting period after the filing of an adoption petition if the child was voluntarily left at certain facilities or in a newborn safety device, if the child has resided in the home of the petitioners for at least three months, and if the court has received the final court report concerning the circumstances of the child and the petitioners and is satisfied that the adoption will be in the best interest of the child.

Amendment Summary: House amendment 1 (005675) makes the following changes to this bill: (1) Changes the effective date to July 1, 2023; (2) Removes the provisions of this bill providing that, upon notification, the department is required to assume the physical care, custody, and control of the infant, and that, as soon as practicable, the department is required to transfer the physical care, custody, and control of the infant to a designated authorized nonprofit licensed child-placing agency; and (3) Adds that, if an infant is abandoned, then the department must file a petition seeking termination of parental rights within 10 calendar days after the 90-day period established in present law is completed. The court must then expedite the case and ensure that the hearing on the termination petition is heard within 30 days of the date the petition is filed, unless the court determines an extension is in the best interest of the child.

Senate Status: 04/06/23 - Senate passed.
House Status: 04/03/23 - House passed with amendment 1 (005675).
Executive Status: 04/18/23 - Sent to governor.

SB535/HB163 Changes to parental rights and adoption of children.

Sponsors: Sen. Haile, Ferrell , Rep. Butler, Ed
Summary: Revises the definition of abandonment for purposes of termination of parental rights to include circumstances where the parent or guardian fails to visit or support the child for a period of three consecutive months if the child is less than four years of age. Requires the court to waive the six-month waiting period after the filing of an adoption petition if the child is less than four years of age and certain circumstances have been met.

Amendment Summary: Senate amendment 2 (007420) establishes that if a parent or guardian fails to visit or support a child under the age of four for a period of three consecutive months preceding a proceeding to terminate parental rights, or preceding incarceration, it will constitute as abandonment and make the child available for adoption.

Senate Status: 04/17/23 - Senate passed with amendment 2 (007420).
House Status: 04/19/23 - House concurred in Senate amendment 2 (007420).
Executive Status: 04/19/23 - Sent to the speakers for signatures.

SB536/HB460 Severe child abuse - termination of parental rights proceedings.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William
Summary: Adds, for purposes of juvenile court proceedings and termination of parental rights proceedings, certain offenses to those that constitute severe child abuse if the act was committed toward the child or there was a knowing failure to protect the child from the commission of the act toward the child.

Amendment Summary: Senate Judiciary Committee amendment 1, House Civil Justice Committee amendment 1 (004852) adds the commission of certain sexual offenses to the definition of "severe child abuse."

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB537/HB461 Termination of parental rights.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William
Summary: Lowers the time, from 10 years or more to 6 years or more, a parent or guardian must be confined in a correctional or detention facility as a result of a one or more criminal acts as a ground for termination of parental or guardianship rights. Removes the requirement that the child must be under 8 years of age at the time of the sentence.

Amendment Summary: Senate amendment 1 (006675) rewrites this bill to amend the present law mentioned above by providing, instead, that the termination of parental or guardianship rights may be initiated upon the ground that the parent has been confined in a correctional or detention facility of any type: (1) By order of the court as a result of a criminal act, under a sentence of 10 or more years, and the child is under eight at the time the sentence is entered by the court; or (2) By order of the court as a result of one or more criminal acts, under a sentence of six or more years, and one or more other grounds in law for termination of parental or guardianship rights have been satisfied.

Senate Status: 04/06/23 - Senate passed with amendment 1 (006675).
House Status: 04/10/23 - House passed.
Executive Status: 04/13/23 - Sent to governor.

SB539/HB462 Time allowed to report to the judge by a foster care review board.

Sponsors: Sen. Rose, Paul , Rep. Slater, William

Summary: Requires a foster care review board to submit its report to the judge on each child in foster care who is reviewed by the board within seven calendar days, instead of 10 calendar days, following its review. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

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

SB540/HB464 Changes to laws on adoption and termination of parental rights.

Sponsors: Sen. Massey, Becky , Rep. Slater, William

Summary: Makes various changes to the laws on adoption and termination of parental rights, including clarifying that the putative father registry must be consulted in certain circumstances within 10 working days of filing a petition to terminate parental rights. Broadly captioned.

Amendment Summary: House Children & Family Affairs Subcommittee amendment 1 (004975) authorizes the surrender of parental or guardianship rights to take place over a virtual video platform on which the court sees the person surrendering the child, or in the presence of the surrendering party's attorney, an adult witness, and a notary public. Authorizes a surrender of parental rights to be made before the birth of the child so long as it is executed before a judge. Allows for a surrender to be revoked if the parent or guardian completes the revocation of surrender form in the presence of their attorney by whom the surrender was executed, and by an adult witness and notary public.

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

House Status: 03/29/23 - Taken off notice in House Civil Justice Committee.

SB543/HB634 Creates the child care improvement fund.

Sponsors: Sen. Jackson, Ed , Rep. Moody, Debra

Summary: Creates the child care improvement fund, which is to be administered by the department of human services. Requires the department to allocate and disperse grants each fiscal year from the fund to nonprofit organizations to be expended only for establishing a new childcare agency or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency.

Amendment Summary: Senate amendment 1 (007661) makes the following changes to this bill: (1) Creates a child care improvement pilot program to provide grants to nonprofit organizations to be used for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state. The program must be operated from July 1, 2023, to June 30, 2026; (2) Removes the provision that required the department to allocate and disperse grants each fiscal year from the fund to nonprofit organizations to be expended only for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state; (3) Clarifies that all expenditures from the fund are subject to review in the form of a written report submitted by the department to the commissioner of finance and administration no later than January 15, 2024, and by January 15 each year thereafter until the close of the pilot program period.

Senate Status: 04/21/23 - Senate passed with amendment 1 (007661).

House Status: 04/21/23 - House passed.

Executive Status: 04/21/23 - Sent to the speakers for signatures.

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

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

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

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

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB566/HB492 Arbitrator minimum hourly rate.

Sponsors: Sen. Lundberg, Jon , Rep. Johnson, Curtis

Summary: Raises the minimum amount that an arbitrator is entitled to for time spent engaged in duties for arbitration from \$5 per day to \$15 per hour.

Senate Status: 01/30/23 - Referred to Senate Judiciary Committee.

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

SB568/HB467 Ownership of pets in divorce action.

Sponsors: Sen. Yarbro, Jeff , Rep. Hemmer, Caleb
Summary: Allows a court in a divorce or annulment action to provide for the ownership or joint ownership of any pet or companion animal owned by the parties, taking into consideration the well-being of the animal.
Senate Status: 03/13/23 - Senate passed.
House Status: 03/21/23 - Failed in House Children & Family Affairs Subcommittee.

SB620/HB1414 Families' Rights and Responsibilities Act.

Sponsors: Sen. Pody, Mark , Rep. Raper, Kevin
Summary: Enacts the "Families' Rights and Responsibilities Act", which declares that the ability of a parent to direct the upbringing, education, health care, and mental health of that parent's child is a fundamental right. Details how to bring a suit for potential violations of this act. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB657/HB752 Court order prohibiting the parent from visiting with the child.

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary
Summary: Creates an offense for a foster parent from a kinship placement to knowingly allow a child in the foster parent's care to visit with the child's parent if the foster parent had knowledge of a current court order prohibiting the parent from visiting with the child. Specifies that the first violation is a Class C misdemeanor punishable by a fine only and a second or subsequent violation is a Class B misdemeanor. Broadly captioned.
Senate Status: 04/03/23 - Senate passed.
House Status: 03/13/23 - House passed.
*Executive Status:*04/13/23 - Sent to governor.

SB722/HB940 Abrial's Law, the Keeping Children Safe from Family Violence Act.

Sponsors: Sen. Massey, Becky , Rep. Alexander, Rebecca
Summary: Enacts Abrial's Law, the Keeping Children Safe From Family Violence Act." Makes various changes to child custody law. Broadly captioned.
Amendment Summary: Senate amendment 2 (006687) rewrites the provisions of this bill relative to court personnel training, and, instead, provides the following: (1) All judges involved in child custody proceedings are required to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years; (2) The training or continuing education courses may include the following topics: child sexual abuse; physical abuse; emotional abuse; coercive control; implicit and explicit bias, including biases relating to parents with disabilities; trauma; long-term and short-term impacts of domestic violence and child abuse on children; victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence; and any relevant topic addressing the best interest of the victim; and (3) The training and continuing education courses may be offered in person or virtually by the administrative office of the courts in conjunction with the annual meetings of the judicial conferences. This amendment also changes this bill's effective date to January 1, 2024.
Senate Status: 04/12/23 - Senate passed with amendment 2 (006687).
House Status: 04/13/23 - House passed.
*Executive Status:*04/19/23 - Sent to governor.

SB880/HB1225 Rehearing of the determination of a child support magistrate.

Sponsors: Sen. Akbari, Raumesh , Rep. Lamberth, William
Summary: Extends the time within which a party may request a rehearing of the determination of a child support magistrate from five days to 10 days. Broadly captioned.
Amendment Summary: House amendment 1 (005826) rewrites this bill to add to present law, which provides that in addition to up to six months in jail, a court has the discretion to require a child support obligor who fails to comply with support order to remove litter from appropriate locations or work in a recycling center. This amendment specifies that the court also has the discretion to order the department of safety to issue the obligor a restricted driver license. The provisions of this amendment take effect January 1, 2024. Senate amendment 1 (005312) authorizes courts to order the Department of Safety (DOS) to issue a restricted license to a person who fails to comply with the order or decree of support and maintenance for a minor child or children.
Senate Status: 04/12/23 - Senate passed with amendment 1 (005312).
House Status: 04/17/23 - House concurred in Senate amendment 1 (005312).
*Executive Status:*04/17/23 - Sent to the speakers for signatures.

SB893/HB930 Removal of driver licenses as a revokable license for the failure to pay child support.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Removes driver licenses from the list of licenses that can be revoked for failure to pay child support. Removes the process for issuance of a restricted driver's license for a person who is enrolled in a payment plan to pay child support arrears. Broadly captioned.

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

House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB919/HB854 Waiving of waiting period after filing petition for adoption.

Sponsors: Sen. Rose, Paul , Rep. Leatherwood, Tom

Summary: Allows a court to waive or reduce the six-month waiting period after the filing of a petition for adoption under certain circumstances. Extends from 45 days to 60 days the time period after birth or surrender or parental consent during which an interested party may pay for certain reasonable, actual expenses of the birth mother. Makes various other changes related to adoption and termination of parental rights proceedings including virtual counseling and rights of the biological father.

Amendment Summary: Senate amendment 3 (007435) requires the court to provide a ruling on a petition of termination of custodial rights within 30 days of the conclusion of the hearing and to enter an order within 30 days of the ruling. Removes the requirement of a father's consent for adoption proceedings being mandatory simply based on the father being recorded on the child's birth certificate. House amendment 1 (005182) removes all of this bill's provisions except for the provisions relative to final orders of adoption, the provisions relative to termination of parental or guardianship rights, and the provision that deletes the present law requirement stating that the parental rights of the putative father of a child who has not filed a petition to establish paternity of the child or who has not established paternity of the child who is the subject of an adoption proceeding and who is recorded on the child's birth certificate as the father of the child must be terminated by surrender, parental consent, termination of parental rights, or by waiver of interest, before the court may enter an order of adoption concerning that child. This amendment also revises the provisions relative to termination of parental or guardianship rights: (1) To clarify that the court is required: (A) To provide a ruling on the petition to terminate parental or guardianship rights within 30 days of the conclusion of the hearing on the petition; and (B) To enter an order that makes specific findings of fact and conclusions of law within 30 days of the court's ruling; and (2) To rewrite the provision, which provides that the petitioner or respondent will have grounds to request that the court of appeals grants an order expediting the case at the trial level if the case has not been completed within six months from the date the petition was filed; so that it provides, instead, that the petitioner or respondent has grounds to request that the court of appeals grant an order expediting entry of the order if an order has not been entered within 30 days from the court's ruling.

Senate Status: 04/17/23 - Senate passed with amendment 3 (007435).

House Status: 04/19/23 - House concurred in Senate amendment 3 (007435).

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB921/HB855 Tennessee putative father registry - parental rights termination.

Sponsors: Sen. Rose, Paul , Rep. Leatherwood, Tom

Summary: Changes the time period during which the Tennessee putative father registry must have been consulted prior to the filing of a petition to terminate parental rights from 10 days to 10 working days. Requires the appointment of a guardian ad litem in an adoption involving a mentally disabled child when the child is 14 years of age or older at any time before the granting of the petition rather than at any age. Broadly captioned.

Senate Status: 04/17/23 - Senate passed.

House Status: 03/20/23 - House passed.

*Executive Status:*04/17/23 - Sent to the speakers for signatures.

SB960/HB820 Overpayment of child support.

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

Summary: Allows a court to temporarily halt an obligor's child support payments and apply any child support overpayment toward the current and future child support obligations until the overpayment has been exhausted.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

House Status: 04/05/23 - House Civil Justice Committee deferred to the first calendar of 2024.

SB979/HB944 Domestic violence community education fund grants.

Sponsors: Sen. Gardenhire, Todd , Rep. Alexander, Rebecca

Summary: Clarifies that a grant provided by the department of human services from the domestic violence community education fund to the Tennessee task force against domestic violence can be used for advertising. Broadly captioned.

Amendment Summary: Senate amendment 1 (005150) rewrites this bill to revise present law definitions relative to abuse, as described below. Under present law, with regard to laws relative to domestic abuse, "abuse" means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means; placing an adult or minor in fear of, or in, physical harm or physical restraint; or causing malicious damage to the personal property of the abused party. This amendment expands the above definition to also include intentionally engaging in behavior that amounts to financial abuse; and defines "financial abuse" as behavior that is coercive, that is deceptive, or that unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which the person is entitled, including using coercion, fraud, or manipulation to do the following: (1) Restrict a person's access to money, assets, credit, or financial information; (2) Unfairly use a person's economic resources, including money, assets, and credit, to gain an advantage; or (3) Exert undue influence over a person's financial behavior or decisions, including forcing default on joint or other financial obligations; exploiting powers of attorney, guardianship, or conservatorship; or failing or neglecting to act in the best interest of the person to whom a fiduciary duty is owed. Under present law, the Tennessee Adult Protection Act defines "abuse or neglect" as the infliction of physical pain, injury, or mental anguish, or the deprivation of services by a caretaker that are necessary to maintain the health and welfare of an adult, or the creation of a situation in which an adult is unable to provide or obtain the services that are necessary to maintain that person's health or welfare. This amendment revises the above definition, such that "abuse or neglect" means an unreasonable expression of authority in which a caretaker: (1) Inflicts physical pain, injury, or mental anguish; (2) Deprives the adult of services that are necessary to maintain the health and welfare of the adult; or (3) Creates a situation in which the adult is unable to provide or obtain the services that are necessary to maintain the adult's personal health or welfare, including financial abuse.

Senate Status: 04/12/23 - Senate passed with amendment 1 (005150).

House Status: 04/13/23 - House passed.

Executive Status: 04/19/23 - Sent to governor.

SB1010/HB1393 Monthly drug testing to be included in permanency plan of child for certain parents.

Sponsors: Sen. Campbell, Heidi , Rep. Harris, Torrey

Summary: Requires the department of children's services to include in the permanency plan of a child who has been removed from the custody of the child's parent or guardian, due to drug abuse by the parent or guardian, the requirement that the parent or guardian submit to monthly drug testing prior to and for at least six months after the return of the child to the custody of the parent or guardian, to demonstrate that the parent or guardian is able to maintain a drug-free lifestyle in order to provide a safe home for the child. Broadly captioned.

Amendment Summary: Senate Judiciary Committee amendment 1, House Civil Justice Committee amendment 1 (004725) adds that the statement of responsibilities in the permanency plan of a child who has been removed from the custody of the child's parent or guardian due, in whole or part, to drug abuse by the parent or guardian, must include a requirement that the parent or guardian must submit to a drug test to demonstrate that the parent or guardian is able to maintain a drug-free lifestyle in order to provide a safe home for a child.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

House Status: 03/29/23 - House Civil Justice Committee recommended with amendment 1 (004725). Sent to House Finance.

SB1011/HB1403 DCS case manager staffing levels.

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

Summary: Requires the department to maintain staffing levels of case managers so that each region has enough case managers to allow caseloads not to exceed 20 active cases by January 1, 2024, and 12 active cases by July 1, 2024. Broadly captioned.

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

House Status: 03/21/23 - Failed in House Children & Family Affairs Subcommittee.

SB1048/HB1032 DCS caseload requirements.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny

Summary: Sets new caseload requirements for case managers in the department to take effect January 1, 2025. Requires the department to employ special response team personnel, who do not maintain regular caseloads but are available to assume cases from case managers to assist in maintaining caseload standards, respond to emergent situations, and guard against interruption in service delivery. Requires the department to notify the governor, the members of the general assembly, and the Tennessee commission on children and youth if staffing requirements are not met. Broadly captioned.

Senate Status: 03/29/23 - Senate Judiciary Committee deferred to 04/04/23.

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

SB1058/HB620 Joint legal custody and equally shared parenting time.

Sponsors: Sen. Hensley, Joey , Rep. Warner, Todd

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

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

House Status: 02/01/23 - Referred to House Children & Family Affairs Subcommittee.

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

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

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

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

House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

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

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

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

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1103/HB915 Petition requirement for the termination of parental rights.

Sponsors: Sen. Bowling, Janice , Rep. Rudder, Iris

Summary: Requires the department to file a petition to terminate the parental rights of a parent if the parent has not substantially complied with the statement of responsibilities in the child's permanency plan and the period of time originally established in the child's permanency plan has elapsed. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB1110/HB1386 Marital Contract at Common Law Recording Act.

Sponsors: Sen. Bowling, Janice , Rep. Ragan, John

Summary: Enacts the "Marital Contract at Common Law Recording Act" authorizing county clerks to accept and record a record of common law marriage between one man and one woman. Limits the jurisdiction of circuit courts and chancery courts in cases involving the definition of common law marriage to the principles of common law marriage. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB1262/HB1394 Moneys received as survivor benefits or disability benefits on behalf of child in custody of DCS.

Sponsors: Sen. Akbari, Raumesh , Rep. Harris, Torrey

Summary: Prohibits the department of children's services from collecting or expending moneys that are received as survivor benefits, disability benefits, or otherwise from the social security administration or the department of veterans affairs on behalf of a child in custody of the department. Requires the department to hold such moneys in a trust account until the child reaches 18 years of age.

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

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

SB1270/HB1515 Premarital preparation course.

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

Summary: Specifies that the premarital preparation course may include instruction regarding the adverse childhood experiences to minor children who are affected by the dissolution of their parents' marriage.

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

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

SB1401/HB1369 Party filing divorce complaint must also file info regarding health insurance coverage.

Sponsors: Sen. Reeves, Shane , Rep. Stevens, Robert

Summary: Requires a party who files a divorce complaint to also simultaneously file information regarding whether parties have health insurance coverage in employer-based health coverage and whether such coverage is provided for any children of the marriage. Makes mandatory the provision of sworn statements regarding parties' income, expenses, real and personal property, and whether parties have health insurance coverage in employer-based health coverage and whether such coverage is provided for any children of the marriage. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.

SB1403/HB1003 Timing for evaluating and reporting on the success of model programs for adolescents at risk of placement in the custody of DCS.

Sponsors: Sen. Crowe, Rusty , Rep. Capley, Kip

Summary: Changes, from January 15 to February 1 of each year, the date by which the department must evaluate the success of model programs for adolescents at risk of placement in the custody of the department and report findings and recommendations to the judiciary committee of the senate and the civil justice committee of the house of representatives. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1476 Review of DCS policies by general assembly committees.

Sponsors: Sen. Walley, Page ,

Summary: Changes, from March 1 to March 15 of each year, the date by which the department is required to appear before the judiciary committee of the senate and the civil justice committee of the house of representatives to review the department's policies, protocols, procedures, and any other provisions that affect the children served by the department. Broadly captioned.

Senate Status: 02/02/23 - Withdrawn in Senate.

SJR129 Urges the expansion of adoption services in Tennessee.

Sponsors: Sen. Haile, Ferrell ,

Summary: Urges the governor, department of human services, department of children's services, department of finance and administration, department of safety, courts, and non-profit institutions within the State to take action to expand access to adoption in the State of Tennessee and allow more children to experience permanency in a safe and loving home on a faster time line.

Senate Status: 03/14/23 - Taken off notice in Senate Judiciary Committee.

HB544 Creation of the insuring foster youth fund.

Sponsors: Rep. Harris, Torrey

Summary: Creates the insuring foster youth fund. Establishes the insuring foster youth program that authorizes payments to foster youth to defray the costs of obtaining motor vehicle insurance, driver education courses, and driver testing fees. Requires the department of children's services to administer the fund.

House Status: 01/30/23 - Introduced in the House

HJR19 Urges Congress to permit states to make child abuse registries public.

Sponsors: Rep. Littleton, Mary

Summary: Urges Congress to permit states to make child abuse registries public.

Senate Status: 04/10/23 - Senate concurred.

House Status: 03/13/23 - House adopted.

Executive Status: 04/20/23 - Signed by governor.

GOVERNMENT CONTRACTS

SB252/HB71 Requirements for public contracts.

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

Summary: Prohibits a party from protesting a solicitation for a public contract if the party cancels the solicitation. Revises bonding requirements for submitting a protest or an appeal of a decision to a protest to the chief procurement officer or protest committee. Establishes certain restrictions on the contractual terms of public contracts, including prohibiting a state governmental entity from entering into a contract that requires the state or the state governmental entity to defend, indemnify, or hold harmless another person, or assume liability for an act or omission against a person. Part of Administration Package.

Amendment Senate amendment 1 (004115) revises the provision in the bill that prohibits a state government from entering into a contract that contains a term or condition that establishes the venue for an action or dispute with this state or a state governmental entity in a jurisdiction other than the Tennessee claims commission, the chancery courts of Davidson County, and federal courts of the state. This amendment provides, instead, that a term or condition is prohibited if it establishes venue in a jurisdiction other than the Tennessee claims commission, the chancery courts of Williamson County, and federal courts of the state.

Senate Status: 03/06/23 - Senate passed with amendment 1 (004115).

House Status: 03/20/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0113 effective April 4, 2023.

GOVERNMENT ORGANIZATION

SB29/HB195 Sunset - Board for professional counselors, marital and family therapists and clinical pastoral therapists extension.

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

Summary: Extends the board for professional counselors, marital and family therapists, and clinical pastoral therapists to June 30, 2027.

Senate Status: 02/23/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0070 effective March 31, 2023.

SB35/HB201 Sunset - College savings trust fund program trustees.

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

Summary: Extends the board of trustees of the college savings trust fund program to June 30, 2029.

Senate Status: 02/06/23 - Senate passed.

House Status: 02/13/23 - House passed.

*Executive Status:*03/13/23 - Enacted as Public Chapter 0005 effective March 6, 2023.

SB37/HB203 Sunset - department of children's services extension and performance audit reporting.

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

Summary: Extends the department of children's services to June 30, 2024. Requires the department to submit quarterly reports to the chairs of the government operations committees to provide updates on the department's progress in addressing performance audit findings. Requires the department to appear before the education, health, and general welfare joint evaluation committee no later than June 30, 2023, to present information included in the department's six-month follow-up report submitted to the comptroller of the treasury.

Senate Status: 03/20/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*04/19/23 - Sent to the speakers for signatures.

SB40/HB206 Sunset - department of health.

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

Summary: Extends the department of health to June 30, 2027.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

SB42/HB208 Sunset - department of intellectual and developmental disabilities extension.

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

Summary: Extends the department of intellectual and developmental disabilities to June 30, 2027.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0075 effective March 31, 2023.

SB52/HB218 Sunset - Psychology Interjurisdictional Compact Act.

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

Summary: Extends the Psychology Interjurisdictional Compact Act to June 30, 2031.

Senate Status: 02/06/23 - Senate passed.

House Status: 02/13/23 - House passed.

*Executive Status:*03/13/23 - Enacted as Public Chapter 0010 effective March 6, 2023.

SB55/HB221 Sunset - state textbook and instructional materials quality commission.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the state textbook and instructional materials quality commission to June 30, 2027.
Senate Status: 03/16/23 - Senate passed.
House Status: 03/13/23 - House passed.
*Executive Status:*04/11/23 - Enacted as Public Chapter 0136 effective April 6, 2023.

SB64/HB230 Sunset - Tennessee public charter school commission.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the Tennessee public charter school commission to June 30, 2026.
Senate Status: 03/06/23 - Senate passed.
House Status: 03/16/23 - House passed.
*Executive Status:*04/11/23 - Enacted as Public Chapter 0106 effective April 4, 2023.

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

Sponsors: Sen. Lowe, Adam , Rep. Travis, Ron
Summary: Requires the commissioner of the department of children's services to notify the committing court at least 15 days prior to the proposed discharge of a child committed to custody under the department. Requires an objection to a proposed discharge by the committee court to be made in writing to the commissioner of DCS where the commissioner shall review the file in a hearing. Requires a hearing by a three-judge panel if the department and committing judge cannot reach an agreement.
Amendment Summary: House amendment 1 (004574) removes all of this bill's provisions, except for the provision that requires the commissioner of children's services to notify the committing court at least 15 days prior to the proposed discharge of a delinquent child who was committed to the custody of the department of children's services for an indefinite time.
Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.
House Status: 04/13/23 - House passed with amendment 1 (004574).

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

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary
Summary: Creates the Tennessee juvenile justice review commission to review an appropriate sampling of juvenile justice cases and any critical incidents involving juveniles in order to provide the general assembly with findings and legislative recommendations. Specifies membership and terms for members of commission. Requires the commission to provide a report to the general assembly on the commission's progress in fulfilling its duties no later than January 1, 2024 (11 pp.).
Amendment Summary: Senate Government Operations Committee amendment 1, House Civil Justice Committee amendment 1 (004859) creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Commission on Children and Youth and will meet at least quarterly to review a sampling of juvenile justice cases and any critical incidents involving delinquent juveniles in the custody of the Department of Children's Services (DCS). Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2024. Requires the Commission to be comprised of 20 members. Requires DCS to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2023. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025. House Government Operations Committee amendment 1 (006061) creates the Tennessee Juvenile Justice Review Commission (Commission), which will be administratively attached to the Department of Children's Services (DCS), and will meet at least quarterly to review a sampling of juvenile justice cases and any critical incidents involving delinquent juveniles in the custody of DCS. Requires the Commission to provide the Tennessee General Assembly (TGA) with findings and legislative recommendations in an annual report by January 1, beginning with a preliminary report in 2024. Requires the Commission to be comprised of 19 members. Requires DCS to provide the Commission with profiled cases and critical incidents annually by October 1, beginning in 2023. Establishes the potential for civil or criminal consequences if any breach of confidentiality is made by those attending meetings. Authorizes the Commission to hire staff and entitles members of the Commission and witnesses to reimbursement for travel. The Commission sunsets on June 30, 2025.
Senate Status: 03/22/23 - Senate Government Operations Committee recommended with amendment 1 (004859). Sent to Senate Judiciary Committee.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB613/HB590 Annual report date of the status of childcare agencies extended.

Sponsors: Sen. Walley, Page , Rep. Gant, Ron

Summary: Changes from March 1 to March 15, the date by which the department must make a presentation to the appropriate committees of the senate and the house of representatives on the comprehensive annual report of the status of childcare agencies within the state subject to the department's jurisdiction. Broadly captioned.

Senate Status: 01/31/23 - Referred to Senate Judiciary Committee.

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

SB939 Fiscal notes - impact of legislation on certain demographic groups.

Sponsors: Sen. Oliver, Charlane ,

Summary: Authorizes, under certain circumstances, a member of the general assembly or sponsor of a bill, amendment, or resolution to request by email that the fiscal review committee include a Tennessee racial impact statement in the fiscal note analyzing the effect of the measure on demographic groups. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

SB1041/HB11 DCS case manager staffing levels.

Sponsors: Sen. Watson, Bo , Rep. Hakeem, Yusuf

Summary: Requires the Department of Children's Services to maintain enough staffing of case managers to allow caseloads not to exceed 20 active cases relating to initial assessments or 20 cases where children or monitored and supervised.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB1423/HB906 Governor's Books from Birth Fund.

Sponsors: Sen. Roberts, Kerry , Rep. Leatherwood, Tom

Summary: Increases from 90 to 180 days the period by which a nonprofit public benefit corporation that partners with the Governor's Books from Birth Fund must report to the governor and the speakers of the senate and house of representatives on its operations and accomplishments after the end of the fiscal year of the nonprofit corporation. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

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

SB1426/HB1004 Appointed members of state governmental entities.

Sponsors: Sen. Roberts, Kerry , Rep. Darby, Tandy

Summary: Requires an appointed member of a governing body for a state entity to serve in such capacity until the member's successor is duly appointed and qualified. Authorizes the removal of such member by the member's appointing authority with or without cause. Removes term limits for members of the advisory council on state procurement. Broadly captioned.

Senate Status: 04/10/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/18/23 - Sent to governor.

HB656 Report of fetal deaths.

Sponsors: Rep. Howell, Dan

Summary: Requires the office of vital records to submit reports of fetal deaths to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate within five business days of receipt. Broadly captioned.

House Status: 01/30/23 - Introduced in the House

GOVERNMENT REGULATION

SB279/HB327 Financial activities of the governor's office of faith-based and community initiatives.

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

Summary: Removes the requirement that the nonprofit partner of the governor's office of faith-based and community initiatives use its own revenues to cover the cost of the nonprofit partner's activities. Removes the prohibition on a state employee benefitting from the nonprofit partner's activities. Removes the statement of the general assembly's intent that the state not realize any increased cost as a result of the governor's office of faith-based and community initiatives. Part of Administration Package.

Amendment Summary: Senate amendment 1 (005109) prohibits a state employee from receiving compensation from funds received by the nonprofit partner.

Senate Status: 03/23/23 - Senate passed with amendment 1 (005109).

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Public Chapter 0146 effective April 13, 2023.

SB493/HB1007 Relocation of undocumented aliens into this state by an agency, business, or person.

Sponsors: Sen. Stevens, John , Rep. Grills, Rusty
Summary: Establishes a procedure under which each license, certificate, or registration of an agency, business, or person is revoked in this state if the attorney general and reporter verifies that such agency, business, or person facilitated the relocation of undocumented aliens into this state. Broadly captioned.
Senate Status: 01/30/23 - Referred to Senate State & Local Government Committee.
House Status: 03/23/23 - Set for House Floor 03/30/27.

SB550/HB449 Published notices of public meetings.

Sponsors: Sen. Lowe, Adam , Rep. Davis, Elaine
Summary: Authorizes a governmental entity to publish notices of public meetings on a secure website of the governmental body. Authorizes a person to request an electronic or hard copy of an e-newsletter or notice published by the governmental body if the governmental body provides such documents electronically.
Amendment Summary: House Public Service Subcommittee amendment 1 (005143) authorizes a governmental body to use a secure internet website to post notices of public meetings. Requires governmental bodies to establish a mechanism by which a person may sign up to receive published e-newsletters or notices by electronic mail. Authorizes a governmental body to not respond to a request to receive notices or e-newsletters if the request is made in bad faith. House State Government Committee amendment 1 (005993) authorizes a governing body to post notice of a meeting on a secure internet website of the governing body. Requires a governmental body that publishes an e-newsletter or its notices online to establish a mechanism by which a person may sign up to receive such notices and e-newsletters by electronic mail or to receive a hardcopy by regular mail. Provides that a governmental body is not required to respond to a request to receive a notice or e-newsletter if the request is made in bad faith.
Senate Status: 03/28/23 - Taken off notice in Senate State & Local Government Committee.
House Status: 03/22/23 - Failed in House State Government Committee after adopting amendment 1 (005993).

SB551/HB448 Public comment of public meetings.

Sponsors: Sen. Lowe, Adam , Rep. Davis, Elaine
Summary: Requires governmental entities to provide a period of public comment for public meetings. Authorizes the governmental entities to place reasonable restrictions on the period for public comment including the length of the period, the number of speakers, and the length of time of the speaker.
Amendment Summary: House amendment 1 (004149) clarifies that the provisions of this bill do not apply to a meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or a meeting for which there are no actionable items on the agenda. House amendment 2 (006339) changes effective date from upon becoming law to July 1, 2023.
Senate Status: 04/05/23 - Senate passed.
House Status: 03/23/23 - House passed with amendment 1 (004149) and amendment 2 (006339).
Executive Status: 04/18/23 - Sent to governor.

SB1202/HB808 Nontraditional child care agency.

Sponsors: Sen. Rose, Paul , Rep. Howell, Dan
Summary: States that for the purpose of regulating child care agencies, a nontraditional child care agency does not include a person or entity that places children in family boarding homes or foster homes.
Senate Status: 03/09/23 - Senate passed.
House Status: 02/27/23 - House passed.
Executive Status: 03/27/23 - Enacted as Public Chapter 0066 effective March 23, 2023.

HEALTH CARE

SB1/HB1 Prohibited medical procedures for minors.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Prohibits a healthcare provider from performing on a minor or administering to a minor a medical procedure if the performance or administration of the procedure is for the purpose of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex. Broadly captioned.

Amendment Summary: Senate amendment 2 (003624) revises some of the legislative findings that precede the substantive provisions of this bill and makes the following substantive changes: (1) Replaces this bill's provisions that generally prohibit prescribing, administering, or dispensing any drug or device to a minor for purposes of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex or treating purported discomfort or distress from a discordance between the minor's sex and asserted identity. This amendment instead specifically prohibits prescribing, administering, or dispensing a puberty blocker or hormone for such purposes, subject to the exceptions specified in this bill. This amendment also prohibits a person from knowingly providing a hormone or puberty blocker by any means to a minor if the provision of the hormone or puberty blocker is not in compliance with this bill; (2) Specifies that this bill's prohibitions against administering, performing, or offering to perform certain medical procedures on a minor, including medical procedures described in (1), apply to medical procedures that are performed or administered either in Tennessee or on a Tennessee resident via telehealth; (3) Adds that a healthcare provider must act knowingly in order to commit an offense under this bill; (4) Adds treatment of precocious puberty to the list of conditions the treatment of which are excepted from this bill's prohibition concerning medical procedures offered to, or administered or performed on a minor; (5) With regard to the exception for finishing a medical procedure that began prior to this bill's effective date, adds that such procedure must conclude by March 31, 2024, in order for the exemption to apply; (6) Revises the cause of action under this bill by replacing authorization for a minor to a parent of the minor who consented to the conduct that constituted a violation of this bill. This amendment instead authorizes a minor to sue any person alleged to have violated this amendment's prohibition against knowingly providing a hormone or puberty blocker by any means to a minor, described in (1); (7) For purposes of actions brought by the attorney general and reporter against a healthcare provider under this bill, this amendment specifies that each performance or administration of a medical procedure in violation of this bill is a separate violation for which profits may be disgorged and a \$25,000 civil penalty may be assessed. This amendment also broadens the class of persons against whom the attorney general and reporter will be authorized to bring an action for a violation of this bill to include any person instead of only a healthcare provider; (8) Specifies that this bill will not prohibit or restrict psychological practice, the practice of professional counseling, or the practice of social work; and (9) Makes this bill applicable to actions occurring on or after July 1, 2023. Senate amendment 3 (003880) revises Amendment #2, such that the prohibition against administering, performing, or offering to perform certain medical procedures on a minor, applies to medical procedures that are performed or administered either in Tennessee or on "a minor located in Tennessee via telehealth," not "a resident of Tennessee via telehealth." This amendment also changes a section header.

Senate Status: 02/13/23 - Senate passed with amendment 2 (003624) and amendment 3 (003880).

House Status: 02/23/23 - House passed.

Executive Status: 03/07/23 - Enacted as Public Chapter 0001 effective July 1, 2023.

SB5/HB1378 Youth Health Protection Act.

Sponsors: Sen. Bowling, Janice , Rep. Ragan, John

Summary: Enacts the "Youth Health Protection Act," which prohibits gender-affirming surgeries and the administration of hormone therapy for minors. Clarifies that this prohibition does not include the good-faith medical decision of a parent or guardian of a minor born with a medically verifiable genetic disorder of sexual development. Imposes penalties on medical providers who provide the gender-affirming surgeries on minors. Prohibits state funds from being used for the performance of or in furtherance of gender transition procedures or to support the administration of a governmental health plan or government-offered insurance policy offering gender transition procedures.

Senate Status: 01/20/23 - Referred to Senate Judiciary Committee.

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

SB96/HB185 Application for nonresidential substitution-based treatment center for opiate addiction - notice.

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam

Summary: Increases, from 10 to 15, the number of days within which an applicant must send notice to the appropriate officials that an application for a nonresidential substitution-based treatment center for opiate addiction has been filed with the health facilities commission. Broadly captioned.

Senate Status: 01/20/23 - Referred to Senate Health & Welfare Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB187 Maternal and Infant Mortality Prevention Act.

Sponsors: Sen. Lamar, London ,

Summary: Enacts the "Maternal and Infant Mortality Prevention Act," which creates the doula services advisory committee to promote core competencies and standards for the provision of doula services. Specifies that the committee is attached to the department of health for administrative purposes. Sets membership, appointment, and terms of the committee.

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.

SB196/HB1455 Updates requirements for prescription writing for nurse practitioners.

Sponsors: Sen. Lundberg, Jon , Rep. Faison, Jeremy

Summary: Removes a reference to a repealed section that required the division of health related boards to provide to the board of pharmacy the names of all nurse practitioners and physician assistants who are authorized to write and sign prescriptions or issue legend drugs in Tennessee and the names of their supervising physicians.

Senate Status: 03/14/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/21/23 - Taken off notice in House Health Subcommittee.

SB219/HB271 Chronic disease prevention taskforce removed.

Sponsors: Sen. Jackson, Ed , Rep. Hicks, Tim

Summary: Removes language from the Chronic Disease Prevention Act that created a taskforce to study methods on how to prevent cardiovascular disease, hypertension, and diabetes to ceased to exist on December 15, 2020.

Amendment Senate amendment 1 (004877) establishes certified psychological testing technician as a new level of psychological practice.

Summary: Prohibits a person from practicing as a certified psychological testing technician without a proper certificate issued by the Board of Examiners in Psychology (Board). Establishes minimum education and training requirements for certified psychological testing technicians. Authorizes such individuals to administer and score standardized psychological and neuropsychological tests and to observe and describe a client's test behavior and test responses. Requires all work performed by a certified psychological testing technician to be supervised by a psychologist or senior psychological examiner, as determined by the Board. House amendment 1 (006330) makes grammatical clarifications, clarifies that applications to practice as a certified psychological testing technician must be made to the board (but not specifically through the chair), adds that a senior psychological examiner may supervise a certified psychological testing technician in the same manner as a psychologist, authorizes the board of examiners in psychology to promulgate rules (including emergency rules) to effectuate this bill, and changes this bill's effective date for purposes other than rulemaking from upon becoming a law to January 1, 2024. House amendment 2 (007218) clarifies that a candidate for certification must furnish the board with satisfactory evidence that the candidate is either a citizen or legal resident of the United States.

Senate Status: 04/21/23 - Senate concurred in House amendment 1 (006330) and amendment 2 (007218).

House Status: 04/20/23 - House passed with amendment 1 (006330) and amendment 2 (007218).

SB220/HB272 Removes a task force contracted by the department of intellectual and developmental disabilities.

Sponsors: Sen. Crowe, Rusty , Rep. Terry, Bryan

Summary: Removes a section of the code that created a twenty-five member task force to review the regulations of the residential and day provider agencies contracted by the department of intellectual and developmental disabilities. The task force was required to have completed its duties and made its final report to the governor and the general assembly by June 30, 2014. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB221/HB273 Removes provision of a review of remote use of the special supplemental food program for women, infants, and children.

Sponsors: Sen. Roberts, Kerry , Rep. Terry, Bryan

Summary: Removes a provision that required the department, no later than December 15, 2022, 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. Broadly captioned.

Amendment House amendment 1 (006763) requires the Division of Health-Related Boards to consult the Board of Medical Examiners (BME)

Summary: in the hiring of a medical consultant. Establishes that a licensed physician designated and authorized by the BME as a consultant is vested with the authority to review applications for licensure, assist in investigations, and consult in disciplinary actions and settlement agreements. Requires the Department of Health (DOH) to provide biannual surveys to the BME for feedback and review by a medical consultant.

Senate Status: 04/17/23 - Senate concurred in House amendment 1 (006763).

House Status: 04/13/23 - House passed with amendment 1 (006763).

*Executive Status:*04/20/23 - Sent to governor.

SB222/HB568 Annual report by each nurse home visitor program to be submitted to department of health.

Sponsors: Sen. Crowe, Rusty , Rep. Carringer, Michele

Summary: Requires the annual report by each nurse home visitor program to be submitted to the department of health, in addition to the health care and services facility administering the program and the community in which the program is administered. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.

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

SB248/HB66 Department of intellectual and developmental disabilities to provide home health services to outpatients.

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

Summary: Authorizes the department of intellectual and developmental disabilities to provide home health services to outpatients through the Tennessee Early Intervention System. Part of Administration Package.

Senate Status: 02/13/23 - Senate passed.

House Status: 02/23/23 - House passed.

*Executive Status:*03/20/23 - Enacted as Public Chapter 0024 effective March 10, 2023.

SB256/HB75 Criminal immunity to persons who are experiencing a drug overdose.

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

Summary: Extends criminal immunity to person who are experiencing a drug overdose and are seeking medical assistance, regardless of prior overdose history. Part of Administration Package.

Amendment Summary: Senate amendment 1 (003309) rewrites this bill, such that the immunity from being arrested, charged, or prosecuted may be applied for a person who experiences subsequent drug overdoses at the discretion of the responding law enforcement officer or the district attorney general's office.

Senate Status: 02/23/23 - Senate passed with amendment 1 (003309).

House Status: 02/27/23 - House passed.

*Executive Status:*03/20/23 - Enacted as Public Chapter 0041 effective July 1, 2023.

SB267/HB315 Intermediate care facilities for individuals with intellectual disabilities - allowable number of beds.

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

Summary: Increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804. Allows for private for-profit and private not-for-profit to be transferred from one location to another. Requires that an available private bed be filled only upon completion of a community-informed choice process established by the department of intellectual and developmental disabilities to ensure the most cost-effective placement with consideration for the individual's freedom of choice. Allows a facility to refuse persons based on the facility's compatibility needs. Part of Administration Package.

Amendment Summary: House amendment 1 (006424) incorporates the changes made by Senate Amendment 2 but requires the department of intellectual and developmental disabilities to use the data from cost reports submitted by providers to the comptroller of the treasury in order to determine the statewide available occupancy, instead of requiring the comptroller to make the determination.

Senate Status: 04/13/23 - Senate concurred in House amendment 1 (006424).

House Status: 04/10/23 - House passed with amendment 1 (006424).

*Executive Status:*04/19/23 - Sent to governor.

SB277/HB325 Opioid prescription limitations.

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

Summary: Permanently extends the present law, which is set to terminate on July 1, 2023, that establishes limitations on the prescription of opioids and authorizes the promulgation of rules related to the calculation of those limitations. Part of Administration Package.

Amendment Summary: House amendment 1 (006206) adds to this bill and changes present law as follows: (1) Provides that after issuing an initial prescription to a patient for an opioid in a manner that complies with present law, the healthcare practitioner who issued the initial prescription is not required to obtain and document informed consent if the subsequent prescription is for the same opioid and for the same episode of treatment. Informed consent must be updated periodically during any course of treatment; (2) Excepts the treatment of patients who have undergone recent cancer treatment from restrictions and limitations on treating patients with opioids to same extent as such exemption applies under present law to the treatment of patients who are undergoing active cancer treatment, undergoing palliative care treatment, or are receiving hospice care. This amendment defines "recent cancer treatment" to mean six months following the end of an active cancer treatment; and (3) Replaces an obsolete reporting requirement with a requirement that the commissioner of health, in consultation with the healthcare professional regulatory boards, provide a letter no later than November 1 of each even-numbered year to the governor, the speaker of the senate, the speaker of the house of representatives, the health and welfare committee of the senate, and the health committee of the house of representatives that includes updated information on the impact and effects of the restrictions set forth in this bill.

Senate Status: 04/05/23 - Senate concurred in House amendment 1 (006206).

House Status: 03/30/23 - House passed with amendment 1 (006206).

*Executive Status:*04/12/23 - Sent to governor.

SB290/HB370 Funding for HIV prevention, testing, and treatment.

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

Summary: Requires the department of health to seek and apply for federal grants from federal agencies and use the available funds for implementing programs for the prevention, testing, and treatment of human immunodeficiency virus (HIV) for residents of this state. Requires the department to report to the chairs of the senate health and welfare committee and the house health committee by February 15, 2024. Broadly captioned.

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

House Status: 03/28/23 - Failed in House Health Subcommittee.

SB291/HB566 Overdose Fatality Review Act.

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

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

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

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB292/HB275 Exchange programs for needles and hypodermic syringes.

Sponsors: Sen. Briggs, Richard , Rep. Hazlewood, Patsy

Summary: Applies on a statewide basis, rather than only in Nashville, Chattanooga, Knoxville, and Memphis, the distance parameter for the prohibition on needle and hypodermic syringe exchange programs being operated within 1,000 feet of a school or public park. Removes the distance parameter of 2,000 feet that presently applies on a statewide basis outside those four cities.

Amendment Summary: Senate amendment 1 (005845) provides that such a program established in Kingsport shall not conduct an exchange within 2,000 feet of a school or public park.

Senate Status: 03/23/23 - Senate passed with amendment 1 (005845).

House Status: 04/13/23 - House passed.

Executive Status: 04/19/23 - Sent to governor.

SB394/HB738 Certification for doulas.

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

Summary: Requires the department of health to collaborate with the bureau of TennCare in order to study existing doula certification programs. Requires that the department establish a process for certification for persons who have received a certification to perform doula services from specified agencies or who have demonstrated an understanding of basic anatomy and physiology as related to pregnancy, childbirth and the postpartum period. Outlines other required competencies. Makes provisions such that those deemed "medically needy" must be provided doula services. Provides that the new law take effect on July 1, 2023, and requires that a report on the study be provided to the members of the general assembly and to the legislative librarian by December 31, 2023.

Amendment Summary: Senate amendment 2 (006150) rewrites this bill to create a five-member doula services advisory committee. The full text of this bill specifies various responsibilities for the advisory committee. Generally, the advisory committee will: (1) Advise the department of health by establishing core competencies and standards for the provision of doula services in this state; and (2) Recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. For purposes of this amendment: (1) "Doula" means a birth worker who provides child birth education, advocacy, and physical, emotional, and nonmedical support for pregnant and postpartum women before, during, and after childbirth and loss; and (2) "Doula services" means at least three prenatal appointments, continuous labor support during birth, and at least three postpartum appointments with a pregnant woman. The advisory committee will consist of the following members: (1) The commissioner of health, or the commissioner's designee with experience in maternal health or medicaid policy; (2) The director of TennCare, or the director's designee; (3) Two community-based doulas, to be appointed by the commissioner of health or the commissioner's designee, who have documented experience providing services to medicaid recipients or women in areas in this state with high rates of maternal and infant mortality; and (4) One doula, to be appointed by the commissioner of health or the commissioner's designee, who has documented experience providing services to medicaid recipients. The full text of this amendment specifies various procedural processes for the advisory committee, such as filling vacancies, attendance requirements, and selection of officers. The advisory committee will cease to exist on July 1, 2026; however, the advisory committee will be subject to governmental entity review. Senate amendment 3 (007305) rewrites this bill to create a five-member doula services advisory committee. The full text of this bill specifies various responsibilities for the advisory committee. Generally, the advisory committee will: (1) Advise the department of health by establishing core competencies and standards for the provision of doula services in this state; and (2) Recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. For purposes of this amendment: (1) "Doula" means a birth worker who provides child birth education, advocacy, and physical, emotional, and nonmedical support for pregnant and postpartum women before, during, and after childbirth and loss; and (2) "Doula services" means at least three prenatal appointments, continuous labor support during birth, and at least three postpartum appointments with a pregnant woman. The advisory committee will consist of the following members: (1) The commissioner of health, or the commissioner's designee with experience in maternal health or medicaid policy; (2) The director of TennCare, or the director's designee; (3) Two community-based doulas, to be appointed by the commissioner of health or the commissioner's designee, who have documented experience providing services to medicaid recipients women in areas in this state with high rates of maternal and infant mortality; and (4) One doula, to be appointed by the commissioner of health or the commissioner's designee, who has documented experience providing services to medicaid recipients. The full text of this amendment specifies various procedural processes for the advisory committee, such as filling vacancies, attendance requirements, and selection of officers. The advisory committee will cease to exist on July 1, 2026.

Senate Status: 04/13/23 - Senate passed with amendment 3 (007305).

House Status: 04/20/23 - House passed.

Executive Status: 04/20/23 - Sent to the speakers for signatures.

SB403/HB298 Report concerning the annual evaluation of the adequacy of the birth defects registry.

Sponsors: Sen. Massey, Becky , Rep. Martin, Brock

Summary: Authorizes the commissioner of health to submit, by electronic means, the commissioner's current annual report concerning the annual evaluation of the adequacy of the birth defects registry to the appropriate standing committees of the general assembly. Broadly captioned.

Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.

House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB431/HB469 Individuals license in another state allowed to practice telehealth in this state.

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

Summary: Allows an individual licensed in another state who would qualify as a healthcare provider if licensed in this state to practice telehealth if the patient cannot otherwise receive the services that the healthcare provider will provide as long as the healthcare provider has filed a limited waiver request with the appropriate licensing authority.

Amendment Summary: House Health Subcommittee amendment 1 (005353) authorizes a healthcare professional licensed in a contiguous state to practice telehealth while providing healthcare services to a patient aged 16 or younger who could not otherwise receive such services in this state. Requires the healthcare provider to file a limited waiver request with the appropriate licensing authority in order to provide such services.

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

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

SB585/HB377 Patient Rights Act.

Sponsors: Sen. Pody, Mark , Rep. Warner, Todd
Summary: Enacts the "Patient Rights Act" which allows medical patients the right to administration of treatments procedures, the right to alternative treatment available under emergency use authorization, the right to release or transfer of care, the right of an advocate on their behalf, the right to room with family members, the right to transplants, the right of no discrimination in admission or treatment, the right of medical record privacy, and the notification of rights to the patient, if the patient is not incapacitated or to the advocate, if the patient is incapacitated. Details penalties if rights are violated (15 pp). Broadly captioned.
Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Referred to House Health Subcommittee.

SB592/HB657 Definition of "life" in the Tennessee code annotated.

Sponsors: Sen. Pody, Mark , Rep. Howell, Dan
Summary: Clarifies that references to "life" in the Tennessee code annotated in the context of when life begins means the moment that an egg fertilized in the womb and there exists the presence of human gonadotropin. Broadly captioned.
Senate Status: 01/30/23 - Referred to Senate Judiciary Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB614/HB1313 Annual report on the Tennessee nurse home visitor program.

Sponsors: Sen. Briggs, Richard , Rep. Kumar, Sabi
Summary: Requires the department of health to make its annual report concerning the Tennessee nurse home visitor program to the general assembly by February 1 of each year and in an electronic format. Broadly captioned.
Amendment Summary: Senate amendment 1 (003729) rewrites this bill to change present law relative to the East Tennessee State University College of Public Health, in cooperation with the Tennessee stroke systems task force, maintaining a statewide stroke database that compiles information and statistics on stroke care involving prevalence, mortality, and performance metrics that align with the stroke consensus metrics developed and approved by the American Heart Association, centers for disease control and prevention and the joint commission. Present law requires comprehensive stroke centers and primary stroke centers, and encourages all other hospitals, to report data quarterly consistent with nationally recognized stroke consensus measures on the treatment of individuals with confirmed stroke to the East Tennessee State University College of Public Health. This amendment rewrites this provision to expand the mandatory reporting to hospitals that have a certification from a department-approved, nationally recognized certifying body recognizing the hospital as capable of providing neuroendovascular treatment.
Senate Status: 02/27/23 - Senate passed with amendment 1 (003729).
House Status: 03/20/23 - House passed.
*Executive Status:*04/11/23 - Enacted as Public Chapter 0123 effective April 4, 2023.

SB695/HB440 Annual report by office of child nutrition and wellness.

Sponsors: Sen. Reeves, Shane , Rep. Whitson, Sam
Summary: Requires the office of child nutrition and wellness in the department of health to submit an annual report by February 1 of each year to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB699/HB269 Info provided by department of health on reversing the effects of a chemical abortion.

Sponsors: Sen. Crowe, Rusty , Rep. Terry, Bryan
Summary: Requires the department of health to publish on its website information on the possibility of reversing the effects of a chemical abortion in any language that is the primary language spoken by 1 percent or more of this state's population, rather than 2 percent or more. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.

SB721/HB498 In-person encounter requirement exemption for patients receiving telehealth evaluation.

Sponsors: Sen. Massey, Becky , Rep. Martin, Brock
Summary: Exempts a person receiving an initial behavioral health assessment via telehealth from the requirement of an in-person encounter between the healthcare services provider, practice group, or healthcare system within 16 months prior.
Amendment Summary: Senate amendment 1 (004040) revises this bill, such that the authorization to arrange a chart view or required visit by a collaborating physician via HIPAA-compliant electronic means rather than at the site of the clinic, applies to a physician assistant that is so authorized and provides services "solely via telehealth," not "via telehealth."

Senate Status: 02/23/23 - Senate passed with amendment 1 (004040).

House Status: 04/03/23 - House passed.

*Executive Status:*04/12/23 - Sent to governor.

SB733/HB665 Prescribing of buprenorphine product by healthcare provider.

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

Summary: Prohibits a healthcare provider from prescribing a buprenorphine product unless the patient has first signed a copy of an informational document on the risks of buprenorphine use to pregnant women, unborn children, and infants. Specifies that such form signed by the patient expires one year after the date it was signed by the patient. Requires the department of health to make available on its public website the informational document within 90 days of the effective date of the act.

Senate Status: 03/15/23 - Senate Health & Welfare Committee deferred to the first calendar of 2024.

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

SB761/HB1488 Removal of report on births involving neonatal abstinence syndrome and opioid use by women of childbearing age.

Sponsors: Sen. Lamar, London , Rep. Clemmons, John

Summary: Deletes obsolete provision requiring the commissioner, in consultation with the perinatal advisory committee, to deliver a report to the health committee of the house of representatives and the health and welfare committee of the senate by January 15, 2018, concerning births involving neonatal abstinence syndrome and opioid use by women of childbearing age. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

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

SB762/HB829 Fundamental Right to Reproductive Health Care Act.

Sponsors: Sen. Lamar, London , Rep. Camper, Karen

Summary: Enacts the "Fundamental Right to Reproductive Health Care Act," which details the rights of reproductive healthcare and the right to continue a pregnancy and give birth or to have an abortion and to make decisions about how to exercise that right. Broadly captioned.

Senate Status: 02/28/23 - Failed in Senate Judiciary Committee.

House Status: 03/14/23 - Failed in House Population Health Subcommittee.

SB799/HB859 Study of available real-time overdose information databases.

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

Summary: Requires the commissioner of the department of health, in collaboration with the commissioner of mental health and substance abuse services, to conduct a study of presently available, real-time overdose information databases and mapping tools in use in other jurisdictions to determine whether the statewide use of such system in this state is likely to decrease the occurrence of overdose-related deaths, identify obstacles and challenges to implementing such system statewide, and estimate the costs of and a timeline for implementation, and to deliver a report of findings and recommendations to the general assembly by December 31, 2023. Broadly captioned.

Amendment Summary: Senate amendment 1 (004763) rewrites this bill to revise present law concerning certain records of ambulance service and invalid vehicle operators, licensed or permitted by the department of health. Present law requires such operators to maintain run records and all other records deemed necessary by the Tennessee emergency medical services board. This amendment authorizes the department to disclose de-identified data that is collected from such records, including for the purpose of providing opioid overdose response and resources throughout this state.

Senate Status: 03/23/23 - Senate passed with amendment 1 (004763).

House Status: 04/06/23 - House passed.

*Executive Status:*04/12/23 - Sent to governor.

SB804/HB904 Persons licensed to practice psychology in another state.

Sponsors: Sen. Jackson, Ed , Rep. Hicks, Tim

Summary: Authorizes the board of examiners in psychology to designate a person as a health service provider if the person has held a valid license or certificate in another state to practice psychology for at least 10 years within the last 15 years, completed training that is equivalent to state standards, and never been the subject of disciplinary actions.

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

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

SB858/HB952 Regulation of facilities that have psychiatric beds and acute care beds.

Sponsors: Sen. Reeves, Shane , Rep. Boyd, Clark

Summary: Authorizes the health facilities commission and the department of mental health and substance abuse services to jointly license and regulate facilities that have psychiatric beds and acute care beds and have as a primary purpose or function the provision of psychiatric services. Requires the health facilities commission, in consultation with the department of mental health and substance abuse services, to promulgate rules to establish a process to jointly license and regulate such facilities. Broadly captioned.

Amendment Summary: Senate amendment 2 (005507) removes the provisions of amendment 1 that revised present law concerning the powers and authority granted generally to the health facilities commission and, instead, adds that: (1) The commission may license, for purposes of providing acute care services, a facility that is additionally licensed by the department of mental health and substance abuse services; (2) The commission may promulgate rules to govern the process of licensing, for purposes of providing acute care services, a facility that is or may become additionally licensed by the department of mental health and substance abuse services and that is not otherwise exempt from licensing under the laws of this state or federal law; (3) The commission must consult with the department of mental health and substance abuse services when promulgating rules described in (2) above; (4) (1)-(3) above do not alter or preclude the requirement that a facility, not otherwise exempt, obtain licensure from the department of mental health and substance abuse services; and (5) The board for licensing health care facilities is authorized to promulgate rules governing the designation of rural emergency hospitals in a manner consistent with the federal regulations of the federal centers for medicare and medicaid services. Senate amendment 1 (005864) rewrites this bill to establish regulations regarding the licensing and regulating of certain medically related facilities. HEALTH FACILITIES COMMISSION Present law provides that the commission is empowered to license and regulate hospitals, recuperation centers, nursing homes, homes for the aged, residential HIV supportive living facilities, assisted-care facilities, home care organizations, residential hospices, birthing centers, prescribed child care centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. This amendment expands the authority of the health facilities commission to include the licensing and regulating of assisted-care facility administrators. BOARD OF LICENSING HEALTH CARE FACILITIES Under present law, until the board adopts building and fire safety rules pursuant to this section, the codes and rules in effect on July 1, 1981, apply to those facilities licensed under this part. A facility that complies with the required applicable building and fire safety regulations at the time the board adopts new codes or rules is, as long as compliance is maintained, either with or without waivers of specific provisions, considered to be in compliance with the new codes or rules. This amendment removes these provisions in their entirety and instead provides that a majority of members, not including vacant positions on the board, constitutes a quorum for the transaction of all business. This amendment further clarifies that for the purposes of contested base hearings and disciplinary matters, three or more members constitute a necessary quorum, and the board chairperson is authorized, when it is deemed necessary, to split the board into panels of three or more members each to conduct contested case hearings or disciplinary matters. A majority vote of the members present on a duly constituted panel is required to authorize board action in disciplinary matters and contested case hearings. The board chairperson has the authority to appoint board members to serve, as necessary, on the panels regardless of the professional category from which the appointed member was chosen or the member's status as a physician, administrator, or citizen member. The existence of a non-physician or non-administrator board member creates no rights in any individual concerning the composition of a panel in any disciplinary matter or contested case hearing. However, the unavailability of a member of a panel before rendition of a final order must not require the substitution of another member unless the unavailability results in there being less than the quorum required by statute for contested case hearings or disciplinary matters. A substitute must use any existing record and may conduct further proceedings as is necessary in the interest of justice. In addition, this amendment removes the provision that requires that two members of the commission must be ex officio members. PENALTIES FOR A FACILITY'S OR INDIVIDUAL'S NONCOMPLIANCE This amendment provides that an action to recover or collect a civil monetary penalty owed pursuant to this amendment by a noncomplying facility or individual must not be taken until the facility or individual has waived the right to a contested case hearing; the time allowed for the facility or individual to demand a contested case hearing has expired without a demand being made or a denial filed; or a final administrative order has been entered pursuant to statute. If the full amount of the civil monetary penalty owed has not been received in full within 60 days from the occurrence of an event described in law or received by the due date specified by order, then the executive director of the health care facilities commission must immediately proceed to recover such amount, plus interest computed at the applicable formula rate approved by statute, retroactive to the earliest date of occurrence of a noncomplying event by one or more of following means: directing the reduction of the amount owed from any balance otherwise due from the state to the facility and directing a remittance of the amount to the health facilities commission; adding such amounts to the licensing fee, with renewal of the license contingent upon the prior payment of such costs; or bringing an action in circuit or chancery court to recover such amounts. PROBATIONARY PERIOD This amendment authorizes the executive director to, by written order, extend the probationary period beyond the standard 12 months for a facility to come into compliance. HEARINGS BEFORE BOARD Present law generally provides that any licensee, or applicant for license, aggrieved by a decision or action of the commission or board, may request a hearing before the board. This amendment removes this provision and, instead, provides, that the commission and each board, committee, or council under the authority of this amendment that does not already have authority to utilize screening panels may utilize one or more screening panels in its investigative and disciplinary process to assure that complaints filed and investigations conducted are meritorious and appropriate. In addition, this amendment specifies that the activities of a screening panel and any mediation or arbitration sessions must not be construed as an open meeting of an agency and remain confidential. The members of a screening panel, mediators, and arbitrators have a deliberative privilege and the same immunity as provided by law for the boards and are not subject to deposition or subpoena to testify regarding any matter or issue raised in any contested case, criminal prosecution, or

civil lawsuit that may result from or that is incident to cases processed before the panel. A screening panel has the authority to administer an oath to witnesses. Any documents or records produced at the screening panel are exempt from disclosure as a public record until there is a filing of a notice of charges and such documents or records form the basis for the filing of a notice of charges. This amendment also provides that members of a screening panel may be drawn from among the membership of the relevant board, and members may be appointed by the relevant board. Non-board members must meet the requirements of membership for the relevant board and may include a consumer member. However, a board member serving on a panel is prohibited from participating in a contested case involving any matter heard by the panel. Each screening panel is required to be instructed as to the statutes, rules, and philosophies of the relevant board as it pertains to disciplinary action and procedures that must be followed by the panel. Each screening panel must be provided a copy of Tennessee Supreme Court Rule 31 for review by members of the screening panel for general guidance as to the principles of mediation and alternative dispute resolution. Furthermore, a board is also prohibited from compelling any party to participate in a screening panel, and no prejudice is incurred if a party chooses not to participate in a screening panel or to accept the offer of a screening panel. In addition, on or after July 1, 2024, a licensee or applicant for a license aggrieved by a decision or action of the commission pursuant to this bill may request a hearing before the commission. The amendment goes on further to clarify that the chair of the health facilities commission may appoint a five-member ad hoc litigation committee composed of members of the commission when deemed necessary by the chair or the commission.

INJUNCTIONS AND PENALTIES Currently, based upon a complaint that a home for the aged, assisted-care living facility, adult care home or traumatic brain injury residential home, subject to licensure under this part may be operating without a license, the commission, with consent of an owner, operator, manager, or person who participates in the operation, or patient or resident, or the guardian of the patient or resident, may enter the facility in order to investigate or inspect the complaint for the necessity of or compliance with licensure under law. However, this amendment removes these provisions entirely and instead, specifies that within five working days after concluding an inspection or investigation, the executive director may initiate type A civil penalty proceedings by mailing a notice to the facility, stating the executive director's decision to suspend the admissions of new patients. However, within 10 working days after concluding an inspection or investigation, the health facilities commission must mail to the nursing home the executive director's order, which must also inform the nursing home of its right to contest the action.

INITIATION OF TYPE B OR C PENALTY HEARING FOR DEFICIENT NURSING HOMES Within three working days after concluding the inspection or investigation, the health facilities commission may initiate type B or type C civil penalty proceedings by mailing to the nursing home a written statement citing the relevant provisions that the health facilities commission alleges to have been violated, stating the amount of the penalty being assessed, and informing the facility of its right to contest the penalty. In addition, the present law also provides that within eight working days after concluding the inspection or investigation, the health facilities commission is required to mail to the nursing home a more detailed statement describing the findings with particularity and citing the law with specificity. This amendment increases the number of days the health facilities commission has to initiate the civil proceedings from 3 to 5 working days; and increases the number of days the health facilities commission has to mail to the nursing home a more detailed statement from 8 to 10 working days.

TRANSFERABILITY OF CERTIFICATE OF NEED Present law does not prohibit a change of control, if the commission determines, upon petition of the prospective owner or owners of the entity, that the prospective owner or owners demonstrate that they meet the criteria of economic feasibility, contribution of orderly development, and the relevant considerations mandated by statute. This amendment revises the evidence the new owners must demonstrate to the commission before the change of control is permitted. The prospective owners must demonstrate the owner or owners will provide health care that meets appropriate quality standards, and that the transfer would not reduce access to consumers, particularly those in underserved communities; those who are uninsured or underinsured; women and racial and ethnic minorities; TennCare or Medicaid recipients; and low-income groups.

REPORT ON NURSING HOME INSPECTION AND ENFORCEMENT ACTIVITIES Under current law, the commissioner is required to submit a report by not later than February 1 of each year to the governor and to each house of the general assembly regarding the department's nursing home inspection and enforcement activities during the previous year. The report must analyze trends in compliance with nursing home standards and residents' rights by nursing homes in the state, and must be limited to identifying those trends through aggregate and quantitative data only. In preparing the report, the commissioner may utilize quantitative data compiled by nursing homes pursuant to federal or state regulations. In addition, the commissioner must ensure that the report is promptly made available to the public by dissemination via the internet and that the report is available for members of the public to copy. This amendment removes these provisions and, instead, requires that the executive director of the health facilities commission submit a report no later than February 1 of each year to the governor, the chief clerk of the house of representatives, and the chief clerk of the senate, regarding the commission's nursing home inspection and enforcement activities during the previous year. The executive director must also ensure that the report is promptly made available to the public by dissemination via the internet and that the report is available for members of the public to copy.

FIRE SAFETY This amendment shifts the duties and responsibilities regarding the fire safety in assisted living facilities and in licensed homes for the aged from the department of health to the health facilities commission.

RECORDS REQUIRED TO BE KEPT BY LICENSEES AND PERMITTEES Present law provides that: (1) Notwithstanding any other provision of law to the contrary, an ambulance service provider must furnish to a patient or a patient's authorized representative a copy of such patient's run record or records within five business days upon request in writing by the patient or such representative; and (2) Except as otherwise provided by law, such patient's run record or records must not constitute a public record, and nothing contained in this part will be deemed to impair any privilege of confidentiality conferred by law on patients, their personal representatives or heirs. Nothing in this (2) will impair or abridge the right of the patient or the patient's authorized representative to obtain copies of the patient's hospital records in the manner provided in statute. Nothing in (2) should be construed as prohibiting a patient's run record or records from being subpoenaed by

a court of competent jurisdiction. As used in (1)-(2), "run record" includes any list of patients that is compiled or maintained by or for such patient's ambulance service provider, but shall not include the dispatch log. This amendment revises (1) by also requiring that an ambulance service provider must furnish a copy of a patient's run record or records to a surveyor employed by the health facilities commission within five business days upon request in writing by the surveyor or health facilities commission staff. This amendment revises (2) by providing that (2) does not prohibit a health facilities commission surveyor investigating an incident in a certified or licensed healthcare facility from obtaining a copy of this record without a subpoena incident to a health facility investigation.

STATE PALLIATIVE CARE AND QUALITY OF LIFE COUNCIL MEMBERSHIP Present law provides that the council membership must be appointed by the executive director, after consulting with Tennessee Hospice Association, Tennessee Hospital Association, Tennessee Medical Association, Tennessee Nursing Association, Tennessee Health Care Association, Tennessee Association of Home Care, and the Tennessee Chapter of American Cancer Society, and shall include interdisciplinary palliative care medical, nursing, social work, pharmacy, and spiritual professional expertise; patient and family caregiver advocate representation; and any other relevant appointees the executive director determines appropriate. The council must also consist of no more than 11 members. The executive director must also consider the racial, geographic, urban/rural, and economic diversity of the state when appointing members. Membership shall specifically include health professionals having palliative care work experience or expertise in palliative care delivery models in a variety of inpatient, outpatient, and community settings such as acute care, long-term care, and hospice, and with a variety of populations, including pediatric, youth, and adult. At least one council member must be a board-certified hospice and palliative medicine physician; at least one council member is required to be a licensed certified registered nurse practitioner with expertise in palliative care; and one council member must be from the department of health. Council members must also be appointed for a term of three years. The members must elect a chair and vice chair, whose duties shall be established by the council. The council must fix a time and place for regular meetings that meet no less than twice yearly. This amendment increases the number of members from 11 to 12 and further adds that one of the council members must be the executive director of the health facilities commission or the executive director's designated representative.

ALZHEIMER'S DISEASE AND RELATED DEMENTIA ADVISORY COUNCIL The current law provides that the council must be composed of no less than 11 members but must not exceed 16 members. This amendment raises the maximum number of members from 16 to 17, which must include the executive director of the Tennessee health facilities commission.

REGULATION OF HEALTH AND RELATED FACILITIES This amendment shifts the duties and responsibilities of licensing and regulating adult care facilities; adult care home providers, including resident managers; assisted-care living facilities; a home care organization qualified to provide home health services, home medical equipment or hospice services; residential homes for the aged; hospitals that provide certain services; recuperation center; and residential hospice from the board of licensing health care facilities to the health facilities commission. This amendment also shifts the duties and responsibilities of reviewing facilities, construction planned by facilities, standards regulating accessibility by disabled, branch offices of home care organizations, the use of endoscopy technicians, and other radiological staff at ambulatory surgical treatment centers, and other related provisions from the board of licensing health care facilities to the health facilities commission. In addition, this amendment removes the present law that requires the commission to accomplish licensing and regulation through the board for licensing healthcare facilities to be created in a manner provided by statute and other employees as are provided for in statute. This amendment also provides that the definitions of board and department for the purposes of health facilities and resources statutes no longer apply and adds for the purpose of reporting incidents of abuse, neglect, and misappropriate, the term commission should be included to mean the health facilities commission. In addition, for the purposes of this bill, the amendment defines certain terminology: (1) A "conflict of interest" means a matter before the commission in which the member or employee of the commission has a direct interest or indirect interest that is in conflict or gives the appearance of conflict with the discharge of the member's or employee's duties; (2) "Direct interest" refers to a pecuniary interest in the persons involved in a matter before the commission, and applies to the commission member or employee, the commission member's or employee's relatives, or an individual with whom or business in which the member or employee has a pecuniary interest. As used in this bill, "relative" means a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew by blood, marriage, or adoption; (3) "Ex parte communications" means communications in violation of present law; (4) "Indirect interest" means a personal interest in the persons involved in a matter before the commission that is in conflict with the discharge of the commission member's or employee's duties; (5) "Needs assessment" means an annual report that measures access to health care in this state, particularly as to emergency and primary care; identifies access gaps; and serves to inform the criteria and standards for the issuance of certificates of need; (6) "Nonresidential substitution-based treatment center for opiate addiction" includes, but is not limited to, stand-alone clinics that offer methadone, products containing buprenorphine, such as Subutex and Suboxone, or products containing another formulation designed to treat opiate addiction by preventing symptoms of withdrawal; (7) "Nursing home bed" means a licensed bed within a nursing home, regardless of whether the bed is certified for Medicare or Medicaid services and a bed at a healthcare institution that is used as a swing bed under federal regulation; (8) "Rehabilitation facility" means an inpatient or residential facility that is operated for the primary purpose of assisting in the rehabilitation of physically disabled persons through an integrated program of medical and other services that are provided under professional supervision. These revisions (and the remaining revisions in this summary) take effect July 1, 2024.

HEALTH FACILITIES COMMISSION JURISDICTION AND POWERS This amendment removes all provisions dealing with the members and authority of the board of licensing health care facilities and instead provides that a health facilities commission must be established that has jurisdiction and powers relating to the licensing and regulation of healthcare facilities as defined in present law; the certificate of need program; the development of the criteria and standards to guide the commission when issuing certificates of need; conducting of studies related to health care, which must include a needs assessment; and related reporting of healthcare

institutions. In addition, the commission consists of 15 members, including: (1) The comptroller of the treasury, or an employee of the office of the comptroller of the treasury, designated by the comptroller; (2) The executive director of the commission on aging and disability, or an employee of the commission on aging and disability, designated by the director; (3) The director of TennCare, or an employee of the division of TennCare, designated by the director; (4) Four members appointed by the speaker of the senate that includes one consumer member, one individual who has recent experience as an executive officer of a hospital or hospital system who may be appointed from lists of qualified persons submitted by interested hospital groups, including, but not limited to, the Tennessee Hospital Association; one representative of the nursing home industry who may be appointed from lists of qualified persons submitted by interested healthcare groups, including, but not limited to, the Tennessee Health Care Association; and one duly licensed physician who may be appointed from lists of qualified persons submitted by interested medical groups, including, but not limited to, the Tennessee Medical Association; and (5) Four members appointed by the speaker of the house of representative, to include the same qualifications listed in (4) as well as one representative of the assisted-care living facility industry, and one representative of the ambulatory surgical treatment center industry. This amendment also requires that the governor and speakers consult with interested groups including, but not limited to, the organizations listed above in (1)-(5) to determine qualified persons to fill positions with the commission. In making appointments to the health facilities commission, the governor and the speakers must strive to ensure that racial minorities, females, persons 60 years of age and older, and the three grand divisions are represented. This amendment goes on to specify that the consumer members must be persons who are knowledgeable of health needs and services and who are further knowledgeable by training or experience in healthcare facility design or construction, financing of healthcare services or construction, reimbursement of healthcare services, or general healthcare economics. However, the consumer members must not be a direct provider of healthcare goods or services. A member of the commission must not serve beyond the expiration of the member's term, whether or not a successor has been appointed by the governor or the speakers of the senate and the house of representatives. This amendment also specifies that the commission members are appointed for three-year terms, which may be served consecutively without a limitation upon the number of consecutive or non-consecutive terms a member may serve. In addition, the comptroller of the treasury, the executive director of the commission on aging and disability, and the director of TennCare, or their respective designees, are not limited to a term of years. In order to stagger the initial terms of the consumer members of the commission, the initial term for the consumer member appointed under (4) is three years while the initial term for the consumer member appointed under (5) is two years. This amendment also removes all provisions in present law that deal with and establish the current health facilities commission and replaces it with those enumerated above.

EXECUTIVE DIRECTOR The commission is required to appoint an executive director qualified by education and experience. The executive director must demonstrate knowledge and experience in the areas of public administration and health policy development. The executive director of the commission on June 30, 2026, will remain executive director on July 1, 2026, without the need for reappointment by the commission. This amendment also provides that the executive director is the chief administrative officer of the commission, exercising general supervision over all persons employed by the commission. The commission's staff is subject to personnel rules and policies that are applicable to state employees in general, including leave, compensation, classification, and travel rules and policies. The commission must fix the salary of the executive director; any adjustments to the executive director's salary due to administration changes to multiple employees in the executive director's job classification do not require commission approval. The commission has the sole authority to appoint, terminate, and control the work of the executive director. The executive director has the exclusive authority to appoint, terminate, and control staff employees. The commission's employees are executive service and serve at the pleasure of the executive director. This amendment lists specific duties granted to the executive director, including submitting an annual report, no later than January 15 of each year, to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives that includes, but is not limited to, a comparison of the actual payer mix and uncompensated care provided by special health services licensees with the projections the licensees submitted in the licensee's special health services license application. This amendment clarifies that in addition to the duties granted to the executive director, the commission has the authority to delegate certain duties listed in the bill to the executive director, which will continue until specifically revoked by the commission. The executive director is required to notify the commission of an action taken pursuant to a delegation of authority at the commission's next regularly scheduled meeting. The commission is required to review an action by the executive director if the executive director receives a written request for commission review or a commission member requests a commission review. If a request for commission review is received within 15 days of the date the executive director provides notice of the action, then the action does not become final until the commission has rendered its final decision. If, however, the request is made by a commission member and is not received pursuant to the specifications mentioned above, then the executive director's action becomes final as if the action was taken by the commission. A commission review of action taken by the executive director must be conducted at the next regularly scheduled commission meeting that is scheduled for a date no less than two weeks after the date the request for review is received. This is under the de novo standard, and the commission is required to use the then-current edition of Robert's Rules of Order as the rules of parliamentary procedure applicable to a commission review.

MEETINGS Each member and necessary staff and faculty of the commission must be reimbursed for all travel and other necessary expenses. Expenditures must be claimed and paid in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration, and approved by the attorney general and reporter. If a member is absent from three consecutive, regularly scheduled public meetings of the commission, then the individual's membership is automatically terminated, and the position is considered vacant. At the first meeting in each even-numbered year, the commission is required to elect officers. The chair of the commission must be a consumer member to serve a term as chair for two years. A member must not serve more than two

consecutive terms as chair and a member of the commission may serve as vice chair, which is a term of two years. In addition, a member is prohibited from serving more than two consecutive terms as vice chair. This amendment also provides that meetings of the commission must be held as frequently as its duties may require, and no less frequently than eight times each fiscal year. A majority of appointed members, not including vacant positions, constitute a quorum. This amendment also clarifies that an action of the commission is not effective unless the action is concurred in by a majority of commission members present and voting. The chair may only vote if there is a tie among the other members present and voting and the commission must record by name the votes taken on all actions of the commission. All commission members shall annually review and sign a statement acknowledging the statute, rules, and policies concerning conflicts of interest. A member, upon determining that a matter scheduled for consideration by the commission results in a conflict with a direct interest, must immediately notify the executive director and is recused from any deliberation of the matter, from making any recommendation, from testifying concerning the matter, or from voting on the matter. The member must then join the public during the proceedings. However, a member with an indirect interest must publicly acknowledge such interest, unless the member is recused from deliberation on, making a recommendation regarding, testifying concerning, or voting on the matter. All members are required to make every reasonable effort to avoid even the appearance of a conflict of interest. If a member is uncertain whether the relationship justifies recusal, then the member must follow the determination by the legal counsel for the commission. A determination by the commission or a court that a member of the commission with a direct interest failed to provide notice and be recused from deliberations of the matter, from making any recommendation, from testifying concerning the matter, or from voting on the matter, results in the member's automatic termination from the commission and the position is considered vacant. The member is not eligible for appointment to any commission, board, or commission of this state for a period of two years. The executive director, upon determining that a conflict exists for the executive director or a member of the staff, must notify the chair of the commission and take such action as the chair prescribes and pursuant to this bill.

DUTIES AND RESPONSIBILITIES In addition to the powers granted elsewhere in this amendment, the commission has the duty and responsibility to: (1) Promulgate rules and policies deemed necessary by the commission for the fulfillment of its duties and responsibilities under this amendment; (2) Promulgate rules and policies deemed necessary by the commission for the fulfillment of its duties and responsibilities, including, but not limited to, criteria to guide the commission in the issuance of certificates of need; (3) Conduct studies related to health care, including a needs assessment that must be updated at least annually; and (4) Contract when necessary for the development of criteria and standards to guide the commission when issuing certificates of need and for the implementation of the certificate of need program. In addition, this amendment shifts the authorization with respect to the inspection of administrative, clerical employees and other facility, and the authority to suspend or revoke a license of a center that terminates pregnancies onto the commission. In addition, this amendment removes the provision that requires the board to promulgate rules requiring the board to adopt and appropriately utilize universal precautions for prevention of HIV transmission.

LICENSURE REQUIREMENTS Present law provides that the board, in its discretion, must be authorized to issue licenses to several licensees in such form as it may deem necessary to distinguish between and identify any of the facilities required to be licensed by the commission. It also provides that board administrative staff must maintain a file of reported complaints. The file must include the name of the facility against whom the complaint is filed, the date the complaint is filed, the action taken by the board, if any, on the complaint, and the date of the action taken. This amendment shifts this authorization mentioned above, the authorization for approving applications for licensure, the responsibility of maintaining a file of reported complaints, the authority to issue injunctions and penalties, and the requirement to post and update the required information regarding the facilities it licenses on the internet onto the commission established by this bill. This amendment also removes the requirement that the board conduct either one joint inspection for each licensing period or accept the investigation of one of the enumerated entities.

COLLABORATION WITH THE COMMITTEE ON PEDIATRIC EMERGENCY CARE The required collaboration with the committee on pediatric emergency care in order to support the legislative intent enumerated in statute and to also support the delivery of educational services and equipment to providers of emergency services passed with amendments in 2017 (005507) and amended in 2021 (005841) and is added onto (005841) health facilities commission.

Senate Status: 01/09/23 - Senate passed with amendments in 2017 (005507) and amended in 2021 (005841)

House Status: 04/20/23 - House passed.

Executive Status: 04/20/23 - Sent to the speakers for signatures.

SB912/HB840 Health-related boards relating to prescriptions for Schedule II controlled substances.

Sponsors: Sen. Niceley, Frank , Rep. Lynn, Susan

Summary: Removes provisions that required health-related boards affected by law relating to prescriptions for Schedule II controlled substances to report to the general assembly by January 1, 2019, on issues related to the implementation of that law. Broadly captioned.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

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

SB925/HB1429 Out-of-state provider of home medical equipment services - requirement to maintain office in state.

Sponsors: Sen. Lundberg, Jon , Rep. Hicks, Gary

Summary: Exempts an out-of-state provider of home medical equipment services from the requirement to maintain an office or place of business within this state if the provider provides home medical equipment that is not available from a provider that has an office or place of business within this state.

Amendment Senate amendment 1 (003501) makes the following changes to this bill: (1) Names this bill "Quinnlee's Law"; (2) Removes the requirement that a provider of home medical equipment services that has a principal place of business outside this state maintain an office or place of business within this state; and (3) Requires the board for licensing health care facilities to establish by rule that a provider of home medical equipment services that has a principal place of business outside of this state must identify a contact person who is required to provide the state survey agency and its surveyors access to all survey items, which may include, but are not limited to, personnel files, patient medical records, policies and procedures, data, background checks, abuse registry checks, facility reported incidents, litigation and bankruptcy history, current licensure status, copies of investigations, discipline records in any other state where the provider is licensed, and video records or files, if available.

Senate Status: 03/06/23 - Senate passed with amendment 1 (003501).

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0099 effective March 31, 2023.

SB948/HB1409 Filing and registration of birth certificates.

Sponsors: Sen. Oliver, Charlane , Rep. Johnson, Gloria

Summary: Requires the office of vital records to establish a procedure whereby the filing and registration of a birth certificate, and the attestation of the accuracy of the personal data provided for such filing, can be accomplished through electronic means. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1013/HB1506 Reporting of abortion to office of vital records.

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

Summary: Changes from 10 days to three business days after an abortion the time within which the abortion must be reported to the office of vital records by the person in charge of the institution where the abortion was performed or by the attending physician. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 03/14/23 - Taken off notice in House Population Health Subcommittee.

SB1020/HB1501 Prescribing healthcare practitioner to discuss risks associated with prescribed Schedule II controlled substance.

Sponsors: Sen. Campbell, Heidi , Rep. Hakeem, Yusuf

Summary: Requires a prescribing healthcare practitioner to discuss certain risks associated with a prescribed Schedule II controlled substance prior to an initial prescription and following the third prescription of the drug during a course of treatment. Requires the practitioner to document the discussion of such risks in the patient's medical record. Broadly captioned.

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

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

SB1033/HB1112 Report on implementation of and results from the Child Nutrition and Wellness Act of 2006.

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

Summary: Requires the commissioner of the department of health to submit a report by January 1, 2024, on the implementation of, and results from, the Child Nutrition and Wellness Act of 2006, to the chair of the senate health and welfare committee, the chair of the health committee of the house of representatives, and the legislative librarian. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

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

SB1051 Electronic delivery of data related to complication of induced abortions.

Sponsors: Sen. Yarbro, Jeff ,

Summary: Permits the department to electronically deliver the data related to complications of induced abortions, which is included in the department's annual report of selected induced termination of pregnancy data. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

SB1090/HB264 Exemption to mandated immunization - conflict with religious tenets and practices.

Sponsors: Sen. Bowling, Janice , Rep. Richey, Bryan

Summary: Prohibits the state or a political subdivision of the state from requiring an immunization unless exemptions are provided for persons who file signed, written statements affirming that the immunization conflicts with their religious tenets and practices; makes certain other changes related to immunizations. Broadly captioned.

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

House Status: 03/07/23 - Failed in House Population Health Subcommittee after failing to receive a second.

SB1111/HB1380 Mature Minor Doctrine Clarification Act.

Sponsors: Sen. Bowling, Janice , Rep. Ragan, John

Summary: Prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives written informed consent from a parent or legal guardian of the minor. Requires the healthcare provider to document receipt of, and include in the minor's medical record proof of, such prior informed consent. Prohibits an employee or agent of this state from providing or facilitating the vaccination of a minor child who is in the custody of this state unless a parent or guardian has provided prior written or the parental rights of each of the minor's parents or legal guardians have been terminated by a court. Requires the department of health to establish a registry database for the reporting of vaccinations of minors by healthcare providers in this state.

Amendment Summary: House amendment 1 (006518) adds a statement of legislative findings and removes the requirement that the informed consent provided by a parent or legal guardian for a child's vaccination must be written (except for administration of a COVID-19 vaccine, in which case written consent is still required).

Senate Status: 04/20/23 - Senate concurred in House amendment 1 (006518).

House Status: 04/19/23 - House passed with amendment 1 (006518).

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB1168/HB913 Practitioner to discuss addiction and overdose risks associated with certain prescription drugs.

Sponsors: Sen. Taylor, Brent , Rep. Rudder, Iris

Summary: Requires a practitioner to discuss with patients the addiction and overdose risks associated with certain prescription drugs, alternative treatments that may be available, and the reasons why the prescription is necessary prior to issuing an initial prescription and prior to issuing a third prescription for certain controlled substances in a course of treatment for acute or chronic pain. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 03/07/23 - Taken off notice in House Health Subcommittee.

SB1278/HB1296 Reversible long-acting contraception at no charge.

Sponsors: Sen. Massey, Becky , Rep. Helton-Haynes, Esther

Summary: Requires the department of health to provide voluntary reversible long-acting contraception to women at no charge.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 02/07/23 - Referred to House Population Health Subcommittee.

SB1314/HB1419 Medications intended for persons with diabetes.

Sponsors: Sen. Bailey, Paul , Rep. Butler, Ed

Summary: Prohibits a healthcare prescriber from issuing a prescription for a dual-purpose prescription medication for diabetes to a person in this state that does not have a diagnosis of diabetes.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

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

SB1339/HB1215 Reimbursement prohibited for certain procedures relating to gender identity.

Sponsors: Sen. Johnson, Jack , Rep. Sexton, Cameron

Summary: Prohibits any managed care organization that contracts with the bureau of TennCare to provide medical assistance from providing reimbursement or coverage for a medical procedure if the performance or administration of the procedure is for the purpose of enabling a person to identify with, or live as, a purported identity inconsistent with the person's sex, or treating purported discomfort or distress from a discordance between a person's sex and asserted identity. Broadly captioned.

*Amendment**Summary:*

House Insurance Committee amendment 1 (003881) prohibits a managed care organization (MCO) that contracts with the Division of TennCare (Division) to provide medical assistance from providing reimbursement or coverage for a medical procedure if the performance or administration of the procedure is for the purpose of enabling a person to identify with, or live as, a purported identity inconsistent with the person's sex, or treating purported discomfort or distress from a discordance between a person's sex and asserted identity. Prohibits the Division from contracting with any MCO to provide medical assistance if the MCO provides reimbursement or coverage for such medical procedures through: (1) a private health insurance program regulated by the state; (2) a state or local insurance program in this state or another state; or (3) any other program for insurance or medical assistance regulated or administered by another state. Requires the Division to revise or amend all necessary contracts within 30 days of the effective date of the legislation to ensure compliance. Requires an MCO that is in violation to come into compliance no later than 90 days after the effective date of the proposed legislation, and provide documentation of the compliance to the Division within 120 days. Authorizes the Department of Commerce and Insurance (DCI) to periodically review each MCO to ensure compliance. Requires the Division, upon being notified by the DCI, to immediately provide notice of any finding of noncompliance to an MCO. Grants an MCO the ability to contest a finding and request a contested case hearing. States that an MCO that violates the proposed legislation is no longer eligible to contract with the Division to provide medical assistance. House Finance Subcommittee amendment 1 (005645) prohibits a managed care organization (MCO) that contracts with the Division of TennCare (Division) to provide medical assistance from providing reimbursement or coverage for a medical procedure if the performance or administration of the procedure is for the purpose of enabling a person to identify with, or live as, a purported identity inconsistent with the person's sex, or treating purported discomfort or distress from a discordance between a person's sex and asserted identity. Prohibits the Division from contracting with any MCO to provide medical assistance if the MCO provides reimbursement or coverage for such medical procedures through: (1) a private health insurance program regulated by the state; (2) a state or local insurance program in this state or another state; or (3) any other program for insurance or medical assistance regulated or administered by another state. Creates an exception for medical procedures performed or administered to treat a person's congenital defect, precocious puberty, disease, or physical injury. Authorizes the Division to seek a waiver from the federal Department of Health and Human Services, if necessary. Requires the Division to revise or amend all necessary contracts within 30 days of finalizing an amended waiver to ensure compliance with the proposed legislation. Requires the Department of Commerce and Insurance (DCI) to conduct an initial review of an MCO that is contracting with the Division no later than 90 days after the effective date of the proposed legislation. Authorizes the DCI to periodically review each MCO to ensure compliance, and notify the MCO and Division of a violation. Requires an MCO to remedy a violation within 30 days of receiving notice. Requires the Division to begin the process of replacing an MCO if the MCO does not remedy a violation within the 30-day time period.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 04/18/23 - Returned to House clerk's desk.

SB1469/HB1447 Prescription of hormone treatment for minors.

Sponsors: Sen. Johnson, Jack , Rep. Faison, Jeremy

Summary: Clarifies that prescribing hormone treatment for minors is not a standard medical practice when the treatment is for the purpose of enabling a minor to identify with or live as a purported identity inconsistent with the minor's sex or treating purported discomfort or distress from a discordance between a minor's sex and asserted identity. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

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

INSURANCE GENERAL

SB454/HB609 Tennessee Paid Family Leave Insurance Act.

Sponsors: Sen. Watson, Bo , Rep. Hawk, David

Summary: Enacts the "Tennessee Paid Family Leave Insurance Act" which authorizes the issuance of an insurance policy that an employer may offer to an employee for the purpose of providing family leave benefits. Broadly captioned.

Senate Status: 03/06/23 - Senate passed.

House Status: 03/13/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0091 effective March 31, 2023.

SB1311/HB1200 Tax credit for insurance company affiliate.

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

Summary: Changes the date, from March 19 to March 18, 1991, of authorization for an insurance company affiliate to be considered eligible for a tax credit based on the affiliate's reinsurance agreement with an insurance company, in which the tax imposed on gross premiums is allocated from the ceding company to the reinsuring company and allows the reinsuring company to use the premium tax liability as a tax credit. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

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

SB266/HB314 Assignment of benefits to a healthcare provider.

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

Summary: Removes language outlining benefits and billing statement requirements by healthcare providers. Part of Administration Package.

Amendment Senate amendment 1 (003567) deletes the present law regarding the collection of out-of-network charges by healthcare facilities,

Summary: as described below. Present law prohibits healthcare facilities, which includes licensed hospitals and ambulatory surgical treatment centers, from collecting out-of-network charges from an insured, or the insurer on behalf of the insured, in excess of the cost sharing amount required in accordance with the insured's health benefits coverage for the items and services, unless the healthcare facility provides written notice to the insured or the insured's personal representative, prior to medical services being provided, that contains the following: (1) A statement that the insured agrees to receive medical services by the out-of-network facility and will receive a bill for the amount unpaid by the insured's insurer; (2) A statement that the nonparticipating out-of-network facility-based physician may not have a current contract provider agreement with the insured's insurer and is an out-of-network provider; (3) A statement that the insured agrees to receive medical services by an out-of-network provider and will receive a bill for the amount unpaid by the insured's insurer; (4) If the healthcare facility is out of network or otherwise a nonparticipating provider, the estimated amount that the facility will charge the insured for items and services; (5) A listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility has contracted, including the healthcare provider or group name, phone number, and website, along with including the statement: The physicians and other healthcare providers that may treat the patient at this facility may not be employed by this facility and may not participate in the patient's insurance network. Anesthesiologists, radiologists, emergency room physicians, and pathologists are not employed by this facility. Services provided by those specialists, among others, will be billed separately. Before receiving services, the patient should check with his or her insurance carrier to find out if the patient's providers are in-network. Otherwise, the patient may be at risk of higher out-of-network charges; and (6) The written notice must also provide information about the possibility of a transfer to an in-network facility if the in-network facility has similar treatment available and will not risk the insured's health. The insured or the insured's personal representative must then sign the written notice, acknowledging agreement to receive medical services by an out-of-network provider or, should the insured or insured's personal representative refuse to sign the written notice, the healthcare facility must document in the patient's medical record that it provided the notice and that the patient refused to sign the notice. Present law also requires that this written notice be provided to the insured or the insured's personal representative at the time of admission. If the insured is receiving medical services through a hospital emergency department and is incapacitated or unconscious at the time of receiving those services, the notice will not be required at that time. If that is the case, the written notice must be provided after receiving medical services and within 12 hours following stabilization. Information about a transfer to an in-network facility must accompany the written notice. Present law provides that a stabilized condition means, with respect to an emergency medical condition, where no material deterioration of the condition is likely, within a reasonable medical probability to result from or occur during transfer of the individual from a facility. Present law further requires that when treated at an out-of-network facility, the insured or the insured's personal representative must receive the written notice from the facility before being transferred by an ambulance to another facility for treatment of medical services unless the insured would be at risk of bodily injury by the facility giving the insured the notice. Prior to admission for a scheduled medical procedure, a healthcare facility must provide the insured with informational materials that include the following: (1) The estimated amount of copay, deductible, or coinsurance, or range of estimates, that the facility will charge the insured for scheduled items and/or services provided by the facility in accordance with the insured's health benefit coverage for the items and services or as estimated by the insurance company on its website for its insured or through the available information to the facility at the time of the prior authorization; (2) A listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility is contracted, including the healthcare provider or group name, phone number, and website; and (3) The following statement: The patient will be billed for additional charges, including out-of-network charges, if the patient is provided medical services by a healthcare provider that is not in-network. In particular, the patient should ask the facility if he or she will be provided any medical services by anesthesiologists, radiologists, emergency room physicians, or pathologists who are not in the patient's network. A bill to an insured from a healthcare provider or healthcare facility is required to contain a telephone number for the department and a clear and concise statement that the insured may call the department to complain about any out-of-network charges. Present law provides that the failure of the healthcare facility to provide both the notice and information enumerated above does not give rise to any right of indemnification or private cause of action against the healthcare facility by an out-of-network facility-based physician for an insurer's disregard of an insured's assignment of benefit. An in-network healthcare facility does not need to provide an insured with the written notice if the healthcare facility employs all facility-based physicians or requires all facility-based physicians to participate in all of the insurance networks in which the healthcare facility is a participating provider or if the healthcare facility contractually prohibits all facility-based physicians from balance billing patients in excess of the cost sharing amount required in accordance with the insured's health benefits coverage of the items and services provided.

Senate Status: 02/23/23 - Senate passed with amendment 1 (003567).

House Status: 02/27/23 - House passed.

Executive Status: 03/20/23 - Enacted as Public Chapter 0042 effective March 14, 2023.

SB755/HB815 Coverage of a continuous glucose monitor for a person with diabetes.

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

Summary: Requires certain individual and group health insurance policies to provide coverage of a continuous glucose monitor for a person with diabetes who is insulin-dependent and is covered by the policy. Broadly captioned.

Senate Status: 03/14/23 - Senate Commerce & Labor Committee deferred to 2024.

House Status: 03/21/23 - Taken off notice in House Insurance Committee.

SB938/HB1401 Affordability is Access Act.

Sponsors: Sen. Oliver, Charlane , Rep. Johnson, Gloria

Summary: Enacts the "Affordability is Access Act," which requires individual and group health plans to provide coverage for over-the-counter contraceptives that have been approved for use by the federal food and drug administration. Broadly captioned.

Senate Status: 02/08/23 - Withdrawn in Senate.

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

SB1074/HB1432 Tennessee Preexisting Conditions Protection Act.

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

Summary: Enacts the "Tennessee Preexisting Conditions Protection Act." Prohibits a group health plan or a health insurance issuer offering group health insurance coverage from imposing a preexisting condition exclusion to a participant or beneficiary. Prohibits a health benefit plan from imposing a preexisting condition exclusion to limit or deny coverage. Clarifies pertinent language related to preexisting conditions.

Senate Status: 03/21/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/21/23 - Taken off notice in House Insurance Subcommittee.

JUDICIARY

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

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

Summary: Allows civil actions for an injury or illness based on child sexual abuse occurring on or after July 1, 2023 to be brought at any time.

Senate Status: 01/21/23 - Referred to Senate Judiciary Committee.

House Status: 03/21/23 - Taken off notice in House Civil Justice Subcommittee.

SB305/HB1350 Appointing of members of the advisory task force to review the composition of judicial districts.

Sponsors: Sen. Lundberg, Jon , Rep. Farmer, Andrew

Summary: Requires the speakers of the senate and house of representatives to appoint the members of the advisory task force to review the composition of judicial districts by January 1, 2025, rather than July 1, 2025. Broadly captioned.

Senate Status: 03/22/23 - Senate Judiciary Committee deferred to 03/28/23.

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

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

Sponsors: Sen. Gardenhire, Todd , Rep. Hulsey, Bud

Summary: Authorizes the administrative office of the courts to submit its annual report in an electronic format to the chair of the senate judiciary committee, the chair of the civil justice committee of the house of representatives, and the attorney general and reporter. Broadly captioned.

Senate Status: 03/28/23 - Senate Judiciary Committee deferred to the first calendar of 2024.

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

SB400/HB1186 Requests for review of a juvenile court case heard by a magistrate.

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

Summary: Rewrites the provisions for requests for review of a juvenile court case heard by a magistrate by changing the right from a de novo hearing by the juvenile court judge to a review by the juvenile court judge with a presumption of correctness as to the magistrate's order. Makes other relevant revisions including time limits, who can participate in reviews, and that pleading guilty removes the right to a review.

Senate Status: 03/30/23 - Senate passed.

House Status: 03/06/23 - House passed.

Executive Status: 04/13/23 - Sent to governor.

SB612/HB642 Protocols and procedures for provisions that affect children with the department of children's services.

Sponsors: Sen. Walley, Page , Rep. Bricken, Rush
Summary: Extends from March 1 to April 1 of each year, the date by which the department of children's services must appear before the judiciary committee of the senate and the civil justice committee of the house of representatives for a review of the policies of the department and attached protocol and procedures for these policies and any provisions that affect the children the department serves. Broadly captioned.
Senate Status: 01/31/23 - Referred to Senate Judiciary Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.

SB618/HB985 Information included in court filings regarding parenting plans.

Sponsors: Sen. Yarbro, Jeff , Rep. Beck, Bill
Summary: Permits the use of a person's full social security number; taxpayer identification number; birth date; name, if the person is a minor; or financial account number in court filings regarding parenting plans.
Senate Status: 03/13/23 - Senate passed.
House Status: 03/20/23 - House passed.
*Executive Status:*04/11/23 - Enacted as Public Chapter 0124 effective April 4, 2023.

LABOR LAW

SB310/HB260 Verification of citizenship for applicants of benefits.

Sponsors: Sen. Niceley, Frank , Rep. Carr, Dale
Summary: Specifies that if a state or local governmental entity is not able to verify a nonresident alien's status through the SAVE program or the SEVIS system, then the nonresident alien may apply for a public benefit if the alien signs an affidavit under penalty of perjury that states the following: 1) the nonresident alien holds a valid J-1 visa for participation in the J-1 Visa Exchange Visitor Program and the nonresident alien is seeking a professional or commercial license from the state or local governmental entity for purposes of employment in this state; 2) the nonresident alien holds a valid H-2B visa and the nonresident alien is seeking employment in this state; or 3) the nonresident alien holds a valid visa for participation in an international culinary internship program and the nonresident alien is seeking employment or an internship in this state. Broadly captioned.
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/30/23 - Withdrawn in House.

SB383/HB417 Employer asking for prospective employee to provide compensation history.

Sponsors: Sen. Oliver, Charlane , Rep. Hemmer, Caleb
Summary: Prohibits an employer from asking for or requiring a prospective employee to provide the prospective employee's compensation history. Also prohibits an employer from retaliating or discriminating against a prospective employee for failing to disclose the prospective employee's compensation history. Requires an employer to provide notice to the employer's employees of employment advancement opportunities and openings, including the potential range of wage rates that the employer reasonably believes that the opening or opportunity will pay and other benefits that will be offered to the hired applicant. Requires the department of labor and workforce development to promulgate rules to effectuate this section.
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Referred to House Banking & Consumer Affairs Subcommittee.

SB390/HB673 Tennessee Family Insurance Act.

Sponsors: Sen. Oliver, Charlane , Rep. Johnson, Gloria
Summary: Enacts the "Tennessee Family Insurance Act" which sets guidelines for family and medical leave insurance benefits of who may receive the benefits, time limits, and amount of the wage to be covered by the benefits. Requires that all claims for benefits must be made in accordance with rules provided by the federal and state commissioners. (13pp).
Senate Status: 03/20/23 - Failed in Senate Commerce & Labor Committee.
House Status: 03/21/23 - Failed in House Banking & Consumer Affairs Subcommittee.

SB647/HB596 No Quit Act.

Sponsors: Sen. Lamar, London , Rep. Powell, Jason
Summary: Enacts the "No Quit Act"; requires an employer that is requesting an employee to voluntarily resign to provide the employee with written notice of the rights, privileges, and benefits the employee waives or loses if the employee voluntarily resigns. Broadly captioned.

Senate Status: 03/14/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 02/01/23 - Referred to House Banking & Consumer Affairs Subcommittee.

SB742 Tennessee Pay Equality Act.

Sponsors: Sen. Kyle, Sara ,

Summary: enacts the "Tennessee Pay Equality Act" to revise present law concerning sex-based discrimination in compensation for employment. Details violations to this act including fines and potential lawsuits.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

SB850/HB1263 Study of Child Labor Act of 1976.

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

Summary: Requires the department of labor and workforce development to conduct a study of the Child Labor Act of 1976 and the Tennessee Protection of Minor Performers Act, and to report its findings to the governor, the speaker of the house of representatives, the speaker of the senate, and the legislative librarian no later than December 1, 2023. Broadly captioned.

Senate Status: 03/20/23 - Taken off notice in Senate Commerce & Labor Committee.

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

SB940/HB819 Increases state minimum wage.

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

Summary: Increases the state minimum wage from \$7.25 to \$12.00 an hour. Requires employers to pay employees at least 1.5 times the regular wage rate for any work done in excess of 40 hours during a work week. Makes employers who violate the minimum wage requirements liable to the employee for the amount of unpaid wages.

Senate Status: 03/14/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.

SB1015/HB1518 Family Caregiver Antidiscrimination Act.

Sponsors: Sen. Campbell, Heidi , Rep. Shaw, Johnny

Summary: Enacts the "Family Caregiver Antidiscrimination Act" which prohibits an employer from discriminating against an employee or potential employee because of the employee's family responsibilities if attendance and satisfactory performance standards are met. Details violations and punishments if discrimination occurs. Broadly captioned.

Senate Status: 03/14/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/14/23 - Taken off notice in House Banking & Consumer Affairs Subcommittee.

SB1028/HB1502 Employee Child Care Assistance Partnership Act.

Sponsors: Sen. Yarbro, Jeff , Rep. McKenzie, Sam

Summary: Enacts the "Employee Child Care Assistance Partnership Act," which supports Tennessee families by incentivizing employers to contribute to the childcare costs of its employees. Details who, what, and how much money is to be contributed to childcare costs. Allows a public and private partnership pilot program and administer program funds. Requires an annual report on funding and lists of companies and number of employees involved. States the fund consists of moneys appropriated by the general assembly, contributions, gifts, or grants made available for the purposes of the program. (12pp). Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.

SB1084 Minimum hourly wage increase.

Sponsors: Sen. Kyle, Sara ,

Summary: Increases, from \$7.25 to \$15, the minimum hourly wage for employees within the state.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

SB1109/HB637 Religious exemption to immunization requirement.

Sponsors: Sen. Bowling, Janice , Rep. Barrett, Jody

Summary: Requires an employer that requires an immunization as a condition of employment or continued employment to exempt from the immunization requirement a person who files a signed, written statement that the immunization conflicts with the person's religious tenets or practices; prohibits an employer from taking adverse action against a person who files a statement of religious objection. Broadly captioned.

Amendment Summary: Senate Commerce and Labor Committee amendment 1 (005236) establishes that an employer who requires an immunization as a condition of employment or continued employment must grant an exemption from the requirement to an employee who files a written statement of religious objection. Prohibits an employer from taking an adverse action against a person who files a statement of religious objection. Allows healthcare providers to implement and provide reasonable accommodation measures to a person who files a statement of religious objection in order to protect the safety and health of other persons from communicable diseases. Creates a private right of action against an alleged violator for a person injured as a result of a violation of the proposed legislation. Excludes an employer that is a Medicare or Medicaid certified healthcare provider, to the extent such healthcare provider is subject to a valid and enforceable Medicare or Medicaid condition or requirement of participation that imposes a requirement contrary to the proposed legislation. Senate Commerce and Labor Committee amendment 3 (005926) establishes that an employer who requires an immunization as a condition of employment or continued employment must grant an exemption from the requirement to an employee who files a written statement of religious objection. Prohibits an employer from taking an adverse action against a person who files a statement of religious objection. Allows healthcare providers to implement and provide reasonable accommodation measures to a person who files a statement of religious objection in order to protect the safety and health of other persons from communicable diseases. Creates a private right of action against an alleged violator for a person injured as a result of a violation of the proposed legislation. The proposed legislation does not apply to a person in this state who is subject to an employment-related immunization requirement because the person is employed by the federal government or is performing work pursuant to a contract with the federal government.

Senate Status: 03/20/23 - Failed in Senate Commerce & Labor Committee after adopting amendment 1 (005236) and amendment 3 (005926).

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

SB1290/HB1196 Notice of apprenticeship programs available on department's website.

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

Summary: Requires the commissioner of the department of labor and workforce development to ensure that a listing of apprenticeship programs approved by made available to the public on the department's public website and updated twice annually.

Senate Status: 03/21/23 - Taken off notice in Senate Commerce & Labor Committee.

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

SB1410/HB1212 Employment of minors - places that sell intoxicating beverages.

Sponsors: Sen. Jackson, Ed , Rep. Sexton, Cameron

Summary: Removes the prohibition that a person 16 or 17 years of age may not be employed in any place where the average monthly gross receipts from the sale of intoxicating beverages exceed 25 percent of the total gross receipts of the place of employment if the person is not permitted to take orders for or serve intoxicating beverages. Broadly captioned.

Senate Status: 03/13/23 - Senate passed.

House Status: 02/27/23 - House passed.

*Executive Status:*03/27/23 - Enacted as Public Chapter 0068 effective March 23, 2023.

LOCAL GOVERNMENT

SB166/HB278 Contracting with local governments - leave policies.

Sponsors: Sen. Campbell, Heidi , Rep. McKenzie, Sam

Summary: Deletes the prohibition on a local government from requiring, as a condition of contracting with the local government, that employers establish a leave policy that is different than required by state law.

Amendment Summary: Senate State and Local Government Committee amendment 1 (004903) specifies that a local government may require, as a condition of contracting with the local government, that a contracting employer employing 15 or more employees provide up to 56 hours of paid sick leave to its employees. Clarifies that this does not discourage or prohibit a contracting employer from adopting a more generous voluntary paid leave policy.

Senate Status: 03/14/23 - Failed in Senate State & Local Government Committee after adopting amendment 1 (004903).

House Status: 01/24/23 - Referred to House Cities & Counties Subcommittee.

SB514/HB724 Cognitive and psychological exams required for candidate for the office of constable.

Sponsors: Sen. Lundberg, Jon , Rep. Hulsey, Bud

Summary: Requires a candidate for the office of constable to undergo a cognitive and psychological examination by a licensed psychologist to ensure the fitness of the candidate prior to running for office.

Amendment Summary: House amendment 1 (003494) requires a person seeking the office of constable to file with the county election commission a letter from a licensed psychologist who has conducted a cognitive and psychological test on the candidate stating that the candidate is mentally and cognitively fit to perform the duties of a constable. Requires the same letter to be filed with the county clerk prior to the election if the person is seeking to fill a vacancy in the office of constable through election by the county legislative body. Exempts constables in office on and elected prior to July 1, 2023. Specifies that candidates are responsible for covering the costs of testing.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/06/23 - House passed with amendment 1 (003494).

*Executive Status:*03/27/23 - Enacted as Public Chapter 0065 effective July 1, 2023.

SB600/HB90 Local governments prohibited from financially assisting abortions.

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

Summary: Prohibits a county, municipality, or metropolitan government from using funds to assist a person in obtaining an abortion, including the travel to a state where abortion is legal.

Amendment Summary: Senate amendment 2 (004799) prohibits local governments from expending funds for the purpose of assisting a person in obtaining a criminal abortion, including expending funds as part of a health benefit plan or for travel to a state for the purpose of obtaining an abortion that would be a criminal abortion if performed in this state.

Senate Status: 03/13/23 - Senate passed with amendment 2 (004799).

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

SB841/HB30 Permits needed for adult cabaret entertainment.

Sponsors: Sen. Hensley, Joey , Rep. Doggett, Clay

Summary: Requires a person to obtain a valid entertainer permit from the adult-oriented establishment board, in those jurisdictions with a board, prior to performing adult cabaret entertainment for compensation. Prohibits public, private, and commercial establishments from allowing a person younger than 18 years of age to attend a performance featuring adult cabaret entertainment. Defines "adult cabaret entertainment" to mean entertainment suitable for mature audiences, including entertainment erotic in nature, and featuring go-go dancers, exotic dancers, topless dancers, male or female impersonators, or similar entertainers.

Amendment Summary: House amendment 2 (004130) requires a person, in jurisdictions with an adult-oriented establishment board (Board), to obtain a valid entertainer permit from the Board prior to performing adult cabaret entertainment for compensation. Prohibits public, private, and commercial establishments from allowing a person younger than 18 to attend a performance featuring adult cabaret entertainment.

Senate Status: 03/21/23 - Failed in Senate State & Local Government Committee for lack of a second.

House Status: 03/06/23 - House passed with amendment 2 (004130).

SB1513/HB1536 Franklin special school district - bond issuance.

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam

Summary: Local bill that pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$20 million and to authorize the issuance of tax anticipation notes from time to time. Amends Chapter 563 of the Private Acts of 1949.

Senate Status: 03/23/23 - Senate passed.

House Status: 03/20/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Private Chapter 09 effective April 12, 2023.

LOTTERY

SB1330/HB1201 Submission of annual event application by school foundation or school support organization.

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

Summary: Exempts a school support organization that is a nonprofit organization seeking to operate an annual event for the benefit of the organization from paying the subsequent application fees. Requires the organization to update the application if there is a change to any of the required information.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 03/08/23 - Taken off notice in House Department & Agencies Subcommittee.

MEDIA & PUBLISHING

SB9 Makes records confidential if death of an individual was not result of a crime.

Sponsors: Sen. Johnson, Jack ,

Summary: Specifies that medical records, law enforcement investigative reports, 911 call recordings, photographs, and any other recordings related to a death are not public records if the investigating law enforcement agency determines that the death was not the result of a crime. Makes confidential any body camera footage that includes the interior of a private residence recorded due to investigation of a death, which the law enforcement agency determined not to be the result of a crime.

Senate Status: 01/20/23 - Referred to Senate State & Local Government Committee.

SB86/HB734 Persons requesting access to public records.

Sponsors: Sen. Walley, Page , Rep. Rudd, Tim

Summary: Clarifies that a person requesting public records is not entitled to special or more expeditious access to records under this part due to the person's occupation or association with a specific profession.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

MENTAL HEALTH

SB179/HB508 Courts may order person into a program of assisted outpatient mental health treatment.

Sponsors: Sen. Massey, Becky , Rep. Rudd, Tim

Summary: Allows courts to order a person into a program of assisted outpatient mental health treatment upon finding certain conditions are met, including the person's condition resulting from mental illness or serious emotional disturbance is likely to deteriorate rapidly to the point that the person will pose a substantial likelihood of serious harm to other persons. Provides a process for certain persons to petition a court on behalf of a proposed patient, including a parent, legal guardian, physician psychologist, or law enforcement officer. Establishes criteria for the evaluation of proposed patients and reporting to the court by physicians and certain mental health professionals. (18 pp.)

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/08/23 - Referred to House Health Subcommittee.

SB553/HB305 Revises references for mental defect or mentally defective throughout code.

Sponsors: Sen. Kyle, Sara , Rep. Camper, Karen

Summary: Changes references for mental defect, mental defective, and mentally defective to mental health condition throughout the code. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/29/23 - Taken off notice in House Health Subcommittee.

SB1230/HB1043 Funding treatment services for juvenile addiction and mental health disorders.

Sponsors: Sen. White, Dawn , Rep. Bricken, Rush

Summary: Requires the department of mental health and substance abuse services to use funds distributed from revenue received from sports gaming to provide treatment services for juvenile addiction and mental health disorders secondary to providing services for gambling addiction and gambling disorders. Broadly captioned.

Senate Status: 04/10/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*04/21/23 - Sent to the speakers for signatures.

SB1394/HB1227 Public posting of the written minutes of each Tennessee opioid abatement council meetings.

Sponsors: Sen. Reeves, Shane , Rep. Littleton, Mary

Summary: Requires the department of mental health and substance abuse services to make available on its public website an electronic copy of the written minutes of each meeting of the Tennessee opioid abatement council. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/02/23 - House sponsor changed from Tom Leatherwood to Mary Littleton.

MISCELLANEOUS

SB269/HB317 Juneteenth as a legal holiday.

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

Summary: Designates June 19 of each year as a legal holiday known as Juneteenth. Part of Administration Package.

Senate Status: 03/23/23 - Senate passed.

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

PROFESSIONS & LICENSURE

SB233/HB379 Time allowed for an unarmed security guard to complete general training.

Sponsors: Sen. Yarbro, Jeff , Rep. Beck, Bill

Summary: Decreases the amount of time an unarmed security guard applicant has from the date of employment to complete general training and pass an examination from 15 days to 10 days. Broadly captioned.

Amendment Summary: House amendment 1 (006434) rewrites this bill to make changes to present law relative to security guards/officers, as described below. CARRYING A WEAPON Present law prohibits an unarmed security guard/officer employed by a propriety security organization from carrying a weapon of any kind. This amendment removes this prohibition. UNLAWFUL EMPLOYMENTS, PUBLICATIONS, AND ACTIVITIES Present law: (1) Makes it unlawful for a person to knowingly employ as a security guard/officer an individual who does not hold a valid registration card of the appropriate type, except as provided in present law; (2) Makes a violation of (1) a Class A misdemeanor, punishable by fine only; and (3) Requires the alcoholic beverage commission or a beer board to suspend a license or permit for on-premises consumption of a person for a violation of (1) for a period of one month per violation. However, this does not limit the alcoholic beverage commission's or a beer board's ability to seek to revoke or summarily suspend the license or permit. This amendment makes the following revisions to (1)-(3) above: (A) Revises (1) above to remove the reference to exemptions; and (B) Clarifies that (3) above does not apply when the improperly registered or unregistered security guard/officer was employed by a contract security company that was contracted with to provide security services at the establishment that holds the license or permit to serve alcohol for on-premises consumption. EXEMPTIONS This amendment provides that an employee of a restaurant or hotel, whose primary responsibilities do not involve the provision of security guard and patrol services, is exempt from the Private Protective Services Licensing and Regulatory Act.

Senate Status: 04/17/23 - Senate passed.

House Status: 04/13/23 - House passed with amendment 1 (006434).

*Executive Status:*04/17/23 - Sent to the speakers for signatures.

SB392/HB575 Maternal mental health course requirement.

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

Summary: Requires the board of medical examiners when establishing continuing educational requirements to consider including a course in maternal mental health to address the best practices in screening for maternal mental health disorders, the range of maternal mental health disorders, the range of evidence-based treatment options, and when an obstetrician or primary care doctor should consult with a psychiatrist.

Amendment Summary: House Health Committee amendment 1 (004139) requires the board of medical examiners and the board of osteopathic examination to consider including a course in maternal mental health when establishing continuing medical education requirements for persons licensed to practice medicine. Requires periodic updates of information based on new research. Senate amendment 2 (004498) requires the Board of Medical Examiners (BME), and the Board of Osteopathic Examination (BOE), and the Board of Examiners in Psychology (BEP) to each develop and offer a course in maternal mental health, and accept such course as credit toward continuing education if successfully completed. Requires each board to periodically update any curriculum developed for maternal mental health to account for new research.

Senate Status: 03/02/23 - Re-referred to Senate Calendar Committee.

House Status: 03/01/23 - House Health Committee recommended with amendment 1 (004139). Sent to House Calendar & Rules.

SB450/HB167 Sale or distribution of tattoo and body piercing paraphernalia to minors.

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

Summary: Prohibits the sale or distribution of tattoo and body piercing paraphernalia to minors. Specifies that a violation is a Class A misdemeanor.

Senate Status: 03/02/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0090 effective July 1, 2023.

SB898/HB521 Creates the professional music therapist advisory committee.

Sponsors: Sen. Akbari, Raumesh , Rep. Dixie, Vincent

Summary: Creates the professional music therapist advisory committee of the board of examiners in psychology to regulate the practice of music therapy. Specifies membership and terms of advisory committee. Requires the advisory committee to meet at least twice a year and allows the committee to hold additional meetings as the advisory committee may determine necessary to carry out its duties. Specifies duties of advisory committee (15 pp.).

Amendment Summary: House Health Committee amendment 1, Senate Health & Welfare Committee amendment 1 (004980) creates the Professional Music Therapy Advisory Committee of the Board of Examiners in Psychology (Committee). Establishes the Committee is to consist of five members, to be appointed by the Governor, who must be certified professional music therapists and must be actively engaged in the practice or teaching of music therapy in this state at the time of their appointment. Authorizes the Committee to issue certificates to qualified applicants, which will be valid for 24 months from the date of issuance. Entitles members to travel and other appropriate expenses while engaged in Committee business. Requires the Division of Health-Related Boards in the Department of Health (DOH) to provide administrative support to the Committee. Authorizes the Committee to promulgate rules to implement the proposed legislation. Places the Committee under sunset review with the first termination date on June 30, 2025. Takes effect January 1, 2024. House Government Operations Committee amendment 1, Senate Government Operations Committee amendment 1 (006707) creates the Professional Music Therapy Advisory Committee of the Board of Examiners in Psychology (Committee). Establishes the Committee is to consist of five members, to be appointed by the Governor, who must be certified professional music therapists and must be actively engaged in the practice or teaching of music therapy in this state at the time of their appointment. Authorizes the Committee to issue certificates to qualified applicants, which will be valid for 24 months from the date of issuance. Prohibits a person from representing to be, or functioning as, a professional music therapist in this state unless the person holds a valid certificate issued by the Committee. Establishes that the proposed legislation does not prohibit the use of music intervention in a non-clinical, non-therapeutic manner by persons who do not represent themselves as music therapists or through a program that is not represented to be a music therapy program, including the Person-Centered Music Program administered by the Commission on Aging and Disability. Entitles members to travel and other appropriate expenses while engaged in Committee business. Requires the Division of Health-Related Boards in the Department of Health (DOH) to provide administrative support to the Committee. Authorizes the Committee to promulgate rules to implement the proposed legislation. Places the Committee under sunset review with the first termination date on June 30, 2025. Takes effect January 1, 2024.

Senate Status: 04/12/23 - Re-referred to Senate Calendar Committee.

House Status: 04/12/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB953/HB690 License to practice psychology for a person licensed in another state.

Sponsors: Sen. Walley, Page , Rep. Martin, Brock

Summary: Allows the board of examiners to designate a health science provider a license to practice if the person has held a valid license or certificate in another state for at least 10 years within the last 15 years and has acquired training that is equivalent to the state's required training and never been the subject of disciplinary action.

Amendment Summary: Senate amendment 1 (004027) authorizes the board of examiners in psychology to promulgate emergency rules in order to effectuate the licensing standards required under this bill. This amendment also changes the effective date of this bill to upon becoming a law for purposes of rule promulgation and January 1, 2024, for all other purposes.

Senate Status: 02/23/23 - Senate passed with amendment 1 (004027).

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

HB666 Health service provider designations.

Sponsors: Rep. Hicks, Tim

Summary: Authorizes the board of examiners in psychology to designate a person who has held a license for at least 10 years within the last 15 years as a health service provider if the person has required training equivalent to training required in the state, never been the subject of disciplinary action, and had a license to engage in practice as a health service provider in psychology in another state.

House Status: 02/01/23 - Withdrawn in House.

PROPERTY & HOUSING

SB954/HB674 TACIR study on gated neighborhoods related to crime.

Sponsors: Sen. Johnson, Jack , Rep. Bulso, Gino

Summary: Requires the Tennessee advisory commission on intergovernmental relations (TACIR) to perform a study of the deterrent effect of gates blocking ingress and egress into communities as it relates to the rates of neighborhood crimes. Requires the study to be submitted to the general assembly no later than December 31, 2023.

Amendment Summary: House Property & Planning Subcommittee amendment 1 (005734) rewrites the bill and applies to gated communities in counties with populations in excess of 247,000 people according to the 2020 U.S. census. Requires HOAs in such gated communities to conduct a security assessment every three years and to report its findings. Requires the HOA to notify homeowners in gated communities of crimes committed within the gated community within seven days of an incident. Senate Judiciary Committee amendment 1 (006289) requires certain homeowner's associations (HOAs) to obtain a written assessment of the subdivision's security vulnerabilities and to provide each household in the subdivision with a copy of the assessment, on or before July 1, 2024, and every three years thereafter. Requires such HOAs to notify each household in the subdivision of any crime committed or reported within the subdivision.

Senate Status: 03/21/23 - Senate Judiciary Committee recommended with amendment 1 (006289). Sent to Senate Calendar Committee.

House Status: 03/22/23 - Failed in House Property & Planning Subcommittee after adopting 1 (005734).

SB1334/HB1192 Establishment of secure campsites for short-term housing needs.

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

Summary: Authorizes the Tennessee housing development agency to establish secure campsites to assist those with short-term housing needs for up to two years. Revises provisions relating to outpatient mental health treatment programs.

Amendment Summary: House Property & Planning Subcommittee amendment 1 (004138) authorizes the Tennessee housing development agency to establish secure campsites to assist those with short-term housing needs for up to two years. Removes the revisions to provisions relating to outpatient mental health treatment programs.

Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/15/23 - Failed in House Property & Planning Subcommittee after adopting amendment 1 (004138).

HJR139 Home affordability and impact fees.

Sponsors: Rep. Sparks, Mike

Summary: Directs TACIR to review home affordability and rising costs of impact fees.

House Status: 04/19/23 - House adopted.

PUBLIC EMPLOYEES

SB16/HB547 State employee paid family leave program creation

Sponsors: Sen. Lamar, London , Rep. Harris, Torrey

Summary: Outlines criteria for a paid family leave program for eligible state employees. Provides for paid leave for a period of up to 12 workweeks after the birth of an employee's child or after the adoption of a minor child under aged six or younger. Also provides for a period equal to one workweek for serious health condition of an employee or an employee's spouse, child or parent. Provides for up to six hours of leave for an employee who is a parent or caregiver to attend a school activity for the employee's child. Outlines conditions for employee paid leave requests, including notice and documentation requirements, and clarifies how such leave affects accumulated leave balances. Defines relevant terms.

Senate Status: 03/28/23 - Failed in Senate State & Local Government Committee.

House Status: 03/28/23 - House Public Service Subcommittee deferred to first calendar of 2024.

SB27/HB23 Meeting agendas and documents to be made available to public 48 hours prior.

Sponsors: Sen. Gardenhire, Todd , Rep. Moon, Jerome

Summary: Requires a governing body to make available to the public upcoming meeting agendas and supplemental meeting documents in an accessible location for a minimum of 48 hours prior to a meeting. Stipulates that maintained websites are considered "accessible" locations for meeting documents but requires copies be available at the meeting and upon request. Requires public meeting agendas to be detailed regarding matters to be discussed but allows governing bodies to take action on matters not on the agenda under certain circumstances provided its bylaws or rules and procedures are in compliance with state law. Defines supplemental meeting documents and specifies that the provision does not apply to documents or parts of documents deemed confidential under state or federal law. Requires public meeting agendas and supplemental meeting documents be provided at no cost.

Amendment Summary: Senate amendment 1 (005885) rewrites this bill to require that a legislative body for a municipal, metropolitan, or county government make available to the public, at no charge and at least 48 hours prior to a meeting, the agenda for the upcoming meeting in a place accessible to the public. Publication on a legislative body's website is not required, but will satisfy this amendment's notice requirement. This amendment specifies that a local government legislative body may deliberate or act upon matters not listed on the agenda if the body follows its bylaws or rules and procedures and complies with all other applicable state laws. This amendment prohibits a local government legislative body from circumventing the spirit or requirements of this amendment's notice requirement by withholding items from an agenda for the purpose of avoiding public disclosure of business to be considered by the legislative body.

Senate Status: 04/05/23 - Senate passed with amendment 1 (005885).

House Status: 04/10/23 - House passed.

*Executive Status:*04/13/23 - Sent to governor.

SB103/HB611 Clarification of compensation.

Sponsors: Sen. Gardenhire, Todd , Rep. Hawk, David

Summary: Clarifies that employees of state governmental entities who are compensated through funding sources other than this state are subject to the Tennessee State Employees Uniform Nepotism Policy Act of 1980. Creates criminal and civil penalties for a state employee who violates the Act. Authorizes the attorney general and reporter to investigate violations of the Act.

Senate Status: 02/23/23 - Senate passed.

House Status: 03/06/23 - House passed.

*Executive Status:*03/27/23 - Enacted as Public Chapter 0050 effective July 1, 2023.

SB157/HB8 State employee optional retirement plan matching increased.

Sponsors: Sen. Briggs, Richard , Rep. Russell, Lowell

Summary: Raises the maximum amount the state will match for an employee's optional retirement plan from \$50 to \$100 per month.

Senate Status: 01/20/23 - Referred to Senate State & Local Government Committee.

House Status: 01/12/23 - Referred to House Public Service Subcommittee.

*Executive Status:*03/06/23 - Joint Council on Pensions released to standing committees with a negative recommendation.

SB227/HB442 Paid family leave for qualified state employees.

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

Summary: Requires eligible state employees to be granted leave with pay for a period of 12 work weeks during a 12-month period in certain situations such as birth, adoption or foster care placement of a new minor child during the first year after the birth, adoption or placement. Stipulates that eligible employees are to be granted paid leave for the same time period to care for a child, grandparent, parent, spouse or other person related by blood or affinity with a serious health condition as defined by the Family and Medical Leave Act. Outlines the responsibilities for the eligible employee and the employer. Makes provisions for intermittent leave or reduced leave schedules. Requires the department of human services to establish policies and procedures for implementation.

Senate Status: 01/21/23 - Referred to Senate State & Local Government Committee.

House Status: 02/28/23 - Taken off notice in House Public Service Subcommittee.

SB398/HB478 Program to assist state employees with childcare costs.

Sponsors: Sen. Kyle, Sara , Rep. Chism, Jesse

Summary: Requires the department of human services to develop, implement, and manage a program to provide monthly stipends for certain state employees for the cost of childcare services. Requires the department to prioritize employees who have children who are not yet eligible for Pre-K, who have children with special needs, who have multiple children, and who do not receive other childcare subsidies.

Senate Status: 03/28/23 - Senate State & Local Government Committee deferred to 2024.

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

SB533/HB1151 State employee sick leave granted to care for sick child.

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

Summary: Authorizes the grant of sick leave from a sick leave bank to a state employee to care for a sick child of the employee.

Amendment Summary: Senate amendment 1 (004707) clarifies that sick leave may be granted under this bill to a member on account of an illness of the member's child if the child is a minor child.

Senate Status: 03/13/23 - Senate passed with amendment 1 (004707).

House Status: 03/23/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Public Chapter 0151 effective July 1, 2023.

SB538/HB1316 Paid leave for adoption of first child.

Sponsors: Sen. Rose, Paul , Rep. Kumar, Sabi

Summary: Establishes a program under which a state employee may receive up to six weeks of paid leave as a first time foster parent or after the first adoption of a minor child. Clarifies that such leave must not be granted more than one time per employee even if the employee adopts or fosters more than one minor child.

Senate Status: 01/30/23 - Referred to Senate State & Local Government Committee.

House Status: 03/07/23 - Taken off notice in House Public Service Subcommittee.

SB654/HB554 Designation of assistant district attorneys as lead prosecutors in cases involving crimes against children.

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

Summary: Requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children. Requires TBI to provide annual training to assistant district attorneys designated as lead prosecutors in crimes committed against children. Requires the training course to emphasize the dynamics of investigating crimes committed against children, appropriate investigative and communication techniques for crimes committed against children, and protection of victims.

Amendment Summary: House amendment 1 (005044) makes the following changes to this bill: (1) Adds that the annual training provided by the TBI is to be implemented in conjunction with the Tennessee district attorneys general conference and other relevant parties at the request of the district attorneys general conference; and (2) Requires district attorneys general to designate an assistant district attorney general, or other staff members as may be appropriate, to attend annual training on the investigation of crimes against children, which does not have to be the person designated as the lead prosecutor under this bill.

Senate Status: 04/03/23 - Senate passed.

House Status: 03/20/23 - House passed with amendment 1 (005044).

*Executive Status:*04/13/23 - Sent to governor.

SB664/HB579 Direct dispatch method in response to emergency 911 calls.

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

Summary: Requires emergency communications districts (ECDs) to utilize the direct dispatch method in response to emergency 911 calls and one of three methods in response to non-emergency calls. Requires that all emergency 911 calls, with the exception of misrouted calls, be dispatched without being transferred. Authorizes ECDs to transfer non-emergency calls at the discretion of the dispatcher via attended transfer. Adds emergency call takers and public safety dispatchers and emergency services personnel to definition of first responder for certain purposes. Broadly captioned.

Senate Status: 03/21/23 - Taken off notice in Senate State & Local Government Committee.

House Status: 03/22/23 - Taken off notice in House Department & Agencies Subcommittee.

SB856/HB976 James 'Dustin' Samples Act.

Sponsors: Sen. Bailey, Paul , Rep. Garrett, Johnny

Summary: Enacts the "James 'Dustin' Samples Act." This bill creates the legal presumption that an injury was incurred in the line of duty if a firefighter is diagnosed with post-traumatic stress disorder by a mental health professional as a result of responding to one or more incidents with at least one of the following determining factors: (1) Directly witnessing the death of a minor, or treating the injury of a minor, who subsequently died before or upon arrival at a hospital emergency department; (2) Directly witnessing an individual whose death involved a serious bodily injury of a nature that shocks the conscience; (3) Responding to an event where there was a victim with a serious bodily injury that shocks the conscience; or (4) Responding to an event where a responder, co-worker of a responder, or family member of a responder sustained a serious bodily injury or died. Under this presumption, the injury is compensable under the Workers' Compensation Law unless it is shown by a preponderance of the evidence that the post-traumatic stress disorder was caused by non-service-connected risk factors or non-service-connected exposure. This bill applies to a firefighter who is diagnosed with post-traumatic stress disorder within one year of the firefighter's final date of employment with the employer fire department. However, a mental condition resulting solely from disciplinary action, work evaluation, job transfer, layoff, demotion, termination, or similar action taken in good faith by the employer is not considered an injury sustained in the line of duty under this bill. Requires the department of commerce and insurance to do the following: (1) Establish and administer a grant program to mitigate the costs to an employer of providing workers' compensation for firefighters diagnosed with post-traumatic stress disorder by a mental health professional; (2) Utilize existing staff to assist in the implementation of the program and provide grant funding from whatever funding sources are available; (3) Administer the program pursuant to policies developed by the department, which must provide for the awarding of grants to employers who apply for a grant and develop curricula for mental health awareness training for personnel, which may be developed in conjunction with another employer or entity; and (4) Grant a firefighter who receives mental health awareness training in accordance with this bill appropriate continuing education credits. Authorizes the department of commerce and insurance to promulgate rules to effectuate this bill.

Amendment Summary: Senate amendment 1 (004251) enacts the James "Dustin" Samples Act (Act) which creates a presumption that a firefighter diagnosed with post-traumatic stress disorder (PTSD) by a mental health professional as a result of responding to one or more incidents with specific factors was injured in the line of duty and such is compensable under workers' compensation. Limits application of the presumption to a firefighter who is diagnosed with PTSD within one year of the firefighter's final date of employment with the employing fire department. Requires the Department of Labor and Workforce Development (DLWD) to establish and administer a grant program to mitigate the costs to an employer providing workers' compensation for firefighters diagnosed with PTSD. Authorizes grants to be funded through any available sources, including state and federal funds. Employers must develop and implement a mental health awareness training program under certain parameters to qualify for the grant program. Requires the State Fire Marshal's Office to verify employers that apply for the grants under this Act. Requires the DLWD to provide on or before February 1 each year a report that includes an analysis of the number of claims brought forward, the portion of those claims that resulted in a settlement or award of benefits, the effect of this Act on costs to this state and its political subdivisions, and the balance of funds available for future claims. Requires the report to be provided to the Chairs of the State and Local Government Committee of the Senate and the Local Government Committee of the House of Representatives. Repeals the grant program on December 31, 2028. The proposed legislation will become effective January 1, 2024, except for the purposes of promulgating rules which take effect upon becoming law.

Senate Status: 04/21/23 - Senate passed with amendment 1 (004251), which enacts the James "Dustin" Samples Act (Act) which creates a presumption that a firefighter diagnosed with post-traumatic stress disorder (PTSD) by a mental health professional as a result of responding to one or more incidents with specific factors was injured in the line of duty and such is compensable under workers' compensation. Limits application of the presumption to a firefighter who is diagnosed with PTSD within one year of the firefighter's final date of employment with the employing fire department. Requires the Department of Labor and Workforce Development (DLWD) to establish and administer a grant program to mitigate the costs to an employer providing workers' compensation for firefighters diagnosed with PTSD. Authorizes grants to be funded through any available sources, including state and federal funds. Employers must develop and implement a mental health awareness training program under certain parameters to qualify for the grant program. Requires the State Fire Marshal's Office to verify employers that apply for the grants under this Act. Requires the DLWD to provide on or before February 1 each year a report that includes an analysis of the number of claims brought forward, the portion of those claims that resulted in a settlement or award of benefits, the effect of this Act on costs to this state and its political subdivisions, and the balance of funds available for future claims. Requires the report to be provided to the Chairs of the State and Local Government Committee of the Senate and the Local Government Committee of the House of Representatives. Repeals the grant program on December 31, 2028. The proposed legislation will become effective January 1, 2024, except for the purposes of promulgating rules which take effect upon becoming law.

House Status: 04/21/23 - House passed.

Executive Status: 04/21/23 - Sent to the speakers for signatures.

SB1035/HB1513 Location requirement for state employees' child care programs.

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

Summary: Authorizes a child care program operated for state employees of a state agency to be located in an office building leased by the state. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

House Status: 02/07/23 - Referred to House Public Service Subcommittee.

SB1086/HB1036 New public employees to sign acknowledgment on understanding of duties and obligations regarding TCRS.

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

Summary: Authorizes public employers to require a new employee to sign a certification acknowledging the employee's understanding of the employee's duties and obligations in connection with the retirement system.

Amendment Summary: Senate amendment 2 (003505) rewrites this bill and provides that, for the purposes of regulating multiple memberships in public retirement systems, a public employee retirement system does not include a defined benefit pension plan established and maintained by a local government employer that is supplemental to the employer's participation in the Tennessee consolidated retirement system (TCRS), and was established prior to the effective date of this bill, where the total combined employer and employee contributions do not exceed 7 percent of the employee's salary, and the supplemental benefits are subject to the statutory limitations. At the request of TCRS, the local government must conduct a periodic audit using an auditing or accounting firm to demonstrate compliance with any applicable state or federal limitations, regulation, or ruling with the cost of the audit to be paid by the local government. Present law provides that the provisions governing mandatory membership in retirement systems as a condition of employment do not apply to retired members of the retirement system or of a superseded system who return to service in enumerated positions covered by the retirement system. This amendment removes the provision above and provides, instead, that the regulatory provisions regarding mandatory membership do not apply to retired members of the retirement system nor to retired members of a superseded system who return to service in a position covered by the retirement system that does not allow the retired member to accrue additional retirement benefits.

Senate Status: 03/20/23 - Senate passed with amendment 2 (003505).

House Status: 04/21/23 - House passed.

Executive Status: 02/27/23 - Joint Council on Pensions released to standing committees with a positive recommendation after adopting amendment 1 (004238).

SB1292/HB1420 Base salary increase for certain preferred service employees.

Sponsors: Sen. Bailey, Paul , Rep. Butler, Ed

Summary: Increases the starting salaries and wages by 15% for the following preferred service employees: fire and building code inspector manager, fire and building code inspector supervisor, fire and building code inspector, levels 2 and 3, firefighting commission coordinator, manufactured home inspector advanced, manufactured home inspector associate, manufactured home inspector consultant, manufactured home inspector INT, and manufactured home inspector manager.

Senate Status: 03/21/23 - Taken off notice in Senate Commerce & Labor Committee.

House Status: 03/28/23 - Taken off notice in House Public Service Subcommittee.

PUBLIC FINANCE

SB115/HB148 Budget - estimated growth in state economy.

Sponsors: Sen. Watson, Bo , Rep. Hazlewood, Patsy

Summary: Provides for the dollar amount and rate by which the growth of appropriations from state tax revenues will exceed the estimated growth in the state's economy.

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

House Status: 01/24/23 - Referred to House Finance, Ways & Means Subcommittee.

SB280/HB328 Biennial reports from designated state agencies regarding federal financial assistance.

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

Summary: Authorizes biennial reports from designated state agencies regarding federal financial assistance to be filed electronically with the general assembly. Broadly captioned. Part of Administration Package.

Amendment Summary: House amendment 1 (006794) enacts the Tennessee Local Development Authority Public Safety Protection Act of 2023 (Act), which authorizes the Tennessee Local Development Authority (Authority) to issue its revenue bonds and make the bond proceeds or state appropriations available for loans to counties or volunteer fire departments for the purchase of equipment for public safety officers.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 1 (006794), which enacts the Tennessee Local Development Authority Public Safety Protection Act of 2023 (Act), which authorizes the Tennessee Local Development Authority (Authority) to issue its revenue bonds and make the bond proceeds or state appropriations available for loans to counties or volunteer fire departments for the purchase of equipment for public safety officers.

Executive Status: 04/21/23 - Sent to the speakers for signatures.

TAXES BUSINESS

SB340/HB1505 Childcare Advance Act.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: Enacts the "Childcare Advance Act," which allows taxpayers to defer payment of business taxes according to a schedule approved by the department of revenue. Specifies that on or after January 1, 2024, and prior to January 1, 2028, a taxpayer who is subject to taxation under this part and who incurs eligible childcare expenses during a business tax period may elect to defer payment of the taxpayer's tax liability for that tax period by the amount of eligible childcare expenses, but not to exceed \$2,000.

Senate Status: 03/14/23 - Taken off notice in Senate Finance Revenue Subcommittee.

House Status: 02/02/23 - Referred to House Government Operations Committee.

SB625 Pregnancy Resource Tax Credit Act.

Sponsors: Sen. Taylor, Brent ,

Summary: Enacts the "Pregnancy Resource Tax Credit Act," which authorizes business, excise, and franchise tax credits for businesses that make monetary contributions to eligible nonprofit organizations that provide certain pregnancy-related services. Broadly captioned.

Senate Status: 02/02/23 - Referred to Senate Finance, Ways & Means Committee.

SB837/HB1019 Pregnancy Resource Tax Credit Act.

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

Summary: Enacts the "Pregnancy Resource Tax Credit Act," which authorizes business, excise, and franchise tax credits for businesses that make monetary contributions to eligible nonprofit organizations that provide certain pregnancy-related services.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB900/HB931 Funding of urban and rural at-risk youth programs.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Requires the state treasurer to allocate two percent of the privilege tax revenue collected from sports gaming to urban and rural at-risk youth programs. Broadly captioned.

Amendment Summary: House State Government Committee amendment 1 (006620) decreases, from 80 percent to 78 percent, the amount of the privilege tax revenue collected from sports gaming distributed by Sports Wagering Advisory Council (SWAC) to the State Treasurer for allocation to the Lottery for Education Account. Requires that two percent of the privilege tax revenue is distributed by SWAC to the State Treasurer and allocated to the Department of Human Services (DHS) for the purposes of distributing grants to rural and urban at-risk youth programs. Authorizes DHS to keep up to five percent of the revenue allocated by the State Treasurer for administration of the grant program.

Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.

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

SB981/HB1117 Exemption from franchise and excise taxes - community development entity.

Sponsors: Sen. Yager, Ken , Rep. Carr, Dale

Summary: Exempts from franchise and excise taxes, a community development entity or sub-community development entity that is certified by the United States department of the treasury's community development financial institutions fund, and that has received an allocation of the federal new markets tax credits or federal sub-new markets tax credits from a community development entity that is used to fund a qualified low-income community investment in a Tennessee facility or operations of a business or nonprofit entity where the qualified low-income community investment expands the Tennessee-based operations of the business or nonprofit entity.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

TAXES PROPERTY

SB207/HB254 Tax relief for elderly, low-income homeowners.

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Summary: Increases, from \$27,000 to \$50,000, the maximum market value on which property tax relief is calculated for elderly, low-income homeowners.

Amendment Summary: House amendment 1 (004659) increases the property value threshold for determining the extent of any property relief payments to low-income, elderly or disabled, taxpayers from \$27,000 of the full market value of the property to \$40,000 of the full market value of the property.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

House Status: 04/21/23 - House passed with amendment 1 (004659), which increases the property value threshold for determining the extent of any property relief payments to low-income, elderly or disabled, taxpayers from \$27,000 of the full market value of the property to \$40,000 of the full market value of the property.

HB244 Property tax relief for elderly low-income homeowners.

Sponsors: Rep. Hale, Michael

Summary: Increases income eligibility limits for property tax relief for elderly low-income homeowners and disabled homeowners from \$24,000 to \$36,600 beginning tax year 2024. Increases income eligibility limits for property tax relief for elderly low-income homeowners under the Property Tax Freeze Act to \$36,600. Increases the full market value limit on which property tax reimbursement is calculated for eligible elderly low-income homeowners and disabled homeowners to \$35,000. Increases the full market value limit on which property tax reimbursement is calculated for disabled veteran and surviving spouse homeowners to \$200,000.

House Status: 01/24/23 - Referred to House Property & Planning Subcommittee.

TAXES SALES

SB167/HB409 Tax for retail sale of food and food ingredients for human consumption.

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

Summary: Stipulates that retail sales of fresh, frozen or canned fruit and vegetables intended for human consumption are exempt from sales tax.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB209/HB256 Exemption - retail sale of food and food ingredients.

Sponsors: Sen. Lowe, Adam , Rep. Raper, Kevin

Summary: Exempts the retail sale of food and food ingredients from the sales tax if sold during the period beginning August 1, 2023 and ending September 30, 2023.

Senate Status: 03/07/23 - Taken off notice in Senate Finance Revenue Subcommittee.

House Status: 03/08/23 - Taken off notice in House Finance, Ways & Means Subcommittee.

SB529/HB1184 Removes sales tax on infant diapers, wipes, and formula.

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

Summary: Exempts from sales or use taxes, infant formula and diapers and wipes designed to be used by infants and children. Defines infant formula as a liquid or powder intended to be for special dietary use solely as a food for infants and children by nature of its simulation of human milk.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB736/HB658 Sales tax on the retail sale of infant diapers, wipes, and formula.

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

Summary: Exempts from sales or use taxes, infant formula and diapers and wipes designed to be used by infants and children which are sold between 12:01 a.m. on July 1, 2023, and 11:59 p.m. on June 30, 2024. Defines infant formula as a liquid or powder intended to be for special dietary use solely as a food for infants and children by nature of its simulation of human milk.

Senate Status: 03/07/23 - Taken off notice in Senate Finance Revenue Subcommittee.

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

SB741/HB972 Exemption - feminine hygiene products.

Sponsors: Sen. Kyle, Sara , Rep. Thompson, Dwayne

Summary: Exempts feminine hygiene products from sales tax on the annual sales tax holiday.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

House Status: 02/07/23 - Referred to House Finance, Ways & Means Subcommittee.

SB1232/HB1175 Sales tax holiday on the retail sale of food and drink at restaurants.

Sponsors: Sen. White, Dawn , Rep. Hale, Michael

Summary: Deletes the one-time sales tax holiday on the retail sale of food and drink by restaurants and limited service restaurants that occurred between August 7-9 of 2020. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Finance, Ways & Means Committee.

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

SB1522/HB1438 Sales tax on food for human consumption.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo

Summary: Eliminates the 4 percent state sales tax on food for human consumption. Increases the tax on cigarettes from three cents per cigarette to 8.35 cents per cigarette. Increases the tax on other tobacco products from 6.6 percent to 17 percent of the wholesale cost price.

Senate Status: 03/14/23 - Senate Finance Revenue Subcommittee deferred to first calendar of 2024.

House Status: 02/07/23 - Referred to House Finance, Ways & Means Subcommittee.

TENNCARE

SB128/HB576 Doula services under TennCare.

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

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

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

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

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

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

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

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

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB228/HB360 Medicaid postpartum coverage.

Sponsors: Sen. Yarbro, Jeff , Rep. Love Jr., Harold

Summary: Increases from 60 days to 12 months, the period of time a woman is eligible for medical assistance following the date the woman's pregnancy ends, provided the woman met eligibility requirements for assistance under the Social Security Act and was enrolled in the TennCare or successor program during the pregnancy.

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.

House Status: 03/21/23 - Taken off notice in House Insurance Subcommittee.

SB229/HB425 Postpartum medical assistance coverage.

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

Summary: Extends eligibility for postpartum medical assistance under the TennCare program or a successor program to a woman for up to 12 months after a live birth, provided the child meets the eligibility requirements for the CoverKids program.

Amendment Summary: Senate Health & Welfare Committee amendment 1, House Insurance Committee amendment 1 (006034) extends eligibility for TennCare benefits to a recipient for up to 12 months following the end of her pregnancy, regardless of a change in circumstances. Authorizes the Division of TennCare (Division) to seek a federal waiver to adjust financial eligibility levels for women who are made eligible under the proposed legislation and who are otherwise eligible for Medicaid, subject to available appropriations.

Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

SB230/HB404 Medicaid expansion - authorization by general assembly.

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

Summary: Removes the requirement that the governor receive authorization by the general assembly through a joint resolution prior to making any decision or obligating the state with regard to the expansion of optional enrollment in the medical assistance program. Broadly captioned.

Senate Status: 03/22/23 - Taken off notice in Senate Health & Welfare Committee.

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

SB502/HB916 Report on use and cost of opioids and other controlled substances in prescription drug program.

Sponsors: Sen. Watson, Bo , Rep. Rudder, Iris

Summary: Extends, from January 15 to February 1 of each calendar year, the due date of the annual report required to be submitted by the bureau of TennCare to certain legislative committees on the use and cost of opioids and other controlled substances in the prescription drug program for the TennCare program. Broadly captioned.

Amendment Summary: House Insurance Subcommittee amendment 1 (005100) defines "clinician-administered drug" as an outpatient prescription drug other than a vaccine that cannot reasonably be self-administered by the patient, has been ordered administration by a healthcare provider, and is administered by a healthcare provider in an outpatient center or clinical setting. Defines "commercial health insurance policy" as health insurance coverage through a policy issued by a health insurance entity. Defines various health insurance terms. Prohibits a health insurance entity from conditioning, denying, restricting, or refusing to authorize or approve, fail to cover, or reduce payment to a participating healthcare service provider for a clinician-administered drug because the drug is purchased and administered by a participating healthcare services provider or obtained through a pharmacy that is not contracted in the health insurance entity's network. Requires a health insurance entity to pay a participating healthcare services provider at the provided rate for the clinician-administered drug. Adds various prohibitions onto health insurance providers to prevent the refusal of payment or authorization of use of the drug. House Insurance Subcommittee amendment 2 (006048) excludes managed care organizations that is participating in the medical assistance program or the CoverKids program. Prohibits a specialty pharmacy participating in the health insurance entity's specialty network from refusing to provide a clinician-administered drug based on the covered person's inability to pay the portion of the cost of such drug for which the covered person is responsible under the terms of the health insurance coverage.

Senate Status: 03/21/23 - Senate Commerce & Labor Committee deferred to the first calendar of 2024.

House Status: 03/28/23 - House Insurance Committee deferred to the first calendar of 2024.

SB797/HB856 Removes obsolete reference to task force assigned to review ICF/MR services.

Sponsors: Sen. Oliver, Charlane , Rep. Jernigan, Darren

Summary: Deletes an obsolete reference to a nine-person task force that was assigned to review oversight, utilization, and the future need for ICF/MR services and make recommendations to the general assembly and governor by June 30, 2007. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

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

SB1361/HB757 Reimbursement for in-network dental services providers.

Sponsors: Sen. Southerland, Steve , Rep. Eldridge, Rick

Summary: Requires the bureau to reimburse in-network dental services providers for a dental service provided to a TennCare recipient at a rate that is no less than the amount identified as the national median fee for that dental service according to the most recent survey of national dental fees by the American Dental Association's Health Policy Institute. Authorizes the bureau to reimburse out-of-network dental services providers. Broadly captioned.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

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

SB1363/HB762 Reimbursement for adult day care services.

Sponsors: Sen. Southerland, Steve , Rep. Eldridge, Rick

Summary: Requires the Bureau of TennCare to ensure that providers of adult day care services are reimbursed based upon the amount of services that are authorized on behalf of the eligible adult, and without regard for the eligible adult's attendance or absence at the time the services are scheduled to be provided. Broadly captioned.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 03/21/23 - Taken off notice in House Insurance Subcommittee.

SB1414/HB1087 Directs the bureau to establish a temporary TennCare benefits program.

Sponsors: Sen. Yarbro, Jeff , Rep. Baum, Charlie

Summary: Directs the bureau to establish a temporary TennCare benefits program to provide medical assistance on a temporary basis to certain individuals who do not qualify for enrollment in TennCare, CoverKids, or a successor program. Requires the bureau to submit a waiver to the federal Centers for Medicare and Medicaid Services by December 31, 2023.

Senate Status: 03/22/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 03/21/23 - Failed in House Insurance Subcommittee.

SB1442/HB501 Katie Beckett program report in electronic format.

Sponsors: Sen. Roberts, Kerry , Rep. Rudd, Tim

Summary: Allows the bureau of TennCare and the department of intellectual and developmental disabilities to issue their annual joint report on the status of the Katie Beckett program in an electronic format.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

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

HJR134 Housing solutions for Tennesseans in need by TennCare.

Sponsors: Rep. Dixie, Vincent

Summary: Urges the Bureau of TennCare to seek a Section 1115 waiver to provide housing solutions for Tennesseans in need.

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

TRANSPORTATION GENERAL

SB520/HB766 Rules for standardization of traffic-control signals.

Sponsors: Sen. Niceley, Frank , Rep. Holsclaw, Jr., John

Summary: Requires the department to promulgate rules to standardize, by speed limit, the length of time a traffic-control signal must display the yellow signal light, when following the green signal light. Requires traffic-control signals to be in compliance with the standardized display times.

Amendment Summary: House amendment 1 (006033) rewrites this bill to provide the following: (1) That, whenever in this state three-light traffic-control signals are used displaying successively green, yellow, and red lights for the direction of motorists and pedestrians, the duration of the yellow plus all red change interval must be determined using engineering practices as identified in the Manual on Uniform Traffic Control Devices (MUTCD), as adopted by the department of transportation, and the minimum time exposure of the yellow light must be three seconds; (2) That a state agency or political subdivision that installs, owns, operates, or maintains any such traffic-control signal light must set or cause to be set the timing-control device for the signal light in compliance with this bill and the MUTCD, as adopted by the department of transportation; and (3) That a state agency or political subdivision that installs, owns, operates, or maintains a traffic-control signal light in an intersection that employs a surveillance camera for the enforcement or monitoring of traffic violations must not reduce the time exposure of the yellow light at the intersection with the intended purpose of increasing the number of traffic violations.

Senate Status: 04/18/23 - Senate passed.

House Status: 04/17/23 - House passed with amendment 1 (006033).

*Executive Status:*04/18/23 - Sent to the speakers for signatures.

TRANSPORTATION VEHICLES

SB80/HB140 Precious Cargo Act provisions revised.

Sponsors: Sen. Massey, Becky , Rep. Howell, Dan

Summary: Authorizes the department of revenue, in cooperation with other governmental agencies or interested nonprofit organizations, to publicize to potential participants the availability, under the Precious Cargo Act of 2021, of a designation within the Tennessee Vehicle Title and Registration System (VTRS) database of a need for assistance with expressive language or communicating needs to first responders. Broadly captioned.

Senate Status: 01/20/23 - Referred to Senate Transportation & Safety Committee.

House Status: 01/20/23 - Caption bill held on House clerk's desk.

SB107/HB257 Clarification of motor vehicle ownership.

Sponsors: Sen. Powers, Bill , Rep. Bulso, Gino

Summary: Clarifies that an owner or lessee of a motor vehicle who is the parent, legal guardian, or conservator of a person who has an intellectual or developmental disability or medical condition, who may be operating the owner's or lessee's vehicle, and who needs assistance in communicating specific needs to law enforcement and first responders, may apply for a designation of such person's need in the Tennessee Vehicle Title and Registration System (VTRS) database.

Amendment Summary: Senate amendment 1 (004573) clarifies that if the applicant for the designation of need for assistance in the Tennessee Vehicle Title and Registration System (VTRS) database is a conservator, then the conservator must also verify that a court in this state granted, through the issuance of an order, the authority to release health-related information and submit with the application a copy of the conservatorship appointment order or letters of conservatorship or both, with the right granted to the conservator listed in the order or letters, as applicable. Only upon the receipt of the written statement and a copy of the conservatorship appointment order or letters of conservatorship required by a conservator must the department cause the operator's status to be ordered into the VTRS database.

Senate Status: 03/16/23 - Senate passed with amendment 1 (004573).

House Status: 01/24/23 - Referred to House Transportation Subcommittee.

SB232/HB25 TDOT to report recommendations for improvement for transportation services for passengers with disabilities.

Sponsors: Sen. Yarbrow, Jeff , Rep. Freeman, Bob

Summary: Requires the department of transportation to report by February 1, 2024, to the house transportation committee and the senate safety committee on recommendations for change to improve transportation services for passengers with disabilities.

Senate Status: 01/21/23 - Referred to Senate Transportation & Safety Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

SB257/HB76 Eliminates the disabled license plate fee for eligible parents or guardians.

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

Summary: Exempts the disabled license plate fees for a parent or guardian of an individual that is permanently confined to a wheelchair and does not own or operate a vehicle. Part of Administration Package.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/06/23 - House passed.

*Executive Status:*03/27/23 - Enacted as Public Chapter 0052 effective January 1, 2024.

SB738/HB1143 Timeframe required for sheriff to remain at hospital when transporting persons with mental illness.

Sponsors: Sen. Lowe, Adam , Rep. Vital, Greg

Summary: Lowers from one hour 45 minutes to one hour 30 minutes, the amount of time that the sheriff or transportation agent is required to remain at a hospital or treatment resource, which provides treatment for persons with mental illness or serious emotional disturbance, while a person transported to such facility by the sheriff or agent is evaluated for admission, after which the responsibility for the person turns over to the evaluating facility. Broadly captioned.

Senate Status: 03/29/23 - Taken off notice in Senate Judiciary Committee.

House Status: 03/28/23 - House Health Subcommittee deferred to first calendar of 2024.

SB894/HB929 Minors in DCS custody or foster care exempt from driver's license fees.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Exempts a person under 18 years of age who is in custody of the department of children's services or receiving foster care services from payment of fees for issuance, renewal, or reinstatement of a driver license, instruction permit, intermediate driver license, or photo identification card.

Amendment Summary: Senate amendment 1 (004278) revises this bill to only apply the exemption to a person under the age of 18 who is in the custody of the department of children's services. This amendment also changes the effective date of this bill from July 1, 2023, to January 1, 2024.

Senate Status: 03/02/23 - Senate passed with amendment 1 (004278).

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB1281/HB818 Failure to stop upon approaching a youth bus stopped to receive or discharge passengers.

Sponsors: Sen. Taylor, Brent , Rep. Whitson, Sam

Summary: Decreases, from 15 to 14, the number of passengers that a youth bus must be designed to carry in order for a driver of another vehicle to be charged with a Class C misdemeanor for the failure to stop upon approaching the bus when stopped to receive or discharge students.

Amendment

Senate amendment 1 (004548) rewrites this bill to revise present law provisions relative to school buses, as described below.

Summary:

Present law provides that: (1) A local education agency (LEA) is authorized to purchase, install, operate, and maintain cameras on the exterior of school buses, or to enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses on behalf of the LEA, for the purpose of recording images of motor vehicles that are in violation of the offense for failing to stop upon approaching a school bus; (2) An LEA that installs cameras on the exterior of school buses is required to enter into a memorandum of understanding with local law enforcement for the preservation of evidence from a camera, and that only POST-certified or state-commissioned law enforcement officers are authorized to review evidence from a camera to determine whether a violation has occurred; (3) (A) A first violation of the offense for failing to stop upon approaching a school bus that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is considered a nonmoving traffic violation. (B) The registered owner of the motor vehicle is responsible for payment of any notice of violation or citation of \$200 for a first offense citation issued as the result of evidence from a camera. However, the owner is not responsible for the violation if the owner submits documentation in accordance with provisions governing citations based on unmanned traffic cameras; and (C) A second or subsequent violation that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is a Class A misdemeanor. However, the state must meet the burden of proof set out in general provisions of present criminal law, and the person charged has no burden to prove innocence. (4) Notices of violations or citations must be sent in accordance with provisions governing citations based on unmanned traffic cameras to the registered owner of the vehicle that was captured by the camera. (5) A citation based solely upon evidence obtained from a camera that has been installed on the exterior of a school bus is invalid if the registration information of the motor vehicle for which the citation is issued is not consistent with the evidence recorded by the camera; (6) The notice of violation or citation must state the date, location, and time of the alleged violation; the amount of the fine being assessed; and the means by which the owner may elect to shift responsibility for the payment of the citation to the operator of the vehicle at the time of the alleged violation pursuant to this (6); (7) 100 percent of the proceeds from any fine that is based solely upon evidence obtained from a school bus camera must be allocated to the LEA without being designated for any particular purpose; (8) The LEA is authorized to use the proceeds for the purpose of defraying the costs of purchasing, installing, operating, or maintaining the camera, or reimbursing or compensating the vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera; and (9) If the LEA uses the proceeds for the purpose of reimbursing or compensating a vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera, then the LEA must create procedures for such reimbursement or compensation and must maintain records of such reimbursement or compensation. This amendment makes the following changes to (1)-(9) above: (1) Revises (1) to clarify that an LEA is authorized to enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses, whether owned, contracted, or leased by the LEA, and provide other services related to violations of the offense for failing to stop upon approaching a school bus, on behalf of the LEA; (2) Revises (2) to, instead, require such LEA to enter into a memorandum of understanding with local law enforcement that includes, but is not limited to, the review of evidence from a camera and overall enforcement, and to clarify that school resource officers are also authorized to review evidence from a camera; (3) Revises (3) as follows: (A) Adds that in lieu of prosecution for failing to comply with the provision requiring a motor vehicle to stop upon approaching a school bus, where evidence of the offense is based solely from a camera that has been installed on the exterior of a school bus, a person may be issued a notice of violation or citation. However, this does not preclude the state from prosecuting the offense if the state meets its burden of proof; (B) Revises (B) to, instead, provide that the fine for a first notice of violation or citation under (3) is \$250, and the fine for a second or subsequent notice of violation or citation is \$500; and (C) Removes (C); (4) Adds the following provisions to (4): (A) Photographs or video produced by a camera that has been installed on the exterior of a school bus are prima facie evidence that the vehicle described in the citation was operated in violation of the law; and (B) Photographs or video produced by a camera that has been installed on the exterior of a school bus, together with proof that the defendant was the registered owner of the vehicle at the time of the violation, create an inference that the owner of the vehicle was the driver of the vehicle at the time of the alleged violation. However, the inference may be rebutted if the owner of the vehicle submits documentation in accordance with provisions governing citations based on unmanned traffic cameras; (5) Adds to (6) that the notice of violation or citation must also include information detailing the process for contesting the citation, including the applicable court having jurisdiction; and (6) Adds to (1)-(9) that: (A) For a violation of the offense for failing to stop upon approaching a school bus, there is a presumption that the photographs or video produced by a camera that has been installed on the exterior of a school bus provide evidence that the school bus was stopped for the purpose of receiving or discharging school children; and (B) Photographs or video produced by a camera that has been installed on the exterior of a school bus depicting such violation must be made available for inspection in any proceeding in which the citation or violation is being contested. Present law provides that it is a Class A misdemeanor, punishable only by a fine of at least \$250 and at most \$1,000, for any person to fail to comply with the provision requiring a motor vehicle to stop upon approaching a school bus. This amendment provides an exception to this provision stating that a second or subsequent violation is punishable only by a fine of at least \$500 and at most \$1,000. This amendment additionally provides that a person who violates the provision requiring a motor vehicle to stop upon approaching a school bus and strikes another person with a vehicle commits a Class E felony. However, the person commits a Class C felony if the striking results in the death of the other person.

Senate Status: 03/16/23 - Senate passed with amendment 1 (004548).

House Status: 03/30/23 - House passed.

Executive Status: 04/17/23 - Signed by governor.

SB1437/HB1101 Operation of motorcycles by minors.

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

Summary: Authorizes a minor issued a motorcycle learner's permit to operate a motorcycle without limitations on the distance from the minor's home if the minor is accompanied by, and under the direct supervision of, a parent or legal guardian who is also operating a motorcycle and who holds a valid motorcycle operator's license.

Amendment Summary: Senate amendment 1 (004755) makes the following changes to this bill: (1) Limits the application of the authority granted in this bill to a minor issued a motorcycle learner's permit and who has completed a certified motorcycle education course approved by the department; and (2) Changes the effective date from July 1, 2023, to January 1, 2024.

Senate Status: 03/30/23 - Senate passed with amendment 1 (004755).

House Status: 03/30/23 - House passed.

*Executive Status:*04/17/23 - Signed by governor.

WELFARE

SB246/HB64 Distribution of TANF funds.

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

Summary: Increases, from three to four years, the length of pilot programs for which TANF program funds must be dedicated. Increases from 12 to 18 months, the length of time following the end of each federal fiscal year by which the department must spend all unobligated TANF program funds. Part of Administration Package.

Senate Status: 02/23/23 - Senate passed.

House Status: 03/06/23 - House passed.

*Executive Status:*03/27/23 - Enacted as Public Chapter 0051 effective March 21, 2023.

SB541/HB573 Number of children at a child care agency for licensing purposes.

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

Summary: Increases from five to seven the minimum number of children a facility must have under its care for three or more hours per day in order to fall within the definition of a child care agency for licensing purposes. Broadly captioned.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 03/21/23 - Taken off notice in House Health Subcommittee.

SB778/HB709 Required authorization to accepting or renewing a waiver of work requirements by the Supplemental Nutrition Assistance Program.

Sponsors: Sen. Stevens, John , Rep. Littleton, Mary

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 the work requirement.

Senate Status: 03/22/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 03/21/23 - Taken off notice in House Health Subcommittee.

SB886/HB671 Registration requirements for charitable organizations.

Sponsors: Sen. Akbari, Raumesh , Rep. Johnson, Gloria

Summary: Exempts a child care agency licensed by the department of human services from the registration requirements for charitable organizations.

Senate Status: 02/23/23 - Senate passed.

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

SB1016/HB890 Patient Protection and Affordable Care Act.

Sponsors: Sen. Campbell, Heidi , Rep. Glynn, Ronnie

Summary: Removes the statutory provision that currently prohibits the governor from making a decision or obligating the state with regard to the expansion of optional enrollment in the medicaid program pursuant to the federal Patient Protection and Affordable Care Act unless the governor is authorized to do so by joint resolution of the general assembly.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

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

SB1038/HB1365 Revisions to background check provisions for certain state government and childcare agency employees.

Sponsors: Sen. Stevens, John , Rep. Farmer, Andrew

Summary: Revises provisions relating to background checks for persons considered for appointment to or employment in various positions in state government and for administrators and employees of child care agencies.

Amendment Summary: Senate amendment 1 (006156) revises and clarifies procedures related to criminal history background checks for certain individuals under consideration for positions of trust and responsibility in state government. Clarifies the procedures related to criminal history background checks for those seeking to operate or be employed by a licensed childcare agency. Requires a criminal history background check be conducted on individuals applying or being considered for the following positions: 1) a commissioner of a department of the executive branch; (2) a general counsel position at a department of the executive branch; (3) a pilot employed by the Tennessee Department of Transportation; and (4) law enforcement personnel entrusted with the protection of the Governor. Deletes the requirement for any paid or volunteer member or applicant of a fire department or fire prevention bureau or division to agree to the release of information and investigative records to the employer, or to any agency that contracts with the state, for the purpose of verifying whether the individual has been convicted of a felony or any theft or arson-related conviction.

Senate Status: 04/17/23 - Senate passed with amendment 1 (006156).

House Status: 04/20/23 - House passed.

*Executive Status:*04/20/23 - Sent to the speakers for signatures.

SB1079/HB1297 Child care agency - inspection and report.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark

Summary: Removes an obsolete cross-reference to a statute that was repealed in 2010 regarding licensure and auditing requirements for public child care agencies. Broadly captioned.

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

House Status: 02/15/23 - Referred to House Health Subcommittee.

SB1083/HB1471 Childcare centers not satisfying the mandatory kindergarten prerequisite.

Sponsors: Sen. Kyle, Sara , Rep. Towns Jr., Joe

Summary: Increases from two years to three years, the time within which a family child care home, group child care home, or child care center must retain a signed acknowledgment from the child's parents or legal guardians of the fact that the child's attendance at home or the center does not satisfy the mandatory kindergarten prerequisite for the child's enrollment in the first grade. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

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

SB1505/HB1339 Requirements to seek federal funds to alleviate childhood hunger.

Sponsors: Sen. Yarbro, Jeff , Rep. Pearson, Justin

Summary: Requires the department to actively seek and apply for federal grants and other available federal funds, and utilize available federal funds, for the purpose of alleviating childhood hunger. Broadly captioned.

Senate Status: 03/08/23 - Taken off notice in Senate Health & Welfare Committee.

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

HB67 Intermediate care facilities for individuals with intellectual disabilities.

Sponsors: Rep. Lamberth, William

Summary: Increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804.

House Status: 01/20/23 - Withdrawn in House.