

**INDEX OF ACTS
RELATED TO COUNTY GOVERNMENT**

2024



County Technical Assistance Service

INSTITUTE *for* PUBLIC SERVICE

...a service of The University of Tennessee

**Prepared by
CTAS Legal Staff**

These summaries are intended for information only and should not be relied upon for implementation purposes. The full text of all acts summarized in this publication can be viewed on the Secretary of State's website.

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PART I—PUBLIC ACTS OF GENERAL APPLICATION

COUNTY CLERKS

Public Chapter 511

SB 598 – HB 596

Marriage

Amends 36-3-301 to provide that a person shall not be required to solemnize a marriage.

Effective February 21, 2024.

Public Chapter 519

SB 1736 – HB 1796

Issuance of Statements of Disability

Amends 55-21-113 to provide that a chiropractic physician has the same authority to issue certified statements of disability for purposes of obtaining appropriate registration, license plates, placards, and decals from the department.

Effective March 1, 2024.

Public Chapter 520

SB 1678 – HB 1806

Decals Issued to Drivers Who Have Disabilities

Amends 55-21-103(a)(6) to permit an owner or lessee of a motorcycle to obtain a disabled decal to affix to a new special purpose plate authorized for motorcycles.

Effective March 1, 2024.

Public Chapter 521

SB 107 - HB 257

Precious Cargo Act

Amends 55-21-302 to clarify that at the time of the initial application or renewal for the registration of a motor vehicle, an owner or lessee who needs assistance with communicating with a first responder, including a law enforcement officer, or who needs assistance exiting a vehicle at a traffic stop or welfare check, or who is a parent, legal guardian, or conservator of a person who needs such assistance, may request the department to include a designation in the Tennessee Vehicle Title and Registration System (VTRS) database.

The applicant's request must include a statement from a licensed physician, or other authorized healthcare provider that the operator of the vehicle has a medical condition that may impact communication or impact the encounter with a first responder.

Upon receipt of the application and statement from a healthcare provider, the department will enter the operator's status in the VTRS system.

Effective January 1, 2025.

Public Chapter 569
SB 2002 – HB 2305

Antique Motor Vehicle License Plates

Amends 55-4-111(b) to allow an owner or lessor to display antique motor vehicle license plates while the antique motor vehicle is stationary. Requires the owner or lessor to display the current license plate on the vehicle when the antique vehicle is being operated.

Effective July 1, 2024.

Public Chapter 608
SB 2581 – HB 2303

Marriage License

Amends TCA 36-3-104 to remove the requirement that all applicants for a marriage license must provide names and addresses of parents, guardian, or next of kin. Only applicants under the age of 18 are required to provide names and addresses of parents, guardian or next of kin.

Effective March 27, 2024.

Public Chapter 647
SB 2284 – HB 2443

County Clerks' Qualifications

Amends 18-6-101 to provide that to qualify for election to the office of county clerk, a person must be a qualified voter and a resident of the county for one year prior to the qualifying deadline for running for county clerk.

Effective April 4, 2024.

Public Chapter 670
SB 1327 – HB 594

Suspension or Revocation of Alcohol Permits

Amends 57-5-108 to provide that a local legislative body or board shall not impose a fine or penalty on a permittee based solely on a report by another agency of the local government, other than law enforcement, as a predicate to enter the permit holder's premises or cite the permit holder. Except as otherwise provided in 57-5-108, the local legislative body or board may only issue a citation to a permit holder after its own independent investigation.

The local legislative body or board, in considering suspension or revocation of the permit holder shall consider repeated violations of any local ordinance or state law involving prohibited sexual contact on the premises of an adult oriented establishment.

Effective April 11, 2024.

Public Chapter 759
SB 2549 – HB 2597

Marriage

Amends 36-3-301 to allow district attorneys general and former district attorneys general to solemnize marriages if they opt in by filing notice of intention to solemnize marriages with the office of vital records.

Effective April 22, 2024.

Public Chapter 804
SB 1593 - HB 1608

Specialty License Plates

Amends various parts in Title 55, Chapter 4, to add new specialty earmarked license plates and make changes to existing specialty earmarked license plates.

Effective July 1, 2024.

Public Chapter 806
SB 1917 – HB 2041

Marriage

Amends 36-3-101 to prohibit marriage between first cousins.

Effective April 29, 2024.

COUNTY GOVERNMENT

Public Chapter 538
SB 1846 - HB 1787

Investment of Idle County Funds

Amends statutes in Title 5, Chapter 8, Part 3, to require that the ratings services that grade potential investments for idle funds of local governments be nationally recognized statistical rating organizations as identified by the United States securities and exchange commission.

Effective March 7, 2024.

Public Chapter 566

Animals in Food Service Establishments

SB 1595 – HB 1635

Amends Title 68, Chapter 14, Part 7 to provide that live animals are prohibited in all indoor service areas of food establishments except as provided below:

Live service animals are permitted in indoor areas of food service establishments in the following circumstances: (1) fish and crustacea in display tanks; (2) patrol dogs accompanying police and security officers; (3) service animals accompanying persons with disabilities; and (4) in areas that are not used for food preparation in which animals are caged or similarly confined.

Effective March 15, 2024.

Public Chapter 572
SB 1776 – HB 1647

Local Option Budgeting Law of 1993

Amends 5-12-213(a)(3) to require all requests for a budget amendment by a county department or other entity be approved by a majority vote of the members appointed or elected to serve on the governing body of the department or entity seeking the amendment prior to it being submitted to the county legislative body for approval.

Effective July 1, 2024.

Public Chapter 580
SB 1667 – HB 1921

County Mayor

Amends 5-6-106(b)(1) and 8-44-102(b)(1)(A) to clarify that the county mayor is not considered to be a member of the county legislative body for purposes of the Open Meetings Act.

Effective March 15, 2024.

Public Chapter 631
SB 2572 - HB 1931

Traffic Stops

Enacts 7-63-301. Prohibits a local governmental entity or official from adopting or enacting a resolution, ordinance, or policy that prohibits or limits the ability of a law enforcement agency to conduct traffic stops based on observation of or reasonable suspicion that the operator or a passenger in a vehicle has violated a local ordinance or state or federal law. A resolution, ordinance, or policy that is adopted in violation of this section is null and void.

Effective March 28, 2024.

Public Chapter 668
SB 1062 – HB 1228

South Central Tennessee Railroad Authority

Amends 64-2-202 to remove the cities of Linden and Waynesboro. Amends 64-2-204(2)(C) to revise the way additional members are to be appointed. Amends 64-2-210 to increase the bid threshold from \$500 to \$10,000.

Effective April 11, 2024.

Public Chapter 690
SB 2130 – HB 1880

General Obligation Refunding Bonds

Amends 9-21-911 to allow general obligation refunding bonds to be sold at a private negotiated sale under certain circumstances. Requires the general obligation refunding bond resolution to be adopted prior to or simultaneously with the resolution authorizing the public building authority loan when such loan is to be used as interim financing.

Effective April 11, 2024.

Public Chapter 694
SB 2219 – HB 1901

Digital Currency

Amends 47-1-201(b) and 47-9-102(a) to revise the definitions of “money” and “deposit account” to specifically exclude central bank digital currency.

Effective April 11, 2024.

Public Chapter 701
SB 2422 – HB 2425

Annexation

Amends 6-51-104 to require municipalities to send a copy of the resolution describing the territory proposed for annexation to the property owners within the territory, adjoining property owners, the county mayor, and the county commissioners who district includes the territory. Also requires posting and newspaper notice of the resolution. Amends 6-51-102(b)(4) to require municipalities to submit the plan of services to the local planning commission if one exists. Requires the planning commission to study and compile a written report on the plan of services and to hold a public hearing on the plan. Also amends 13-7-203 and 303, relative to municipal zoning.

Effective July 1, 2024.

Public Chapter 710
SB 2741 – HB 2934

Public Meetings

Amends 8-44-110 to provide that the published agenda requirements apply to regular meetings and to state governing bodies (in addition to local government legislative bodies).

Effective April 11, 2024.

Public Chapter 748
SB 1983 – HB 2119

Eminent Domain

Enacts a new section at Title 29, Chapter 17, Part 1 to require condemning authorities to show proof of the following by a preponderance of evidence: (1) The land, real estate, premises, or other property the condemner seeks to acquire is required for a public use; (2) The condemner has a plan that reflects a reasonable schedule to complete the public use after the condemner takes ownership of the property; (3) The condemner has access to funding to complete the public use; and (4) The public use cannot be accomplished by using or acquiring other property within the vicinity of the condemned property with the consent of the owner of the other property without an unreasonable increase in cost, delay, or a reduction in the effectiveness of the property.

Provides the property owner has a right to have a court of competent jurisdiction determine if the taking is necessary to accomplish the public use. The property owner may raise this section's required determination of necessity as a defense in an answer filed under § 29-17-104(a)(2) or in a separate cause of action notwithstanding § 29-17-104(a)(2), subject to the statute of limitations pursuant to § 29-16-124.

Also provides that this new section does not apply to condemnation actions for projects or uses regarding streets, highways, roads, bridges, transportation, utility water, public water projects, sewer, electricity, and utilities, including, but not limited to, gas and natural gas utilities.

Effective April 22, 2024.

Public Chapter 754

Tenant Requests Relating to Service Animals

SB 2030 – HB 2266

Amends 66-26-406(a) and 66-7-11(a) to define “Reliable documentation” to mean documentation submitted by a healthcare provider; an individual or entity with a valid, unrestricted license, certification, or registration; or a caregiver, reliable third party, or governmental entity with actual knowledge of an individual’s disability. Does not include documentation provided through a website where the primary function of the website is to provide certification for a service or support animal for a fee.

Effective July 1, 2024.

Public Chapter 763
SB 2928 – HB 2937

Dual Officeholders

Enacts a new subdivision at 5-5-102(c) and enacts a new section at Title 6, Chapter 54, Part 1 to provide that a member of a county governing body shall not simultaneously serve as a member of the governing body of a municipality within the county for whom the member is a commissioner during the member's term of office if the member’s county adopts this subdivision by a 2/3 vote of the county legislative body. Only counties with a population of more than 200,000, according to the 2020 or a subsequent federal census, may vote to adopt this subdivision. Provides that a member of a county governing body simultaneously serving on the governing body of a municipality on the effective date of this act may serve out the remainder of the member's term of office.

Effective April 22, 2024.

Public Chapter 771
SB 2100 – HB 1892

Third Party Codes Inspections

Amends 68-120-101 to enact a new subsection authorizing persons to engage third party inspectors and plans examiners rather than local jurisdictions. Sets out the procedures for such third parties to conduct inspections and plans review. Provides that local jurisdictions have ten business days to respond to the reports of third-party inspectors/reviewers and if they fail to respond, allows applicants to go to the state fire marshal’s office for approval. Amends 68-120-118 to allow state, county, and municipal inspectors to have twelve months from their date of hire to get

certified but allows them to begin field inspections immediately. Deletes 68-120-121 relative to electrical inspections. Amends 68-221-403 to authorize third party water resources engineers to prepare permit packages and conduct inspections for subsurface sewage disposal systems. Amends 69-3-108 and 109 to authorize third party water resources engineers to review plans and conduct inspections for non-discharging treatment works or sewerage systems. Also authorizes third party wetland professionals to review permit applications for a general aquatic resource alteration permit to authorize wetland alterations.

Effective October 1, 2024.

Public Chapter 793
SB 2317 – HB 2114

Public Notices

Amends 1-3-120 to provide when legal notices are required to be published in a newspaper of general circulation, the notice must also be published on a news and information website that has a URL, if such a website exists, that: (1) Has been published continuously for the previous twelve-month period; (2) Has been published using recognized standards of professional journalism; (3) Must have content revised on a regular basis not less than three (3) times per week; (4) Bears a fixed title or name and date lines and complies with and abides by all copyright laws; (5) Does not serve primarily as a platform to promote the interests or opinions of a special interest group, individual, or cause; (6) Is principally devoted to the dissemination of local or general news with at least fifty percent (50%) of all editorial content reported being original, excluding advertisements; and (7) Exists and is registered pursuant to state law with the secretary of state. The news and information website must have an office of publication known to be based in the county in which the notice is required to be published and that is available and open to the public where business is transacted during usual business hours, that maintains a telephone number and email listing, and that includes in each updated publication the contact information of the news and information website.

Effective July 1, 2024.

Public Chapter 796
SB 2591 – HB 2567

Neighborhood Preservation Act

Amends Title 13, Chapter 6 to revise the definition of “receiver’s lien” in 13-6-102(15). Also amends 13-6-106 to revise procedures relating to petitions for a judgment in rem and abatement of a public nuisance.

Effective April 23, 2024.

Public Chapter 798
SB 2548 – HB 2685

Conflicts of Interest

Amends 5-5-112 to provide each vote taken by a legislative body of a county that has the effect of increasing the pay or benefits of county employees must be by recorded electronic vote or by roll call vote. Also provides after each vote is taken that could involve a conflict of interest under this subdivision and prior to the vote being announced by the chair, the chair shall ask the members of the legislative body if a member of the legislative body voted in violation of this subdivision. If the chair finds that a member voted in violation of this subdivision, the chair shall declare that member's vote void.

Effective July 1, 2024.

Public Chapter 814
SB 2424 - HB 2541

Energy Siting Agreements

Amends 13-4-310 and 13-3-413. Enacts new sections in Title 5, Chapter 6, Part 1 and Title 6, Chapter 54, Part 1.

Provides that a county mayor may negotiate an energy siting agreement with a developer of an energy project, which agreement takes effect upon approval of the county legislative body by resolution and execution by the developer of the energy project. Provides items which must and may be included in the agreement.

Provides for a vested property right with respect to property upon the approval of an energy siting agreement by the legislative body of the local government in which the property is situated.

Effective June 1, 2024.

Public Chapter 818

Public Meetings

SB 2813 – HB 2373

Amends 8-44-102 to add a new subsection providing that one or more members of a local legislative body can meet with one or more members of their state legislative delegation to exchange information (and not deliberate) without falling under the Open Meetings Act.

Effective April 29, 2024.

Public Chapter 820
SB 2834 - HB 2925

Building Codes and Utility Attachments

Amends 68-120-101 to require that the state fire marshal, in promulgating rules establishing minimum statewide building construction safety standards, not prohibit less than six stories of Group R-2 occupancy to be served by a single exit if certain conditions are met. Allows a local government to adopt the exception set out above by resolution or ordinance, and the exception becomes operative on the date of adoption of the resolution or ordinance.

Enacts a new 7-82-709 to provide that when the owner of real property applies for utility service from a utility system for residential or commercial development on the owner's property and the utility has an existing utility line or system immediately adjacent to the real property, the utility system shall not require the owner to construct or pay for the construction of any offsite utility improvements as a condition for service or permit issuance.

Provides that if a utility system determines that offsite utility improvements must be constructed to provide the utility service requested and to maintain the utility's current level of service and capacity to serve its existing customers, then the utility system shall require the owner to construct or pay for the construction of such offsite utility improvements.

Provides that the utility system may require the owner to upgrade the offsite utility improvements to increase the utility system's capacity to serve future customers, but only pursuant to a cost-sharing arrangement between the owner and the utility system.

Provides that if the owner and the utility system are unable to agree upon the amount of the cost-sharing arrangement, then the owner may request the Tennessee board of utility regulation to determine the cost-sharing amount.

Effective April 29, 2024.

Public Chapter 872
SB 2610 - HB 2348

Support of Terrorist Organizations

Amends 39-13-807. Makes it is a Class E felony, punishable by a maximum fine of \$3,000 per offense, for an entity that is supported in whole or in part by public funds to knowingly provide meeting spaces or other forums, including, but not limited to, electronic and print platforms, to any of the following for the purpose of soliciting material support, recruiting new members, or encouraging violent action: (1) a designated entity [foreign terrorist organization]; (2) a group or organization that the entity knows or reasonably should know has been found by a court of competent jurisdiction within the United States to have engaged in an act of terrorism; or (3) a group or organization that the entity knows or reasonably should know receives financial or other support from a designated entity.

Effective May 1, 2024.

Public Chapter 877
SB 2743 – HB 2117

Local Government Audits

Amends 4-1-422 to require the executive or the governing body of political subdivisions (counties) to present a written attestation to the comptroller certifying that the political subdivision has not sought or received a grant in intentional pursuit of certain policy recommendations from the United Nations. Provides for a private cause of action and court costs, actual damages, punitive damages, and attorneys' fees for the prevailing party.

Effective July 1, 2024.

Public Chapter 889
SB 2697 - HB 2280

Special Occasion License - Alcoholic Beverages

Amends 57-4-101. Provides that a special occasion license may be issued, in a jurisdiction wherein the sale

of alcoholic beverages for consumption on the premises has not been approved pursuant to 57-4-103, with written approval to hold an event by and in such jurisdiction that is signed by the executive officer or chair of the legislative body of such jurisdiction.

Effective May 1, 2024.

Public Chapter 926
SB 993 - HB 867

Special Occasion License - Alcoholic Beverages

Amends Title 57, Chapter 4. Authorizes sale and consumption of alcoholic beverages by the passengers of certain commercial passenger bus companies. Numerous requirements and restrictions apply.

Effective May 6, 2024.

Public Chapter 933
SB 2023 – HB 2019

County Mayor’s Budget

Amends Title 5, Chapter 9, Part 4 by adding a new section providing that the county legislative body cannot adopt a budget that reduces the budget for the county mayor's office below the budgeted amount for the previous fiscal year for office personnel salaries and benefits, office supplies, communication expenses, postal charges, duplicating services, professional development training, and membership dues and fees, unless the reduction is approved by the county mayor.

Effective May 6, 2024.

Public Chapter 946
SB 2635 – HB 2787

Building Codes

Amends 68-120-101(a) to add a new subdivision providing that the minimum statewide building construction standards shall allow a local government to amend the adopted building code for three- family dwellings and four-family dwellings in accordance with this section. Provides that in amending the rules pursuant to subdivision (a)(11), the state fire marshal shall not mandate automatic fire sprinkler systems for three-family dwellings and four-family dwellings where structures are under five thousand square feet (5,000 sq. ft.) in area and less than three (3) stories in height and where two-hour fire-resistance-rating for wall, floor, and ceiling separation assemblies is met. Also provides that notwithstanding subdivision (a)(11), local

governments may adopt mandatory sprinkler requirements and may be permitted to use the National Fire Protection Association (NFPA) 13D standard for three-family dwellings and four-family dwellings by local ordinance pursuant to the process described in subdivision (a)(8)(B).

Effective July 1, 2024.

Public Chapter 948
SB 2771 - HB 1623

Regulation of Traffic in School Zones

Amends Title 55, Chapter 8, Part 2. Provides that a county or municipality may hire employees or appoint volunteers to direct vehicles, excluding emergency vehicles, on a public road or highway within a marked school zone for dropping off or picking up students at a public, private, or charter school within the jurisdiction of the county or municipality when a warning flasher or flashers are in operation and only during the period of time that is necessary for the convenience of dropping off or picking up students. The county or municipality shall ensure that appropriate signage is posted in advance of the marked school zone informing drivers as to the dropping off or picking up of students at the approaching school zone. All regulatory and warning signs relating to the dropping off or picking up of students must comply with the manual on uniform traffic control devices (MUTCD). The county or municipality shall ensure, that while an individual employed or appointed is performing the prescribed duties, that the individual: (1) Is an adult who has received training and is qualified to comply with the MUTCD in their duties; (2) Wears high-visibility retroreflective safety apparel labeled as ANSI 107-2020 standard performance for Class 2, Type R, as described in the MUTCD; and (3) Uses a STOP paddle that complies with the MUTCD, including, but not limited to, being retroreflective or illuminated when used during hours of darkness or limited visibility.

Effective July 1, 2024.

Public Chapter 956
SB 2182 – HB 2797

Development of Housing

Amends Title 7, Chapter 53, Part 3 by adding a new section to authorize industrial development

corporations created by housing opportunity counties or by a municipality within the boundaries of a housing opportunity county to: (1) construct and install public infrastructure for qualified residential developments or contract with a private party for the construction and installation of such public infrastructure; (2) accept loans and grants of money from this state or the United States or any agency or instrumentality of this state or the United States, upon such terms and conditions as this state, the United States, or the agency or instrumentality may impose, for purposes of carrying out the design, construction, installation, financing, or undertaking of public infrastructure; and (3) make loans and grants of money to private entities constructing and installing public infrastructure for qualified residential developments within the boundaries of the housing opportunity county upon such terms as the industrial development corporation deems advisable. Also requires that if the state or an agency or instrumentality of this state makes a loan or grant to an industrial development corporation in a housing opportunity county for the purposes described in this section, such loan or grant must be made upon such terms as are embodied in a written agreement between this state or an agency or instrumentality of this state and the industrial development corporation and that are approved by the comptroller of the treasury and the commissioner of finance and administration.

Effective May 9, 2024.

Public Chapter 968

SB 1260 – HB 351

Industrial Development Corporations

Enacts a new section at Title 7, Chapter 53, Part 3, to authorize the creation of an industrial development corporation for the sole purpose of assisting locally owned and small businesses. Provides for certain requirements and funding mechanisms for these corporations.

Effective May 21, 2024.

Public Chapter 990

SB 2261 – HB 2426

County Powers Relief Act

Amends 67-4-2902, 67-4-2903, and 67-4-2904 to authorize taxation of commercial property. Amends 67-

4-2907 to require governing bodies to file a statement with the comptroller that provides the population growth for the county that qualifies the county to levy the tax. Requires the comptroller to verify the population statement and to notify the county it meets the growth requirements of the act. Provides that counties must meet the statutory growth requirements to initially enact the tax and to continue levying the tax. Amends 67-4-2908 to authorize counties initially adopting the tax to levy a tax of \$1.50 per square foot on residential property and \$1.50 per square foot on commercial property, up to 150,000 square feet. Authorizes counties to increase the tax after four years in an amount not to exceed 10% if they continue to meet the growth requirements. Amends 67-4-2910 to revise the due date of the tax to be at the issuance of the certificate of occupancy. Amends 67-4-2913 to provide if a county levying the tax under this act fails to meet the growth requirements in the future, the county may levy a tax pursuant to a private act in existence prior to the effective date of this act or levy the tax at the rate the county was levying the tax pursuant to the act as of January 1, 2024.

Effective May 21, 2024.

Public Chapter 997
SB 2897 – HB 2677

County Legislative Body Training

Amends 5-5-113 to increase the required training hours from seven to eight, to authorize training to occur at conferences or meetings, and to authorize and encourage counties to pay a \$600 supplement to commissioners who complete the required training.

Effective May 21, 2024.

Public Chapter 1012
SB 1137 – HB 1229

Low-Income Multifamily Housing Developments

Enacts a new section at Title 7, Chapter 53, Part 3 to authorize cities and counties to provide assistance, including the issuance of debt, to industrial development corporations for the development of projects involving multifamily housing facilities to be occupied by persons of low or moderate income, elderly, or handicapped persons. Requires submittal of a plan of assistance to the comptroller for approval.

Effective May 28, 2024.

Public Chapter 1017

SB 1692 – HB 1731

Parking

Enacts the Modernization of Towing, Immobilization, and Oversight Normalization (MOTION) Act at Title 55, Chapter 31, Part 1. Authorizes local governments to opt into being governed by section 55-31-203, which would allow local governments to permit a licensed parking lot or attendant to boot or tow vehicles parked on their lots. Provides the minimum requirements for local ordinances enacted under this section.

Section 55-31-310 is effective May 28, 2024, for purposes of promulgating rules. Sections 1-3 of the act are effective at 12:00 a.m. on July 1, 2024, and all other sections are effective at 12:01 a.m. on July 1, 2024.

Public Chapter 1019

SB 1735 – HB 1807

Building Inspections

Enacts a new section at Title 68, Chapter 120, Part 1 to require inspections of new construction or renovations conducted by the state fire marshal, or another state department or entity, be completed within ten business days of the request.

Effective July 1, 2024.

Public Chapter 1030

SB 1963 – HB 2176

Public Meetings

Amends 8-44-106 to authorize the court to assess all or part of petitioners' costs, including attorneys' fees, against the governing body if the court finds the body willfully refused to comply with the open meetings act. In deciding whether the body's actions were willful, authorizes the court to consider the testimony and other guidance provided to the body by the office of open records counsel. Amends 8-44-102 to amend the definition of "meeting" to remove the reference to a quorum.

Effective May 28, 2024.

Public Chapter 1034

SB 1984 – HB 2120

Eminent Domain

Amends 29-17-102 to amend the definition of "public use" to exclude recreational facilities, recreational purposes, or parks.

Effective May 28, 2024.

Public Chapter 1051

SB 2496 – HB 2623

Attainable Housing

Enacts a new part at Title 13, Chapter 3 to authorize local governments to create a voluntary attainable housing incentive program for the purpose of authorizing certain incentives to be provided to property owners who seek to build multi-family attainable housing.

Effective July 1, 2024.

COURTS & COURT CLERKS

Public Chapter 530

SB 2087 - HB 1688

Deposit of CDL License in Lieu of Bail

Amends 71-6-102. Repeals Title 55, Chapter 50, Part 8, the provision authorizing a municipality or county to pass an ordinance or resolution permitting a person charged with violating certain traffic ordinances or statutes to deposit the person's driver license with the court in lieu of bail.

Effective March 7, 2024.

Public Chapter 554

SB 1842 - HB 2053

TBI Reporting

Amends several statutes to clarify that court clerks have “three (3) business days” (instead of 72 hours) to notify the TBI by electronic submission of the final disposition of criminal proceedings against a person.

Effective March 11, 2024.

Public Chapter 612

SB 2562 - HB 1642

Bail

Amends 40-11-115, 116, 117 and 118. Revises various provisions regarding pretrial release of a defendant charged with a criminal offense to require the magistrate to give first consideration to ensuring the safety of the community when determining whether to impose conditions of release or require a deposit of bail.

Effective July 1, 2024. Applies to release determinations for offenses committed on or after that date.

Public Chapter 613
SB 2070 - HB 1676

Commencement of Juvenile Proceedings

Amends numerous provisions relative to juvenile proceedings. Provides that a juvenile proceeding may be commenced by the taking of a child into custody or the removal of custody from a parent or legal guardian. Amends provisions relative to token support, what constitutes abuse or severe child abuse, hearings related to children who are dependent and neglected, return of children found to be victims of severe child abuse, termination of parental rights, and abandonment.

Effective July 1, 2024.

Public Chapter 635
SB 2569 - HB 2126

Transfer from Juvenile Court

Amends 37-1-134. Allows a juvenile court to transfer a child, who is 15 or older, to be tried as an adult in criminal court for the offense of organized retail crime, theft of a firearm, or an attempt to commit such offense.

When a child transferred under this section is detained, the juvenile court shall order confinement in a local juvenile detention facility or a juvenile detention facility with which it contracts, except that the juvenile court may order confinement in an adult detention facility separate and removed from adult detainees if the sheriff affirms to the court that the adult detention facility has the ability to comply with the requirements of 37-1-116, and that the population of the adult detention facility does not exceed the capacity of the facility. The court having adult criminal jurisdiction may thereafter order detention in an adult detention facility separate and removed from adult detainees; provided, however, that during the period while such child is detained separately from adult detainees, the child must otherwise abide by the same regulations and policies governing conditions of imprisonment that apply to adult detainees who are charged with similar offenses. Similar regulations and policies governing educational opportunities for adults must be implemented for a child so detained, but such regulations and policies do not affect or alter the manner in which a local education agency is required to

provide educational services to a child under the federal Individuals with Disabilities Education Act, compiled in 20 U.S.C. § 1471 et seq.

Effective July 1, 2024. Applies to acts committed on or after that date.

Public Chapter 644
SB 2060 - HB 2216

Danielle's Law

Amends Title 28, Chapter 3, Part 1. Requires a civil action for an injury or illness based on an offense involving rape or sexual battery ("sexual assault") that occurred when the injured person was 18 or older to be brought as follows: (1) Within three years of the sexual assault, or last act of sexual assault if in a series of continuing sexual assault incidents against the victim by the alleged perpetrator, if law enforcement was not notified of the sexual assault; or (2) Within five years of the sexual assault, or last act of sexual assault if in a series of continuing sexual assault incidents against the victim by the alleged perpetrator, if law enforcement was notified of the sexual assault.

Effective April 4, 2024. Applies to offenses committed on or after that date.

Public Chapter 685
SB 2059 - HB 2791

Quality Statewide Data Collection

Amends 37-1-187 to provide that by October 1 of each year, the AOC shall file a report listing each juvenile court, if any, that is not in compliance with the requirements of 37-1-187. The report must include the dates of noncompliance and steps that could be taken to bring the court into compliance. The AOC shall file the report with: (1) The juvenile court judge for the court; and (2) The chairs of the judiciary committee of the senate and the civil justice committee of the house of representatives.

Effective April 11, 2024.

Public Chapter 751
SB 1905 - HB 2168

Appeal of Protection Order

Amends 36-3-601 to provide that an order of protection remains in effect during an appeal from a final ruling on the order of protection by a general sessions court or by

an official authorized to issue such an order unless the order expires by operation of law.

Effective April 22, 2024.

Public Chapter 755

SB 1985 - HB 2267

Forcible Entry and Detainer

Amends 29-18-118 to reduce from fifteen (15) days to seven (7) days the amount of time a general sessions judge may postpone a forcible entry and detainer trial. Amends 29-18-128 to provide that the defendant's appeal bond must be given as required by law (instead of as required in the case of a certiorari). Amends 29-18-129 to provide that the proceedings to such actions may not be removed to circuit court by writs of certiorari and supersedeas. In such proceedings, a party seeking de novo review may appeal in accordance with 27-5-108, 29-18-128 or 29-18-130. Amends 29-18-130 to provide that if the defendant prays an appeal, then an appeal must not be allowed unless the defendant has executed bond, or posted either a cash deposit or irrevocable letter of credit from a regulated financial institution, or has provided two (2) good personal sureties with good and sufficient security in the amount of one (1) year's rent of the premises, conditioned to pay all costs and damages accruing from the failure of the appeal, including rent and interest on the judgment, and has abided by and performed whatever judgment may be rendered by the appellate court in the final hearing of the cause.

Effective July 1, 2024.

Public Chapter 760

SB 2495 - HB 2728

Probation - TDOC

Amends 40-35-303. Requires a probation officer to set any required meetings at times and locations that reasonably accommodate the work schedule of the probationer. Upon approval from the department of correction, the probation officer may utilize a technology portal that allows communication between the probationer and the probation officer to occur in real time by voice and video in place of an in-person meeting between the probationer and the probation officer. The department shall promulgate rules governing a defendant's eligibility for video reporting.

Effective April 22, 2024, for purposes of promulgating rules, forms, and establishing policies and procedures. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it.

Public Chapter 774

SB 2250 - HB 2429

DUI Incarceration at Alternative Facility

Amends 55-10-402 to provide that the court (instead of the sheriff or chief administrative officer of a local jail or workhouse) may authorize the use of alternative facilities for the incarceration of an offender convicted of their first DUI offense.

Effective April 23, 2024.

Public Chapter 784

SB 1769 - HB 1640

Jillian’s Law

Amends numerous statutes to expand the definition of “adjudication as a mental defective or adjudicated as a mental defective” to include an individual found incompetent to stand trial by a court in a criminal proceeding. Requires information be reported on such individuals by the court clerk in the same manner as other individuals adjudicated a mental defective.

Amends TCA 33-5-403 to provide that there is a rebuttable presumption that a person meets the standards for judicial commitment if the person was charged with a felony or Class A misdemeanor and is found to be incompetent to stand trial for the offense due to an intellectual disability. Enacts a similar rebuttable presumption for emergency admission to a hospital or treatment resource under 33-6-403 and judicial commitment under 33-6-502 if found to be incompetent to stand trial due to mental illness.

Amends 39-17-1307 to provide that a person commits an offense who carries or possesses a firearm and has been adjudicated as a mental defective or judicially committed to a mental institution. Amends 39-17-1316 to provide that it is an offense to attempt to purchase a firearm if the person has been judicially committed to a mental institution or adjudicated as a mental defective.

Amends numerous other provisions relative to mental health, commitment, and mandatory participation in community-based services.

Effective July 1, 2024.

Public Chapter 786

SB 2186 - HB 1716

Supervision of Judicial Commissioners

Amends 40-1-111 and 40-5-204 to provide that in a county with more than one (1) general sessions judge in which the judicial commissioners are supervised by the general sessions judges, the management and supervision of any judicial commissioners must rotate between the general sessions judges having criminal jurisdiction in the county on an annual basis.

Effective April 23, 2024.

Public Chapter 799

SB 2627 - HB 2760

Child Custody Training

Amends several statutes relative to child custody proceedings and reunification treatment.

Amends 36-3-702 to provide that the required training on domestic violence or child abuse for judges involved in child custody proceedings must be provided by: (1) a judge or retired judge with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse; or (2) a professional with experience in assisting survivors of domestic violence, child abuse, or child sexual abuse. Provides that such training must rely on evidence-based research by recognized experts in the listed topics.

Effective April 23, 2024.

Public Chapter 849

SB 2127 - HB 2475

Teen Court

Amends 37-1-702 to provide that a teen court has the authority to conduct proceedings and to receive evidence and hear testimony related to the dispositional stage, including the authority to request detailed documentation signed by a licensed physician regarding absenteeism in truancy matters.

Effective May 1, 2024.

Public Chapter 869

SB 2565 - HB 1719

Bail - Determination

Amends 40-11-118(b)(2). Prohibits a magistrate from considering a defendant's ability to pay when determining the amount of bail necessary to reasonably

assure the appearance of the defendant while at the same time protecting the safety of the public.

Effective May 1, 2024.

Public Chapter 874
SB 2654 - HB 2790

Monitoring Devices – Bond – Parole - Probation

Amends 40-11-118(g). Provides that if a person is required as a condition of bond to submit to transdermal monitoring, global positioning monitoring, or other alternative monitoring, it is a Class B misdemeanor (1) For that person to knowingly tamper with, remove, or vandalize the monitoring device; or (2) For any person to knowingly aid, abet, or assist the person in tampering with, removing, or vandalizing a monitoring device. If a person damages the monitoring device, it may be punished as theft under 39-14-105, after determining value under 39-11-106.

Amends 40-28-117. Provides that if a prisoner released on parole is required as a condition of parole to submit to transdermal monitoring or other alternative monitoring, it is a Class B misdemeanor (1) For the prisoner to knowingly tamper with, remove, or vandalize the monitoring device; or (2) For any person to knowingly aid, abet, or assist the prisoner in tampering with, removing, or vandalizing a monitoring device. If a person damages the monitoring device, it may be punished as theft under 39-14-105, after determining value under 39-11-106.

Amends 40-35-303. Provides that if an offender is required as a condition of probation to submit to transdermal monitoring or other alternative monitoring, it is a Class B misdemeanor (1) For the offender to knowingly tamper with, remove, or vandalize the monitoring device; or (2) For any person to knowingly aid, abet, or assist the offender in tampering with, removing, or vandalizing a monitoring device. If a person damages the monitoring device, it may be punished as theft under 39-14-105, after determining value under 39-11-106.

Effective July 1, 2024.

Public Chapter 880
SB 2855 - HB 1830

23rd Judicial District

Amends 16-2-506 to create an additional circuit court in the 23rd judicial district.

Effective May 1, 2024.

Public Chapter 905
SB 2028 - HB 1643

Mental Health - Cost of Evaluation and Treatment

Amends 33-7-304. Shifts costs from the counties to the state. Provides that the cost of evaluation and treatment under this part will be a charge upon the funds of the state. If the court finds the defendant financially able to pay all or part of the costs and expenses for the evaluation and treatment, the court may order the defendant to pay all or part of the costs and expenses. Payment must be made to the clerk of court for remittance to the person, agency, or facility to whom compensation is due, or, if the costs and expenses have been paid by the state, to the appropriate office of the state.

Effective July 1, 2024.

Public Chapter 943
SB 2571 - HB 1930

Parent Accountability Act

Amends 37-1-131 to provide that if a child is found to be delinquent for a second or subsequent delinquent act, the court may enter an order of restitution against the parent, legal custodian, or guardian who had custody of the child at the time of the act for the expenses incurred by any law enforcement agency in responding to and investigating the delinquent act. A restitution order entered must be no less than \$250, if the act committed by the child would be a misdemeanor if committed by an adult, or no less than \$500, if the act committed by the child would be a felony if committed by an adult. The restitution order entered must not exceed \$1,000. If the court finds that the child's parent, legal custodian, or guardian is indigent and waives restitution, then the court must order the child's parent, legal custodian, or guardian to perform community service work in lieu of the restitution.

Effective July 1, 2024.

Public Chapter 947

AOC's Centralized System of Case Management

Enacts 16-3-822 to provide that the AOC shall define and develop a centralized system of case management, document management, electronic case filing, electronic payment methods, data reporting, and any other capability deemed necessary for collection and reporting of all state and local court public case level data. The system may consist of software solutions capable of integrating with existing state and local systems to report case dispositions, statistics, and other related data with the goal that information in such system should be easily reportable, retrievable, accessible, and uniform and consistent throughout the state. The development of the centralized system must include projections for ongoing costs and maintenance of such a system.

Provides that beginning on January 31, 2025, and every six months thereafter until initial implementation of the system, the AOC shall submit a written update as to the progress of the development, including projections for ongoing costs and maintenance of such a system to the speakers and chief clerks of each house of the general assembly; the governor; the chairs of the finance, ways and means committees of the house of representatives and senate; the chair of the civil justice committee of the house of representatives; the chair of the judiciary committee of the senate; and the office of legislative budget analysis.

Amends 18-1-105 to provide that court clerks must install and maintain the court information system as provided by the AOC that will collect and report electronically all data required under Tenn. Sup. Ct. R. 11, § II, or otherwise statutorily mandated, and the AOC shall provide for the necessary data transfers with other state agencies as defined by the AOC or as statutorily required.

Provides that until the AOC has completed the development of the system described in 16-3-822, court clerk offices shall maintain existing court information computer systems and report electronically all data required under Tenn. Sup. Ct. R. 11, § II, or otherwise statutorily mandated.

Provides that the AOC shall provide each court clerk with a list of the data that is required under Tenn. Sup. Ct. R. 11, § II, or state law. The AOC and court clerks must coordinate efforts to ensure that the court clerks submit the required data pursuant to procedures established by the AOC.

Provides that when the AOC has completed the development of the system described in 16-3-822, the system must be made available to all offices of court clerks, including those offices previously automated and those offices within Shelby, Davidson, Knox, and Hamilton counties, and those offices shall adopt and convert to the new system on a schedule to be determined in consultation with the AOC.

Effective May 6, 2024.

Public Chapter 962

SB 2844 - HB 2686

Expunction of Prior Convictions

Amends 40-32-101 to make several revisions relative to expunction. Amends subsections (g), (k) and (m) to provide that an eligible petitioner may file a petition for expunction if the offense(s) for which the person is seeking expunction occurred prior to any conviction for a criminal offense that is ineligible for expunction. Provides that the person is not eligible for expunction if previously granted expunction under subsections (g), (k) or (m).

Provides that if a person was convicted of more than one (1) offense listed in subdivision (g)(1) and the conduct upon which each conviction is based occurred contemporaneously, occurred at the same location, represented a single continuous criminal episode with a single criminal intent, and all such convictions are eligible for expunction under this part, then such convictions shall be considered a single offense for purposes of subdivision (k)(1).

Effective May 9, 2024.

Public Chapter 977

SB 2517 - HB 2002

4th, 19th, and 13th Judicial Districts

Amends 16-2-506 relative to judicial districts. Creates an additional circuit court in the 4th judicial district.

Creates an additional trial court in the 19th judicial district. Eliminates two trial courts in the 13th judicial district.

Effective May 21, 2024.

Public Chapter 987
SB 2155 - HB 2323

Domestic Assault – Mandatory Confinement

Amends 39-13-111. Provides that a third or subsequent conviction for domestic assault, under 39-13-101(a)(1), is a Class E felony. The defendant must be sentenced to mandatory confinement of not less than 90 consecutive days in the county jail or workhouse. The defendant must pay a fine of not less than \$1,100 nor more than \$5,000.

Effective July 1, 2024.

Public Chapter 992
SB 2589 - HB 2466

Expungement Records

Amends 40-32-101 to provide that the “public records” to be expunged do not include signed orders of expunction that are maintained as confidential records. Provides that a court entering an order of expunction may release a copy of the order to the petitioner.

Effective May 21, 2024.

Public Chapter 996
SB 2633 - HB 2644

Adoption

Amends 36-1-120 to provide that upon entry of the final order of adoption by the court, the clerk of the court shall simultaneously furnish the adoptive parents or their attorney a certified copy of the order of adoption.

Amends numerous other provisions relative to abandonment, child placing agencies, expenses relative to child placement, surrenders, termination of parental rights, intervening and parties, consent of the child, adoption, service of process, jurisdiction, and foster parents.

Effective July 1, 2024.

Public Chapter 1007
SB 624 - HB 430

Juvenile Court Jurisdiction and Procedures

Amends numerous provisions in Title 37, Chapter 1, Part 1 relative to juvenile court jurisdiction and

procedures, including, but not limited to, exclusive and concurrent jurisdiction, conduct of hearings, serious youthful offenders, transfers, determination hearings, and appeals.

Effective January 1, 2025.

Public Chapter 1033
SB 1972 - HB 2692

Bail - Conditional Release – GPS Monitoring

Amends 40-11-150 and 40-11-152. Enacts the "The Debbie and Marie Domestic Violence Protection Act." Revises the law related to global positioning monitoring system devices, including requiring the court to order an offender to wear such a device under certain circumstances unless the court finds the offender no longer poses a threat to the alleged victim or public safety, requiring a cellular device application or electronic receptor device provided to the victim to be capable of notifying the victim if the offender is within a prescribed proximity of the victim's cellular device or electronic receptor device, and making other revisions. Requires each county or municipality in which the court ordering the monitoring is located to enter into a written agreement with a qualified contract service provider.

Effective July 1, 2024.

Public Chapter 1055
SB 2566 - HB 1718

Bail - Conditional Release – Electronic Monitoring

Amends 40-11-116. As enacted adds that if the magistrate imposes conditions on release of a defendant charged with a Class A, B, C, or D felony and pretrial services are available within the county, then the court shall also require the defendant to participate in pretrial monitoring to ensure that the defendant is complying with the conditions. If the defendant fails to comply with the conditions of release, then the pretrial monitoring agency shall notify the court having jurisdiction of the defendant's failure to comply.

Amends 40-11-112. As enacted provides that upon the defendant's failure to comply with any condition of a bail bond or recognizance release, the court having jurisdiction at the time of the failure shall declare a forfeiture and may issue a warrant for the arrest of the defendant; provided, that, if the defendant is charged

with a Class A, B, C, or D felony, then the court shall issue a warrant for the arrest of the defendant.

Amends 40-11-148. As enacted provides that if a defendant charged with a Class A, B, C, or D felony has been arrested pursuant to a warrant issued under 40-11-112(b) for failure to comply with the conditions of release, then the defendant shall only be released by a criminal or circuit court judge.

Effective July 1, 2024.

Public Chapter 1062
SB 2763 - HB 2035

Extreme Risk Protection Order

Amends Title 39, Chapter 17, Part 13. As enacted provides that, except as otherwise provided by state law, the general assembly preempts the entire field of legislation regarding extreme risk protection orders to the exclusion of all county, city, town, municipality, or metropolitan government law, ordinances, resolutions, enactments, or regulation.

A political subdivision of this state is prohibited from accepting a grant or other source of funding for the purpose of implementing an ordinance, rule, executive order, judicial order, or judicial finding that would have the effect of enforcing an extreme risk protection order against a resident of this state.

As used, "extreme risk protection order" means an executive order or a written order or warrant issued by a judge, magistrate, or other judicial officer, with the primary purpose of reducing the risk of firearm-related death or injury by doing one or more of the following: (1) Prohibiting a named individual from having under the individual's custody or control, owning, possessing, or receiving a firearm; or (2) Removing a firearm from or requiring the surrender of a firearm by a named individual. Does not include an order of protection issued pursuant to Title 36, Chapter 3, Part 6.

Effective May 28, 2024.

EDUCATION

Public Chapter 563

Annual Drills – Active Shooter Event

SB 1679 - HB 1644

Amends 49-6-807. Requires each LEA, public charter school, private school, and church-related school to develop a procedure for determining the cause of a fire alarm activation, including the potential for an active shooter event. The procedure must be developed in consultation with local fire department and law enforcement officials and must comply with applicable fire and building codes. The procedure must include response procedures for students and school staff, including substitute teachers and other part-time staff and school volunteers, after a determination is made regarding whether the emergency involves a fire, an active shooter, or other incident. Each LEA, public charter school, private school, and church-related school shall annually train all school staff, including substitute teachers and other part-time staff and school volunteers, on the safety procedure developed pursuant to this law.

Each LEA, and to the extent applicable, each public charter school, shall coordinate with its district-wide school safety team and building-level school safety team to incorporate the procedure developed in its district-wide school safety plan and building-level school safety plan.

Each procedure developed pursuant to this law must be implemented no later than January 1, 2025, and must be annually reviewed and updated, if necessary, to ensure the procedure reflects best practices for the safety of students and school staff, including substitute teachers and other parttime staff and school volunteers.

Effective March 12, 2024.

Public Chapter 738
SB 1715 - HB 1664

Private Schools - Handgun Carry Policy

Amends 49-50-803. Clarifies that a private school serving students in any of the grades pre-K through 12 is authorized to adopt a handgun carry policy for the private school's property.

Effective April 22, 2024.

Public Chapter 800
SB 2923 - HB 2882

Firearm Safety Curriculum

Amends 49-6-1016. Beginning with the 2025-2026 school year, each LEA and public charter school shall annually provide students with age-appropriate and grade-appropriate instruction on firearm safety. The instruction must begin with the earliest appropriate grade and must continue in each subsequent grade through grade twelve.

Effective April 23, 2024.

Public Chapter 801
SB 1325 - HB 1202

Public Schools - Handgun Carry Authorization

Amends 49-6-815 (a)-(d) and adds (f)-(k). Authorizes a faculty or staff member of a school to carry a concealed handgun on school grounds subject to multiple requirements. Makes certain information confidential and not subject to inspection.

Effective April 26, 2024.

Public Chapter 839
SB 1943 – HB 1812

School Personnel Salaries

Amends 49-5-714 to provide that a salaried employee of an LEA or public charter school who is injured while working and must be absent because of an assault or other violent act shall continue to receive their full salary and full benefits until the employee is released to return to work by a physician or is determined to be permanently and totally disabled.

An hourly employee of an LEA or public charter school who is injured while working and must be absent as a result of an assault or other violent act shall continue to receive an amount representing the average number of hours the employee works for the LEA or public charter school per pay period and full benefits if available to the employee until the employee is released to return to work by a physician or is determined to be permanently and totally disabled. An hourly employee is not eligible to receive the continued pay and benefits described above if the employee has been employed with the LEA or public charter school for less than one full pay period.

Employees must apply for workman’s compensation or other similar benefits if eligible. If the employee receives a workman’s compensation or other similar benefits, the LEA or public charter school must pay the difference between the employee’s full salary or average pay and the workman’s compensation or other similar benefits.

An employee’s absence for a personal injury which is caused by an assault or other violent act shall not be charged against an employee’s sick leave, personal leave, or professional leave if such leave is available to the employee.

An LEA is not required to pay the full salary or average pay, or the difference between full salary or average pay and workman’s compensation or other similar benefits for more than one year.

Effective July 1, 2024.

Public Chapter 864
SB 2406 - HB 2398

School Safety

Amends 49-6-804(a) and 49-6-806(a). Requires each district-wide school safety team and each building-level school safety team to annually review the respective district-wide school safety plan or building-level school safety plan.

Adds local law enforcement officials to those who must be appointed to each district-wide school safety team.

Effective May 1, 2024.

Public Chapter 882
SB 2931 - HB 2487

Report of Student Offenses

Amends 49-6-4301. Provides that a teacher who observes or otherwise has knowledge of an assault and battery or an act of vandalism endangering life, health, or safety committed by a student on school property shall immediately report such action to the principal of the teacher's school.

A principal who has direct knowledge of an assault and battery or an act of vandalism endangering life, health, or safety committed by a student on school property, or

who receives a report of such action, shall immediately report such action to the director of schools and the municipal or metropolitan police department or sheriff's department having jurisdiction.

A director of schools or the head of a public charter school who has knowledge of a valid threat of mass violence on school property or at a school-related activity made by a student shall immediately report such action to the municipal or metropolitan police department or sheriff's department having jurisdiction.

Effective May 1, 2024.

Public Chapter 884
SB 2933 – HB 2494

Student Funding and Mental Health

Amends 49-3-370 in part to provide that an LEA shall allocate funding equal to the per pupil state and local funds received by the LEA to an in-state or out-of-state mental health facility on a prorated daily basis for the student's length of stay if a student is enrolled in a public school in this state at the time of admission to the mental health facility, and the parents or legal guardians of the student are residents of this state.

Effective July 1, 2024, and applies to the 2024 – 2025 school year and each year thereafter.

Public Chapter 915
SB 2682 – HB 2472

Assault of School Employees/Student Suspension

Amends 49-6-3401 to provide a student who assaults a school employee shall be suspended from attendance at school and from attendance at all school sponsored events for no less than one year, unless modified by the director of schools or director of the public charter school.

If a student attends a school sponsored event during the student's suspension, the LEA or public charter school is required to report the violation of trespassing to the appropriate law enforcement agency and request removal of the student from the event.

Each LEA or public charter school shall advise the employee that was assaulted of his or her rights,

including the right to file a report with the appropriate law enforcement agency.

Each LEA or public charter school shall assist an employee who is assaulted by a student in prosecuting the student and shall encourage the prosecuting attorney to request that the court prohibit the defendant from attending school sponsored events for a time the court deems appropriate.

Effective May 3, 2024.

Public Chapter 936
SB 2215 - HB 2283

Comprehensive District-Wide School Safety Plan
Amends 49-6-804. Clarifies that each LEA and public charter school may provide, in an electronic or digital format, school mapping data for each school building in the LEA, and for each school building being used by the public charter school, as applicable, to assist first responder agencies that serve the same geographical areas served by the LEA or public charter school in responding to emergencies occurring on school grounds. Sets forth numerous requirements for the school mapping data.

Effective May 6, 2024.

Public Chapter 1029
SB 1931 – HB 2224

Mental Health Resources
Amends Title 49, Chapter 1, Part 1, to require that by October 15, 2024, and each October 15, thereafter, the department of education shall notify each LEA in writing of all the state and federal grants available to assist the LEA with expanding mental health services in schools. The notice must include information about each available grant and outline a process for the LEA to apply for the grant.

Effective May 28, 2024.

ELECTIONS

Public Chapter 560
SB 1967 - HB 2294

Political Campaign Committees
Amends several statutes relative to absentee voting to increase the time before required filings related to

absentee voting from seven (7) days to ten (10) days before the election.

Effective November 6, 2024.

Public Chapter 573

SB 1836 - HB 1649

Schools and the Presidential Primary

Amends 2-3-107 to provide that school shall be closed for instruction on presidential primary election days if the county election commission uses such schools as a polling place.

Effective March 15, 2024.

Public Chapter 579

SB 1768 - HB 1897

Conflicts Related to Administrators of Elections

Enacts a new section in Title 2, Chapter 12, Part 2 to bar an AOE from continuing to serve as the AOE if they qualify as a candidate for public office. Recuses an AOE if an immediate family member of the AOE is on the ballot in the same county. Provides that this new section only applies to an AOE appointed after the effective date of the section.

Effective March 15, 2024.

Public Chapter 689

SB 2118 - HB 2293

Print Disabled Voters

Enacts a new Part 7 in Title 2, Chapter 6 to establish a process for registered voters with a print disability to request the administrator of elections to mail or electronically transmit an accessible ballot for voters with a print disability in accordance with the preferred method of transmission designated by the applicant.

Effective August 2, 2024.

Public Chapter 723

SB 2245 - HB 2382

AOE Electronic Assessment Letters

Amends 2-10-110 to allow the AOE to send assessment letters by email to any candidate or committee upon the AOE's discovery that a due report has not been filed.

Effective April 16, 2024.

Public Chapter 757

SB 2524 - HB 2391

Nursing Homes

Amends 2-6-601 to provide that the election commission may begin the voting at nursing homes

twenty-seven (27) days before an election (instead of 29 days).

Effective April 22, 2024.

Public Chapter 817

SB 2587 - HB 2096

Purchase of Voting Machines

Enacts a new section in Title 2, Chapter 9 to provide that the county election commission shall select the voting machines to be purchased for use in the county and ensure the destruction of the voting machines when the machines are deemed obsolete.

Amends 2-9-112 to provide that if federal or state grants are used to completely pay for the voting machines or destruction of the voting machines, in lieu of the governing body of a county entering into the contract, lease, and option agreement, a county election commission may, in its sole discretion, elect by majority vote to enter into the contract, lease, and option agreement.

Effective April 29, 2024.

Public Chapter 822

SB 145 - HB 133

Qualifying Deadlines

Amends 2-5-101 and 2-13-203 to revise several qualifying deadlines after the November 2024 election.

Effective November 6, 2024.

Public Chapter 830

SB 1706 - HB 1799

AOE Training

Enacts a new section in Title 2, Chapter 12, Part 1 relative to training events located outside of Tennessee attended by an AOE. Requires the AOE to file a form reporting certain information about the event.

Effective May 1, 2024.

Public Chapter 871

SB 2586 - HB 1955

Voter Registration Forms

Amends 2-2-142 relative to voter registration applications. Provides that a person or organization shall not mail or otherwise provide a voter registration application upon which any information about an applicant has been filled in before it is provided to the applicant. Provides that this requirement does not

apply to government agencies providing voter registration. Also prohibits a person or organization from allowing an individual convicted of a felony violation under Title 2, 39-15-502 or 39-16-703 to collect or handle a voter registration application from another person. Provides that a person or organization collecting voter registrations shall not alter the voter registration form of any person without the person's knowledge and consent.

Effective May 1, 2024.

EMERGENCY SERVICES

Public Chapter 529

SB 2086 - HB 1687

Requirements for Public Safety Dispatchers

Amends 7-86-205 (d)(7). Requires a dispatcher to pass a physical examination by a licensed physician, or a nurse practitioner or physician assistant, so long as the task is expressly included in the written protocol developed jointly by the supervising physician and the nurse practitioner or physician assistant, whichever is applicable, setting forth the range of services that may be performed by the nurse practitioner or physician assistant.

Effective July 1, 2024.

Public Chapter 604

SB 1975 - HB 2362

Emergency Communications Districts

Amends 7-86-303(e). Changes the years, from 2010, 2011, and 2012 to 2021, 2022, and 2023, that the state emergency communications board must use to calculate the average of total recurring annual revenue the E911 district received from distributions from the state board and from direct remittance of 911 surcharges for purposes of determining the base amount of funding to distribute to an emergency communications district each year.

Effective July 1, 2024.

Public Chapter 633

SB 2330 - HB 2022

Ground Ambulance Service Providers

Amends 71-5-1509(b). Extends the ground ambulance service annual assessment to June 30, 2025.

Effective July 1, 2024.

Public Chapter 641

SB 1939 - HB 1919

Mutual Aid

Amends 58-8-102, the Mutual Aid and Emergency and Disaster Assistance Agreement Act of 2004. Rewrites the definition of “occurrence” to remove the requirement that the bodily injury or property damage be substantial and to remove the requirement that the threat of an event, or an actual event and its aftermath, could lead to the declaration of a state of emergency.

Defines an "emergency management employee or official" as an employee or official of a governmental entity with the authority to request aid.

Clarifies that authorizing mutual aid as used in this Act only means doing so during an occurrence.

Effective April 4, 2024.

Public Chapter 686

SB 2082 - HB 1684

Resilient Tennessee Revolving Loan Fund Act

Amends Title 58, Chapter 2. Enacts the "Resilient Tennessee Revolving Loan Fund Act." Moneys in the fund are to be used to provide loans, at an interest rate of not more than 1 percent, to Tennessee counties and local governments, as well as other entities or persons eligible under FEMA eligibility guidelines, or amendments to eligibility in the STORM Act, in effect at the time of the award for local resilience and hazard mitigation projects. The following moneys must be deposited into the fund: (1) Moneys received through the federal emergency management agency (FEMA) and the Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act; (2) Moneys appropriated by the general assembly to the fund; (3) Investment and interest earnings of the fund; (4) Moneys received as repayment of loan principal and interest; and (5) All other moneys received by the fund from any other source. Requires the fund balance to remain available in perpetuity to provide loans under this Act. All money deposited into the fund and interest earned on the balance of the fund must be available to the director of the Tennessee Emergency Management Agency for expenditures consistent with this bill. Moneys expended

from the fund must be supplemental to funding that otherwise would be appropriated or provided to eligible recipients. In accordance with the limitations set forth in the STORM Act, this Act authorizes moneys in the fund to be used to provide loans and financial assistance for projects or activities of eligible recipients that mitigate the impacts of natural hazards, including: (1) Drought and prolonged episodes of intense heat; (2) Severe storms, including hurricanes, tornadoes, wind storms, cyclones, and severe winter storms; (3) Wildfires; (4) Earthquakes; (5) Flooding; (6) Shoreline erosion; and (7) High water levels.

Effective July 1, 2024.

Public Chapter 697
SB 2331 - HB 1725

Volunteer Firefighters - Length of Service Awards

Amends 8-25-115. Removes the requirement that length of service awards for volunteer firefighters are awarded on a first come, first served basis. Requires a portion of the appropriated funds in each fiscal year to be used to pay expenses incurred for the administration of the length of service award program.

Effective April 11, 2024.

Public Chapter 702
SB 2428 - HB 2532

County-Wide Fire Departments - Formation

Amends 5-17-101(d). Adds that a county that has entered into a written mutual aid agreement with each municipality within the county relating to the provision of fire services under Title 58 may fund up to fifty percent of the cost to provide fire services to unincorporated portions of the county using county general funds.

Effective April 11, 2024.

Public Chapter 728
SB 1670 - HB 1922

Voluntary Surrender of an Infant

Amends 68-11-255. Establishes that "facility" means an emergency communications center. Further establishes that an "emergency communications center" means a location that is staffed 24 hours a day and that is primarily used for: (1) receiving communications from the public requesting law enforcement, fire, medical, or other emergency services; (2) dispatching law

enforcement, fire, medical, or other emergency resources to respond to requests for service; and (3) facilitating communications among law enforcement, fire, medical, or other emergency services personnel. An emergency communications center without a newborn safety device may decline to receive possession of a newborn infant.

Effective April 19, 2024.

Public Chapter 851
SB 2205 - HB 2369

First Responders - Employment Discrimination
Amends Section 8-50-107. Removes population exceptions to prohibition on discrimination against first responders based upon residency with respect to employment; prohibits all local governments in this state from discriminating against first responders with respect to employment based on residence.

Effective May 1, 2024.

ENVIRONMENTAL

Public Chapter 614
SB 2089 – HB 1689

Tires
Amends 67-4-1610 to expand the authorized uses of the funds counties receive from the \$1 per tire sold in the county to also include the removal of illegally disposed of waste tires from public or private property. Amends 68-211-831 relative to funds provided by the state to local governments for investigation and cleaning of illegal waste tire disposal sites and waste tire reporting by counties.

Enacts a new Part 11 in Title 68, Chapter 211 to establish a waste tire hauler registration program administered by TDEC. Requires the use of a certain manifest by any person who commercially generates, transports, processes, stores, or disposes of waste tires. Authorizes the commissioner to inspect facilities at which waste tires are generated, transported, processed, stored, or disposed of and penalize violations. Authorizes the underground storage tanks and solid waste disposal control board to promulgate rules.

The provisions relative to the expanded use of the funds from the \$1 per tire sold in the county and the board promulgating rules are effective March 27, 2024. Other provisions are effective July 1, 2025.

Public Chapter 930
SB 1948 – HB 2584

General Aquatic Resource Alteration Permits
Amends 69-3-108 to provide that TDEC shall not charge a permit application fee to a local government entity for a general aquatic resource alteration permit for emergency infrastructure repair, or a general aquatic resource alteration permit for maintenance activities, necessary to replace or otherwise maintain a culvert.

Effective July 1, 2024.

HIGHWAYS

Public Chapter 628
SB 2260 – HB 2286

UUDPA
Amends 65-31-102 and 65-31-106 to delete references to ‘impending emergency’ and to add a definition of ‘emergency.’ Also amends 65-31-106 to change references to ‘email notice’ to ‘electronic notice.’ Amends 65-31-108(h) to allow excavators submitting an emergency excavation notice to provide for alternative operator response time between 2-72 hours. Amends 65-31-109 relative to emergency excavations. Amends 65-31-112(a) relative to penalties for violations of the Act. Amends 65-31-117 relative to the expenditure of the underground damage prevention fund. Also amends 65-31-120 relative to liability.

Effective July 1, 2024.

JAILS

Public Chapter 999
SB 1771 - HB 2808

Medical Care of Inmates
Amends 41-4-115. As enacted, generally makes the state liable and responsible for paying the expenses for HIV/AIDS medication for inmates committed to a county jail or workhouse who previously received prescription medication to treat HIV or AIDS through a state department, agency, or program, including TennCare.

Effective July 1, 2024.

Public Chapter 1008
SB 757 - HB 1128

Verification of Citizenship Status

Amends Title 40, Chapter 7, Part 1. As enacted, requires, when a person is arrested, booked, or confined in the jail of a county or municipality, the arresting law enforcement agency, and the keeper of a jail to collaborate to verify the citizenship status of the person and the sheriff to report the status of those who are not lawfully present, or whose status cannot be determined, to the district attorneys general conference.

Effective July 1, 2024.

Public Chapter 1038
SB 2044 - HB 2188

Felony - Sentence Reduction Credits

Amends 40-35-501. As enacted, provides that for inmates with a felony sentence of 2 years or more based on an offense committed on or after July 1, 2024: (1) Sentence reduction credits earned pursuant to 41-21-236 shall not operate to alter the defendant's sentence expiration date, but may be used to reduce the percentage of the sentence imposed by the court that the defendant must serve before becoming eligible for release on parole; (2) Release eligibility for the defendant shall occur when the defendant becomes eligible for release on parole or upon expiration of the entire sentence imposed on a defendant; and (3) If a defendant is released on or following the release eligibility date, then the defendant shall serve the remainder of the actual sentence imposed on parole.

Amends 40-35-501(h)(2). As enacted, provides that sentence reduction credits authorized by 41-21-236 or any other law may: (1) For offenses committed before July 1, 2024, reduce the sentence imposed by the court by up to fifteen percent; and (2) For offenses committed on or after July 1, 2024, reduce by up to fifteen percent the percentage of the sentence imposed by the court that the person must serve before becoming eligible for release on parole but shall not alter the sentence expiration date.

Amends 40-35-501(k)(6)(B). As enacted, provides that sentence reduction credits authorized by 41-21-236 or any other law shall not: (1) For offenses committed

before July 1, 2024, reduce below fifty-five percent the percentage of sentence imposed by the court such person must serve before becoming release eligible; and (2) For offenses committed on or after July 1, 2024, reduce below fifty-five percent the percentage of sentence imposed by the court that the person must serve before becoming eligible for release on parole and shall not alter the sentence expiration date.

Amends 40-35-501(v). As enacted, provides that the person shall serve one hundred percent of the sentence imposed by the court less sentence credits earned and retained; however, sentence reduction credits authorized by 41-21-236 or any other law may: (1) For offenses committed before July 1, 2024, reduce the sentence imposed by the court by up to fifteen percent; and (2) For offenses committed on or after July 1, 2024, reduce by up to fifteen percent the percentage of the sentence imposed by the court that the person must serve before becoming eligible for release on parole but shall not alter the sentence expiration date.

Amends 40-35-501(w). As enacted, provides that any sentence reduction credits earned and retained during that time shall be credited: (1) For offenses committed before July 1, 2024, toward the defendant's expiration of sentence; and (2) For offenses committed on or after July 1, 2024, toward the defendant's release eligibility date for release on parole but shall not alter the sentence expiration date.

Amends 40-35-501(y)(1). As enacted, provides that for the offenses listed in subdivision (y)(2) committed on or after July 1, 2021, but before July 1, 2024, there shall be no release eligibility until the person has served eighty-five percent of the sentence imposed by the court, less sentence credits earned and retained. However, sentence reduction credits authorized by 41-21-236, or any other law, shall not operate to reduce below seventy percent the percentage of sentence imposed by the court such person must serve before becoming release eligible. For the offenses listed in subdivision (y)(2) committed on or after July 1, 2024, there shall be no release eligibility until the person has served eighty-

five percent of the sentence imposed by the court, undiminished by sentence reduction credits earned and retained. However, sentence reduction credits authorized by 41-21-236 or any other law may reduce by up to fifteen percent the percentage of the sentence imposed by the court that the person must serve before becoming eligible for release on parole but shall not alter the sentence expiration date.

Amends 40-35-501(z). As enacted, provides that sentence reduction credits authorized by 41-21-236 or any other law shall not: (1) For offenses committed before July 1, 2024, reduce the mandatory minimum sentence imposed by the court by more than fifteen percent; and (2) For offenses committed on or after July 1, 2024, reduce by more than fifteen percent the percentage of the sentence imposed by the court that the person must serve before becoming eligible for release on parole and shall not alter the sentence expiration date.

Amends 41-21-236(a)(2)(A)(i). As enacted, provides that each inmate who exhibits good institutional behavior or who exhibits satisfactory performance within a program may be awarded time credits. The sentence reduction credits shall be used to reduce the sentence imposed for inmates serving a sentence: (1) That was imposed for an offense that occurred before July 1, 2024; or (2) Of less than two years for an offense that occurred on or after July 1, 2024. The sentence reduction credits shall be used to reduce the time an inmate must serve before becoming eligible for release on parole and shall not alter the sentence expiration date for inmates who are serving a sentence of more than two years for an offense that occurred on or after July 1, 2024.

Amends 41-21-236(b). As enacted, provides that the allowances that can be awarded pursuant to this section shall be referred to as inmate sentence reduction credits. For sentences of less than 2 years or for offenses committed before July 1, 2024, sentence reduction credits shall affect release eligibility and sentence expiration dates in the same manner as time credits affected parole eligibility and sentence

expiration dates prior to September 1, 1980. For sentences of more than 2 years for offenses committed on or after July 1, 2024, sentence reduction credits shall affect eligibility for release on parole and shall not alter the sentence expiration date.

Amends 41-21-236(j). As enacted, provides that "sentence reduction credits" or "sentence credits" include: (1) For sentences of less than two years or for offenses committed before July 1, 2024, any credit, whether called that or not, that results in a reduction of the amount of time an inmate must serve on the original sentence or sentences; and for sentences of more than two years for offenses occurring on or after July 1, 2024, any credit, whether called that or not, that results in a reduction of the amount of time an inmate must serve before becoming eligible for release on parole. This section is applicable notwithstanding the powers granted pursuant to this title to reduce prison overcrowding.

Effective July 1, 2024.

Public Chapter 1049
SB 2337 - HB 1924

Indecent Exposure in a Penal Institution

Amends 39-13-511(c). As enacted increases the penalty for indecent exposure from a Class A misdemeanor to a Class E felony. A sentence imposed for a violation of this subsection must include a mandatory minimum sentence of fourteen days of incarceration to be served consecutive to any other sentence the person is serving at the time of the offense. If a person is convicted of more than one violation of this subsection, then the sentence imposed for each violation must be served consecutive to any other sentence imposed.

Effective July 1, 2024.

Public Chapter 1052
SB 2536 - HB 2444

Electronic Monitoring for Work Release

Amends 41-2-152. As enacted adds that this section does not apply if the judge of the sentencing court and the sheriff of the county where the workhouse or jail is located approve in writing an exemption to allow the prisoner to be released from custody on work release or otherwise be allowed to leave the grounds of the county

workhouse or jail for employment or to perform work in the community without an electronic monitoring device.

Effective May 28, 2024.

LAW ENFORCEMENT

Public Chapter 512 SB 2076 - HB 1680

Abuse or Neglect of Adults

Amends 71-6-102. Expands the Tennessee Adult Protection Act's definition of abuse or neglect to include certain situations when an adult is unable to maintain the adult's own health or welfare.

Effective February 28, 2024.

Public Chapter 524 SB 1645 - HB 1620

Freedom from Unwarranted Surveillance Act

Amends Chapter 462 of the Public Acts of 2021 which amended 39-13-609. Deletes the termination date of Chapter 462 of the Public Acts of 2021. Allows the continued use of a drone by law enforcement to: (1) provide aerial coverage of public property, or private property with the consent of the private property owner, when deployed for the purpose of providing or enhancing security for an event open to the public, including, but not limited to, music concerts, athletic events, festivals, protests, and other outdoor events; (2) provide aerial coverage in case of a natural disaster when a state of emergency is declared; or (3) investigate the scene of a crime that is occurring or has occurred.

Keeps in place the provisions that any evidence, information, or other data collected or obtained by use of a drone shall: (1) be deleted within fifteen business days of collection unless the evidence, information, or other data is directly relevant to the lawful reason the drone was being used or to an investigation or criminal prosecution. If the evidence, information, or other data is directly relevant to either, the evidence must be retained and deleted by the collecting law enforcement agency in accordance with the same criteria, policies, and procedures used by the agency for evidence collected by methods other than a drone; (2) not be admissible as evidence in a criminal prosecution in any

court of law in this state if it was collected or obtained in violation of subsection (c) or (d); and (3) not be used as probable cause to obtain a search or arrest warrant or reasonable suspicion to detain a person or vehicle if evidence, information, or other data was collected or obtained that was, at the time of collection, in violation of this section.

Effective March 1, 2024.

Public Chapter 525

SB 287 - HB 701

Sexual Offenses

Amends 39-13-524(a). Adds the offense of continuous sexual abuse of a child, committed on or after July 1, 2024, to the list of qualifying criminal misconduct that is sentenced to community supervision for life in addition to any other statutorily imposed punishment.

Effective July 1, 2024.

Public Chapter 527

SB 1242 - HB 1170

Medical Care

Amends Title 38, Chapter 8, Part 1. Requires the POST Commission to adopt guidelines and materials instructing law enforcement officers on the best practices for recognizing and responding to a medical crisis involving a person under arrest or under the care or supervision of the law enforcement officer. The guidelines and materials must not require an officer to undergo specialized medical training for the purpose of becoming POST certified.

Effective March 7, 2024.

Public Chapter 541

SB 1913 - HB 1944

Motor Vehicles

Amends Title 55, Chapter 8, Part 2. Prohibits a person from operating a passenger motor vehicle on any street, road, or highway in this state if, by alteration of the suspension, frame, or chassis, the height of the vehicle's front fender is four or more inches greater than the height of the rear fender.

Within 30 days of conviction for a violation of this section, the clerk of the court of conviction shall give notice of this conviction to the Department of Safety.

Effective July 1, 2024.

Public Chapter 545

SB 181 - HB 1384

Aggravated Prostitution - Sex Offender Registries

Amends 40-32-105(b)(6)(C) and 40-39-207(a)(4). Adds aggravated prostitution convictions as eligible for expunction if certain requirements are met; removes such offense as "a sexual offense" or "violent sexual offense" for which a person is required to register on sexual offender registries; authorizes a prior offender who is required to register because the offender was convicted of such offense that was committed prior to July 1, 2024, to file a request for termination of registration requirements with the TBI headquarters.

Repeals 40-39-202(20)(A)(iii), 40-39-202(31)(X), and 40-39-218.

Effective July 1, 2024.

Public Chapter 559

SB 1586 - HB 2788

Child protective teams Investigations-Services

Amends 37-1-607(a)(1). Allows the district attorneys general conference, the administrative office of the courts, the Tennessee chapter of children's advocacy centers, the department, and law enforcement agencies to enter into data sharing agreements that allow for the sharing of information necessary to ensure compliance with reporting requirements under this section and 9-4-213(a)(8). Data shared pursuant to an agreement retains its confidential status, consistent with 37-1-612.

Effective March 12, 2024.

Public Chapter 565

SB 1577 - HB 1602

Interrogation of Juveniles

Amends 37-1-126. Requires that when a child has been taken into custody due to suspicion that the child committed a delinquent act or unruly conduct, a law enforcement officer conducting a formal interview or interrogation of the child at a law enforcement facility concerning any violation of state or federal law by the child shall make a video or audio recording of the interview or interrogation. It is an exception to the requirement if the law enforcement officer in good faith believed the interview or interrogation was being

recorded, and a technical issue with the equipment prevented the recording; or exigent circumstances existed at the time of the interview or interrogation that prevented visual or audio recording.

Effective July 1, 2024.

Public Chapter 584
SB 1957 - HB 2079

Suspected Animal Cruelty

Amends Title 63, Chapter 12, Part 1. Establishes a process for a licensed veterinarian to report suspected animal cruelty in violation of certain criminal laws and testify in a judicial or administrative proceeding concerning the care of the animal without being subject to criminal or civil liability.

Effective March 15, 2024.

Public Chapter 602
SB 1864 - HB 1977

Tinted Motor Vehicle Windows

Amends 55-9-107. Authorizes a POST-certified law enforcement officer, rather than a full-time, salaried police officer, to detain a person based on a reasonable belief that the person's motor vehicle does not comply with state law regarding tinted motor vehicle windows.

Effective March 27, 2024.

Public Chapter 627
SB 2040 - HB 2265

Critical Infrastructure Vandalism

Amends 39-14-411. Adds that a person commits critical infrastructure vandalism if the person knowingly uses, alters, encrypts, ransoms, destroys, or otherwise renders unavailable, without authorization, the electronic data, electronic devices, or networks of a provider of critical infrastructure or of a farm.

Effective July 1, 2024.

Public Chapter 637
SB 2316 - HB 2389

Constable Qualifications – Filing Requirements

Amends 8-10-102. Deletes provisions that exempt persons in Fentress County from meeting certain qualifications to qualify for election or appointment to the office of constable.

Effective April 3, 2024.

Public Chapter 656
SB 1681 - HB 2061

Mental Health Adjudications and Commitments

Amends Title 33, Chapter 6, Part 7. Requires the releasing medical facility to notify, by electronic means, local law enforcement prior to the release of a person who was ordered into involuntary commitment under state law relative to mental health services. As used in this section, "local law enforcement" means the county sheriff with jurisdiction over the location where (1) The service recipient permanently resides if the service recipient is a resident of this state; and (2) The inpatient treatment facility is located if the service recipient is not a resident of this state.

Effective October 1, 2024.

Public Chapter 665
SB 2918 - HB 1918

Recreational Camper Sites

Amends Title 68, Chapter 110. Allows a campground owner to eject a person from the campground and notify the appropriate local law enforcement authorities of any person who: (1) Is not a registered guest or visitor of the campground; (2) Remains on the campground beyond an agreed-upon departure time and date; (3) Defaults in the payment of any lawfully imposed registration or visitor fee or charge; (4) Creates a disturbance that denies other persons their right to quiet enjoyment of the campground necessary for the preservation of public peace, health, and safety; or (5) Violates any federal, state, or local law.

A person who remains on a campground after having been asked to leave by a campground owner commits criminal trespass under 39-14-405, regardless of whether the person was a registered guest of the campground whose agreed-upon departure date has not passed at the time of the trespass and may be removed summarily by the campground owner or a law enforcement officer.

Effective July 1, 2024.

Public Chapter 704
SB 2478 - HB 2691

Impounded Animals

Amends 39-14-207. Clarifies that prior to entering into a place to supply an impounded animal with necessary food and water, the person must notify the appropriate

local law enforcement agency of the person's intent to enter and the circumstances justifying the entry. Adds that an official, employee, or agent of the department of agriculture or any other state or local department or agency must not enter private property without probable cause to believe that a criminal offense has occurred or is occurring. This provision does not limit the ability to enter private property pursuant to the consent of the property owner, a warrant, or a recognized warrant exception.

Amends 39-14-210. Adds that prior to making an arrest or interfering, an officer, agent, or member of a society which is incorporated for the prevention of cruelty to animals must notify the appropriate local law enforcement agency of the person's intent to make an arrest or interfere to prevent an act of cruelty and the circumstances justifying the action.

Amends 39-14-803(d). Relative to farm animals and research facilities, prohibits any official, employee, or agent of the department of agriculture, any other state or local department or agency from entering private property without probable cause to believe that a criminal offense has occurred or is occurring. Does not, however, limit the ability to enter private property pursuant to the consent of the property owner, a warrant, or a recognized warrant exception.

Effective July 1, 2024.

Public Chapter 716

SB 2576 - HB 2124

Enforcement of Federal Immigration Laws

Amends 7-68-105. Requires, rather than authorizes, law enforcement agencies to communicate with the appropriate federal official regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States or otherwise cooperate with the appropriate federal official in the identification, apprehension, detention, or removal of aliens not lawfully present in the United States.

Effective July 1, 2024.

Public Chapter 729
SB 1715 - HB 1664

School Resource Officer

Amends Title 49, Chapter 6, Part 8. Authorizes a law enforcement agency with jurisdiction to assign at least one law enforcement officer to serve as a school resource officer at the school to increase the protection and safety of students and school personnel during regular school hours when children are present on the school's premises, as well as during school-sponsored events if a local board of education has not entered into a memorandum of understanding ("MOU") with a law enforcement agency to assign a school resource officer at each school within the local board of education's control.

Effective July 1, 2024.

Public Chapter 753
SB 2257 - HB 2209

Constables

Amends 8-10-110(a). If a constable is indicted or formally charged with a misdemeanor involving gambling or moral turpitude, or a felony, then the court with jurisdiction over the criminal offense shall place the constable on administrative leave by issuing an *ex parte* order placing such constable on administrative leave pending a preliminary hearing.

Once a constable is placed on administrative leave, the court shall conduct a preliminary hearing, pursuant to Rule 5 of the Tennessee Rules of Criminal Procedure, to determine whether probable cause exists to establish that the constable committed a misdemeanor involving gambling or moral turpitude, or a felony. If the court finds probable cause exists, then the court shall enter an order placing the constable on administrative leave until the conclusion of the criminal prosecution. If the court does not find that probable cause exists, then the court shall enter an order terminating the administrative leave of the constable.

Effective July 1, 2024.

Public Chapter 758
SB 2410 - HB 2504

Offense of Caller Identification Spoofing

Amends 47-18-2302. Establishes that it is an offense for a person, on behalf of a debt collector or inbound telemarketer service, to knowingly cause any caller

identification service to transmit misleading or inaccurate caller identification information, including caller identification information that does not match the area code of the person or the debt collector or inbound telemarketer service the person is calling on behalf of, or that is not a toll-free phone number, to a subscriber with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value, rather than with the intent to induce the subscriber to answer.

Effective July 1, 2024.

Public Chapter 797
SB 1887 - HB 2590

Harassment – Mandatory Reporting

Amends 39-17-308. Adds that engaging in bullying or cyber-bullying constitutes harassment. Requires a law enforcement officer who has knowledge that a minor is the victim of an incident of bullying or cyberbullying to make an official report of the incident and provide the minor's parent, legal guardian, or legal custodian with notice of the bullying or cyberbullying and instructions concerning how to obtain a copy of the report.

Effective July 1, 2024.

Public Chapter 805
SB 1802 - HB 2611

District Attorney General Second Opinion Act

Amends Title 38, Chapter 6, Part 1. In any investigation involving a human trafficking offense, as defined in 39-13-314, an organized crime offense, under Title 39, Chapter 12, Part 2, or an offense classified as a Class A or Class B felony, in which a district attorney general declines prosecution, an investigating state or local law enforcement agency may report and submit evidence of the offense to the district attorney general for another judicial district, in which jurisdiction and venue over the offense are proper, according to law and consistent with Rule 18 of the Tennessee Rules of Criminal Procedure, for consideration and action.

Effective April 29, 2024.

Public Chapter 812
SB 2367 - HB 2316

Health Care Facility Security

Amends 68-11-246(a) and (d). Provides that a facility is authorized to establish policies pursuant to which a suitable number of persons may be employed,

commissioned, or contracted through a private third party, as police officers, public safety officers, and security officers by the facility; provided, that the chief law enforcement officer of the law enforcement agency with jurisdiction over the facility has appointed each police officer who is employed, commissioned, or contracted through a private third party a special deputy in accordance with 8-8-212, or has appointed the police officer a special police officer.

Provides that when properly commissioned and qualified in accordance with the policies of a facility, a police officer or privately contracted third-party personnel deputized as a special deputy in accordance with 8-8-212, has all the police powers necessary to enforce all state laws as well as rules and regulations of the facility.

Effective April 29, 2024.

Public Chapter 844
SB 2043 - HB 2572

Aggravated Rape

Amends 39-13-502(a). Expands the offense of aggravated rape by providing that aggravated rape is unlawful sexual penetration of a victim by the defendant or the defendant by a victim when the defendant knows that the defendant is infected with HIV.

Effective July 1, 2024.

Public Chapter 864
SB 2406 - HB 2398

School Safety

Amends 49-6-804(a) and 49-6-806(a). Requires each district-wide school safety team and each building-level school safety team to annually review the respective district-wide school safety plan or building-level school safety plan.

Adds local law enforcement officials to those who must be appointed to each district-wide school safety team.

Effective May 1, 2024.

Public Chapter 882
SB 2931 - HB 2487

Report of Student Offenses

Amends 49-6-4301. Provides that a teacher who observes or otherwise has knowledge of an assault and

battery or an act of vandalism endangering life, health, or safety committed by a student on school property shall immediately report such action to the principal of the teacher's school.

A principal who has direct knowledge of an assault and battery or an act of vandalism endangering life, health, or safety committed by a student on school property, or who receives a report of such action, shall immediately report such action to the director of schools and the municipal or metropolitan police department or sheriff's department having jurisdiction.

A director of schools or the head of a public charter school who has knowledge of a valid threat of mass violence on school property or at a school-related activity made by a student shall immediately report such action to the municipal or metropolitan police department or sheriff's department having jurisdiction.

Effective May 1, 2024.

Public Chapter 888
SB 2696 - HB 2279

Violent Juvenile Sexual Offender

Amends 40-39-202. Clarifies that a "violent juvenile sexual offense" includes, in addition to other offenses, the rape of a child if the victim is at least four years younger than the offender; or for acts occurring on or after July 1, 2024, the victim is less than four years younger than the offender, and the judge, taking into account the facts and circumstances surrounding the delinquent act, orders that the juvenile be required to register as a violent juvenile sexual offender.

Effective July 1, 2024.

Public Chapter 892
SB 2599 - HB 2386

Search Warrants

Amends Title 40, Chapter 6, Part 1. Authorizes a law enforcement officer to execute a search warrant for medical records or a test to determine the alcohol or drug content, or both, of a person's blood anywhere in this state.

Amends 55-10-406(e). Provides that a qualified practitioner shall withdraw the sample of blood as soon

as practicable; provided, that collection of the sample does not jeopardize the operator's life. All qualified practitioners must be considered to be acting in good faith once presented with a search warrant or any other court order authorizing collection of a sample, and the sample is drawn as soon as practicable. Qualified practitioners shall not require the operator to provide any additional consent. Qualified practitioners may use all reasonable force to obtain the sample of blood from the operator.

Amends 55-10-406(g). The results of any testing of the blood sample that was obtained while the defendant was hospitalized or otherwise receiving medical care in the ordinary course of medical treatment must be recorded and memorialized in the defendant's medical records and must be provided upon service of a search warrant, judicial subpoena, or other court order. Any residual portion of the blood sample that was obtained while the defendant was hospitalized or otherwise receiving medical care in the ordinary course of medical treatment after the testing provided by the hospital or qualified medical practitioner must be provided as soon as practicable to a law enforcement officer upon service of a search warrant or other court order.

Amends 55-10-408(a). If the sample of a person's blood was procured pursuant to 55-10-406, then the limited testing of the blood sample for the alcohol content, drug content, or both shall be considered a reasonable search for all evidentiary purposes and shall be allowed into evidence without further need of a search warrant or court order.

Effective May 1, 2024.

Public Chapter 901
SB 1493 - HB 1012

Sheriff's Fees – Constable Fees

Amends 8-21-901(a)(1) and (2). Increases the fee for in person service of process to \$50.00. Increases the fee for a levy of an execution on property or levy of an attachment or other process to seize property for the purpose of securing satisfaction of a judgment yet to be rendered or for executing a writ of replevin or writ of possession to \$50.00.

Amends 8-21-901(a)(2)(B)(i). Increases the fee for collecting money to satisfy a judgment, whether by execution, fieri facias, garnishment, or other process, in civil cases each time collection is attempted to \$40.00.

Amends 8-21-901 by adding a new subsection (d) to provide that, notwithstanding this part to the contrary, a county legislative body may adopt a resolution to increase the fees to which a constable is entitled under this section, or to generally supplement the pay of a constable who is an officer of the county. A fee increase or pay supplement must be commensurate with the nature of the work, services provided, and experience of the constable.

Effective July 1, 2024.

Public Chapter 911
SB 2668 - HB 2163

Sexual Exploitation of Children

Amends 39-17-1002. Specifies that for the purposes of sexual exploitation of children offenses, the term "material" includes computer-generated images created, adapted, or modified by artificial intelligence; defines "artificial intelligence."

Effective July 1, 2024.

Public Chapter 918
SB 2901 - HB 2682

Reemployment After Retirement

Amends Title 8, Chapter 36, Part 8. As enacted, authorizes, until June 30, 2026, a retired member of the TCRS, or of a local retirement fund, to be reemployed in a position covered by the retirement system without the loss or suspension of the member's retirement benefits if the member meets certain criteria. Authorizes, until June 30, 2026, a law enforcement agency to employ a retired member for a full-time school resource officer position if certain criteria are met.

Effective July 1, 2024. Applies to the reemployment of a retired member occurring on or after such date.

Public Chapter 928
SB 1709 - HB 1628

Dr. Benjamin Mauck Act

Amends Title 39, Chapter 13, Part 1. Enacts the "Dr. Benjamin Mauck Act." Creates the criminal offenses of

assault within a healthcare facility and aggravated assault within a healthcare facility.

Effective July 1, 2024.

Public Chapter 942
SB 2563 - HB 1641

Conditions of Release

Amends Title 40, Chapter 11, Part 1. As enacted, creates a Class A misdemeanor of violating a condition of release on bail. Authorizes a law enforcement officer to arrest such an offender with or without a warrant.

Effective July 1, 2024.

Public Chapter 958
SB 2570 - HB 2031

Obstructing Highway or Other Passageway

Amends 39-17-307. If a person suffers loss or injury as a result of a violation of 39-17-307 (a)(1) in which the defendant intentionally obstructed a highway, street, or other place used for the passage of vehicles or conveyances, then the person may bring a cause of action against the person who violated 39-17-307 (a)(1) to recover compensatory damages from the loss or injury.

Effective July 1, 2024.

Public Chapter 961
SB 2636 - HB 2845

Motor Vehicle Accidents-Mandatory Reporting

Amends 55-10-120. A law enforcement officer investigating a motor vehicle accident resulting in the death of a person and having probable cause to believe that an operator of a motor vehicle involved in the accident was driving under the influence of alcohol, shall investigate whether the operator was served alcoholic beverages or beer at an establishment licensed to sell alcoholic beverages or beer. The Alcoholic Beverage Commission must be notified of the investigation within forty-eight hours of the incident.

Effective May 9, 2024.

Public Chapter 969
SB 1480 - HB 689

GPS Monitoring - Conditions of Bail

Amends 40-11-152. When arresting a person for an offense of stalking; aggravated stalking; especially aggravated stalking; a crime against a domestic abuse victim, sexual assault victim, or stalking victim; or a

violation of an order of protection, the arresting officer must provide the alleged victim with a document that notifies the alleged victim of the following regarding the global positioning monitoring system: (1) When considering bail, the magistrate may order the person who is arrested to carry or wear a global positioning monitoring system device; (2) The victim's right to participate in a global positioning monitoring system or to refuse to participate in the system and the procedure for requesting the magistrate to terminate the victim's participation; (3) The manner in which the global positioning monitoring system technology functions and the risks and limitations of that technology, and the extent to which the system will track and record the victim's location and movements; (4) The victim's right to provide the magistrate with a list of areas from which the victim would like the defendant excluded from going to or near; (5) The fact that the victim's communications with the magistrate concerning the global positioning monitoring system and any restrictions to be imposed on the defendant's movements are not confidential; and (6) Any other information that the administrative office of the courts finds necessary to properly inform an alleged victim about the global positioning monitoring system.

Effective July 1, 2024.

Public Chapter 976
SB 2062 - HB 1881

Assault Against Law Enforcement Officer

Amends 39-13-116; 40-11-115, 116; and 40-35-501. Enacts the "Back the Blue Act." Increases the penalty for assault against a law enforcement officer to a Class E felony with a mandatory minimum 60-day sentence and \$10,000 fine. Defines law enforcement officer to include a POST-certified law enforcement officer, capitol police officer, Tennessee highway patrol officer, Tennessee bureau of investigation agent, Tennessee wildlife resources agency officer, deputy jailer, or park ranger employed by the division of parks and recreation in the department of environment and conservation.

Effective July 1, 2024.

Public Chapter 1039

Opioid Antagonist

SB 2116 - HB 2302

Amends Title 55, Chapter 10, Part 4. As enacted provides that a first responder who administers an opioid antagonist to an individual experiencing an opioid-related overdose may provide information on the risks associated with driving for a twenty-four-hour period following administration, in an effort to ensure that the individual is informed of the potential dangers and legal responsibilities.

Effective July 1, 2024.

Public Chapter 1045

SB 2221 - HB 1658

Assault Against Participant in Judicial Proceeding

Amends Title 39, Chapter 13, Part 1. As enacted establishes a Class E felony for a person who commits assault against a participant in judicial proceedings who, while on the premises of a building in which judicial proceedings occur.

Effective July 1, 2024.

Public Chapter 1048

SB 2304 - HB 2684

Failure to Appear – Due Diligence

Amends 40-11-139(d). Clarifies that if a court issues a bench warrant due to a defendant's failure to appear on a felony or on a Class A or Class B misdemeanor that is violent or sexual in nature as determined by the court, or if a defendant is charged with a failure to appear, then the defendant shall be placed on any available state or federal list or database as a fugitive from justice, without limitation, within "ten (10) business days" of the defendant's failure to appear.

Amends 40-11-142(a). After an officer arrests a person, but prior to the determination of bail for the arrest offense by the judge or magistrate, due diligence must be exercised in determining the existence of any prior arrest or conviction. The results of this investigation must be made a part of the person's law enforcement file.

Amends 40-11-142(b). Clarifies that using due diligence to determine a person's criminal history means making use of all available databases, including the Tennessee bureau of investigation interstate identification index (III), the Tennessee criminal history database, driver

license history, relevant information related to those prior convictions provided pursuant to 40-6-203, and other official records regarding the person's prior criminal and arrest history.

Effective July 1, 2024.

PERSONNEL

Public Chapter 532 SB 2094 – HB 1694

Workman's Compensation Requirements

Amends 50-3-702(a) to require employers to report each accident resulting in work-related death or personal injury to the bureau of worker's compensation no later than 14 days after the employer is notified or has knowledge that the accident occurred.

Amends 50-6-205(d) to provide that if temporary disability payments have been made without an award and the employer subsequently elects to dispute its liability for any of those benefits, then the employer shall electronically file the required information with the administrator within 15 days of the first omitted payment.

Amends 50-6-412(b) to provide that the bureau shall assess a penalty against an employer of 1 ½ times the average yearly premium during non-compliance. If the employer is in the construction industry, then the penalty assessment shall not be less than \$1,000.

Sections 1 and 2 are effective July 1, 2024. Section 5 is effective is June 30, 2024. The remainder of the act is effective July 1, 2024.

Public Chapter 623 SB 2027 – HB 2110

Wage Regulations

Amends Title 50, Part 2, Chapter 1 by adding a new section that aligns the definition of work under state law with the definition of work under federal law. Work does not include (1) travel time to and from work, or the actual place of performance of the principal activity the employee is hired to perform; (2) activities that are preliminary or postliminary to the principal activity; and (3) activities that require insignificant time after the employee's scheduled working hours.

Effective July 1, 2024.

Public Chapter 747
SB 2017 – HB 2113

Statute of Limitations for Wage/Hour Violations

Amends 28-3-105 by requiring that all actions for unpaid wages, overtime, minimum wage, salary bonuses, commissions or other compensation owed to an employee or independent contractor for breach of contract, unjust enrichment, or quantum meruit must be brought within three years.

Effective July 1, 2024, and applies to actions arising on or after that date.

Public Chapter 1026
SB 1866 – HB 1907

Employment

Amends 50-1-103 to define “illegal alien” with respect to employment of an alien at a particular time, who is not, at that time: (1) lawfully admitted in the United States pursuant to the federal Immigration and Naturalization Act (8 U.S.C. § 1101 et seq.); or (2) authorized to be employed by the federal Immigration and Naturalization Act or the United States attorney general.

Effective July 1, 2024.

PURCHASING

Public Chapter 513
SB 379 – HB 284

Thresholds for Competitive Sealed Bids

Amends various chapters in Title 5, Title 6, Title 12, Title 49, and Title 54 to standardize the thresholds for competitive bidding for cities, counties, local education agencies, utilities, and other local government entities to align with 12-3-1212. 12-3-1212 provides in part that local government entities having centralized purchasing and a full-time purchasing agent may increase their bid threshold to \$50,000. 12-3-1212 further provides in part that local government entities having non-centralized purchasing may increase their threshold to \$25,000.

Effective March 1, 2024.

Public Chapter 634
SB 2101 – HB 2090

Public Contracts, Procurement, and Protests

Amends Title 4, Chapter 56, Part 1, Title 10, Chapter 7, Part 5, and Title 12, Chapter 3 relative to procurement and protests.

Amends 12-3-201 to define “procurement file” as the record of solicitation provided in policies and procedures of the central procurement office and specifies that the file must include a copy of specific records as defined in 12-3-201.

Amends 12-3-503(a)(1) to provide that the maximum amount of procurement for informal solicitations may be \$100,000 if approved by the procurement commission.

Amends 12-3-503(b)(1) to provide that the maximum amount of procurement for small purchases may be \$25,000 if approved by the procurement commission.

Amends various sections in 12-3-514 to revise provisions relating to protests by aggrieved respondents to solicitations.

Effective April 2, 2024, and applies to all contracts and contract amendments subject to the operation of Tennessee Code Annotated, Title 12, Chapter 3, that are entered into on or after the effective date of this act.

Public Chapter 661

SB 2432 – HB 2547

Fuel Product Purchases

Amends Title 12, Chapter 3, Part 12 to provide that when purchasing gasoline or diesel in bulk amounts, a county, municipality, utility district, local education agency, or other local government entity may purchase the fuel products in the open market without public advertisement or competitive bidding provided the local government entity obtains three documented quotes when possible. The fuel products may also be purchased from the general services contract where available.

Effective April 9, 2024.

RECORDS

Public Chapter 539

SB 1744 – HB 1790

CCFO Examinations

Amends 10-7-504 to make examinations administered by CTAS as part of the certified county finance officer program, including the total bank of questions from

which tests are developed, not subject to the open records law.

Effective March 7, 2024.

Public Chapter 620

SB 1775 - HB 1858

Victim Address Confidentiality Program

Amends 40-38-604 and 605, relative to the victim address confidentiality program. Allows applicants to apply for the program if they reside at an address not previously identified in any public record as the person's address. Provides that a program participant may renew their certification by submitting a renewal application with or without the assistance of an application assistant. Limits the information required in a renewal application. Provides for a renewal application by an adult who was a child at the time of the original application.

Effective March 27, 2024.

Public Chapter 906

SB 2020 - HB 1695

County Medical Examiners - Records

Amends 38-7-110. Provides that the reports of county medical examiners and autopsy reports of minors whose manner of death is listed as a homicide are not public documents. The report of a county medical examiner or autopsy report of a minor whose manner of death is listed as a homicide may be released or inspected, as applicable, if: (1) The minor's parent or legal guardian is not a suspect in the circumstances of the minor's death, and the parent or legal guardian consents to the release; (2) A court orders the release of the report upon a showing of good cause; (3) Another state or federal law requires such release; or (4) Notwithstanding 10-7-506(a), the reports are only available for in-person inspection and no photographs, photocopies, or electronic images are taken of the reports.

Effective May 3, 2024.

REGISTERS OF DEEDS

Public Chapter 744

Liens Against Former Public Officials

SB 1646 – HB 2047

Amends 66-21-105(a)(1) to add former elected or appointed government officials, including state, county, metropolitan, or municipal officials to the group of persons authorized to contest liens filed on their property without legal basis.

Effective April 22, 2024.

Public Chapter 941
SB 2448 – HB 2215

Real Estate Fraud

Directs TACIR to conduct a study and compile a report on real estate fraud in the state. Provides that the study must investigate the prevalence of real estate fraud in this state, the different schemes used to perpetrate real estate fraud, the methods used by other states to combat real estate fraud, and the best practices for local government officials in registering documents related to real estate transactions. The report must provide a detailed summary of the study and provide suggested statutory revisions that are designed to reduce the risk of real estate fraud for property owners in this state.

Effective May 6, 2024.

RETIREMENT

Public Chapter 544
SB 1995 – HB 2588

Part-Time Elected Officials

Amends 8-35-226 to provide that, under certain circumstances, TCRS members who have been, on or after January 1, 2012, appointed or elected school board members of special school districts, and of city or county boards, commissions, committees, councils and the like, by whatever name known, who are elected by popular vote and whose duties are performed intermittently or periodically for the purposes of fixing rates, issuing permits or licenses, regulating trades or professions, or who serve in an advisory, study or planning capacity and the like, and who simultaneously hold that position and another position with a different employer as a retirement system member, to continue service in the elected or appointed board member position while receiving a retirement allowance.

Effective March 2, 2024.

Public Chapter 605
SB 2251 – HB 2315

Deferred Compensation Plans

Amends numerous provisions relative to deferred compensation plans, earnable compensation, dual membership in public retirement systems, hybrid plans and retirement contributions. Amends the law relative to hybrid plans to exempt from the 7 percent employer contribution limit to defined contribution plans any contributions made to certain deferred compensation plans.

Effective March 27, 2024.

Public Chapter 919
SB 2902 – HB 2683

Hazardous Duty Supplement

Enacts a new section in Title 8, Chapter 36, Part 2 to allow local governments to elect to fund a hazardous duty supplemental benefit in addition to the member's retirement allowance for members employed as public safety officers. Defines "public safety officer" as a full-time, salaried employee of a political subdivision who is a sheriff, sheriff's deputy, police officer, chief of police, or any other law enforcement officer with the political subdivision whose primary responsibility is the prevention and detection of crime and apprehension of offenders. Also defines "public safety officer" to include a full-time, salaried employee of a political subdivision who is a correctional officer or firefighter.

The county commission must authorize and fund an actuarial study to determine the liability associated with the supplement. The county must accept all liability for the supplement and all costs must be paid by the county and not the state. Provides that the county shall not establish the supplement unless the county's funded status in the retirement system will be at least seventy percent (70%) after implementation of the supplemental benefit.

Provides further details relative to eligibility, funding, amounts, and termination.

Effective January 1, 2025.

TAXATION – PROPERTY

Public Chapter 654
SB 2778 - HB 2018

Delinquent Property Taxes

Amends 67-5-2004(b)(2). Deletes the July 1, 2024, repeal date for the provision authorizing county trustees to proceed against taxpayer's delinquent in the payment of tangible personal property taxes by retaining an agent to collect the delinquent tangible personal property taxes.

Effective April 4, 2024.

Public Chapter 717
SB 1536 - HB 1535

Lien Rights of Non-Governmental Entity

Amends 67-5-2505. Adds Coffee County to the present law that whenever a county acquires property at a tax sale, a nongovernmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by such property retains such right; provided, that the nongovernmental entity may only enforce such contractual rights against the county through the exercise of its lien rights against the property. A county is liable for the payment of the fees and assessments if the county makes actual use of the property purchased at the tax sale.

Effective April 16, 2024.

Public Chapter 913
SB 2172 - HB 2312

Partial Payments of Delinquent Property Taxes

Amends 67-5-2001(d). Specifies that at least 30 days before the county trustee, municipal tax collector, or taxing entity seeks to begin accepting partial payments of delinquent property taxes, the county trustee, municipal tax collector, or taxing entity must file a plan with the comptroller of the treasury. The plan must contain the following: (1) A description of the accounting system technology or manual processes to be used to record partial payments of delinquent property taxes; (2) A statement indicating that funds received as partial payments on delinquent property taxes reduce the amount of delinquent property tax, interest, statutory fees, and court costs, by relative amounts on the pro-rata basis; (3) A statement indicating whether such a process of collecting delinquent property taxes will be implemented within

the existing operating resources of the office or an indication of prior approval by the county legislative body if accounting system upgrades or additional operating resources are needed; and (4) Documentation of the internal controls that ensure all delinquent property tax payments are being recorded and accounted for as required by law. Partial payments of delinquent property taxes must be applied on a pro-rata basis to the delinquent property tax, interest, statutory fees, and court costs due, as follows: (1) The delinquent property taxes due prior to the partial payment must be reduced by the amount of the partial payment multiplied by the quotient of delinquent property taxes due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (2) The application of payment of interest on a partial payment must be calculated by the amount of the partial payment multiplied by the quotient of the interest due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (3) The application of payment of statutory fees on a partial payment must be calculated by the amount of the partial payment multiplied by the quotient of the fees due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; (4) The application of payment of court costs on a partial payment must be calculated by the amount of the partial payment multiplied by the quotient of the court costs due prior to the partial payment and the sum of the delinquent property tax, interest, statutory fees, and court costs due prior to the partial payment; and (5) A rounding difference between the total of the individual applications of amounts due and the partial payment amount may be applied to any of the amounts due to make the total of the individual applications equal to the partial payment amount. Does not authorize a clerk of a court in which a proceeding is pending, to accept a partial payment of delinquent taxes, interest, or court costs, except pursuant to Part 28 of Chapter 5, 67-5-2003(9)(5), or a payment distribution plan approved in a bankruptcy proceeding.

Requires the Comptroller, in consultation with the Tennessee County Trustee's Association, to develop guidelines for the implementation of plans for the acceptance of partial payments of delinquent property taxes.

Effective May 3, 2024, for purposes of developing guidelines, processes, and forms.

Effective January 1, 2026, for all other purposes. Applies to property taxes that are due and payable on or after the first Monday in October 2026.

Public Chapter 781
SB 2769 - HB 2055

Property Taxes

Amends 67-5-508. Requires the assessor of property to notify the register of deeds which records required under Title 67, Chapter 5, Part 5, meet the definition of "permanent records" as defined in 10-7-301(5).

Amends 67-5-501(7). Changes the present law definition of a "movable structure" to include a mobile home or such other movable structure that is constructed as a trailer or semitrailer and designed to either be towed along the highways or to be parked off the highways, and that may be used, temporarily or permanently, as a residence, apartment, office, storehouse, warehouse, or for any other commercial or industrial purpose.

Amends 67-5-1601(a)(3). Authorizes the state board of equalization to approve a reappraisal plan specifying a schedule for continuous on-site review or photo review that is different than the standard schedule provided in state law relative to periodic reappraisal and equalization of property taxes, but that is no longer than four years.

Effective April 23, 2024.

Public Chapter 967
SB 2550 - HB 2624

Delinquent Property Taxes – TAPTP BILL

Amends multiple statutes relating to the collection of delinquent property taxes.

Effective May 21, 2024. Sections 13, 14, 15, 16, and 17 take effect September 1, 2024.

Public Chapter 978
SB 1659 - HB 2054

Agricultural, Forest and Open Space Land Act
Amends 67-5-1003 and 67-5-1008. As enacted, increases from 1,500 to 3,000, for tax years beginning on or after January 1, 2025, the amount of acreage of land permitted to be placed within any one taxing jurisdiction under the Agricultural, Forest and Open Space Land Act.

Effective May 21, 2024, and applies to tax years beginning on or after January 1, 2025.

TAXATION

Public Chapter 886
SB 2583 – HB 2182

Qualified Data Centers
Amends 67-6-102 to revise the definition of qualified data centers for tax purposes.

Effective May 1, 2024.

Public Chapter 912
SB 2112 – HB 2244

Local Tourism Development Zones
Amends 67-4-3002 to include “a mixed-use development initially including a sports facility containing ten (10) or more sports fields and including any retail, office, hotel, apartment, condominium, and other commercial or residential uses that is located in a tourism development zone and requiring a capital investment of five hundred million dollars (\$500,000,000) or more” as a “qualified public use facility.” Amends 67-4-3003 to provide that privilege taxes under the act may be levied, modified, or repealed by ordinance and to provide that classes of business or activities can be taxed at different rates. Also amends 67-4-3003 to provide that the tax must be levied or modified by a 2/3 vote at two, consecutive regularly scheduled meetings or by majority vote in a referendum.

Effective May 3, 2024.

Public Chapter 917

City Sales Tax on Food

SB 2520 – HB 2641

Amends 67-6-702 and 67-6-705 to allow a city with a local sales tax at a higher rate than the county rate to set the rate on food as low as the county rate.

Effective May 3, 2024.

Public Chapter 920
SB 2690 – HB 2793

Commercial Development Districts
Amends 67-6-104 to extend certain filing deadlines for commercial development districts.

Effective May 3, 2024.

Public Chapter 971
SB 1000 – HB 1046

Tennessee Rural and Workforce Housing Act
Enacts a new section at Title 13, Chapter 23, Part 1, to authorize THDA to grant a Tennessee rural and workforce housing tax credit to owners of qualified projects. Such tax credit will apply to franchise and excise taxes and taxes imposed under Title 56, Chapter 4.

Effective July 1, 2024, for purposes of rulemaking and other administrative actions. Effective July 1, 2025, for all other purposes.

Public Chapter 1001
SB 2711 – HB 2868

Hotel/Motel Tax Allocation
Amends 67-4-1414(a) by adding that a municipality having a population greater than 600,000 according to the 2020 census or subsequent federal census, with a preexisting privilege tax shall not change the designated use of the privilege tax but may change the allocations of the revenue, except for the restrictions in this Title 67, Chapter 4, Part 14.

Effective May 21, 2024.

Public Chapter 1006
SB 316 – HB 776

Retail Tourism Development Districts
Amends Title 7, Chapters 40 and 41 relative to what costs can be incurred under the Border Region Retail Tourism Development District Act and the Regional Retail Tourism Development District Act.

Varying effective dates. Certain sections apply to all costs submitted for reimbursement on or after July 1,

2011, and others apply to all costs submitted for reimbursement on or after July 1, 2019.

Public Chapter 1013
SB 1140 – HB 886

TACIR Study

Enacts a new provision which directs TACIR to perform a study on the collection and remittance of state and local taxes, including sales and use taxes, collected at the point of sale by businesses in this state.

Effective May 28, 2024.

Public Chapter 1016
SB 1676 – HB 2240

Hotel/Motel Tax Reports

Amends 67-4-1403 to require that a county (except a county with a metropolitan form of government) levying hotel/motel tax under the general law shall provide an annual written report detailing the revenue spent and how the expenditures have been used by the county. The report must be provided to the comptroller, the commissioner of the department of tourist development, the chair of the state and local government committee of the senate, and the local government committee of the house.

If an audit by the comptroller finds that a county has spent funds derived from the tax for purposes not related to tourism, the county shall, using general funds, appropriate an amount equal to the amount spent improperly to be used to support tourism immediately following the fiscal year.

Except as provided in 67-4-1403(b), a county shall not use revenue from the tax for general government spending or on items that were previously funded by the county's general appropriations.

Effective May 28, 2024.

UTILITIES

Public Chapter 1004
SB 129 – HB 526

Financially Distressed Utility Systems

Enacts a new section in Title 9, Chapter 3, Part 2 relative to the determination of whether a utility system is financially distressed. Requires approval of the governing body of the utility system.

Effective July 1, 2024.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

DAVIDSON

Public Chapter 1059

SB 2730 – HB 2820

Public Defender Funding

Amends 8-14-110 to provide that the adjustment to the state funding for the local public defender must not exceed the greater of 5 percent per annum or the percentage increase provided for the state public defender and district attorney general offices during the fiscal year for which the adjustment was made.

Effective May 28, 2024.

KNOX

Public Chapter 683

SB 1994 – HB 2360

Judicial Magistrates

Amends 40-1-111 to provide that the county shall have the position of one (1) or more general sessions magistrate. A magistrate must be appointed by a majority of the general sessions judges in the county and serve at the pleasure of the majority of the general sessions judges. The term of a magistrate must be established by the majority of general sessions judges of the county. Deletes certain provisions relative to judicial commissioners and Knox County.

Effective April 11, 2024.

Public Chapter 1028

SB 1882 - HB 1980

Property Tax Exemptions

Amends 67-5-212(b)(3). Provides that in Knox County or within a municipality located within the county, if a charitable nonprofit corporation acquires property for use as a licensed residential home for the aged to replace its own exempt property that was used as a licensed residential home for the aged, then the charitable nonprofit corporation may claim and file an application for exemption under this section, and the effective date of exemption is up to three years prior to the date of application, or the date the corporation began to use the property for exempt purposes, whichever is later. Applies to properties acquired before

the effective date of this act, so that the properties are not subject to taxation while owned by the qualifying corporation and used for one or more of the exempt purposes for which the corporation was created or exists, and any property taxes, interest, fees, penalties, postage, expenses, and all other related costs paid on the property that were collected prior to the effective date of this act must be refunded.

Effective May 28, 2024.

SCOTT

Public Chapter 775
SB 2322 – HB 2152

General Sessions Judge

Amends 16-15-5002 to make the position of judge of general sessions court full time.

Effective July 1, 2024.

SHELBY

Public Chapter 616
SB 2185 – HB 1717

Judicial Commissioners

Amends 40-1-111 to provide that upon request by the county legislative body, the judicial commissioners must submit any relevant information to the county legislative body at least seven (7) days before the public hearing.

Effective March 27, 2024.

Public Chapter 1059
SB 2730 – HB 2820

Public Defender Funding

Amends 8-14-110 to provide that the adjustment to the state funding for the local public defender must not exceed the greater of 5 percent per annum or the percentage increase provided for the state public defender and district attorney general offices during the fiscal year for which the adjustment was made.

Effective May 28, 2024.

PART III - PRIVATE ACTS

CARROLL

Private Chapter 57

SB 2973 - HB 2985

Financial Management System of 2024

Enacts the Private Acts of 2024, Chapter 57. Creates the Carroll County Financial Management System of 2024.

Effective upon approval by a 2/3 vote of the county legislative body.

Private Chapter 58

SB 2972 - HB 2986

Roads and Highways

Amends the Private Acts of 1986, Chapter 148. Establishes the office of highway supervisor and aligns the powers and duties of the highway supervisor with the Tennessee County Uniform Highway Law.

Effective upon approval by a 2/3 vote of the county legislative body.

CHEATHAM

Private Chapter 65

SB 2986 - HB 3000

Wheel Tax

Repeals the Private Acts of 1963, Chapter 258. Enacts the Private Acts of 2024, Chapter 65. Levies a privilege tax upon motor vehicles driving on the public roads and highways of Cheatham County.

Effective upon approval by a 2/3 vote of the county legislative body.

CLAY

Private Chapter 43

SB 2939 - HB 2969

Hotel/Motel Tax

Amends the Private Acts of 2009, Chapter 25. Increases the hotel-motel tax rate from 2.5 percent to 4 percent.

Effective upon approval by a 2/3 vote of the county legislative body.

DAVIDSON

Private Chapter 68

SB 2968 - HB 2984

East Bank Development Authority

Enacts the Private Acts of 2024, Chapter 68. Creates the East Bank Development Authority for the metropolitan government of Nashville and Davidson County.

Effective April 23, 2024.

DEKALB

Private Chapter 36

SB 2772 - HB 1621

Road Supervisor

Amends Private Acts of 1945, Chapter 511. Authorizes the road supervisor rather than the county mayor to sign checks drawn on the county trustee for expenses associated with road work within the county.

Effective upon approval by a 2/3 vote of the county legislative body.

FAYETTE

Private Chapter 48

SB 2962 - HB 2978

Fayette County Water Authority

Enacts the Private Acts of 2024, Chapter 48. Creates the Fayette County Water Authority.

Effective upon approval by a 2/3 vote of the county legislative body.

GIBSON

Private Chapter 59

SB 2974 - HB 2989

Special School District Board of Trustees

Amends the Private Acts of 1981, Chapter 62. Moves the election date for the county special school district board of trustees to coincide with the general election.

Effective April 23, 2024.

HENRY

Private Chapter 42

SB 2975 - HB 2992

Henry County Hospital District

Amends Private Acts of 1953, Chapter 176. Authorizes the Henry County Hospital District to sell or lease assets outside of the ordinary course of business, including,

without limitation, substantially all the assets of the Henry County Nursing Home.

Effective upon approval by a 2/3 vote of the county legislative body.

MADISON

Private Chapter 34
SB 1572 - HB 1582

Pyrotechnics

Repeals Private Acts of 1949, Chapter 479.

Effective upon approval by a 2/3 vote of the county legislative body.

MAURY

Private Chapter 51
SB 2969 - HB 2983

Sheriff's Civil Service Law

Repeals the Private Acts of 1968, Chapter 475. Repeals the old civil service law which was replaced by a new civil service law in 2007.

Effective upon approval by a 2/3 vote of the county legislative body.

PUTNAM

Private Chapter 35
SB 1539 - HB 1539

General Sessions Court

Enacts the Private Acts of 2024, Chapter 35. Establishes that the General Sessions Court for Putnam County shall have concurrent jurisdiction, power, and authority with the Chancery and Circuit Courts to hear and determine all cases of adoption.

Effective upon approval by a 2/3 vote of the county legislative body.

RUTHERFORD

Private Chapter 47
SB 2943 - HB 2967

Purchasing Authority

Amends the Private Acts of 2017, Chapter 17. Raises the threshold requiring purchases and contracts to be procured through a public, competitive bidding process from \$25,000 to \$50,000.

Effective upon approval by a 2/3 vote of the county legislative body.

SCOTT

Private Chapter 44

SB 2325 - HB 2153

County Attorney

Amends the Private Acts of 1976, Chapter 289. Sets the salary of the county attorney at \$65,000 annually, subject to cost-of-living increases.

Effective upon approval by a 2/3 vote of the county legislative body.

SHELBY

Private Chapter 67

SB 2987 - HB 3004

Hotel/Motel Tax

Amends the Private Acts of 1969, Chapter 131. Changes the allocation of the revenue from the privilege tax on occupancy in a hotel.

Effective upon approval by a 2/3 vote of the county legislative body.

TIPTON

Private Chapter 56

SB 2946 - HB 2976

West Tennessee Regional Utility Authority

Enacts the Private Acts of 2024, Chapter 56. Creates the West Tennessee Regional Utility Authority.

Effective upon approval by a 2/3 vote of the county legislative body.

VAN BUREN

Private Chapter 38

SB 2938 - HB 2966

Purchasing

Repeals Private Acts of 1986, Chapter 111.

Effective upon approval by a 2/3 vote of the county legislative body.