

**INDEX OF ACTS  
RELATED TO COUNTY GOVERNMENT**

**TSA EDITION - 2022**



**Prepared by  
CTAS Legal Staff**

**August 2022**

**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.**

# Table of Contents

<b>PART I - PUBLIC ACTS OF GENERAL APPLICATION.....</b>	<b>3</b>
<b>COUNTY GOVERNMENT .....</b>	<b>3</b>
Public Chapter 656 Conflict of Interest – County Commissioners.....	3
Public Chapter 666 Regulation of Transportation Services .....	3
Public Chapter 700 57 Law - Conflict of Interest .....	3
Public Chapter 720 First Responders – Residence Requirements .....	4
Public Chapter 786 Local Health Departments.....	4
Public Chapter 896 COVID-19.....	4
Public Chapter 930 COVID-19.....	5
Public Chapter 997 Megasite Authority of West Tennessee Act of 2021.....	5
Public Chapter 1037 Fingerprinting Services.....	5
Public Chapter 1079 Salary Suits .....	6
Public Chapter 1097 Supervision of Offenders with Electronic Devices .....	6
Public Chapter 1142 Coercion of Employee - Unlawful Discharge .....	6
<b>COURTS &amp; COURT CLERKS .....</b>	<b>7</b>
Public Chapter 643 Sexual Abuse of a Child .....	7
Public Chapter 677 Expunction of Prior Conviction.....	7
Public Chapter 981 Revocation of Suspension of Sentence or Probation .....	8
Public Chapter 982 Judicial Forfeiture .....	8
Public Chapter 986 Camping on Public Property.....	9
Public Chapter 1022 Aggravated Reckless Driving - County Fund.....	9
Public Chapter 1056 Ethan’s, Hailey’s and Bentley’s Law .....	9
Public Chapter 1060 Probation Revocations .....	10
Public Chapter 1134 Interlock as a Condition of Bail .....	10
<b>ELECTIONS .....</b>	<b>10</b>
Public Chapter 621 Instant Runoff Voting .....	10
Public Chapter 626 Political Signs on Private Property.....	11
Public Chapter 901 Sworn Complaints on Statements of Candidates.....	11
Public Chapter 925 Qualification of Additional Candidates.....	11
Public Chapter 939 Prohibiting Noncitizens from Voting .....	12
Public Chapter 965 Election Audits.....	12
<b>EMERGENCY SERVICES .....</b>	<b>13</b>
Public Chapter 647 Mental Health Transports .....	13
<b>FIREARMS.....</b>	<b>13</b>
Public Chapter 1000 Concealed Handgun Carry Permits .....	13
Public Chapter 1038 Prohibited Weapons .....	13
<b>JAILS.....</b>	<b>14</b>
Public Chapter 646 Compensation for Death in Line of Duty .....	14
Public Chapter 895 County Correctional Incentive Act .....	14
Public Chapter 1017 Safekeeping of Prisoners.....	14
Public Chapter 1041 Use of Restraints on Pregnant Inmates.....	14
<b>LAW ENFORCEMENT .....</b>	<b>15</b>
Public Chapter 649 Child Protective Teams.....	15
Public Chapter 667 Constables .....	15
Public Chapter 679 Directing or Regulating Traffic.....	15
Public Chapter 694 Investigating Cases of Suspected DUI .....	15

Public Chapter 732	Three Stars of Tennessee Award .....	16
Public Chapter 810	Prevention of Youth Access to Tobacco .....	16
Public Chapter 820	Operation of Law Enforcement Vehicles .....	16
Public Chapter 847	Minimum Standards .....	16
Public Chapter 893	Orders of Protection - Service .....	17
Public Chapter 899	Mitigated Criminal Littering .....	17
Public Chapter 931	Sex Offender Registration Fees .....	17
Public Chapter 969	Constables .....	17
Public Chapter 971	Child Abuse.....	18
Public Chapter 995	Law Enforcement Officer Training.....	18
Public Chapter 997	Regulation of Health and Related Facilities.....	18
Public Chapter 1015	Human Trafficking .....	19
Public Chapter 1042	Tennessee Personal and Commercial Computer Act .....	19
Public Chapter 1054	Medical Cannabis .....	19
Public Chapter 1058	Sexual Offenders .....	19
Public Chapter 1062	Criminal Offenses .....	20
Public Chapter 1089	Aggravated Human Trafficking.....	20
Public Chapter 1094	Reports to Law Enforcement Officials.....	20
Public Chapter 1095	Reports to Law Enforcement Officials.....	20
Public Chapter 1105	Aggravated Criminal Littering .....	21
Public Chapter 1106	Joker’s Law .....	21
Public Chapter 1140	Criminal Proceedings Notification System .....	21
<b>PERSONNEL .....</b>		<b>22</b>
Public Chapter 644	COVID -19 Vaccination Exemptions.....	22
Public Chapter 832	E-Verify for Work Authorization .....	22
Public Chapter 854	Veteran’s Day .....	23
Public Chapter 870	Wages.....	23
Public Chapter 1031	Insurance for County Employees .....	23
Public Chapter 1078	CROWN Act .....	24
Public Chapter 1122	Pay Schedules.....	24
<b>RECORDS .....</b>		<b>25</b>
Public Chapter 721	Records Requests Procedures .....	25
Public Chapter 850	Law Enforcement-Related Deaths.....	25
Public Chapter 916	Body Camera Video .....	26
Public Chapter 989	Personnel Records.....	26
Public Chapter 1064	Photographic Evidence of Deceased Individuals.....	26
Public Chapter 1077	Motor Vehicle Records.....	26
<b>RETIREMENT .....</b>		<b>27</b>
Public Chapter 1146	Law Enforcement Retirement Task Force .....	27

**PART I - PUBLIC ACTS OF GENERAL APPLICATION**

**COUNTY GOVERNMENT**

**Public Chapter 656**  
SB 2049 - HB 1684

**Conflict of Interest – County Commissioners**  
Amends 5-5-112 to require a member of a county governing body who is voting on a proposed budget, appropriation resolution, or tax rate resolution, or amendments thereto, that has a conflict of interest under 5-5-112 (a), to declare the conflict of interest at the meeting prior to casting the member's vote.

Effective March 15, 2022.

**Public Chapter 666**  
SB 825 – HB 1392

**Regulation of Transportation Services**  
Amends 7-51-1007(a) to authorize all government entities (including counties) to regulate entry into the business of providing passenger transportation services, which includes limousines, sedans, shuttles, entertainment transportation and taxicabs. Amends 7-51-1007(b) to include a definition of “entertainment transportation.” Also amends 7-51-1007(c) to provide that transportation services regulated by a governmental entity must comply with safety rules and regulations and liability insurance requirements in Title 65, Chapter 15.

Effective March 18, 2022.

**Public Chapter 700**  
SB 1758 - HB 1704

**57 Law - Conflict of Interest**  
Amends 5-14-114 to revise the provisions governing conflicts of interest. Applies to the county purchasing agent, members of the county purchasing commission, members of the county legislative body, and other officials of the county. Revises the meaning of direct and indirect interest. Makes the 57 Law more like the general conflict of interest statute.

Effective March 18, 2022.

**Public Chapter 720**  
SB 29 - HB 105

**First Responders – Residence Requirements**

Amends 8-50-107 to prohibit a local government from dismissing, disciplining, fining, or penalizing a first responder employed by a local government or denying employment to a person applying to be a first responder, based on where the first responder or person applying to be a first responder resides. "First responder" means paid, full-time law enforcement officers, firefighters, emergency medical personnel, and dispatchers of law enforcement, fire, and emergency medical service departments. "First responder" does not mean the chief or head of the department.

Does not apply to Hamilton County.

Effective March 24, 2022.

**Public Chapter 786**  
SB 2409 – HB 2156

**Local Health Departments**

Amends 68-2-603(c) to remove the requirement that county health officers receive approval from the commissioner or county mayor prior to providing medical direction, including medical enforcement actions. Amends 68-2-609 to add a new subdivision authorizing county health officers to order rules as are necessary or appropriate to protect the general health and safety of the county, except as provided in Title 14 and 68-2-611. Also amends 68-2-611(a)(1) to provide the governor has exclusive jurisdiction to issue executive orders and directives related to the pandemic with respect to each county health department in the state.

Effective April 8, 2022.

**Public Chapter 896**  
SB 1884 – HB 1960

**COVID-19**

Amends Title 14 and Title 68, relative to COVID-19.

Section 1 of the act amends Section 14-6-104, which provides a termination date for Title 14 of July 1, 2023, to exclude Sections 14-1-101, 14-2-101, and chapter 5 of the Title from the termination date. These sections and chapter 5 of the Title relate to the prohibition of governmental entities to mandate the COVID-19 vaccine.

Section 2 of the act deletes several definitions in Section 14-1-101 related to COVID-19, except definitions related to the prohibition of governmental entities to mandate the COVID-19 vaccine.

Section 1 of the act was effective as of April 19, 2022.  
Section 2 of the act will be effective as of 12:01 a.m. on July 1, 2023.

**Public Chapter 930**  
SB 1982 – HB 1871

**COVID-19**

Amends Title 4, Title 7, Title 8, Title 14, Title 50, Title 63, and Title 68 relative to COVID-19.

Amends section 14-1-101 to include a definition for “acquired immunity” which is an acquired immune system response to the COVID-19 virus that is acquired naturally from a person’s previous infection of COVID-19; and is verified by a licensed physician or is documented by a laboratory test showing antibody, memory cell, or T-cell immunity.

Amends Title 14, Chapter 2, Part 1 to provide that a governmental entity or private business shall not adopt or enforce a rule that fails to recognize acquired immunity as at least as protective as the COVID-19 vaccine or treats persons with acquired immunity different than persons who have received a COVID-19 vaccine.

Effective April 29, 2022

**Public Chapter 997**  
SB 2162 - HB 2649

**Megasite Authority of West Tennessee Act of 2021**

Amends Title 38, Chapter 8, Part 1 to authorize a local governmental entity to enter into a contract with an entity working on the megasite, as defined in 64-9-103, for the provision of security services at the megasite.

Effective May 4, 2022.

**Public Chapter 1037**  
SB 2547 – HB 2780

**Fingerprinting Services**

Amends 38-6-109 to authorize clerks of court, county clerks, registers of deeds, and county trustees to enter into agreements with a fingerprint vendor that is under contract with the Tennessee Bureau of Investigation for purposes of providing fingerprint capture services for

fingerprint-based background checks permitted by law and processed by the TBI.

Effective May 11, 2022.

**Public Chapter 1079**  
SB 282 - HB 1386

**Salary Suits**

Amends 8-20-101, 102 and 107 to revise the procedure followed by courts in salary suits in order to expedite the process and manage attorney's fees.

Effective July 1, 2022.

**Public Chapter 1097**  
SB 2000 - HB 2040

**Supervision of Offenders with Electronic Devices**

Enacts a new section in Title 55, Chapter 10, Part 4 to provide numerous requirements for a "contract service provider." Provides that a "contract service provider" includes a private entity that enters into a written contract with a government entity of this state to provide supervision of offenders using an electronic monitoring device but does not include an ignition interlock provider or an electronic monitoring device manufacturer or producer.

Effective May 27, 2022.

**Public Chapter 1142**  
SB 2377 - HB 2367

**Coercion of Employee - Unlawful Discharge**

Enacts 39-16-506 to create a Class E felony offense to influence or attempts to influence an employee who is a public servant to vote or not to vote in a particular manner; or influence or attempts to influence an employee who is a public servant to resign as a public servant or unnecessarily recuse themselves from a public body with the intent to influence the action or inaction of a public body, by an employer, or an agent of an employer acting on behalf of the employer, by means of coercion. "Coercion" means a threat, however communicated, to commit any offense; wrongfully accuse any person of any offense; expose any person to hatred, contempt, or ridicule; harm the credit or business repute of any person; or take or withhold action related to the employment of a public servant or a family member of a public servant.

Amends Title 50, Chapter 1, Part 3 to create a cause of action for the unlawful discharge of an employee who is a public servant. A public servant who was terminated

by the public servant's employer or agent of the employer in violation of 39-16-506 may bring a cause of action against the employer for unlawful discharge and any other damages to which the employee may be entitled, subject to the limitations set out in 4-21-313, and treble the amount of damages resulting from or incident to the unlawful discharge; and reasonable attorney fees and costs.

Effective July 1, 2022.

## **COURTS & COURT CLERKS**

**Public Chapter 643**  
SB 1793 - HB 1766

### **Sexual Abuse of a Child**

Amends 40-11-113 to require the court to revoke bail immediately for a defendant convicted of continuous sexual abuse of a child.

Effective March 11, 2022.

**Public Chapter 677**  
SB 1781 - HB 1679

### **Expunction of Prior Conviction**

Amends 40-32-101(g) to provide that an eligible petitioner may file a petition for expunction of that person's public records involving a criminal offense if: (i) the person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction; provided, that a moving or nonmoving traffic offense shall not be considered an offense; and (ii) the person has not previously been granted expunction under subsection (g) for another criminal offense. Provides that at the time of the filing of the petition for expunction at least: (i) 5 years must have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a misdemeanor or Class E felony; or (ii) 10 years must have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged, if the offense is a Class C or D felony.

Effective July 1, 2022.



**Public Chapter 981**  
SB 2632 - HB 2212

**Revocation of Suspension of Sentence or Probation**

Amends 40-35-311 to authorize a judge to issue a criminal summons, instead of an arrest warrant, for a technical violation of probation or a suspended sentence when the technical violation is brought by a probation officer. "Technical violation" means an act that violates the terms or conditions of probation but does not constitute a new felony, new Class A misdemeanor, zero tolerance violation as defined by the department of correction community supervision matrix, or absconding.

Effective July 1, 2022.

**Public Chapter 982**  
SB 2682 - HB 2271

**Judicial Forfeiture**

Amends 39-11-703(c) to add aggravated kidnapping, especially aggravated kidnapping, aggravated rape of a child, rape of a child, aggravated rape, rape, and commission of an act of terrorism to the list of offenses for which various items are subject to judicial forfeiture, when any such offense is committed on or after July 1, 2022.

Amends 39-11-713(a) to provide that all property ordered forfeited shall be sold at public auction. The proceeds from all property forfeited and sold at public auction shall be disposed of by the court as directed by this part. If the property seized and ordered forfeited was taken from the lawful owner through theft or fraud, then the property shall be returned to the lawful owner, or restitution provided, as the court determines. If the defendant owes restitution, the proceeds shall first be directly applied to satisfy any judgments against the defendant for restitution in favor of the victim. The attorney general shall then be compensated for all expenses incident to the litigation, as approved by the court. Any such costs for appeals shall be provided for by the trial court upon conclusion of the litigation. The attorney general shall then direct that any public agency be reimbursed for out-of-pocket expenses resulting from the investigation, seizure, and storage of the forfeited property.

Effective July 1, 2022.

**Public Chapter 986**  
SB 1610 - HB 978

**Camping on Public Property**

Amends Title 55, Chapter 8, Part 2 to makes it a Class C misdemeanor offense for a person to engage in camping: (1) On the shoulder, berm, or right-of-way of a state or interstate highway; or (2) Under a bridge or overpass, or within an underpass, of a state or interstate highway. A violation is punishable only by a fine of \$50.00 and community service work not less than 20 hours nor more than 40 hours; except, that a person who violates this section must receive a warning citation for a first offense. In lieu of a fine and community service, the court may require a person convicted under this section to remove litter from the state or local highway system, public playgrounds, public parks, or other appropriate public locations for not less than 20 hours nor more than 40 hours.

Amends 39-14-414 to make the Equal Access to Public Property Act of 2012 applicable to all public property rather than only state-owned property. Extends to local governments and their employees the provisions of the Act concerning impoundment and disposal of camping equipment that is used in violation of the Act.

Effective July 1, 2022

**Public Chapter 1022**  
SB 1673 - HB 1661

**Aggravated Reckless Driving - County Fund**

Amends Title 55, Chapter 10, Part 2 to create the new Class A misdemeanor offense aggravated reckless driving. In addition to the authorized penalty, the court may assess a fine of \$2,500 to be collected by the court clerk and deposited in a dedicated county fund as provided in 55-10-412(b) and distributed as provided in 55-10-412(c).

Effective July 1, 2022.

**Public Chapter 1056**  
SB 2103 - HB 1834

**Ethan's, Hailey's and Bentley's Law**

Enacts a new section in Title 39, Chapter 13, Part 2 to provide that a sentencing court shall order a defendant who has been convicted of vehicular homicide or aggravated vehicular homicide due to intoxication and in which the victim of the offense was the parent of a minor child to pay restitution in the form of child maintenance to each of the victim's children.

Provides that the court shall order that child maintenance payments be made to the clerk of court as trustee for remittance to the child's surviving parent or guardian. The clerk shall remit the payments to the surviving parent or guardian within ten (10) working days of receipt by the clerk. The clerk shall deposit all payments no later than the next working day after receipt.

Effective May 25, 2022.

**Public Chapter 1060**  
SB 2288 - HB 2118

**Probation Revocations**

Amends 40-35-311 relative to probation revocations and suspension of sentences. Provides that if the trial judge finds by a preponderance of the evidence that the defendant violated the conditions of probation and suspension of sentence, then the court will be authorized to revoke the defendant's probation and suspension of sentence in full or in part. Revises provisions relative to technical violations. Adds that probation may be revoked for contacting the defendant's victim in violation of a condition of probation.

Effective July 1, 2022.

**Public Chapter 1134**  
SB 882 - HB 1188

**Interlock as a Condition of Bail**

Amends 40-11-118 to generally require a defendant charged with an alcohol related driving offense to only operate a motor vehicle with an ignition interlock device as a condition of bail.

Effective July 1, 2022.

**ELECTIONS**

**Public Chapter 621**  
SB 1820 - HB 1868

**Instant Runoff Voting**

Enacts a new section in Title 2, Chapter 8 to prohibit county election commissions from utilizing instant runoff voting or rank choice voting in conducting an election in this state for statewide or local government offices. Defines instant runoff voting and ranked choice voting as a method of casting and tabulating votes in which: (i) voters rank candidates in order of preference; (b) tabulation proceeds in rounds such that in each round either a candidate or candidates are elected or

the last-place candidate is defeated; (iii) votes are transferred from elected or defeated candidates to the voters' next-ranked candidate or candidates in order of preference; and (iv) tabulation ends when a candidate receives the majority of votes cast or the number of candidates elected equals the number of offices to be filled, as applicable.

Effective February 28, 2022.

**Public Chapter 626**  
SB 515 - HB 411

**Political Signs on Private Property**

Amends 2-7-143 relative to the provisions under the Tennessee Freedom of Speech Act that prohibit local governments and homeowners' associations from placing certain restrictions on political signs placed on private property. Extends the current prohibitions from 60 days before the election to 60 days before early voting.

Effective July 1, 2022.

**Public Chapter 901**  
SB 2302 - HB 2061

**Sworn Complaints on Statements of Candidates**

Amends 2-10-108 to provide that sworn complaints alleging illegality with a statement of a candidate for state public office or a statewide political campaign committee must be filed in the office of the registry of election finance. Provides such complaints on a statement of a candidate for local public office or a local political campaign committee must be filed in the office of the district attorney general who represents the judicial district in which the voter resides.

Effective April 19, 2022.

**Public Chapter 925**  
SB 1375 - HB 1125

**Qualification of Additional Candidates**

Amends 2-5-101(g) to change the qualifying deadline under certain conditions when a candidate dies, withdraws, is declared ineligible or disqualified leaving no candidates for nomination or office.

Provides that the new qualifying deadline applies to any event that occurs and subsequently affects the August 4, 2022 primary and general elections. If any event under 2-5-101(g)(1) occurs after the qualifying deadline, but before the effective date of this act, the qualifying deadline shall be no later than twelve o'clock (12:00)

noon, prevailing time, seven (7) calendar days after the effective date of this act.

Effective April 28, 2022.

**Public Chapter 939**  
SB 2245 - HB 2128

**Prohibiting Noncitizens from Voting**

Amends 2-2-102 to prohibit an individual who is not a citizen of the United States from voting in a federal, state, or local election and prohibit a county, municipality, or other political subdivision of this state from granting voting rights to a person who is not a United States citizen for an election.

Enacts a new section in Title 2, Chapter 2, Part 1 relative to providing lists of registered voters to federal courts for selecting jurors. Requires the jury coordinator to provide certain information to the coordinator of elections relative to disqualified jurors.

Amends 2-2-106 relative to purging of voter registration. Amends 2-2-141 regarding verifying citizenship.

Effective April 29, 2022.

**Public Chapter 965**  
SB 2675 - HB 2585

**Election Audits**

Amends numerous sections, primarily in Title 2, Chapter 20, relative to election audits. Provides that starting in 2024, the secretary of state shall randomly selection county election commissions that must conduct an audit after each general election. Provides for audits of any county election commission utilizing a precinct-based optical scanner. Provides that audits in 2022 and 2024 shall be paid for by the state. Amends 2-5-207 relative to absentee ballots. Provides for posting of certain notice in any polling place using precinct-based optical scanners. Provides for mandatory audit of certain elections in Williamson County.

Effective May 2, 2022.

## **EMERGENCY SERVICES**

### **Public Chapter 647**

SB 2289 - HB 2348

### **Mental Health Transports**

Amends 68-140-306 to revise the Emergency Medical Services Act of 1983 to create an exception to the requirement for a separate license in each county so that an ambulance service that holds a valid and unencumbered license to operate in one or more counties in this state will not be required to hold a license specific to, or establish a base of operations in, a county for which that ambulance service is not licensed in order to provide a secondary mental health transport to, from, or through that county. "Secondary mental health transport" means the transportation of an individual from one healthcare facility to another healthcare facility for the purposes of mental health evaluation or treatment.

Effective March 14, 2022.

## **FIREARMS**

### **Public Chapter 1000**

SB 890 - HB 1018

### **Concealed Handgun Carry Permits**

Amends 39-17-1366 to require the Department of Safety to conduct a name-based criminal history record check every four years after a person is issued a concealed handgun carry permit, permits the Department to revoke the permit if the person is ineligible to possess a firearm, and implements a \$50 fee for renewal of the permit.

Effective July 1, 2022.

### **Public Chapter 1038**

SB 2628 - HB 2509

### **Prohibited Weapons**

Amends 39-17-1302 to remove short-barrel rifles and shotguns from the list of prohibited weapons.

Effective July 1, 2022.

## **JAILS**

### **Public Chapter 646**

SB 278 - HB 549

#### **Compensation for Death in Line of Duty**

Amends 7-51-210(a)(5) to allow the estate of a deputy jailer who is killed in the line of duty to receive an annuity in the amount of \$250,000, paid over five years in \$50,000 installments.

Effective March 11, 2022.

### **Public Chapter 895**

SB 735 - HB 71

#### **County Correctional Incentive Act**

Amends 41-8-103 and 41-8-106 to reimburse counties for housing state parolees awaiting a parole revocation hearing.

Effective July 1, 2022.

### **Public Chapter 1017**

SB 827- HB 916

#### **Safekeeping of Prisoners**

Amends 41-4-121 to prohibit the removal of a pregnant prisoner, beginning on the date on which the pregnancy is confirmed by a healthcare professional and ending at the conclusion of postpartum recovery, to a state penitentiary or a branch prison for safekeeping, unless medically necessary for the health of the prisoner or the unborn child.

Effective May 11, 2022.

### **Public Chapter 1041**

SB 2769 - HB 2875

#### **Use of Restraints on Pregnant Inmates**

Enacts 41-51-201 and 202 to prohibit the use of restraints on an inmate in the custody of a correctional institution beginning on the date on which a pregnancy is known to a law enforcement agency and confirmed by a healthcare professional. Multiple exceptions apply.

Effective July 1, 2022.

## **LAW ENFORCEMENT**

### **Public Chapter 649**

SB 1984 - HB 2046

#### **Child Protective Teams**

Amends 37-1-607(a)(2) to provide that each team may also include a representative from one of the mental health disciplines and one appropriately credentialed medical provider, as needed.

Effective March 15, 2022.

### **Public Chapter 667**

SB 2794 - HB 1693

#### **Constables**

Amends 8-10-201, 203 and 205 to add the East Tennessee Constables Association to the list of entities that are eligible to provide in-service education courses and firearms training for constables. Requires the East Tennessee Constables Association to be notified in the event of the county election or appointment of a constable.

Effective March 18, 2022.

### **Public Chapter 679**

SB 2054 - HB 1697

#### **Directing or Regulating Traffic**

Amends 55-8-109(c) to add retired law enforcement officers, who are authorized to carry a firearm pursuant to 38-8-116(b), to the list of persons who can direct or regulate traffic.

Effective July 1, 2022.

### **Public Chapter 694**

SB 399 - HB 328

#### **Investigating Cases of Suspected DUI**

Amends Title 38, Chapter 8, Part 1, by adding a new section. Mandates that each law enforcement officer specifically assigned to the traffic division of a local law enforcement agency or its equivalent, or for whom a county sheriff or chief of police deems it necessary, shall undergo training on the proper testing procedures for use in investigating cases of suspected driving under the influence, as prohibited by 55-10-401. Provides that certifications completed on or after January 1, 2023, the required training must be completed as part of the required annual in-service training in order to maintain law enforcement certification by the POST commission.

Effective March 18, 2022.



**Public Chapter 732**  
SB 1751 - HB 1734

**Three Stars of Tennessee Award**

Amends 4-1-501(d) to authorize a representative of the agency of government in which a peace officer served at the time of the officer's death to receive the Three Stars of Tennessee Award on the officer's behalf, provided there are no other surviving next of kin to receive the award.

Effective March 24, 2022.

**Public Chapter 810**  
SB 2035 - HB 2058

**Prevention of Youth Access to Tobacco**

Amends 39-17-1502 and following sections. Defines "smokeless nicotine product" and adds smokeless nicotine products to type of products that are age-restricted to persons aged 21 years and older. Specifies that the general assembly preempts and occupies the entire field of legislation concerning the regulation of tobacco products, smokeless nicotine products, and vapor products.

Effective April 8, 2022.

**Public Chapter 820**  
SB 2787 - HB 2771

**Operation of Law Enforcement Vehicles.**

Amends Title 55, Chapter 8, Part 1 to provide that the department of safety, in consultation with local law enforcement agencies, shall produce informational material on how to interact with law enforcement when a person is being pulled over. This information may include, but is not limited to, the following: (1) What a law enforcement vehicle will look like; (2) How a law enforcement vehicle will act when stopping a person; (3) How a person being stopped can verify the vehicle is operated by a law enforcement officer; and (4) How a person may proceed if the person wants to travel to a safer location for the traffic stop.

Effective October 1, 2022.

**Public Chapter 847**  
SB 2825 - HB 2442

**Minimum Standards**

Amends 38-8-105(d) to remove the requirement for employment as a police officer that a lawful permanent resident be honorably discharged from the United States armed forces. Allows any permanent legal resident of the United States who applies for or obtains United States citizenship within six years of the

employment start date to be employed as a police officer.

Effective April 20, 2022.

**Public Chapter 893**  
SB 2746 - HB 2533

**Orders of Protection - Service**

Amends Title 8, Chapter 8, Part 2. A sheriff, deputy sheriff, or constable serving an order of protection or ex parte order of protection shall, prior to or at the time of service, make reasonable efforts to determine whether the person being served has an outstanding criminal warrant. If the person being served has an outstanding criminal warrant, then the sheriff, deputy sheriff, or constable shall either serve the outstanding criminal warrant or notify the agency holding the criminal warrant of the person's location.

Effective April 14, 2022.

**Public Chapter 899**  
SB 2070 - HB 2424

**Mitigated Criminal Littering**

Amends 39-14-503 to increase the penalty for mitigated criminal littering from a Class C misdemeanor punishable by a \$50 fine to a Class B misdemeanor punishable by a \$500 fine.

Effective July 1, 2022.

**Public Chapter 931**  
SB 2719 - HB 1878

**Sex Offender Registration Fees**

Amends 40-39-201 (b)(7) to expand the uses of sex offender registration fees available to the registering agency to include the investigation of sexual offenses and the purchase of specialized equipment for use in the investigation of sexual offenses in addition to paying the administrative costs of the sexual offender registry.

Did not amend 40-39-204.

Effective April 29, 2022.

**Public Chapter 969**  
SB 1782 - HB 1732

**Constables**

Amends Title 8, Chapter 10, Part 1 to authorize a court with jurisdiction over a criminal case in which an elected constable is indicted or formally charged with a misdemeanor involving gambling or moral turpitude or a felony to place the constable on administrative leave until the conclusion of the criminal prosecution. If a

constable is placed on administrative leave, the clerk of court is required to mail a copy of the court's order to the legislative body of the county in which the constable serves for purposes of temporarily filling the vacant seat of the constable, as necessary. If a constable is convicted of a misdemeanor involving gambling or moral turpitude or a felony, the clerk will be required to mail a certified copy of the conviction to the attorney general and reporter and the appropriate district attorney general, county attorney, and city attorney to determine whether ouster proceedings should be brought.

Effective May 3, 2022.

**Public Chapter 971**  
SB 1910 - HB 2023

**Child Abuse**

Amends Title 37, Chapter 1, Part 4 to require a landlord or person in control of a residential rental property to provide a case manager from the department of children's services or a child protective investigation team with information, if known, on the address or location of a child who has been alleged to be abused or neglected and resides or is located on the residential rental property.

Effective July 1, 2022.

**Public Chapter 995**  
SB 2742 - HB 2589

**Law Enforcement Officer Training**

Amends 37-1-603(b)(4) to add "child abuse" training to the training requirements for completion of the basic school, annual in-service training requirements, and training for specialists in the investigation of child abuse and child sexual abuse cases.

Effective May 4, 2022.

**Public Chapter 997**  
SB 2162 - HB 2649

**Regulation of Health and Related Facilities**

Amends Title 68, Chapter 11, Part 2 to authorize licensed health care facilities to establish policies pursuant to which a suitable number of persons may be employed or commissioned, or both, 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 or commissioned pursuant to this section a

special deputy in accordance with 8-8-212, or has appointed the police officer a special police officer.

Effective May 4, 2022.

**Public Chapter 1015**  
SB 2592 - HB 2573

**Human Trafficking**

Amends 55-50-353 and 39-13-314 to require a person who is convicted of a human trafficking offense to obtain, if eligible, a valid driver license or photo identification license that bears a designation sufficient to enable a law enforcement officer to identify the bearer of the license as a person who has been convicted of a human trafficking offense.

Effective July 1, 2022.

**Public Chapter 1042**  
SB 2796 - HB 2329

**Tennessee Personal and Commercial Computer Act**

Amends 39-14-602 to classify all misdemeanor offenses under the Tennessee Personal and Commercial Computer Act of 2003 as Class A misdemeanor offenses. Adds possession of a computer contaminant as a prohibited act.

Effective July 1, 2022.

**Public Chapter 1054**  
SB 1877 - HB 1747

**Medical Cannabis**

Amends 39-17-402(16)(F)(ii)(b)(2) to add quadriplegia as a qualifying medical condition for the lawful possession of cannabis oil.

Effective May 25, 2022.

**Public Chapter 1058**  
SB 1786 - HB 1922

**Sexual Offenders**

Amends 40-39-215 to add that it is an offense for a sexual offender, violent sexual offender, or a violent juvenile sexual offender, if the offender's victim was a minor, to knowingly rent or offer for rent a swimming pool, hot tub, or other body of water to be used for swimming that is located on property owned or leased by the offender or is otherwise under the control of the offender.

Effective July 1, 2022.

**Public Chapter 1062**  
SB 2841 - HB 2244

**Criminal Offenses**

Amends Title 39, Chapter 13, Part 5 to create the criminal offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture.

Effective July 1, 2022.

**Public Chapter 1089**  
SB 1378 - HB 1416

**Aggravated Human Trafficking**

Enacts 39-13-316 to create the Class A felony of aggravated human trafficking. Aggravated human trafficking is the commission of an act that constitutes any of the following criminal offenses, if the victim of the criminal offense is under 13 years of age: involuntary labor servitude; trafficking persons for forced labor or services; trafficking for commercial sex act; patronizing prostitution; or promoting prostitution. A person convicted of a violation of this section must service the entire sentence imposed by the court.

Amends 39-13-307, 39-13-308, 39-13-314 and 39-13-515 to revise the offenses of involuntary servitude, trafficking, and prostitution.

Effective July 1, 2022.

**Public Chapter 1094**  
SB 1891 - HB 1905

**Reports to Law Enforcement Officials**

Amends 38-1-101(a)(1) to require hospitals, clinics, and persons, including doctors and nurses, who are called upon to render aid to a person suffering from the effects of a fatal drug overdose to report the drug overdose to the appropriate chief of police or sheriff and district attorney general, to the extent allowed by state and federal law.

Effective July 1, 2022.

**Public Chapter 1095**  
SB 1912 - HB 2022

**Reports to Law Enforcement Officials**

Amends Title 37, Chapter 5, Part 1, to require department of children's services case managers to report a suspected violation of a court order to law enforcement if: (1) The department currently has an open case on the family that is subject to the court order; (2) The court order is an order issued pursuant to Title 36, Chapter 3, Part 6, and concerns at least one individual who is a subject of the department's open case; (3) The department case manager has knowledge

of the court order; and (4) The department case manager observes the person against whom the court order has been entered acting in violation of the court order.

Effective May 27, 2022.

**Public Chapter 1105**  
SB 2012 - HB 1833

**Aggravated Criminal Littering**

Amends 39-14-505 to expand the offense of aggravated criminal littering to include, any amount for any commercial purpose, knowingly placing, dropping, or throwing one or more tires on any public or private property without permission and without immediately removing them. Also amends penalties.

Effective July 1, 2022.

**Public Chapter 1106**  
SB 2013 - HB 1646

**Joker's Law**

Amends Title 39, Chapter 14, Part 2 to enact Joker's Law. Creates the Class D felony offense to knowingly and unlawfully cause serious bodily injury to or kill a police dog, fire dog, search and rescue dog, service animal, or police horse without the owner's effective consent.

Effective July 1, 2022.

**Public Chapter 1140**  
SB 2377 - HB 2367

**Criminal Proceedings Notification System**

Amends Title 40, Chapter 38, Part 5 to require the Tennessee Sheriffs' Association to establish a criminal proceedings notification system as a pilot program for the purpose of increasing the transparency and efficiency of the criminal justice process by providing timely information about each stage of the criminal process to interested parties. Funding for the criminal proceedings notification system must be appropriated by the general assembly, and moneys from the statewide automated victim information and notification system fund created in 67-4-602(h)(2) must not be used for the criminal proceedings notification system. The pilot program begins July 1, 2022, and ends June 30, 2025.

Effective June 3, 2022.

## **PERSONNEL**

### **Public Chapter 644** SB 1823 – HB 1867

#### **COVID -19 Vaccination Exemptions**

Amends Title 14 to require employers to grant certain exemptions to COVID-19 vaccination requirements for healthcare staff members or students. A staff member may request an exemption for a medical condition or sincerely held religious belief. The employer must grant or deny the exemption in writing within ten business days of the request and may not retaliate against or take an adverse action against a staff member for making a request for an exemption. Imposes a civil penalty of \$10,000 against employers who violate this section.

Does not impose liability on an employer for actions taken prior to the effective date of this section, nor requires an employer to take or refrain from actions contrary to enforceable requirements of the centers of Medicare or Medicaid services.

The attorney general shall establish a process whereby violations of this section may be reported and may bring an action against an employer that violates this section. Funds collected must be paid into the general fund of the state. Attorney's fees and costs may be awarded to the prevailing party, except no court costs shall be assessed against the attorney general and/or state. Jurisdiction is in chancery or circuit court of Williamson County or in chancery court where the employer is located.

Effective March 11, 2022.

### **Public Chapter 832** SB 1780 – HB 1853

#### **E-Verify for Work Authorization**

Amends Title 4, Title 12, Title 39, Title 50, and Title 57 relative to immigration. Prohibits a person from knowingly recruiting or employing an illegal alien; requires private employers with 35 or more employees to use E-Verify to verify work authorization and applies on or after January 1, 2023; creates an office of employment verification assistance within the department; requires the office of employment authorization to assist employers, with no internet access and less than 35 employees, with enrolling in E-Verify or by conducting work authorization checks by using E-Verify; provides that an employer will not be in

violation of this act during a time period when the E-Verify program is suspended or nonoperational, or if an employer acts upon false results generated by E-Verify about an employee's work authorization status; provides that an employee shall have no civil action for retaliatory discharge if the employee is not authorized to work in the United States; provides that if an employer discovers an employee is not authorized to work in the United States by E-Verify and discharges the employee, then the employee does not have a cause of action for discrimination based on national origin; and requires an employer to maintain an E-Verify case result for each employee that shows that the employee is authorized to work

Effective April 19, 2022.

**Public Chapter 854**  
SB 2879 - HB 2733

**Veteran's Day**

Amends Title 8, Title 15, Title 50, and Title 58 relative to Veteran's Day. Requires employers to allow veteran employees to take Veteran's Day off, as a non-paid holiday if the employee provides proof of veteran status, and the veteran employee's absence on Veteran's Day will not impact public health or safety or cause the employer to have significant economic or operational disruption. Does not prohibit an employer from allowing veteran employees to take Veteran's Day as a paid holiday.

Effective April 20, 2022.

**Public Chapter 870**  
SB 2042 - HB 2078

**Wages**

Amends Title 8 and Title 50, relative to wages. Requires an employer to pay an employee no less than federal minimum wage under 29 U.S.C. § 206, regardless of the subminimum wage authorized by 29 U.S.C. § 214(c) for an employee whose earning capacity is impaired by age, physical, or mental deficiency or injury.

Effective July 1, 2022.

**Public Chapter 1031**  
SB 2294 - HB 2303

**Insurance for County Employees**

Amends 8-27-503 to provide that if a county employee rejects or opts out of an insurance policy offered to the employee, the county may pay the employee up to 15% of the premium that would have been paid by the



county as long as the county continues to offer such insurance coverage to its employees.

Effective July 1, 2022.

**Public Chapter 1078**  
SB 136 – HB 204

**CROWN Act**

Amends Title 50, Chapter 1, Part 3 to prohibit employers from adopting a policy which does not allow an employee to wear the employee's hair in braids, locs, twists, or another manner that is part of the cultural identification of the employee's ethnic group. A policy adopted in violation of this law is discriminatory and void.

The law does not create a private cause of action. An employee may file a complaint with the department of labor and workforce development. The department will provide a warning to an employer in violation of this section.

The law does not apply to a public safety employee if it would prevent the employee from performing the essential functions of the employee's job and does not apply to a policy that an employer must adopt to adhere to safety standards, or to comply with federal or state laws, rules, and regulations relative to health or safety.

Effective July 1, 2022.

**Public Chapter 1122**  
SB 2522 – HB 2762

**Pay Schedules**

Amends Title 8, Chapters 14 and 7 relative to compensation for assistant attorneys general and assistant public defenders.

Provides that all assistant district attorneys general hired after July 1, 1994, or re-classified under 8-7-201(e)(3) must be compensated in accordance with the new pay schedule in 8-7-226. Amends 8-7-227 to provide that assistant attorneys general shall be entitled to prior service credits subject to the approval of the executive director of the Tennessee district attorneys general conference.

Provides that full-time district public defenders must be compensated in accordance with the new pay schedule according to 8-14-107(b)(1). Further amends 8-14-107

to provide that assistant public defenders shall be entitled to prior service credits subject to the approval of the executive director of the Tennessee public defenders conference.

Effective June 1, 2022.

## **RECORDS**

### **Public Chapter 721** SB 1682 - HB 1854

#### **Records Requests Procedures**

Amends 10-7-503(a)(2)(B) to provide that a records custodian must make the “public record requested available” to the requestor instead of the “information available” to the requestor. Amends 10-7-503(a)(4) relative to the provision that states that the section does not require a governmental entity to sort through files to compile information to add “into a new record” after “compile information.” Provides that a request for inspection or copying of a public record must be sufficiently detailed to enable the governmental entity to identify “responsive records” for inspection and copying instead of the “specific records for inspection and copying.” Amends 10-7-503(a)(7)(A) relative to identification, if the requestor does not possess photo identification, to provide that the custodian may require “other forms of identification evidencing the person’s residency in this state” instead of “other forms of identification acceptable to the governmental entity.”

Effective July 1, 2022.

### **Public Chapter 850** SB 2802 - HB 2613

#### **Law Enforcement-Related Deaths**

Amends 38-10-102 to provide that government entities required to report law enforcement-related deaths shall maintain a record of the deaths of individuals in custody that is open for public inspection and that contains: (i) the identity and age of the deceased individual; (ii) the time and date of the death; and (iii) the cause of death as determined by the county or state medical examiner pursuant to 38-7-109.

Effective April 20, 2022.

**Public Chapter 916**  
SB 2061 - HB 1957

**Body Camera Video**

Amends 10-7-504 to extend the provisions relative to the confidentiality of certain video footage taken by a law enforcement body camera from 2022 to 2027. Makes confidential footage of minors, when taken within a: (i) school that serves any grades from kindergarten through grade twelve (K-12); (ii) childcare agency, as defined in 71-3-501; (iii) childcare program, as defined in 49-1-1102; (iv) preschool; or (v) Nursery school.

Effective April 27, 2022.

**Public Chapter 989**  
SB 2819 - HB 1170

**Personnel Records**

Amends 10-7-504(f) to clarify that certain personal information of public employees - contained in employment records - is confidential. Provides that the information is confidential regardless of which department maintains the employment records.

Effective May 4, 2022.

**Public Chapter 1064**  
SB 2725 - HB 2308

**Photographic Evidence of Deceased Individuals**

Amends 10-7-504(aa) to provide that photographic evidence of a fatal motor vehicle accident that depicts a deceased victim at the scene of the accident shall be treated as confidential and shall not be open for inspection by members of the public. Provides that photographic evidence that depicts the remains of a deceased minor shall be treated as confidential and shall not be open for inspection by members of the public.

Effective July 1, 2022.

**Public Chapter 1077**  
SB 2801 - HB 2763

**Motor Vehicle Records**

Amends 55-25-107 to delete two exceptions (both related to the state obtaining express consent) to the general prohibition on the department of motor vehicles disclosing personal information about any person obtained by the department in connection with a motor vehicle record.

Effective May 25, 2022.

## **RETIREMENT**

### **Public Chapter 1146**

SB 2872 - HB 2572

### **Law Enforcement Retirement Task Force**

Establishes a task force to study retirement benefits for law enforcement officers. The task force is administratively attached to the department of treasury. By no later than January 1, 2023, the task force shall complete its findings and make recommendations in a report to the council on pensions, which must include, but is not limited to, the enactment of legislation, the financial impact of any legislative changes, the policy considerations of any legislative changes, and any solutions that do not require a legislative change.

Effective June 3, 2022.