



## Policy Watch 5/12/2017

In this update you will find bills divided into the following categories:

|                                                         |    |
|---------------------------------------------------------|----|
| <a href="#">Abuse &amp; Neglect</a>                     | 2  |
| <a href="#">Accessibility &amp; Discrimination</a>      | 5  |
| <a href="#">Behavior Health</a>                         | 6  |
| <a href="#">Budget &amp; Appropriations</a>             | 10 |
| <a href="#">Children &amp; Juvenile Justice</a>         | 11 |
| <a href="#">Education Pre-K to 12</a>                   | 15 |
| <a href="#">Education Post-Secondary</a>                | 29 |
| <a href="#">Elections</a>                               | 30 |
| <a href="#">Employment</a>                              | 35 |
| <a href="#">Health</a>                                  | 37 |
| <a href="#">Insurance/TennCare</a>                      | 40 |
| <a href="#">Intellectual/Developmental Disabilities</a> | 51 |
| <a href="#">Miscellaneous</a>                           | 54 |
| <a href="#">Public Benefits</a>                         | 56 |
| <a href="#">Sunsets</a>                                 | 59 |
| <a href="#">Taxes</a>                                   | 61 |

\*Note: Some bills may appear in more than one category.

Each bill lists the following information:

- House and Senate Bill numbers (example: SB00/HB00)
- Sponsors
- A description of what the bill addresses
- The fiscal note (how much the proposed bill is estimated to cost)
- The current status of the bill as of the date of the report

The full text of bills can be found at the Tennessee General Assembly website: <http://www.capitol.tn.gov/>

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## Abuse & Neglect

**SB13/HB17**      **Aggravated stalking of an elderly person.**  
*Sponsors:*      Sen. Lundberg, Jon , Rep. Reedy, Jay  
*Summary:*      Expands the offense of aggravated stalking to include a person who commits stalking against a victim who is 65 years of age or older at any time during the person's course of conduct, and the person stalking is 15 or more years younger than the victim.  
*Fiscal Note:*      (Dated January 26, 2017) Increase State Expenditures \$70,300/Incarceration\*  
*Senate Status:*      04/18/17 - Failed in Senate Judiciary Committee.  
*House Status:*      05/08/17 - Taken off notice in House Finance Subcommittee.

**SB243/HB1247**      **Notifications of death in a correctional facility.**  
*Sponsors:*      Sen. Bell, Mike , Rep. Dunn, Bill  
*Summary:*      Requires the commissioner of corrections to provide a report of every person's death while in the custody of a correctional facility and to send that report to the state senator and representative corresponding to that person's prior address.  
*Fiscal Note:*      (Dated February 28, 2017) NOT SIGNIFICANT  
*Senate Status:*      02/02/17 - Referred to Senate State & Local Government Committee.  
*House Status:*      02/17/17 - Referred to House State Government Subcommittee.

**SB378/HB345**      **Criminal offense defendants with severe mental illness.**  
*Sponsors:*      Sen. Briggs, Richard , Rep. Farmer, Andrew  
*Summary:*      Prohibits the death penalty as a punishment for defendants suffering from severe mental illness at the time of the offense.  
*Amendment Summary:*      Senate Judiciary Committee Amendment 1 (006227) makes no substantive changes. Includes specification of bipolar and major depressive disorder with psychotic features.  
*Fiscal Note:*      (Dated March 3, 2017) NOT SIGNIFICANT  
*Senate Status:*      03/28/17 - Senate Judiciary Committee deferred to Summary Study after adopting amendment 1 (006227).  
*House Status:*      02/07/17 - Referred to House Criminal Justice Subcommittee.

**SB442/HB732**      **Open records - law enforcement body camera video.**  
*Sponsors:*      Sen. Johnson, Jack , Rep. Whitson, Sam  
*Summary:*      Creates exceptions to open records requests for law enforcement video that depicts interactions with minors, the interior of a healthcare or mental health facilities, or the interior of a private residences where no crimes have occurred.  
*Amendment Summary:*      House Amendment 1 (006443) rewrites language in the original bill to specify that video taken of minors in a school that serves any grades from kindergarten through grade 12 shall be treated as confidential. Changes the effective date from being effective upon becoming law to being effective upon becoming law and expiring on July 1, 2022.  
*Fiscal Note:*      (Dated February 17, 2017) NOT SIGNIFICANT  
*Senate Status:*      04/19/17 - Senate concurred in House amendment 1.  
*House Status:*      04/13/17 - House passed with amendment 1. House Amendment 1 (006443).

*Executive Status:* 05/09/17 - Enacted as Public Chapter 0255 effective May 2, 2017.

**SB477/HB1411 Abuse or neglect of a child who is handicapped.**

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

*Summary:* Enhances the punishment for child abuse and child neglect or endangerment if the child is vulnerable because the child is handicapped. Defines "handicapped" to mean: (A) The person has a physical and permanent disability to such a degree that the person is unable to move from place to place without the aid of a wheelchair; (B) The person is blind; or (C) The person is deaf.

*Amendment Summary:* House Criminal Justice Subcommittee Amendment 1 (007044) rewrites the bill to limit application of the proposed legislation to children that are intellectually disabled.

*Fiscal Note:* (Dated February 26, 2017) Increase State Expenditures \$1,247,500/Incarceration\* Increase Local Expenditures Net Impact Exceeds \$48,600/Incarceration\*\* General

*Senate Status:* 04/18/17 - Taken off notice in Senate Judiciary Committee.

*House Status:* 04/19/17 - Taken off notice in House Criminal Justice Committee.

**SB1203/HB528 Independent Living Facilities.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David

*Summary:* Excludes independent living facilities from regulation by the board for licensing health care facilities. Sets inspection schedules for licensed healthcare facilities as being 15 months for emergency or assisted living care and 30 months for all other facilities. Prohibits residential homes for the aged from administering medications to its residents without an employed physician, nurse, or physician assistant on staff.

*Fiscal Note:* (Dated March 9, 2017) NOT SIGNIFICANT

*Senate Status:* 04/20/17 - Senate passed.

*House Status:* 04/06/17 - House passed.

*Executive Status:* 05/09/17 - Enacted as Public Chapter 0242 effective May 2, 2017.

**SB1230/HB810 Elderly and Vulnerable Adult Protection Act.**

*Sponsors:* Sen. Norris, Mark , Rep. Keisling, Kelly

*Summary:* Specifies that abuses against Elderly or Vulnerable adults are felonies of varying degrees of severity. Authorizes courts to order a person convicted of abuses against Elderly or Vulnerable Adults to refrain from any contact with the victim. Allows for convicted persons to request a hearing to challenge the accuracy of the reports, conclusions of hearings, or factual issues related to the correct identity of the victim.

*Amendment Summary:* House Amendment 3 (008325) deletes and rewrites the proposed legislation to redefine "elderly adult" to mean any person over 70 years of age and to create a new offense for financial exploitation, which is graded as theft but punished one classification higher.

*Fiscal Note:* (Dated March 18, 2017) Decrease State Revenue Exceeds \$7,600/General Fund Increase State Revenue Exceeds \$15,100/District Attorneys Increase State Expenditures Net Impact \$4,197,700/Incarceration\* Increase Local Expenditures Less Than \$109,200\*\*

*Senate Status:* 05/09/17 - Senate passed.

*House Status:* 05/09/17 - House passed with amendment 3. House Amendment 3 (008325).

*Executive Status:* 05/09/17 - Sent to the speakers for signatures.

**SB1267/HB1064 Education and awareness of the dangers to vulnerable adults of financial exploitation and financial theft.**

*Sponsors:* Sen. Norris, Mark , Rep. Brooks, Kevin

*Summary:* Requires the Department of Financial Institutions to consult with financial service providers, the Tennessee Commission on Aging and Disability, and the Department of Human Services to consider ways in which the entities can collaborate to promote awareness of and preventative measures against the dangers of fraud and theft to vulnerable adults.

*Amendment Summary:* Senate Amendment 1 (006425) deletes all language after the enacting clause. Creates the Elderly and Vulnerable Adult Financial Exploitation Prevention Act. Authorizes financial service providers to refuse service when there is reasonable believe that financial exploitation or theft has occurred. Requires such instances to be reported to the Department of Human Services (DHS). Authorizes financial service providers to alert certain authorized persons of a potential threat to a vulnerable adult. Authorizes financial institutions to provide access to or copies of records in response to an administrative subpoena issued by DHS. Requires DHS to notify a customer whose records are requested through subpoena within 30 days of receipt of the records. Requires charges by a financial institution at rates that do not exceed those established by the financial institution's fee schedule, rather than the Internal Revenue Service, to be deemed reasonable for the purpose of fees charged for preparing and delivering records in response to a subpoena. Repeals the provision of this legislation on June 30, 2022.

*Fiscal Note:* (Dated March 2, 2017) NOT SIGNIFICANT

*Senate Status:* 04/17/17 - Senate passed with amendment 1 (006425).

*House Status:* 04/20/17 - House passed.

*Executive Status:* 05/09/17 - Enacted as Public Chapter 0264 effective July 1, 2017.

**SB1287/HB415 Conviction for exploiting a vulnerable adult - notice requirements for clerk of court.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Carr, Dale

*Summary:* Creates a new subsection requiring court clerks to send a copy of any judgment evidencing a person's conviction for exploiting an adult who is unable to manage such adult's own resources, to the department of health for inclusion in a statewide registry.

*Amendment Summary:* Senate Amendment 1 (004947) requires the Department of Intellectual and Development Disabilities and the Department of Mental Health and Substance Abuse Services to hold a completed criminal background check on any employee or volunteer who will be in a position that involves providing direct contact with or direct responsibility for persons receiving services. Prohibits assisted-care living facilities from being held liable for hiring practices related to this criminal background check.

*Fiscal Note:* (Dated February 28, 2017) NOT SIGNIFICANT

*Senate Status:* 05/01/17 - Senate passed with amendment 1 (004947).

*House Status:* 05/05/17 - House passed.  
*Executive Status:* 05/11/17 - Sent to governor.

**HB859 Report on all incidents in which an inmate died by violence or accident in a corrections facility.**

*Sponsors:* Rep. Miller, Larry

*Summary:* Requires the department of correction to prepare a written report detailing all incidents where an inmate dies by means of violence or accident that occurred in a corrections institution. The report must include whether the Tennessee bureau of investigation assisted the corrections institution in investigating the death and the action taken by the administration of the corrections institution to prevent future death of inmates of the corrections institution. The report must be submitted to the judiciary committee of the senate, the state & local government committee of the senate, the criminal justice committee of the house of representatives, and the state government committee of the house of representatives.

*Fiscal Note:* (Dated March 7, 2017) NOT SIGNIFICANT

*House Status:* 02/17/17 - Referred to House State Government Subcommittee.

**HJR32 Child Abuse Prevention Month.**

*Sponsors:* Rep. Williams, Ryan

*Summary:* Designates April 2017 as "Child Abuse Prevention Month" in Tennessee.

*Fiscal Note:* (Dated February 8, 2017) NOT SIGNIFICANT

*Senate Status:* 03/27/17 - Senate concurred.

*House Status:* 02/27/17 - House adopted.

*Executive Status:* 03/30/17 - Signed by governor.

**Accessibility & Discrimination**

**SB122/HB1035 Establishment of a spay-neuter program for cats and dogs.**

*Sponsors:* Sen. Briggs, Richard , Rep. Hawk, David

*Summary:* Supplies a voluntary means of funding a spay-neuter program to provide financial assistance to local governments offering low-income persons reduced-cost spay-neuter services for their cats and dogs. Also provides a statewide education program on the benefits of spaying and neutering pets.

*Fiscal Note:* (Dated March 17, 2017) Increase State Revenue \$449,300/FY17-18 and Subsequent Years/ Spay-Neuter Fund Decrease State Revenue \$84,300/FY17-18 and Subsequent Years/ Animal Population Control Endowment Fund Increase State Expenditures - \$77,400/FY17-18/Spay-Neuter Fund \$73,100/FY18-19 and Subsequent Years/ Spay-Neuter Fund Increase Local Revenue Net Impact - \$287,600/FY17-18 \$291,900/FY18-19 and Subsequent Years

*Senate Status:* 03/30/17 - Taken off notice in Senate Health & Welfare Committee.

*House Status:* 02/15/17 - Referred to House Agriculture & Natural Resources Subcommittee.

**SB743/HB595 Towing vehicles parked in disabled spaces.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Beck, Bill

*Summary:* Allows for a lessee who holds a disabled placard or plate to authorize towing and storage of a vehicle that does not display a disabled license plate or placard and is parked in disabled parking on private property, given that the owner or owner's agent is unavailable to prove authorization.

*Fiscal Note:* (Dated February 16, 2017) NOT SIGNIFICANT

*Senate Status:* 03/20/17 - Taken off notice in Senate Transportation & Safety Committee.

*House Status:* 03/15/17 - Taken off notice in House Transportation Subcommittee.

**SB1079/HB1381 Yellow paint markings on edge of steps of public buildings.**

*Sponsors:* Sen. Lundberg, Jon , Rep. Jernigan, Darren

*Summary:* Requires that the edges of steps into any public building constructed, purchased, or leased by the state or its political subdivisions on or after July 1, 2017 be marked with yellow paint to assist persons with vision impairment. Makes requirement applicable to all public buildings after July 1, 2021.

*Amendment Summary:* House Amendment 2 (007229) deletes all language after the enacting clause.

*Summary:* Requires all stair steps leading into a public entrance of a public building constructed, purchased, or approved for renovations by the State Building Commission by the state, or constructed by a political division of the state, on or after July 1, 2017, to be marked with a detectable nosing of a contrasting color at a thickness of not less than one inch and not more than two inches. Authorizes public entities exercising control over a public building of historical significance to apply for a waiver from the State Building Commission in order to apply such nosing.

*Fiscal Note:* (Dated March 14, 2017) Increase State Expenditures Exceeds \$15,000/FY17-18 Exceeds \$7,500/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds \$42,800/FY17-18\* Exceeds \$14,300/FY18-19 and Subsequent Years\*

*Senate Status:* 05/09/17 - Senate passed.

*House Status:* 05/09/17 - House passed with amendment 2 (007229).

*Executive Status:* 05/09/17 - Sent to the speakers for signatures.

**HJR88 Display of tactile Braille American flag.**

*Sponsors:* Rep. Reedy, Jay

*Summary:* Directs that tactile Braille American flag be displayed in public lobby of new legislative office building.

*Amendment Summary:* House State Government Committee Amendment 1 (003839) deletes and replaces the first resolving clause of the resolution to clarify that the tactile Braille American flag to be displayed shall be a flag donated by the Tennessee Legislative Veteran's Caucus.

*Fiscal Note:* (Dated February 14, 2017) Increase State Expenditures - \$300/One-Time

*House Status:* 04/06/17 - House adopted.

**Behavior Health**

**SB1 Board for Professional Counselors - rules adopted.**

*Sponsors:* Sen. Johnson, Jack ,

*Summary:* Prohibits the Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists from adopting any rule that incorporates by reference a national association's code of ethics, including, but not limited to, the American Counseling Association Code of Ethics.

*Fiscal Note:* (Dated January 25, 2017) NOT SIGNIFICANT

*Senate Status:* 01/30/17 - Referred to Senate Health & Welfare Committee.

**SB45/HB70 New behavioral health pilot project funded by the department of mental health and substance abuse services.**

*Sponsors:* Sen. Massey, Becky , Rep. Smith, Eddie

*Summary:* Appropriates a non-recurring \$4.5 million sum to the department of mental health and substance abuse services to make a grant for a three-year behavioral health pilot project in Knox County.

*Fiscal Note:* (Dated January 23, 2017) Increase State Expenditures \$4,500,000/FY17-18/General Fund Other Fiscal Impact Funds appropriated from the General Fund to the Department of Mental Health and Substance Abuse Services will be expended in three annual payments of \$1,500,000 beginning in FY17-18 in the form of grants to fund a three-year behavioral health pilot program in Knox County.

*Senate Status:* 02/01/17 - Referred to Senate Finance, Ways & Means Committee.

*House Status:* 02/17/17 - Referred to House Finance Subcommittee.

**SB129/HB159 Ability for a sheriff to contract with a substance abuse treatment program.**

*Sponsors:* Sen. Green, Mark , Rep. Johnson, Curtis

*Summary:* Permits the sheriff of any county or the chief administrator of any municipal jail to contract with any substance abuse treatment program licensed or certified by the department of mental health and substance abuse services to provide substance abuse treatment services to inmates housed in the county or municipal jail.

*Fiscal Note:* (Dated January 20, 2017) Other Fiscal Impact The net fiscal impact on local government is dependent upon multiple unknown factors and cannot be reasonably determined. However, any impact to local government is considered permissive. Further, any local expenditures incurred as a result of entering into contracts for the provision of treatment services is expected to be offset, either partially or in whole, by subsequent reductions of local incarceration costs. Any fiscal impact to state government is considered to be not significant.

*Senate Status:* 03/07/17 - Taken off notice in Senate Judiciary Committee.

*House Status:* 03/14/17 - Taken off notice in House Local Government Subcommittee.

**SB130/HB160 Pilot program providing substance abuse treatment to inmates.**

*Sponsors:* Sen. Green, Mark , Rep. Johnson, Curtis

*Summary:* Creates a pilot program under which a sheriff, in consultation with the department of mental health and substance abuse services, will create and administer a program of substance abuse treatment services for eligible inmates.

*Fiscal Note:* (Dated February 24, 2017) Increase Local Expenditures \$118,500/FY18-19/Montgomery County\* \$202,500/FY19-20/Montgomery County\* \$101,300/FY20-21/Montgomery County\* Other Fiscal Impact - The decrease in local incarceration

expenditures to Montgomery County is dependent upon multiple unknown factors and cannot be reasonably determined.

*Senate Status:* 03/07/17 - Taken off notice in Senate Judiciary Committee.

*House Status:* 03/14/17 - Taken off notice in House Local Government Subcommittee.

**SB378/HB345 Criminal offense defendants with severe mental illness.**

*Sponsors:* Sen. Briggs, Richard , Rep. Farmer, Andrew

*Summary:* Prohibits the death penalty as a punishment for defendants suffering from severe mental illness at the time of the offense.

*Amendment Summary:* Senate Judiciary Committee Amendment 1 (006227) makes no substantive changes.

*Summary:* Includes specification of bipolar and major depressive order with psychotic features.

*Fiscal Note:* (Dated March 3, 2017) NOT SIGNIFICANT

*Senate Status:* 03/28/17 - Senate Judiciary Committee deferred to Summary Study after adopting amendment 1 (006227).

*House Status:* 02/07/17 - Referred to House Criminal Justice Subcommittee.

**SB834/HB958 Mental health patients - purchase of firearms.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Camper, Karen

*Summary:* Requires the TBI to notify the department of mental health and substance abuse services if a person who has been adjudicated as a mental defective or judicially committed to a mental institution has attempted to purchase a firearm.

*Fiscal Note:* (Dated March 22, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Judiciary Committee.

*House Status:* 02/15/17 - Referred to House Civil Justice Subcommittee.

**SB835/HB871 Campaign on mental health and alcoholism or drug dependence parity.**

*Sponsors:* Sen. Briggs, Richard , Rep. Pitts, Joe

*Summary:* By January 1, 2018, requires the department of commerce and insurance to develop a consumer and provider education campaign on mental health and alcoholism or drug dependence parity and to establish entities to support consumers in understanding appeals and complaints processes and in pursuing appeals and complaints.

*Fiscal Note:* (Dated March 3, 2017) Increase State Expenditures - \$3,800/One-Time \$68,000/Recurring

*Senate Status:* 02/13/17 - Referred to Senate Commerce & Labor Committee.

*House Status:* 02/14/17 - Referred to House Insurance & Banking Subcommittee.

**SB836/HB479 Federal and state statutes concerning mental health parity.**

*Sponsors:* Sen. Briggs, Richard , Rep. Clemmons, John

*Summary:* Requires the department of commerce and insurance to implement and enforce federal and state statutes concerning mental health parity. Mandates the department to issue a report to the general assembly and provide an educational presentation to the general assembly concerning the department's efforts to implement and enforce federal and state statutes concerning mental health parity. no later than June 1 of each year.



*Fiscal Note:* (Dated March 30, 2017) Increase State Expenditures - \$3,200/One-Time \$71,400/Recurring

*Senate Status:* 02/13/17 - Referred to Senate Commerce & Labor Committee.

*House Status:* 02/14/17 - Referred to House Insurance & Banking Subcommittee.

**SB837/HB480 Report on coverage for mental health treatment.**

*Sponsors:* Sen. Briggs, Richard , Rep. Clemmons, John

*Summary:* Requires managed care organizations participating in the TennCare program to annually report to the bureau of TennCare certain information regarding treatment of claims for mental health and alcoholism or drug dependence benefits in relation to the requirements of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.

*Fiscal Note:* (Dated March 22, 2017) NOT SIGNIFICANT

*Senate Status:* 04/10/17 - Senate passed.

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

*Executive Status:* 05/01/17 - Enacted as Public Chapter 0221 effective July 1, 2017.

**SB839/HB1244 Coverage for behavioral health treatment.**

*Sponsors:* Sen. Briggs, Richard , Rep. Clemmons, John

*Summary:* Revises requirements for mental health parity with medical health insurance statutes to require certain demonstrations of parity and reports from insurers.

*Amendment Summary:* House Insurance & Banking Subcommittee Amendment 1 (006014) deletes and rewrites the proposed legislation such that the only substantive changes are changing the date that DCI is required to issue a report and provide an educational presentation to the General Assembly, from not later than June 1 of each year to not later than January 31, 2019, and requiring DCI to describe how the Department examines any provider or consumer complaints related to denials or restrictions to care for opioid use disorder treatment for possible violations of this section, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA), 42 U.S.C § 18031(j), Tenn. Code Ann. § 56-7-2601, and § 56-7-2602, including complaints regarding, but not limited to certain criteria. House Insurance & Banking Subcommittee Amendment 2 (006821) substitutes "American Society of Addiction Medicine" in subsection (b) in Section 1 with the language "American Society of Addiction Medicine or other evidence-based clinical guidelines, such as those referenced by the federal substance abuse and mental health services administration (SAMHSA)".

*Fiscal Note:* (Dated March 25, 2017) Increase State Expenditures - \$116,800/FY17-18 \$214,300/FY18-19 and Subsequent Years

*Senate Status:* 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.

*House Status:* 04/05/17 - House Insurance & Banking Subcommittee deferred to first calendar of 2018 after adopting amendment 1 (006014) and amendment 2 (006821).

**SB1206/HB317 Evaluation and treatment following a judgment of not guilty by reason of insanity.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David

*Summary:* Requires trial court to order the person found not guilty of first degree murder by reason of insanity to be immediately diagnosed and evaluated on an outpatient basis. Specifies the evaluation must be performed by the community mental health agency or licensed private practitioner designated by the commissioner to serve the trial court. Requires the person to only be discharged from inpatient hospitalization if ordered by the court to participate in outpatient treatment. Mandates that any person ordered by the trial court to participate in outpatient treatment must do so for an initial period of six months. Allows the court to order the continuation of outpatient treatment beyond the sixth month period and specifies factors court must consider when making that determination. Part of Administration Package.

*Fiscal Note:* (Dated February 26, 2017) Increase State Expenditures \$264,200/FY17-18 \$318,500/FY18-19 and Subsequent Years Increase Federal Expenditures \$34,900/FY17-18 \$52,300/FY18-19 and Subsequent Years

*Senate Status:* 04/03/17 - Senate passed.

*House Status:* 04/27/17 - House passed.

*Executive Status:* 05/09/17 - Signed by governor.

**HJR100 Participation in Yellow Dot Program - individuals with mental health conditions.**

*Sponsors:* Rep. Littleton, Mary

*Summary:* Urges individuals with mental health conditions to participate in the Tennessee Yellow DOT program.

*Fiscal Note:* (Dated February 12, 2017) NOT SIGNIFICANT

*Senate Status:* 04/24/17 - Senate concurred.

*House Status:* 04/06/17 - House adopted.

*Executive Status:* 04/28/17 - Signed by governor.

*Status:*

**Budget & Appropriations**

**SB483/HB511 Appropriations - FY 2016 and FY 2017.**

*Sponsors:* Sen. Norris, Mark , Rep. Sargent, Charles

*Summary:* Make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2016, and July 1, 2017,

*Amendment Summary:* House Amendment 2 (003333) is the administration amendment to the appropriations bill. House Amendment 3 (005555) is the legislative adjustments to the appropriations bill. House Amendment 5 (008510) appropriates \$3,120,000 to the department of finance and administration for the purpose of making grants to be used to support travel of veterans to Washington D.C. to visit certain memorials. House Amendment 13 (008501) appropriates \$12,000,000 for the purpose of providing services to infants with neonatal abstinence syndrome with \$4,000,000 of such sum to be allocated to services for those infants in each grand division of the state. House Amendment 14 (008514) earmarks funds from the Aeronautic Economic Development Fund in the following manner: (a) \$4,000,000 for the Cleveland Municipal Airport Authority in support of expansion and development at the Cleveland Regional Jetport; (b) \$8,500,000 for the

Tri-Cities Airport Authority in support of expansion and development at the Tri-Cities Regional Airport; and (c) \$15,000,000 for the Metropolitan Knoxville Airport Authority in support of the Oak Ridge Airport Initiative. House Amendment 16 (008506) appropriates the sum of \$50,000 to Johnson City for the sole purpose of costs associated with the Johnson City Veterans Memorial. House Amendment 17 (008527) appropriates the sum of \$300,000,000 to the Department of Education for the sole purpose of distributing grants to LEAs to pay down capital debt. It is the legislative intent that grants be distributed based on the proportion of funds received by each LEA as determined through the BEP formula. House Amendment 7 (008187) appropriates funds for the purpose of implementing Senate Bill 831 / House Bill 841, relative to the Education Investment Act. House Amendment 18 (008559) earmarks a sum sufficient from the funds in the TennCare reserve, not to exceed \$3,605,800, for the sole purpose of implementing Senate Bill 1227/ House Bill 901, if such bill becomes a law. House Amendment 1-22 (008575) authorizes the Commissioner of Finance and Administration to transfer the sum of \$55,000,000 from the general fund to the highway fund. It is the legislative intent that the entire amount transferred in this item be earmarked for planning, engineering, right-of-way acquisition, construction, improvement, and rehabilitation of roads and bridges on the state-aid highway system. House Amendment 22 (008568) is the stripper amendment and removes any previously adopted amendments from the bill.

*Senate Status:* 05/08/17 - Senate passed.

*House Status:* 05/05/17 - House passed with amendments 1-22 (008575) and 22 (008568).

*Executive Status:* 05/08/17 - Sent to the speakers for signatures.

*Status:*

**SB599/HB716 Increase in department of children's services budget extends to contract providers.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Pitts, Joe

*Summary:* Requires contracts of department of children's services to increase 2 percent when state budget increases by 3 percent for more from the previous year.

*Amendment Summary:* House Finance Subcommittee Amendment 1 (005631)- Decreases the automatic increase from two (2) percent to one (1) percent.

*Fiscal Note:* (Dated March 20, 2017) Increase State Expenditures - \$4,909,100/FY17-18 Exceeds \$4,909,100/FY18-19 and Subsequent Years Increase Federal Expenditures - \$4,452,300/FY17-18 Exceeds \$4,452,300/FY18-19 and Subsequent Years

*Senate Status:* 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

**Children & Juvenile Justice**

**SB196/HB483 Establishes a progressive truancy intervention program in K-12 schools.**

*Sponsors:* Sen. Overbey, Doug , Rep. Forgety, John

*Summary:* Establishes a progressive truancy intervention program in K-12 schools that involves tiers of pre-juvenile court programs designed to keep a truant child out of the juvenile court system. Specifies additional interventions that may consist of school-based community services, participation in a school-based restorative justice program, referral to a school-based teen court, or Saturday courses designed to improve

attendance and behavior. Prohibits in-school suspension or out-of-school suspension from being used as part of the progressive truancy interventions adopted by schools for unexcused absences from class or school.

*Amendment Summary:* Senate Amendment 2 (006602) deletes and rewrites the bill such that the only substantive changes are: (1) to require LEAs to designate an employee as the attendance supervisor; (2) sets the maximum length of the attendance contract for students involved in progressive truancy intervention at 90 days or the last day of the semester; and (3) authorizes LEAs that have adopted an effective progressive truancy intervention program to present details of the intervention program to the Commissioner of the Department of Education (DOE) for approval in lieu of strict compliance with the provision of the bill as amended.

*Fiscal Note:* (Dated February 16, 2017) NOT SIGNIFICANT

*Senate Status:* 04/20/17 - Senate passed with amendment 2 (006602).

*House Status:* 05/09/17 - House passed.

*Executive Status:* 05/11/17 - Sent to governor.

**SB197/HB274 Rules for sentencing juveniles convicted in criminal court.**

*Sponsors:* Sen. Overbey, Doug , Rep. McCormick, Gerald

*Summary:* Establishes factors a court must consider when sentencing a juvenile who has been transferred and convicted in adult court, such as age, level of participation in the crime, family environment, intellectual capacity, etc. Sets a maximum number of years, depending on whether the crime results in death or not, a juvenile can be required to serve for adult crimes. Makes the provisions retroactive to juveniles serving adult sentences prior to effective date.

*Amendment Summary:* House Criminal Justice Subcommittee, Senate Judiciary Committee Amendment 1 (006878) rewrites the bill to provide release eligibility to a person sentenced to imprisonment for life for first or second degree murder after 30 calendar years if the person committed the offense when he or she was less than 18 years of age. Provides that any other offense sentenced to run consecutively or concurrently to the first or second degree murder sentence shall not operate to extend the release eligibility beyond 30 calendar years. Applies to persons serving a sentence of imprisonment for life without the possibility of parole. Applies retroactively to anyone serving a sentence of imprisonment for life or imprisonment for life without the possibility of parole.

*Fiscal Note:* (Dated March 23, 2017) Decrease State Expenditures \$4,393,300/Incarceration\*

*Senate Status:* 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

*House Status:* 04/19/17 - Taken off notice in House Criminal Justice Committee.

**SB202/HB283 Educational funding for children in state custody.**

*Sponsors:* Sen. Tracy, Jim , Rep. Johnson, Curtis

*Summary:* Adds language to provide residential mental health facilities that contract with the department of children's services for children in state custody, to receive educational funding from DCS. Outlines that a residential mental health facility can only receive educational funding if the facility is; approved to operate as a Category I special purpose school pursuant to the state board of education rules and regulations, and the facility provides a minimum of sixteen and a half hours per week of educational

instructional services. Also adds language that if a child in state custody receives services from a contracted residential mental health facility but continues to attend their local school, then the contracted facility shall not receive the educational funding for that child from DCS.

*Senate Status:* 02/02/17 - Referred to Senate Education Committee.

*House Status:* 02/02/17 - Referred to House Education Administration and Planning Committee.

**SB233/HB1236 Changes in the process of determination of a parent's ability to parent a child.**

*Sponsors:* Sen. Harris, Lee , Rep. Akbari, Raumesch

*Summary:* Permits the court to require either or both parents to provide healthcare or mental health records to determine parent's ability to parent the child. Also permits court to require either or both parents to undergo an examination. If the court makes a finding that a parent's mental health records are necessary for the proceedings, the court shall conduct an in camera review of the parent's records for the purpose of redacting irrelevant or prejudicial material. Permits the court to appoint a neutral third party to complete the in camera task. Requires that the records relating to the parent's ability to parent the child to be provided to both parties for use in a comparative fitness analysis. Permits the court to order an examination of a party under Rule 35 of the Tennessee Rules of Civil Procedure. Allows the court to draw a negative inference that the information would be adverse if a parent declines an Rule 35 examiner's request. Adds a parent's ability to instruct, inspire, and encourage the child to develop skills necessary to become a successful adult to the list of factors a court must consider when making a child custody determination.

*Fiscal Note:* (Dated February 5, 2017) NOT SIGNIFICANT

*Senate Status:* 04/04/17 - Taken off notice in Senate Judiciary Committee.

*House Status:* 04/05/17 - Taken off notice in House Civil Justice Subcommittee.

**SB311/HB402 Offenses for juveniles to be tried as adults.**

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

*Summary:* Amends language to include that a child who was sixteen years or more of age at the time of the alleged conduct, or the child was less than sixteen years of age, can be transferred to a criminal court of competent jurisdiction to be tried as an adult if the child was charged with the offense of; first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping, especially aggravated kidnapping, commission of an act of terrorism, or an attempt to commit any such offenses. The district attorney general may not seek, nor may any child receive, a sentence of death for the offense for which the child was transferred.

*Fiscal Note:* (Dated March 24, 2017) Increase State Expenditures - \$37,100/Incarceration\*

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

*House Status:* 05/09/17 - House passed.

*Executive Status:* 05/11/17 - Sent to governor.

**SB326/HB380 Prohibition of juveniles in solitary confinement.**

*Sponsors:* Sen. Harris, Lee , Rep. Love Jr., Harold  
*Summary:* Prohibits any child who is alleged to have committed a delinquent act or be unruly shall not be subject to solitary confinement while the child is detained in a juvenile facility.  
*Amendment Summary:* House Criminal Justice Subcommittee Amendment 1 (007116) rewrites the bill such that the only substantive changes are redefining "solitary confinement" and adding additional language that specifies what does not include solitary confinement.  
*Fiscal Note:* (Dated April 3, 2017) Increase State Revenue - \$1,100/One-Time/TBI Increase State Expenditures - \$1,100/One-Time/TBI \$59,400/One-Time/General Fund \$1,441,200/Recurring/General Fund  
*Senate Status:* 02/08/17 - Referred to Senate Judiciary Committee.  
*House Status:* 04/11/17 - Failed in House Criminal Justice Subcommittee after adopting amendment 1 (007116).

**SB577/HB42 Department of education bicycle safety curriculum.**

*Sponsors:* Sen. Gresham, Dolores , Rep. Butt, Sheila  
*Summary:* Urges the department of education to include the proper use and positioning of bicycle helmets in its pilot bicycle safety curriculum. Broadly captioned.  
*Fiscal Note:* (Dated January 20, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/29/17 - Taken off notice in Senate Education Committee.  
*House Status:* 04/05/17 - Taken off notice in House Education Instruction and Programs Subcommittee.

**SB775/HB794 Interrogation or interview of a child suspected of committing a delinquent act or unruly conduct.**

*Sponsors:* Sen. Beavers, Mae , Rep. Sparks, Mike  
*Summary:* Prohibits interrogation of a child who has been taken into custody for committing a delinquent act except in the presence of the child's legal counsel, parent, guardian, or custodian. Requires that a video recording be made of the interview and that the child be informed of their rights pertaining to this law.  
*Fiscal Note:* (Dated March 30, 2017) Increase State Expenditures \$200/One-Time/Department of Safety Exceeds \$246,600/Recurring/Indigent Defense Fund Increase Local Expenditures Exceeds \$56,000/One-Time\* Exceeds \$11,200/Recurring\*  
*Senate Status:* 02/13/17 - Referred to Senate Judiciary Committee.  
*House Status:* 02/14/17 - Referred to House Criminal Justice Subcommittee.

**SB920/HB822 Juveniles found delinquent to undergo mental health screening.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Gilmore, Brenda  
*Summary:* Requires juveniles to undergo a mental health screening after being found delinquent twice of an offense that would be considered a misdemeanor if committed by an adult.  
*Fiscal Note:* (Dated March 4, 2017) Increase Local Expenditures Exceeds \$198,100\*  
*Senate Status:* 02/13/17 - Referred to Senate Judiciary Committee.  
*House Status:* 04/04/17 - Failed in House Criminal Justice Subcommittee.

**SB1195/HB307 Education of students incarcerated in detention centers.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David  
*Summary:* Requires the state board of education to promulgate rules to ensure the education of students incarcerated in detention centers licensed by the department of children's services by the LEA in which the detention center is located. Part of Administration Package.  
*Amendment Summary:* Senate Amendment 1 (003941) requires rules developed by the Department of Education regarding incarcerated student education to be in accordance with the Uniform Administrative Procedures Act.  
*Fiscal Note:* (Dated February 25, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/06/17 - Senate passed with amendment 1 (003941).  
*House Status:* 04/03/17 - House passed.  
*Executive Status:* 04/19/17 - Enacted as Public Chapter 0152 effective April 17, 2017.

**SB1253/HB636 Expunction of juvenile court records.**

*Sponsors:* Sen. Norris, Mark , Rep. Akbari, Raumesh  
*Summary:* Makes changes to the expunction of juvenile court records, including creating a process for the expunction of juvenile court records for cases in which the juvenile successfully completed pretrial or judicial diversion.  
*Amendment Summary:* House Amendment 1 (004975) deletes the word "petitioner" in Section 6 (7) and substitutes instead the word "movant."  
*Fiscal Note:* (Dated March 1, 2017) NOT SIGNIFICANT  
*Senate Status:* 04/10/17 - Senate passed.  
*House Status:* 04/03/17 - House passed with amendment 1 (004975).  
*Executive Status:* 05/01/17 - Enacted as Public Chapter 0199 effective July 1, 2017.

**Education Pre-K to 12**

**SB4/HB357 Board of education prohibited from adopting standards for character learning.**

*Sponsors:* Sen. Gresham, Dolores , Rep. Dunn, Bill  
*Summary:* Prohibits board of education from establishing standards or competencies regarding social or emotional learning in public schools.  
*Fiscal Note:* (Dated January 12, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/29/17 - Taken off notice in Senate Education Committee.  
*House Status:* 03/29/17 - Taken off notice in House Education Instruction and Programs Subcommittee.

**SB14/HB174 Creates a list of rights and protections afforded to educators.**

*Sponsors:* Sen. Green, Mark , Rep. Reedy, Jay  
*Summary:* Creates a list of rights and protections afforded to educators. Specifies that an "educator" means any teacher, principal, supervisor or other individual required by law to hold a valid license of qualification for employment in the public schools.

*Amendment Summary:* House Amendment 2 (007285) deletes and rewrites the bill such that the only substantive changes are to remove the provision of the bill which prohibits educators from being evaluated by professionals who do not have the same subject matter expertise or from being evaluated based on the performance of students whom the educator has not taught. Removes the provision of the bill which prohibits LEAs from forcibly relocating a teacher to a different school based solely on test scores from state mandated assessments.

*Fiscal Note:* (Dated March 10, 2017) Increase State Expenditures - \$374,400/FY17-18 Exceeds \$242,800/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds \$220,400/FY17-18 and Subsequent Years

*Senate Status:* 05/04/17 - Senate passed.

*House Status:* 05/01/17 - House passed with amendment 2 (007285).

*Executive Status:* 05/09/17 - Sent to governor.

**SB115/HB364 Individualized education account (IEA) available for certain students with denied admittance.**

*Sponsors:* Sen. Briggs, Richard , Rep. Zachary, Jason

*Summary:* Allows a student who was denied admittance to the individualized education account (IEA) program for the 2016-2017 school year because the student was not previously enrolled in a Tennessee public school the two semesters preceding the semester with an IEA to enroll in the program, if the student has the required disability and had an IEP at a Tennessee public school during the 2015-2016 school year.

*Fiscal Note:* (Dated February 17, 2017) Increase State Revenue \$4,700/Department of Education/FY17-18 \$2,300/Department of Education/Each Year FY18-19 through FY30-31 Increase State Expenditures \$38,600/Each Year FY18-19 through FY30-31/BEP Decrease Local Revenue - \$117,000/FY17-18/BEP Increase Local Expenditure \$19,200/Each Year FY18-19 through FY30-31/BEP

*Senate Status:* 03/29/17 - Taken off notice in Senate Education Committee.

*House Status:* 02/21/17 - Taken off notice in House Education Administration and Planning Subcommittee.

**SB117/HB121 Permitting the administration of medications for adrenal insufficiency in schools.**

*Sponsors:* Sen. Briggs, Richard , Rep. Terry, Bryan

*Summary:* Requires the state board of education, in consultation with the department of health, the board of nursing, and the board of pharmacy, to adopt rules for the administration of medication that treats adrenal insufficiency by trained school personnel trained to a student on school premises. Specifies that the rules adopted include guidelines on the designation and training of school personnel who will be responsible for administering medication. Also state that the rules adopted specify that an LEA is only required to train school personnel when the LEA has been notified by a parent or guardian that a student in a school of the LEA has been diagnosed with adrenal insufficiency. Requires each local education agency board to adopt policies and procedures that provide for the administration of medications that treat adrenal insufficiency

*Amendment Summary:* House Amendment 1 (004349) adds the Department of Children’s Services to the departments with which the State Board of Education must consult when adopting



rules for the dispensation of medication for students suffering from adrenal insufficiency. It also limits the liability of the LEA employee that administers the medication for adrenal insufficiency as well as the boards of education that authorize the dispensation of medication.

*Fiscal Note:* (Dated February 1, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/23/17 - Senate concurred in House amendment 1.  
*House Status:* 03/20/17 - House passed with amendment 1 (004349).  
*Executive Status:* 04/06/17 - Enacted as Public Chapter 0084 effective July 1, 2017.

**SB196/HB483 Establishes a progressive truancy intervention program in K-12 schools.**

*Sponsors:* Sen. Overbey, Doug , Rep. Forgety, John

*Summary:* Establishes a progressive truancy intervention program in K-12 schools that involves tiers of pre-juvenile court programs designed to keep a truant child out of the juvenile court system. Specifies additional interventions that may consist of school-based community services, participation in a school-based restorative justice program, referral to a school-based teen court, or Saturday courses designed to improve attendance and behavior. Prohibits in-school suspension or out-of-school suspension from being used as part of the progressive truancy interventions adopted by schools for unexcused absences from class or school.

*Amendment Summary:* Senate Amendment 2 (006602) deletes and rewrites the bill such that the only substantive changes are: (1) to require LEAs to designate an employee as the attendance supervisor; (2) sets the maximum length of the attendance contract for students involved in progressive truancy intervention at 90 days or the last day of the semester; and (3) authorizes LEAs that have adopted an effective progressive truancy intervention program to present details of the intervention program to the Commissioner of the Department of Education (DOE) for approval in lieu of strict compliance with the provision of the bill as amended.

*Fiscal Note:* (Dated February 16, 2017) NOT SIGNIFICANT  
*Senate Status:* 04/20/17 - Senate passed with amendment 2 (006602).  
*House Status:* 05/09/17 - House passed.  
*Executive Status:* 05/11/17 - Sent to governor.

**SB202/HB283 Educational funding for children in state custody.**

*Sponsors:* Sen. Tracy, Jim , Rep. Johnson, Curtis

*Summary:* Adds language to provide residential mental health facilities that contract with the department of children's services for children in state custody, to receive educational funding from DCS. Outlines that a residential mental health facility can only receive educational funding if the facility is; approved to operate as a Category I special purpose school pursuant to the state board of education rules and regulations, and the facility provides a minimum of sixteen and a half hours per week of educational instructional services. Also adds language that if a child in state custody receives services from a contracted residential mental health facility but continues to attend their local school, then the contracted facility shall not receive the educational funding for that child from DCS.

*Senate Status:* 02/02/17 - Referred to Senate Education Committee.

*House Status:* 02/02/17 - Referred to House Education Administration and Planning Committee.

**SB222/HB410 Physical activity requirements for students.**

*Sponsors:* Sen. Bowling, Janice , Rep. Ragan, John

*Summary:* Removes the requirement of a minimum of three 15-minute periods of non-structured physical activity per day for students in grades K-1. Also removes the requirement of a minimum of two 20-minute periods of non-structured physical activity at least four days a week for grades 2-6. Requires LEAs with elementary school students to integrate a minimum of two 20-minute periods of non-structured physical activity at least four days each week. Clarifies that the definition of "non-structured physical activity" means a temporary withdrawal or cessation from usual school work or sedentary activities during which an opportunity for rigorous physical activity is provided and does not mean walking to and from class. Also defines "physical education program."

*Fiscal Note:* (Dated February 15, 2017) NOT SIGNIFICANT

*Senate Status:* 03/08/17 - Taken off notice in Senate Education Committee.

*House Status:* 02/15/17 - House sponsor changed from Byrd to Ragan.

**SB245/HB112 Career and technical education - soft skills.**

*Sponsors:* Sen. Tracy, Jim , Rep. Forgety, John

*Summary:* Requires the state board of education to develop standards for a one-semester elective course in career and technical education in soft skills, needed for the workplace for students in grades nine through twelve. Soft skills means attributes that enable a person to build effective interpersonal relationships and to interact successfully with others in the business community. Requires each LEA to include an elective soft skills course in its career and technical education program beginning with the 2018-2019 school year. Students outside of the career and technical education program can enroll in the soft skill course, if space is available.

*Senate Status:* 02/02/17 - Referred to Senate Education Committee.

*House Status:* 02/09/17 - Withdrawn in House.

**SB249/HB97 Offerings of rigorous high school classes that prepare students for college.**

*Sponsors:* Sen. Tracy, Jim , Rep. Brooks, Harry

*Summary:* Requires the department of education to form a partnership with a national nonprofit education organization to increase the offerings of rigorous high school classes that prepare students for college and that provide college credit through examination. Specifies that the partnership shall be known as the Tennessee College Credit Partnership (TCCP). Also specifies that the partnership shall make available professional development to enable teachers of postsecondary credit courses to have the necessary content knowledge and instructional skills to prepare students for success on the course examinations and mastery of postsecondary course content. Requires, subject to appropriations, the state to fund payment of college credit examination fees and career and technical certification or licensure examination fees.

*Amendment Summary:* House Education Instruction and Programs Committee Amendment 1, Senate Education Committee Amendment 1 (004379) deletes all language after the enacting clause. Requires the DOE to contract with a national nonprofit education organization

to form a partnership called the TCCP. Authorizes the DOE to form a partnership with selected schools and LEAs, in lieu of partnering with a national nonprofit education organization, to improve postsecondary college readiness and ensure that students have access to high quality, rigorous academic programs or courses. Requires any such contracted partner to provide support for the expansion of college credit opportunities for students in Tennessee. Such support includes, but is not limited to, staffing in select schools and local education agencies (LEAs); professional development; data analysis; and reporting. Establishes a mechanism by which the Commissioner of the DOE will be authorized to award grants to pay for early post-secondary and industry certification exams; establishes an amount not to exceed \$10,000 subject to an appropriation to be funded for such purpose in FY17-18, with future appropriations being required by the General Assembly.

*Fiscal Note:* (Dated February 7, 2017) Increase State Expenditures Exceeds \$7,044,700/Recurring Decrease State Expenditures - \$400,000/One-Time Other Fiscal Impact Some portion of the industry certification or licensure examination fees may be paid to the respective state licensing boards; however, any such amounts cannot be reasonably determined.

*Senate Status:* 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

**SB380/HB336 Tennessee Choice & Opportunity Scholarship Act.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. Dunn, Bill

*Summary:* Enacts the Tennessee Choice & Opportunity Scholarship Act, which establishes a scholarship program for students wanting to attend private K-12 schools. In order for a student to be eligible for the scholarship program, the student must reside in Tennessee and be zoned to attend or enrolled in a public school that is identified as being in the bottom five percent of schools in overall achievement as determined by the state board of education. The student must be above five years of age or will become five years of age on or before August 15 of each year. Eligibility for the program can extend until the student graduates from high school, but the student must be less than twenty-two years of age by August 15 of each year. The student must be a member of a household whose annual income during the year prior to initial receipt of a scholarship met the requirements for free or reduced price lunch, and was previously enrolled in a Tennessee public school during the two semesters immediately preceding the semester in which the student receives a scholarship for enrolling in a Tennessee school for the first time or received a scholarship in the previous school year. The annual scholarship amount a student can be eligible for, is the cost of tuition and fees that would otherwise be charged by the school, or the amount representing the per pupil state and local funds generated and required through the basic education program for the LEA in which the student resides and is zoned to attend. The total number of scholarships awarded statewide for the 2017–2018 school year, shall not exceed five thousand scholarships. For the 2018–2019 school year, no more than seven thousand five hundred scholarships. For the 2019–2020 school year, no more than ten thousand scholarships. For the 2020–2021 school year and thereafter, no more than twenty thousand scholarships shall be awarded. Allows private schools in Tennessee to voluntarily agree to participate in the program and enroll eligible students, but the participating private school must provide notice,

on an annual basis, of intent to participate in the program to the department of education through an application developed by the department. The participating school must be identified as a category I, II, or III school, annually administer to scholarship students state assessments as provided or nationally recognized norm-referenced tests; provide the parents of scholarship students the results of their individual student's annual assessments, provide the department of education with graduation rates of scholarship students as well as other student information, and comply with nondiscrimination policies. Requires participating schools to submit to the department a financial audit conducted by a certified public accountant, and provide lunch to scholarship students at no cost or at a reduced cost pursuant to the same income qualifications established under the National School Lunch Program. Requires the department of education to determine and approve school and student eligibility and participation; if the number of eligible students who submit applications exceeds the permissible number of scholarships available statewide or the available seats at participating schools for any grade level, the department shall conduct a random selection process to award scholarships that provides each eligible student with an equal opportunity for selection. The department may suspend or terminate a school's participation in the program, if the department determines the school has failed to comply with the requirements outlined in code section 49-1-1203 (A) of the bill. If a participating school is suspended or terminated from the program, or if the school otherwise withdraws from the program, scholarship students enrolled at the school may transfer to another participating school without loss of scholarship eligibility and such students shall be given preference for enrollment.

*Amendment Summary:*

Senate Education Committee Amendment 1 (004843) designate FY18-19 as the first year that students can participate.

*Fiscal Note:*

(Dated February 26, 2017) Increase State Expenditures Exceeds \$330,400/FY17-18 \$230,400/FY18-19 and Subsequent Years Other Fiscal Impact For local education agencies that have schools in the bottom five percent of achievement and are mandated to participate in the statewide scholarship program, the shift of state and required local BEP funding from these local education agencies to the non-public participating schools is estimated as follows: \$17,735,000 in FY17-18; \$27,266,300 in FY18- 19; \$37,265,000 in FY19-20; and an amount exceeding \$37,265,000 in FY18-19 and subsequent years.

*Senate Status:*

03/22/17 - Failed in Senate Education Committee after adopting amendment 1 (004843).

*House Status:*

02/07/17 - Referred to House Education Administration and Planning Subcommittee.

**SB381/HB395**

**Restraint systems required on school buses.**

*Sponsors:*

Sen. Gardenhire, Todd , Rep. Favors, JoAnne

*Summary:*

Requires any school bus ordered or purchased on or after July 1, 2018, to be equipped with a restraint system. Also requires any school bus that is currently used to transport students be equipped with a restraint system by July 1, 2023.

*Amendment Summary:*

House Transportation Committee Amendment 1, Senate Education Committee Amendment 1 (006459) deletes all language after the enacting clause. Requires any bus ordered or purchased on or after July 1, 2019, for transportation of school children, to have National Transportation Safety Board (NTSB) approved restraints.

Requires the State Board of Education (SBE) in consultation with the Department of Safety to promulgate rules to effectuate the purposes of the legislation. Requires rules to be in accordance with the Uniform Administrative Procedures Act. House Government Operations Amendment 1 (007962) establishes that no rules shall be promulgated prior to the bill being funded.

*Fiscal Note:* (Dated March 20, 2017) Increase State Expenditures \$11,749,300/BEP/Each Year FY18-19 through FY22-23 Increase Local Revenue \$11,749,300/BEP Funding to Local Education Agencies/Each Year FY18-19 through FY22-23 Increase Local Expenditures \$70,566,400/Each Year FY17-18 through FY22-23\*

*Senate Status:* 05/09/17 - Senate Finance, Ways & Means Committee deferred to the first calendar of 2018.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

**SB395/HB460 Empowerment Scholarship Account Act.**

*Sponsors:* Sen. Gresham, Dolores , Rep. Kane, Roger

*Summary:* Enacts the "Empowerment Scholarship Account Act," which establishes a program whereby parents may utilize funds in an empowerment scholarship account (ESA) to pay the education expenses of enrolling their eligible students/children in a nonpublic school that is participating in the program instead of enrolling in a public school. Requires the department of education to create a standard form that a parent of a student may submit to establish the student's eligibility for an ESA, establish annual enrollment periods for parents to apply for the program, provide parents of participating students with a written explanation of the allowable uses of an ESA, ensure that lower-income families are made aware of the program and eligibility requirements, and post on its website a list of participating schools for each school year, the grades taught in the school, and other information that the department determines shall assist parents in selecting a participating school. Beginning in the 2018-2019 school year, enrollment in the program shall be limited to the equivalent of one-half of one percent of the estimated statewide total public school enrollment in the prior school year. New enrollment shall increase by an additional one-half of one percent of the statewide enrollment each school year thereafter. If there are more applicants than ESAs available due to this section, the department shall award ESAs on a random lottery basis with preference granted to children who have a parent who is a member of the armed forces of the United States and who is on active duty or was killed in the line of duty, foster children who have achieved permanency through adoption or permanent guardianship, or who are residing with a prospective permanent placement and the case plan is adoption or permanent guardianship, and children who are members of a household whose annual income during the year prior to initial enrollment in the program met the requirements for free or reduced price lunch; or who reside in an LEA with at least one school in the bottom five percent of schools in overall achievement as determined by the performance standards and other criteria set by the state board of education. Parents must also sign an agreement to provide an education for the participating student in, at a minimum, the subjects of reading, grammar, mathematics, social studies, and science. Parents must also not enroll their eligible student in a public school and must release the local education agency in which the student resides and is zoned to attend from all obligations to educate the student. A participating student enrolled in

the program shall forfeit program eligibility and further access to the student's ESA account if the student enrolls in a public school, graduates from high school, or reaches twenty-two years of age by August 15 for the next school year, whichever occurs first. A participating student may return to the student's LEA at any time after enrolling in the program in compliance with rules promulgated by the state board of education; upon a participating student's return to the student's LEA, the student's ESA shall be closed, and any remaining funds shall be returned to the state treasurer to be placed in the basic education program (BEP) account of the education trust fund. Any funds remaining in a student's ESA upon graduation from high school may be used to attend or take courses from an eligible postsecondary institution, with qualifying expenses. Upon a participating student's graduation from a postsecondary institution or after any period of four consecutive years after high school graduation in which the student is not enrolled in an eligible postsecondary institution, the participating student's ESA shall be closed, and any remaining funds shall be returned to the state treasurer to be placed in the basic education program (BEP) account of the education trust fund. Only the department of education may deposit funds into an ESA, but does not prohibit parents or third parties on a parent's behalf from making payments for the costs of educational programs and services not covered by the funds in the ESA. Requires that a parent ensure that the participating student is annually administered, in the student's eligible participating school, either a nationally norm-referenced test identified by the department of education or the Tennessee comprehensive assessment program (TCAP) tests or any future replacements of the TCAP tests. Students with disabilities for whom standardized testing is not appropriate, as determined on the student's IEP, are exempt from this requirement. The results of the tests are provided to the department or an organization chosen by the department on an annual basis, beginning with the first year of testing. The department, or an organization chosen by the department, shall annually produce and publish a report, in compliance with all state and federal privacy laws, to be made available on the department's website. The report shall include: Student performance on state achievement tests or nationally norm-referenced tests, including learning gains, high school graduation rates, the percentage of funds used for each qualifying expense, the fiscal impact to the state and resident school districts of the program, including the impact on revenue and the impact on expenses, and a report on the fiscal savings associated with students departing public schools, regardless of whether a public school from which a student would have attended reduces its spending accordingly. The department shall provide the chair of the senate education committee, the chair of the house of representatives education administration and planning committee, and the chair of the house of representatives education instruction and programs committee with a final copy of the report. The department may remove any participating student from eligibility for an ESA for failure to comply with the terms of the contract or applicable laws, rules, or orders, or if the student or student's parent knowingly misuses monies or knowingly fails to comply with the terms of the contract with intent to defraud. If the department suspends or terminates a school's participation, the department shall notify affected participating students and parents of the decision. If a participating school is suspended, terminated, or withdraws from the program, affected participating students shall remain eligible to participate in the program until a

disqualifying event occurs. All ESAs shall be subject to random and quarterly audits as needed by the comptroller of the treasury. The funds in an ESA may be used only for educational purposes. Participating schools, eligible postsecondary institutions, and providers that enroll participating students shall provide parents with a receipt for all qualifying expenses at the school or institution.

*Fiscal Note:* (Dated February 20, 2017) Increase State Revenue \$1,396,000/FY18-19 Exceeds \$2,862,000/FY19-20 and Subsequent Years Increase State Expenditures Exceeds \$1,169,800/FY17-18 Exceeds \$945,800/FY18-19 and Subsequent Years Other Fiscal Impact For local education agencies that have participating students in the ESA program, the shift of state and required local BEP funding from these local education agencies to the non-public participating schools is estimated as follows: \$34,900,800 in FY18-19; and amount estimated to exceed \$71,548,800 in FY19-20 and subsequent years.

*Senate Status:* 03/22/17 - Senate Education Committee deferred to the first calendar of 2018.

*House Status:* 03/28/17 - Taken off notice in House Education Administration and Planning Subcommittee.

**SB481/HB501 Adds funding for three Response to Instruction and Intervention positions within each public school.**

*Sponsors:* Sen. Tracy, Jim , Rep. Pitts, Joe

*Summary:* Adds funding for three Response to Instruction and Intervention positions within each public school to the BEP calculation.

*Fiscal Note:* (Dated March 11, 2017) Increase State Expenditures \$246,212,800 Increase Local Expenditures Exceeds \$550,000\*

*Senate Status:* 03/24/17 - Senate sponsor changed from Green to Tracy.

*House Status:* 03/28/17 - House Education Administration and Planning Committee deferred to Summer Study.

**SB500 Requirements for individualized education account.**

*Sponsors:* Sen. Kelsey, Brian ,

*Summary:* Removes requirements for students with disabilities to receive an individualized education account. Specifies that attendance of a public school for at least two semesters or attendance of a Tennessee school for the first time are no longer requirements to receive an individualized education account.

*Fiscal Note:* (Dated April 10, 2017) Increase State Revenue \$77,800/FY18-19/Department of Education \$81,700/FY19-20/Department of Education \$85,800/FY20-21/Department of Education Exceeds \$85,800 /FY21-22 and Subsequent Years/Department of Education Increase Local Expenditures Exceeds \$583,500/FY18-19\* Other Fiscal Impact For local education agencies (LEAs) with students that opt to participate in the IEA program, the net shift of state and required local BEP funding from these local education agencies to the participating entities is estimated as follows: \$1,867,300 in FY18-19; \$1,961,600 in FY19-20; \$2,059,400 in FY20-21; and amounts exceeding \$2,059,400 in FY21-22 and subsequent years.

*Senate Status:* 02/09/17 - Referred to Senate Education Committee.

**SB534/HB503 Increases the number of BEP funded full-time public school nurse positions.**

Disability Rights TN Policy Watch

5/12/2017

23

[BACK TO TOP](#)

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David  
*Summary:* Increases the number of BEP funded full-time public school nurse positions from one for every 3,000 students to one for every 750 students. Increases the number of full-time public school nurses considered sufficient for the public school nurse program to adequately provide services from one nurse for every 3,000 students to one nurse for every 750 students.  
*Fiscal Note:* (Dated March 24, 2017) Increase State Expenditures \$42,583,800/FY17-18 and Subsequent Years/BEP Increase Local Expenditures \$4,015,500/FY17-18 and Subsequent Years/BEP\* Up to \$10,179,100/FY17-18 and Subsequent Years/Permissive  
*Senate Status:* 03/29/17 - Taken off notice in Senate Education Committee.  
*House Status:* 03/28/17 - House Education Administration and Planning Subcommittee deferred to Summer Study.

**SB535/HB524 Administrative hearing procedures available to LEAs.**

*Sponsors:* Sen. Tracy, Jim , Rep. Forgety, John  
*Summary:* Authorizes the commissioner of education to determine if a local education agency is not in compliance with state law or the rules and regulations governing the LEA's administration or operation, to withhold state funds from the LEA as a form of penalty, punishment, or sanction. The commissioner must submit written notice to the LEA of the commissioner's decision within five (5) business days. The LEA is entitled to a hearing on the merits of the commissioner's decision, which must be conducted by an administrative judge employed in the administrative procedures division of the office of the secretary of state. A decision of the administrative judge constitutes a final order that is not reviewable by the department of education, and may be directly appealed to the chancery court of Davidson County or to the chancery court in the county in which the LEA is located.  
*Fiscal Note:* (Dated March 25, 2017) Other Fiscal Impact To the extent any local education agency (LEA) files an administrative hearing with the Administrative Procedures Division, there will be a permissive increase in local expenditures to the LEA estimated to exceed \$200. Any impact on state government is estimated to be not significant.  
*Senate Status:* 04/05/17 - Taken off notice in Senate Education Committee.  
*House Status:* 03/29/17 - Taken off notice in House Education Instruction and Programs Subcommittee.

**SB536/HB449 Report on Response to Instruction and Intervention framework.**

*Sponsors:* Sen. Tracy, Jim , Rep. Forgety, John  
*Summary:* Requires the office of research and education accountability to study the Response to Instruction and Intervention framework and submit a report on its implementation in elementary schools to the members of the education committee of the senate and the education administration and planning committee of the house of representatives no later than July 1, 2018. Broadly captioned.  
*Amendment Summary:* House Amendment 1, Senate Education Committee Amendment 1 (005210) requires the Department of Education the authority to compile an Effectiveness Score graded 1-5, which shall be reported on the State Report Card alongside the A-F letter grade. The Effectiveness Score outcomes shall be broken down as follows: Level 5 -



Exemplary. Level 4 - Advancing. Level 3 - Satisfactory. Level 2 - Underperforming. Level 1 - Priority.

*Fiscal Note:* (Dated February 13, 2017) NOT SIGNIFICANT

*Senate Status:* 04/05/17 - Failed in Senate Education Committee after adopting amendment 1 (005210).

*House Status:* 04/06/17 - House passed with amendment 1 (005210).

**SB573/HB715 Students diagnosed with disability may be considered for Individualized Education Act.**

*Sponsors:* Sen. Gresham, Dolores , Rep. Moody, Debra

*Summary:* Expands eligibility of students for the Individual Education act to those who have been diagnosed with a disability by a licensed physician or psychologist.

*Fiscal Note:* (Dated March 2, 2017) Increase State Revenue \$170,800/FY17-18/Department of Education \$176,800/FY18-19/Department of Education \$183,000/FY19-20/Department of Education Exceeds \$183,000/FY20-21 and Subsequent Years/Department of Education Increase State Expenditures \$237,900/FY17-18 \$234,900/FY18-19 and Subsequent Years Other Fiscal Impact For LEAs with students that opt to participate in the IEA program, the net shift of state and required local BEP funding from these LEAs to the participating entities, is estimated as follows: \$4,100,000 in FY17- 18; \$4,243,400 in FY18-19; \$4,391,100 in FY19-20; and amounts exceeding \$4,391,100 in FY18-19 and subsequent years.

*Senate Status:* 03/08/17 - Taken off notice in Senate Education Committee.

*House Status:* 03/07/17 - Taken off notice in House Education Administration and Planning Subcommittee.

**SB729/HB1196 Tennessee Educators Protection Act.**

*Sponsors:* Sen. Gresham, Dolores , Rep. Rudd, Tim

*Summary:* Specifies that an educational entity is not liable for taking any action related to the control, grading, suspension, expulsion, or discipline of a student unless that action violates a law, rule or school policy and that action occurs while the student is on the property of the educational entity or under the supervision of the educational entity or its employee. Also specifies that an educational entity or employee is not liable for making a report consistent with federal or state law to the appropriate law enforcement authorities or to an official an educational entity if the person making the report has reasonable grounds to suspect the student to be under the influence of drugs or alcohol, involved in the sale or distribution of drugs or alcohol or involved in another illegal activity. Defines "educational entity" to mean the state board of education, the department of education, and any other body, board, or agency that governs a public or private school, including LEAs and local boards of education. Creates other liability protections for educational entities and employees.

*Amendment Summary:* Senate Amendment 1 (006743) rewrites the bill such that the only substantive changes are to remove the fine for false statements, limit civil action to employees, remove expert witness fees as a cost awarded, and remove the 25% limit on attorney's fees.

*Fiscal Note:* (Dated March 27, 2017) Other Fiscal Impact To the extent litigation against employees is reduced, there will be a decrease in state expenditures from the

Tennessee Educator Liability Fund, as well as a potential decrease to local government expenditures. The extent and timing of any such impacts cannot be reasonably determined for such impacts are dependent upon unknown facts related to such cases. SB 729 - HB 1196

*Senate Status:* 04/20/17 - Senate passed with amendment 1 (006743).

*House Status:* 05/04/17 - House passed.

*Executive Status:* 05/11/17 - Sent to governor.

**SB831/HB841 K-12 Block Grant Act.**

*Sponsors:* Sen. Yarbrow, Jeff, Rep. Fitzhugh, Craig

*Summary:* Enacts the "K-12 Block Grant Act," which distributes block grants to each LEA to improve the quality of education in a manner deemed appropriate by the local board of education. Prohibits block grant funds from being used for salaries or other recurring expenditures. Appropriates \$250 million from excess state tax revenues over collected in fiscal years 2015-2016 and 2016-2017 for K-12 block grants.

*Amendment Summary:* House Amendment 1 (008721) deletes and rewrites the bill such that the only substantive changes are: to create an Education Investment Endowment Fund (EIEF) from which K-12 block grant funding is distributed where the State Treasurer serves as the chair of the trustees; authorizes funds transferred to the EIEF to be invested with other funds; authorizes funds to be transferred to the revenue fluctuation reserve in any year in which the revenue fluctuation reserve is used to meet unexpected shortfalls of revenue; moves the first required report date from February 1, 2018 to February 1, 2019, and to each February 1 thereafter, on LEA uses of block grant funding; and changes the first year for which block grants are to be distributed from FY17-18 to FY19-20. House Amendment 2 (008748) requires the state treasurer to submit a written report on all investments, reinvestments, deposits, transfers, appropriations, balances, withdrawals, expenses, allocations, distributions, and trust income generated each fiscal year in the education investment endowment fund to the education administration and planning committee of the house of representatives and to the education committee of the senate by February 1, 2019, and on each February 1 thereafter.

*Fiscal Note:* (Dated March 18, 2017) Increase State Revenue \$250,000,000/FY17-18/K-12 Block Grant Fund Increase State Expenditures \$250,147,700/FY17-18/General Fund \$142,200/Each Year FY18-19 through FY26-27/General Fund \$25,000,000/Each FY17-18 through FY26-27/K-12 Block Grant Fund Increase Local Revenue \$25,000,000/Each Year FY17-18 through FY26-27/Local Education Agencies

*Senate Status:* 05/09/17 - Senate Finance, Ways & Means Committee deferred to 2018.

*House Status:* 05/09/17 - House passed with amendments 1 (008721) and 2 (008748).

**SB862/HB1125 Alternative programs for suspended and expelled students.**

*Sponsors:* Sen. Gresham, Dolores, Rep. Parkinson, Antonio

*Summary:* Requires local boards of education, in consultation with the state board of education, to adopt a policy mandating attendance at an alternative school or alternative program upon suspension or expulsion from school.

*Fiscal Note:* (Dated February 27, 2017) Other Fiscal Impact This bill may result in a significant mandatory increase to local government expenditures if passage results in an

increase in students sent to alternative schools beyond current available capacity. The extent and timing of such local impacts are unknown and dependent upon several unknown factors. Any impact to state government is considered not significant.

*Senate Status:* 02/13/17 - Referred to Senate Education Committee.

*House Status:* 03/07/17 - Taken off notice in House Education Administration and Planning Subcommittee.

**SB877/HB1314 Providing students information on how to vote.**

*Sponsors:* Sen. Harris, Lee , Rep. Turner, Johnnie

*Summary:* Beginning in the 2017-2018 school year, requires public and private schools to provide students in grade 12 information on how to vote. Specifies that such information should include how to register to vote, how to vote in an election using a ballot, and how to vote using an absentee ballot. Allows schools to provide this information through activities, written materials, internet resources, mock elections, and any other method chosen by the principal after consultation with teachers.

*Fiscal Note:* (Dated February 27, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Education Committee.

*House Status:* 04/05/17 - Taken off notice in House Education Instruction and Programs Subcommittee.

**SB929/HB914 Mandatory amount of physical activity for students per week.**

*Sponsors:* Sen. Ketron, Bill , Rep. Byrd, David

*Summary:* Requires each local education agency to integrate a minimum of 150 minutes of physical activity per week for elementary school students and 90 minutes of physical activity per week for middle and high school students.

*Fiscal Note:* (Dated March 4, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Education Committee.

*House Status:* 02/14/17 - Referred to House Education Instruction and Programs Subcommittee.

**SB1042/HB1365 Students required to pass civics exam in order to receive high school diploma.**

*Sponsors:* Sen. Bowling, Janice , Rep. Matheny, Judd

*Summary:* Requires students to pass the United States civics test in order to graduate high school with a regular diploma unless the test is determined inappropriate based on the student's individualized education program.

*Fiscal Note:* (Dated February 23, 2017) NOT SIGNIFICANT

*Senate Status:* 03/29/17 - Taken off notice in Senate Education Committee.

*House Status:* 03/21/17 - Taken off notice in House Education Instruction and Programs Subcommittee.

**SB1195/HB307 Education of students incarcerated in detention centers.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David

*Summary:* Requires the state board of education to promulgate rules to ensure the education of students incarcerated in detention centers licensed by the department of children's

services by the LEA in which the detention center is located. Part of Administration Package.

*Amendment Summary:* Senate Amendment 1 (003941) requires rules developed by the Department of Education regarding incarcerated student education to be in accordance with the Uniform Administrative Procedures Act.

*Fiscal Note:* (Dated February 25, 2017) NOT SIGNIFICANT

*Senate Status:* 03/06/17 - Senate passed with amendment 1 (003941).

*House Status:* 04/03/17 - House passed.

*Executive Status:* 04/19/17 - Enacted as Public Chapter 0152 effective April 17, 2017.

**SB1198/HB308 Changes to student accountability measures.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David

*Summary:* Makes various revisions to student accountability measures due to the implementation of The Every Student Succeeds Act (ESSA), such as revising the way the state board of education and the department of education determine school performance level. Redefines priority school from being a school representing the bottom 5 percent of schools in overall achievement to a school in the bottom 5 percent of schools in performance. Part of Administration Package.

*Fiscal Note:* (Dated March 10, 2017) NOT SIGNIFICANT

*Senate Status:* 04/03/17 - Senate passed.

*House Status:* 04/10/17 - House passed.

*Executive Status:* 05/01/17 - Enacted as Public Chapter 0177 effective April 24, 2017.

**SB1389/HB1256 Authorizes LEAs flexibility for innovations.**

*Sponsors:* Sen. Tate, Reginald , Rep. Towns Jr., Joe

*Summary:* Permits LEAs the same authority and power to exercise all flexibility granted to public charter schools, including applying for waivers of laws and state board rules. Encourages LEAs to exercise the given flexibility to develop and implement creative and innovative school programs that meet the specific needs of its students.

*Fiscal Note:* (Dated March 25, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Education Committee.

*House Status:* 03/28/17 - Taken off notice in House Education Administration and Planning Subcommittee.

**SB1394/HB872 Prohibits the suspension or expulsion of students in pre-kindergarten and kindergarten.**

*Sponsors:* Sen. Tate, Reginald , Rep. Akbari, Raumesh

*Summary:* Prohibits any student in pre-kindergarten through kindergarten (pre-K-K) to be suspended or expelled from school unless the student's behavior endangers the physical safety of other students or school personnel as determined by the director of schools. A student in pre-kindergarten through kindergarten (pre-K-K) whose behavior endangers the physical safety of other students or school personnel may be suspended for three (3) days or less. The student must be provided an opportunity for the student's anger, fear, or anxiety to subside and the student's teacher or principal or both have had a conversation with the student concerning the behavior

and the underlying issues that may have precipitated the behavior before the student can be suspended or expelled. The principal must notify the parent of the student's suspension on the day the suspension occurs. Requires each LEA to adopt clear policies and procedures for addressing misbehavior of students in pre-kindergarten through kindergarten (pre-K-K) that creates a safe, supportive, and positive school climate and addresses misbehavior through interventions and consequences aimed at understanding and addressing the causes of the misbehavior. Allows the Tennessee state board of education to develop model policies and procedures to provide guidance to each LEA in adopting a policy. Requires each LEA to adopt its policies and procedures before the beginning of the 2018-2019 school year, and must inform parents of its policies and procedures concerning behavior management for students in pre-kindergarten through kindergarten (pre-K-K) at the beginning of each school year and must post its policies and procedures on its website.

*Amendment Summary:* House Amendment 1 (004969) rewrites the bill. Requires the Department of Education (DOE) to conduct a review of all current laws and policies related to exclusionary discipline of students in pre-kindergarten through kindergarten and present its findings no later than May 1, 2018. Requires the DOE to develop a model policy for alternatives to exclusionary discipline practices. Requires LEAs to adopt the model policy or develop their own policy prior to the 2018-19 school year.

*Senate Status:* 04/13/17 - Senate passed.

*House Status:* 04/10/17 - House passed with amendment 1 (004969).

*Executive Status:* 05/01/17 - Enacted as Public Chapter 0204 effective April 27, 2017.

#### **HB262 Testing for local education agencies.**

*Sponsors:* Rep. Butt, Sheila

*Summary:* Allows LEAs (local education agencies) to use the ACT and ACT Aspire suite of assessments as approved testing alternatives to the TCAP, TNReady, and end of course examinations.

*Fiscal Note:* (Dated April 24, 2017) Increase State Expenditures \$76,900 Other Fiscal Impact Recurring federal funds for K-12 education may be jeopardized as a result of this legislation. The precise amount, if any, cannot be reasonably determined. However, the Governors recommended budget document, on page B-107, identifies \$1,123,714,400 in federal funding for K- 12 schools.

*House Status:* 02/03/17 - Referred to House Education Instruction and Programs Subcommittee.

### **Education Post-Secondary**

#### **SB460/HB440 Contested cases conducted by public institutions of higher education.**

*Sponsors:* Sen. Bell, Mike , Rep. Daniel, Martin

*Summary:* Amends language to require contested cases conducted under the Uniform Administrative Procedures Act, by a state university or an institution governed by the board of regents to be conducted by administrative judges from the administrative procedures division of the office of the secretary of state. Also requires any contested cases conducted under the Uniform Administrative Procedures Act, by a campus, institute, or other unit of the University of Tennessee to be conducted by administrative judges from the administrative procedures division of the office of the secretary of state.

*Fiscal Note:* (Dated April 11, 2017) Increase State Revenue \$342,000/FY17-18/Secretary of State \$336,000/FY18-19 and Subsequent Years/Secretary of State Increase State Expenditures- \$342,000/FY17-18/Secretary of State \$336,000/FY18-19 and Subsequent Years/Secretary of State \$342,000/FY17-18/Higher Education Institutions \$336,000/FY18-19 and Subsequent Years/Higher Education Institutions

*Senate* 02/09/17 - Referred to Senate Education Committee.

*Status:*

*House Status:* 02/14/17 - Referred to House Education Administration and Planning Subcommittee.

### **SB499/HB517 Students' right to representation.**

*Sponsors:* Sen. Kelsey, Brian , Rep. Daniel, Martin

*Summary:* Grants a student enrolled at an institution of higher education or student organization officially recognized by an institution of higher education with a right to representation by an attorney or non-attorney advocate at the student or organization's expense. Prohibits the student or student organization from the right to representation if the institution has a student honor court or in instances of academic dishonesty. Requires institutions of higher education to provide an annual report about the number and type of disciplinary hearings as well as the number of students represented by an attorney or non-attorney advocate. Grants any student enrolled at the University of Tennessee or student organization officially recognized by the University of Tennessee the same powers and enforces the same limitations.

*Fiscal Note:* (Dated February 17, 2017) NOT SIGNIFICANT

*Senate* 02/09/17 - Referred to Senate Education Committee.

*Status:*

*House Status:* 04/04/17 - House Education Administration and Planning Subcommittee deferred to 2018.

## **Elections**

### **SB227 Precinct or supplemental registration publication requirements for county commissions.**

*Sponsors:* Sen. Beavers, Mae ,

*Summary:* Removes publication requirements for precinct or supplemental registrations for county commissions.

*Fiscal Note:* (Dated February 15, 2017) Decrease Local Expenditures - \$400

*Senate Status:* 02/02/17 - Referred to Senate State & Local Government Committee.

### **SB286/HB162 Voting by absentee ballot.**

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

*Summary:* Allows an absentee ballot to be sent to an address within a county, regardless of whether the voter requesting the absentee ballot possesses a commercial driver license or a valid transportation worker identification credential.

*Fiscal Note:* (Dated March 8, 2017) NOT SIGNIFICANT

*Senate Status:* 04/03/17 - Senate passed.

*House Status:* 04/03/17 - House passed.

*Executive Status:* 04/19/17 - Enacted as Public Chapter 0137 effective April 17, 2017.

**SB422/HB423** **Allows any registered Tennessee voter to vote absentee for any reason.**

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

*Summary:* Permits any registered Tennessee voter to vote absentee for any reason after providing a certification as to the identity of the voter in the application for a ballot. Requires an absentee ballot to be counted for the election in which the ballot is cast. Removes provision that the commission may not recount any paper ballots, including absentee ballots.

*Fiscal Note:* (Dated March 20, 2017) Increase State Expenditures \$917,200/FY19-20 and Every Four Years Thereafter Increase Local Expenditures \$917,200/FY17-18 and Every Four Years Thereafter\* \$1,834,500/FY18-19 and Every Two Years Thereafter\*

*Senate Status:* 04/18/17 - Set for Senate Message 04/19/17.

*House Status:* 03/21/17 - Failed in House Local Government Subcommittee.

**SB517/HB1040** **Revises provisions governing the use of mobile electronic and communication devices at polling places.**

*Sponsors:* Sen. Kelsey, Brian , Rep. Camper, Karen

*Summary:* Allows a county commission or its duly appointed election official to prohibit a voter from using a mobile electronic or communication device at a polling place if the voter is using the device to photograph a ballot, threatening the use of force or violence to compel a person's vote, or intending to disrupt others.

*Amendment Summary:* Senate Amendment 1, House Local Government Subcommittee Amendment 1 (006350) deletes and rewrites the bill such that the only substantive change increases the circumstances when a county election commission or election official may prohibit a voter from using a mobile communication device at a polling place. Senate Amendment 2 (007117) deletes and replaces language within amendment 006350 to authorize county election commissions and election officials to prohibit a voter from using a mobile electronic device to photograph or video record a marked ballot in an effort to commit voter intimidation, voter fraud, or bribery.

*Fiscal Note:* (Dated February 16, 2017) Increase State Expenditures - \$800/One-Time

*Senate Status:* 04/13/17 - Senate passed with amendments 1 (006350) and amendment 2 (007117).

*House Status:* 05/08/17 - House Finance Subcommittee deferred to 2018.

**SB592/HB787** **Automatic voter registration.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Stewart, Mike

*Summary:* Establishes automatic registration of a person to vote when a person applies for a motor vehicle driver license or photo identification license. Deletes the requirement that the voter registration section of an application must include a box or device to permit an applicant to decline to register to vote. Requires a person to notify the county election commission office if they wish to decline to register to vote within twenty-one days of the commission receiving the application from the motor vehicle office. Grants the secretary of state the ability to promulgate rules to effectuate automatic registration.

*Fiscal Note:* (Dated March 13, 2017) Increase State Expenditures \$275,000/One-Time Increase Local Expenditures Exceeds \$648,000/Recurring\*

*Senate Status:* 04/11/17 - Failed in Senate State & Local Government Committee.

*House Status:* 04/11/17 - Failed in House Local Government Subcommittee.

**SB840/HB1117 Disabled veterans voting absentee.**

*Sponsors:* Sen. Briggs, Richard , Rep. Miller, Larry

*Summary:* Allows disabled veterans to vote absentee. Clarifies definition of disabled veteran.

*Fiscal Note:* (Dated February 25, 2017) Increase State Expenditures \$2,100/One-Time

*Senate Status:* 03/06/17 - Senate State & Local Government Veterans Affairs Subcommittee returned to full committee with a neutral recommendation.

*House Status:* 03/07/17 - Taken off notice in House Local Government Subcommittee.

**SB877/HB1314 Providing students information on how to vote.**

*Sponsors:* Sen. Harris, Lee , Rep. Turner, Johnnie

*Summary:* Beginning in the 2017-2018 school year, requires public and private schools to provide students in grade 12 information on how to vote. Specifies that such information should include how to register to vote, how to vote in an election using a ballot, and how to vote using an absentee ballot. Allows schools to provide this information through activities, written materials, internet resources, mock elections, and any other method chosen by the principal after consultation with teachers.

*Fiscal Note:* (Dated February 27, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Education Committee.

*House Status:* 04/05/17 - Taken off notice in House Education Instruction and Programs Subcommittee.

**SB1025/HB953 Early voting.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Fitzhugh, Craig

*Summary:* Requires the state election commission to promulgate rules prescribing a procedure by which a qualified person may register to vote and vote on the same day during the first week of early voting in any election for which there is early voting.

*Fiscal Note:* (Dated March 20, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate State & Local Government Committee.

*House Status:* 03/28/17 - Failed in House Local Government Subcommittee.

**SB1026/HB954 Registering to vote on the day of an election.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Fitzhugh, Craig

*Summary:* Authorizes a person to register to vote on the day of the election, including any days of early voting. Requires county election commissions to make voter registration application forms available at all polling places. Allows any person who is already registered to vote to update any information on the day of election or on any day of early voting on a form prescribed by the state election commission. Declares that anyone who registers to vote on the day of the election or any days of early voting must be permitted to vote a regular ballot. Requires the state election commission to promulgate rules for such purposes.



*Fiscal Note:* (Dated March 17, 2017) Increase State Expenditures Exceeds \$242,000/FY19-20 and Every Four Years Thereafter Increase Local Expenditures Exceeds \$242,000/FY17-18 and Every Four Years Thereafter\* Exceeds \$484,100/FY18-19 and Every Two Years Thereafter\*

*Senate Status:* 02/13/17 - Referred to Senate State & Local Government Committee.

*House Status:* 03/28/17 - Taken off notice in House Local Government Subcommittee.

**SB1027/HB1310 Voter Protection Act.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Turner, Johnnie

*Summary:* Requires county election commissions to post a voter's bill of rights at every voting place, which establishes that every registered voter has the right to: inspect sample ballots before voting, cast a ballot if in line when the polls are closing, receive language assistance, ask for a new ballot if a mistake is made, cast a provisional ballot, vote free from intimidation, and to cast a ballot using modern voting equipment that accurately counts all votes.

*Fiscal Note:* (Dated March 24, 2017) Increase State Expenditures \$44,500/FY17-18 \$12,800/FY19-20 and Every Four Years Thereafter Increase Local Expenditures \$12,800/FY17-18 and Every Four Years Thereafter\* \$25,600/FY18-19 and Every Two Years Thereafter\*

*Senate Status:* 04/11/17 - Taken off notice in Senate State & Local Government Committee.

*House Status:* 04/11/17 - Taken off notice in House Local Government Subcommittee.

**SB1121/HB79 Eligible identification for voting.**

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

*Summary:* Permits the use of a photo identification card issued by the State of Tennessee, the United States, or an accredited postsecondary institution of education in Tennessee for purposes of verifying the identity of an eligible voter.

*Fiscal Note:* (Dated March 9, 2017) Increase State Expenditures - \$400/One-Time

*Senate Status:* 04/05/17 - Taken off notice in Senate State & Local Government Committee.

*House Status:* 04/04/17 - Failed in House Local Government Subcommittee.

**SB1135/HB654 Rejection of a provisional ballot.**

*Sponsors:* Sen. Kyle, Sara , Rep. Miller, Larry

*Summary:* Allows someone to appeal a rejection of provisional ballot to the state election commission no later than five days after receipt of rejection notice. Requires the ballot to be counted if the commission determines it was lawfully cast. Requires the commission to promulgate rules for the purpose of establishing the procedure for an appeal.

*Amendment Summary:* House Local Government Subcommittee Amendment 1 (006797) deletes and rewrites the bill. Mandates the State Election Commission to develop procedural recommendations by which to appeal the rejection of a provisional ballot and report its findings to the Senate State & Local Government Committee and the House Local Government Committee by January 1, 2018

*Fiscal Note:* (Dated February 27, 2017) Increase State Expenditures \$14,400

*Senate Status:* 04/11/17 - Taken off notice in Senate State & Local Government Committee.

*House Status:* 04/18/17 - House Local Government Committee deferred to the first calendar of 2018.

**SB1290/HB1354 Voter registration through the department of safety.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Mitchell, Bo

*Summary:* Permits a person at least 15 years old but not more than 18 years old to be registered to vote upon turning 18 years old through the submission of an application for a driver's permit, driver license, or photo identification license with the department of safety.

*Fiscal Note:* (Dated March 26, 2017) Increase State Expenditures Exceeds \$529,500 Increase Local Expenditures Exceeds \$7,100\*

*Senate Status:* 04/11/17 - Senate State & Local Government Committee deferred to first calendar of 2018.

*House Status:* 04/11/17 - Failed in House Local Government Subcommittee.

**SB1296/HB429 Mobile electronic or communication devices at polling places.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Hardaway, G.A.

*Summary:* Deletes language and adds that any voter using a mobile electronic or communication device shall be permitted to use the device for recording or taking photographs or videos of the voter's marked ballot; provided, that the voter does not show another voter's ballot. Authorizes poll watchers and election officials to prohibit any disruptive activity that threatens the voting process or the privacy of a voter.

*Fiscal Note:* (Dated February 22, 2017) Increase State Expenditures \$800/One-Time

*Senate Status:* 02/13/17 - Referred to Senate State & Local Government Committee.

*House Status:* 04/11/17 - Taken off notice in House Local Government Subcommittee.

**SB1379/HB184 Obtaining a photo identification license for voting purposes.**

*Sponsors:* Sen. Tate, Reginald , Rep. Favors, JoAnne

*Summary:* Adds language to allow any person who is 65 years of age or older, who has never been issued a birth certificate, to be issued a photo identification license for voting purposes by providing a social security card, Medicare card, health insurance card, or other satisfactory document substantiating the person's identity.

*Fiscal Note:* (Dated February 26, 2017) NOT SIGNIFICANT

*Senate Status:* 03/28/17 - Taken off notice in Senate State & Local Government Committee.

*House Status:* 03/21/17 - Failed in House Local Government Subcommittee.

**HB130 Social security number on voter registration forms.**

*Sponsors:* Rep. Thompson , Dwayne

*Summary:* Changes voter registration form to require the last four digits of the registrant's social security number instead of entire social security number.

*Fiscal Note:* (Dated March 8, 2017) Increase State Expenditures Exceeds \$149,300/One-Time

*House Status:* 02/03/17 - Referred to House Local Government Subcommittee.

**HB1313 Exceptions to photo identification at polling places.**

*Sponsors:* Rep. Turner, Johnnie  
*Summary:* Allows a person sixty years of age or older who has a valid non-photo ID issued by Tennessee on or before January 1, 2013 to vote without presenting a photo ID at polling places. Adds a valid non-photo ID issued by Tennessee on or before January 1, 2013, to persons sixty years of age or older as evidence of identification for voting purposes.  
*Fiscal Note:* (Dated March 8, 2017) Increase State Expenditures - \$400/One-Time  
*House Status:* 02/15/17 - Referred to House Local Government Subcommittee.

## **Employment**

### **SB1105/HB477 Tennessee Pay Equality Transparency Act.**

*Sponsors:* Sen. Kyle, Sara , Rep. Clemmons, John  
*Summary:* Prohibits an employer from punitive actions against employees inquiring about the wages of other employees. Requires employers wishing to prohibit wage discussions to acquire a signed document from their employees that forfeits their right to such a discussion. Specifies that the bill does not require employers to disclose their wages to their employees.  
*Fiscal Note:* (Dated February 21, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/28/17 - Failed in Senate Commerce & Labor Committee.  
*House Status:* 03/29/17 - Taken off notice in House Consumer & Human Resources Subcommittee.

### **SB1122/HB1060 Tennessee Minimum Wage Act.**

*Sponsors:* Sen. Kyle, Sara , Rep. Deberry Jr., John  
*Summary:* Establishes a minimum wage that increases annually on July 1. Provides a minimum wage for employees in the service industry who receive tips and employees that are compensated solely by gratuities. Authorizes the department of labor and workforce development to promulgate rules in compliance with federal law.  
*Fiscal Note:* (Dated March 7, 2017) NOT SIGNIFICANT  
*Senate Status:* 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.  
*House Status:* 04/05/17 - House Consumer & Human Resources Subcommittee deferred to first calendar of 2018.

### **SB1224/HB1276 Electronic version of the annual report to the governor from the chief procurement officer.**

*Sponsors:* Sen. Massey, Becky , Rep. Daniel, Martin  
*Summary:* Allows the chief procurement officer to submit the annual report on the awarding of purchases to minority-owned business, woman-owned business, service-disabled veteran-owned business, or small business and the total value of awards made during the preceding fiscal year under this part.to the governor and the general assembly members electronically. Broadly captioned.  
*Amendment Summary:* House Amendment 1 (006525) rewrites the bill. In reference to public purchases, the language "business owned by persons with disabilities" is added immediately after language having to do with "service-disabled veteran-owned businesses" wherever it appears. It also adds a new subsection to TCA 12-3-1102, having to do with part

definitions for the section, defining "business owned by persons with disabilities." "Business owned by persons with disabilities" is defined as a business owned by a person with a disability that is a continuing, independent, for-profit business that performs a commercially useful function, and is at least 51% owned and controlled by one or more persons with a disability; or, in the case of any publicly owned business, at least 51% of the stock of which is owned and controlled by one or more persons with a disability and whose management and daily business operations are under the control of one or more persons with a disability. It also adds a new subsection to TCA 12-3-1112, dealing with the governor's office of diversity business enterprises. The small business advocate within the office of the comptroller of the treasury shall be qualified by training or relevant and recent experience in administering programs to encourage and enhance economic opportunities for minority-owned businesses, woman-owned businesses, service-disabled veteran-owned businesses, businesses owned by persons with disabilities, and small businesses. The advocate will also attend training provided by the governor's office or other specialized instruction to enhance understanding of particular obstacles. House Amendment 2 (008540) requires that the annual report made by the chief procurement officer concerning the awarding of purchases to minority-owned business, woman-owned business, service-disabled veteran-owned business, or small business and the total value of awards made also include the total dollar amount of purchases awarded to all businesses in this state.

*Fiscal Note:* (Dated February 16, 2017) NOT SIGNIFICANT

*Senate Status:* 05/09/17 - Senate passed.

*House Status:* 05/09/17 - House passed with amendment 1 (006525) and 2 (008540).

*Executive Status:* 05/09/17 - Sent to the speakers for signatures.

**SB1411/HB80 TN Minimum Wage Act.**

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

*Summary:* Enacts the "Tennessee Minimum Wage Act." Establishes a minimum wage of \$15.00 as of July 1, 2017. Provides a minimum wage for employees in the service industry who receive tips and employees that are compensated solely by gratuities. Defines a "service or tipped employee" to mean any employee engaged in an occupation which the employee customarily and regularly receives more than \$30.00 a month in tips. Authorizes the department of labor and workforce development to promulgate rules in compliance with federal law.

*Fiscal Note:* (Dated March 1, 2017) NOT SIGIFICANT

*Senate Status:* 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.

*House Status:* 04/05/17 - House Consumer & Human Resources Subcommittee deferred to first calendar of 2018.

**HB1311 Minimum wage for the state.**

*Sponsors:* Rep. Turner, Johnnie

*Summary:* Adds new language requiring the commissioner of labor and workforce development to set the minimum hourly wage rate by which each employer must pay its employees. The minimum hourly wage rate shall not be less than ten dollars and ten cents (\$10.10) per hour, and must be adjusted annually by the commissioner to

reflect any inflation in accordance with the consumer price index. Finds that any employer violating this law to be liable to pay the difference between the wages paid to the employee and wages owed. Amends language to require that all blind persons employed in this state whose salary is paid by the state shall be paid no less than the federal minimum wage as provided by the federal Fair Labor Standards Act of 1938, or the minimum hourly wage rate as set pursuant to this bill, whichever is greater.

*Fiscal Note:* (Dated April 10, 2017) Increase State Expenditures \$3,966,400/FY17-18 Exceeds \$3,966,400/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds \$200,000/FY17-18 and Subsequent Years\*

*House Status:* 02/15/17 - Referred to House Consumer & Human Resources Subcommittee.

## **Health**

### **SB35/HB35 Coverage of breathing and heart rate monitors for infants.**

*Sponsors:* Sen. Bailey, Paul , Rep. Windle, John

*Summary:* Requires health insurance policies to cover breathing and heart rate monitors for certain infants covered under the policy or contract. The insurer may require the policyholder to provide a prescription by a licensed physician or show proof through other suitable documentation of the need for a breathing and heart rate monitor.

*Fiscal Note:* (Dated February 23, 2017) Increase State Expenditures - \$202,500/FY17-18 \$405,000/FY18-19 and Subsequent Years Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): Such legislation will result in an increase in the cost of health insurance premiums for breathing and heart monitors being provided by plans that do not currently offer these benefits at the proposed mandated levels. It is estimated that the increase to each individuals total premium will be less than one percent. A one percent increase in premium rates could range between \$50 (single coverage) and \$140 (family coverage) depending on the type of plan.

*Senate Status:* 04/03/17 - Senate Commerce & Labor Committee deferred to 04/04/17.

*House Status:* 04/05/17 - Taken off notice in House Insurance & Banking Subcommittee.

*Executive Status:* 03/20/17 - Joint Council on Pensions and Insurance released to standing committees with favorable comment.

### **SB51/HB18 Coverage of prescription eye drops.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Williams, Ryan

*Summary:* Prohibits a health benefit plan from denying coverage for a refill of prescription eye drops after a specific time period of the 30, 60, and 90-day supply of the drops has lapsed.

*Amendment Summary:* House Amendment 1 (003701) adds language clarifying that the bill does not require coverage of eye drops and would only apply to plans that cover that type of prescription. It also changes from 21 to 23 the number of days in a 30 day prescription period one can refill a prescription.

*Fiscal Note:* (Dated January 12, 2017) NOT SIGNIFICANT

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

*House Status:* 04/06/17 - House passed with amendment 1 (003701).

*Executive Status:* 05/09/17 - Enacted as Public Chapter 0232 effective April 28, 2017.

**SB195/HB338 Health insurance coverage for telehealth services at a school clinic or at a public elementary or secondary school.**

*Sponsors:* Sen. Overbey, Doug , Rep. Ramsey, Bob

*Summary:* Requires health insurance entities to reimburse healthcare services providers for telehealth services to a patient at a school clinic or at a public elementary or secondary school in a manner that is consistent with reimbursement for in-person encounters.

*Amendment Summary:* Senate Amendment 1 (004006) adds language to the original bill that requires the public elementary or secondary school to be staffed by a healthcare services provider and equipped to engage in the telehealth.

*Fiscal Note:* (Dated February 13, 2017) Increase State Expenditures - \$465,400 Increase Federal Expenditures - \$875,800 Increase Local Expenditures - \$1,269,000/Permissive

*Senate Status:* 03/27/17 - Senate passed with amendment 1 (004006).

*House Status:* 04/06/17 - House passed.

*Executive Status:* 04/19/17 - Enacted as Public Chapter 0130 effective April 17, 2017.

**SB534/HB503 Increases the number of BEP funded full-time public school nurse positions.**

*Sponsors:* Sen. Southerland, Steve , Rep. Hawk, David

*Summary:* Increases the number of BEP funded full-time public school nurse positions from one for every 3,000 students to one for every 750 students. Increases the number of full-time public school nurses considered sufficient for the public school nurse program to adequately provide services from one nurse for every 3,000 students to one nurse for every 750 students.

*Fiscal Note:* (Dated March 24, 2017) Increase State Expenditures \$42,583,800/FY17-18 and Subsequent Years/BEP Increase Local Expenditures \$4,015,500/FY17-18 and Subsequent Years/BEP\* Up to \$10,179,100/FY17-18 and Subsequent Years/Permissive

*Senate Status:* 03/29/17 - Taken off notice in Senate Education Committee.

*House Status:* 03/28/17 - House Education Administration and Planning Subcommittee deferred to Summer Study.

**SB799/HB139 Medication synchronization.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Sexton, Cameron

*Summary:* Prohibits an individual or group health insurance policy or contract from using prorated dispensing fees or denying coverage for dispensing of medication in accordance with the synchronization of medication. Requires health insurance policies to apply prorated cost-sharing to dispensing of medication in accordance with synchronization of medication.

*Amendment Summary:* House Insurance & Banking Subcommittee Amendment 1 (006295) rewrites the bill such that it subjects the provisions of the bill to the following conditions: 1) the prescription drugs are covered by the policy's clinical coverage policy or has been approved by a formulary exceptions process, 2) the prescriptions are maintenance

medications as defined by the policy and have available refill quantities at the time of synchronization, 3) the medications are not Scheduled II, III, or IV controlled substances, 4) the insured meets all utilization management criteria specific to the prescriptions at the time of synchronization, 5) the prescriptions are of a formulation that can be safely split into short-fills to achieve synchronization, and 6) the prescriptions do not have special handling or sourcing needs as determined by the policy, contract, or agreement that require a single, designated pharmacy to fill the prescription. Clarifies that the health insurance policy or contract will not be liable to a pharmacy for the patient's portion of the prorated copay or the amount that was not paid by the patient due to the proration.

*Fiscal Note:* (Dated March 20, 2017) Increase State Expenditures - \$13,378,200/FY17-18 \$11,519,400/FY18-19 and Subsequent Years Increase Federal Expenditures - \$25,185,100/FY17-18 \$21,639,600/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds \$24,000/FY17-18 and Subsequent Years\*

*Senate Status:* 04/04/17 - Failed in Senate Commerce & Labor Committee.

*House Status:* 04/11/17 - Taken off notice in House Insurance & Banking Committee.

*Executive Status:* 03/27/17 - Joint Council on Pensions and Insurance released to standing committees with unfavorable comment.

**SB833/HB846 Expansion of medicaid pursuant to the Affordable Care Act.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Fitzhugh, Craig

*Summary:* Authorizes the governor to expand medicaid eligibility in accordance with the Patient Protection and Affordable Care Act. Also authorizes the governor to negotiate with the centers for medicare and medicaid services with respect to the terms of medicaid expansion.

*Fiscal Note:* (Dated March 21, 2017) Increase State Revenue -- \$31,813,300/FY17-18 \$70,834,100/FY18-19 \$39,572,000/FY19-20 Increase State Expenditures -- \$59,966,800/FY17-18 \$130,962,500/FY18-19 \$80,958,900/FY19-20 Increase Federal Expenditures -- \$696,520,200/FY17-18 \$1,518,231,600/FY18-19 \$847,182,600/FY19-20

*Senate Status:* 02/13/17 - Referred to Senate Health & Welfare Committee.

*House Status:* 04/05/17 - Taken off notice in House Insurance & Banking Subcommittee.

**SB1314/HB966 Advisory council on payment reform in health care.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Hill, Matthew

*Summary:* Establishes an advisory council on payment reform in health care that is administratively attached to the general assembly. Requires that the council report to the health and welfare committee of the senate and the health committee of the house of representatives.

*Fiscal Note:* (Dated February 15, 2017) Increase State Expenditures - \$7,600

*Senate Status:* 02/13/17 - Referred to Senate Government Operations Committee.

*House Status:* 02/15/17 - Referred to House Health Subcommittee.

**SJR77 Support for conversion of Medicaid funding to a block grant.**

*Sponsors:* Sen. Green, Mark ,

*Summary:* Expresses support for conversion of Medicaid funding to a block grant and opposes expansion of Medicaid under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.

*Amendment Summary:* Senate Amendment 1 (004607) resolves to express the belief that a federal block grant or "similar models," rather than "per capita allotment," for Medicaid funding could give states greater flexibility to manage the state Medicaid budget and tailor the program to meet state objectives. This amendment also specifies the state may find value in pursuing certain reforms through the flexibility of federal block grants or similar models.

*Fiscal Note:* (Dated February 7, 2017) NOT SIGNIFICANT

*Senate Status:* 03/23/17 - Senate adopted with amendment 1 (004607).

### **Insurance/TennCare**

#### **SB118/HB69 Expansion of TennCare waiver.**

*Sponsors:* Sen. Briggs, Richard , Rep. Smith, Eddie

*Summary:* Directs the commissioner of finance and administration to submit a waiver request to the federal centers for medicare and medicaid services to enable the state to provide medical assistance to the existing TennCare II waiver population and persons with incomes below 138 percent of the federal poverty line by means of a block grant of federal funds.

*Amendment Summary:* House Insurance and Banking Committee Amendment 1 (004573) rewrites the bill to direct the Commissioner of the Department of Finance and Administration (F&A) to submit to the federal Centers for Medicare and Medicaid Services, if determined by the Commissioner of F&A to be in the best interest of the state, a waiver amendment to the existing TennCare II waiver or to submit a new waiver in order to provide medical assistance to the TennCare II waiver population and to secure medical assistance eligibility in this state to persons meeting federal eligibility guidelines by means of a block or per capita grant, utilizing a change in applicable federal law, or other approach utilizing regulatory flexibility provided by the federal government, within 180 days of the effective date of the legislation, and if approved, implement the waiver amendment or waiver. Requires the grant, if the waiver is by means of a block or per capita grant, to convert the federal share of all medical assistance funding for this state into an allotment that is tailored to meet the needs of this state. Senate Commerce & Labor Amendment 1 (006270) deletes all language after the enacting clause. Directs the Commissioner of the Department of Finance and Administration (F&A), within 60 days of the effective date, to assess whether submitting a waiver amendment to the existing TennCare II waiver or a new waiver that would satisfy the requirements of this subsection (b) to the federal Centers for Medicare and Medicaid Services (CMS) is in the best interest of the state. Requires the Commissioner of F&A, if it is determined that a waiver satisfying the requirements of this subsection (b) is in the best interest of the state, within 120 days of making the determination, to submit an amendment to the existing TennCare II waiver or a new waiver that satisfies the requirements of this subsection (b) to the federal CMS. Requires the amendment or waiver to provide medical assistance to the TennCare II waiver population and secure medical assistance eligibility to persons in



this state who meet federal eligibility guidelines; and serve eligible persons pursuant to a block or per capita grant, either by utilizing a change in applicable federal law or by other approach utilizing regulatory flexibility provided by the federal government that is tailored to meet the needs of this state. Requires the Commissioner of F&A, if the amendment or waiver is submitted pursuant to subdivision (b)(1) and is subsequently approved by the federal CMS to proceed pursuant to subsection (a).

*Fiscal Note:* (Dated January 31, 2017) Increase State Expenditures Not Significant Other Fiscal Impact If approved by the federal government, the block grant received will be at the current federal funding level of \$7,163,104,200 for FY17-18. Additional state funds will be needed to cover the expanded population of 280,000 enrollees or the TennCare benefit structure will need to be amended so that benefits can be provided to the entire population at the current funding level.

*Senate Status:* 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.

*House Status:* 04/11/17 - Taken off notice in House Health Committee.

**SB165/HB178 Medical assistance to those who take part in the medicaid program.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Sexton, Cameron

*Summary:* Changes the administering agency for the medicaid program from the department of health to the department of finance and administration. Alters the reporting date for the annual actuarial study by the comptroller of the treasury from April 15 to April 1.

*Fiscal Note:* (Dated January 30, 2017) NOT SIGNIFICANT

*Senate Status:* 04/10/17 - Senate Health & Welfare Committee deferred to 01/01/18.

*House Status:* 03/29/17 - Taken off notice in House Insurance & Banking Subcommittee.

**SB166/HB359 Medical assistance to those who take part in the medicaid program.**

*Sponsors:* Sen. Kelsey, Brian , Rep. Zachary, Jason

*Summary:* Changes the administering agency for the medicaid program from the department of health to the department of finance and administration. Alters the reporting date for the annual actuarial study by the comptroller of the treasury from April 15 to April 1.

*Fiscal Note:* (Dated January 31, 2017) NOT SIGNIFICANT

*Senate Status:* 02/02/17 - Referred to Senate Commerce & Labor Committee.

*House Status:* 02/07/17 - Referred to House Health Subcommittee.

**SB188/HB649 Material changes affecting TennCare enrollment or application.**

*Sponsors:* Sen. Overbey, Doug , Rep. McDaniel, Steve

*Summary:* Reduces the time period for an enrollee or applicant for medical assistance to mail documentation of a material change affecting the enrollee or applicant's TennCare application from 30 to 15 days. Broadly captioned.

*Amendment Summary:* House Amendment 1 (004497) rewrites the bill. Authorizes a law enforcement officer, who has been specifically designated by the Inspector General to enforce TennCare fraud and abuse, to make arrests for offenses involving criminal fraud and abuse of the TennCare program and any other violations of state criminal law related to the operation of TennCare.

*Fiscal Note:* (Dated February 16, 2017) NOT SIGNIFICANT

*Senate Status:* 04/19/17 - Senate passed.

*House Status:* 04/17/17 - House passed with amendment 1 (004497).

*Executive Status:* 05/09/17 - Enacted as Public Chapter 0244 effective May 2, 2017.

**SB191/HB643 Health care safety net.**

*Sponsors:* Sen. Overbey, Doug , Rep. McDaniel, Steve

*Summary:* Deletes language associated with the creation and implementation of the health care safety net's 24/7 hotline, designed to assist and direct individuals in need of medical care and services to available resources in their areas.

*Fiscal Note:* (Dated March 8, 2017) NOT SIGNIFICANT

*Senate Status:* 02/02/17 - Referred to Senate Health & Welfare Committee.

*House Status:* 02/14/17 - Referred to House Health Subcommittee.

**SB289/HB759 Disability income protection insurance.**

*Sponsors:* Sen. Gardenhire, Todd , Rep. McCormick, Gerald

*Summary:* Creates a new section addressing "group disability income protection policy". The group disability income protection policy means a group short-term disability income protection policy or a group long-term disability income protection policy instituted by an employer that provides income replacement benefits to an employee who is unable to work for an extended period of time because of an injury or sickness; and requires premium payments by the employee who is covered under the policy. Allows an employer to pre-enroll its employees in a group disability income protection policy if: The employer discloses to the employees the terms of the group disability income protection policy, including, but not limited to, the benefits, exclusions, and premiums payable under the policy, and the employer provides employees with notice at least thirty days prior to, and again at least ten days prior to, the initial payroll deduction of the employee's premiums. Allows an employer to pre-enroll its employees in a group disability income protection policy that is a short-term policy if the policy: Replaces income of at least forty percent of the state's average weekly wage, as determined by the department of labor and workforce development, but does not exceed the maximum weekly benefit amount provided under the short-term disability income protection policy; and offers benefits for at least six months, and has an elimination period of no more than thirty days. Provides additional guidelines for employers pre-enrolling employees in a long-term policy in code section 56-7-3503 (B) of the bill.

*Fiscal Note:* (Dated February 19, 2017) NOT SIGNIFICANT

*Senate Status:* 03/13/17 - Referred to Senate Calendar Committee.

*House Status:* 03/01/17 - Taken off notice in House Insurance & Banking Subcommittee.

**SB398/HB628 Pharmacist-provided medication therapy management.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Kumar, Sabi

*Summary:* Requires the bureau of TennCare to report effects of incorporating pharmacist-provided medication therapy management into all of its healthcare delivery systems on program costs and patient outcomes to the senate health and welfare committee and the health committee of the house of representatives on or before January 15, 2018.

*Amendment Summary:* House Amendment 1 (006705) deletes all language after the enacting clause. Requires the Bureau of TennCare to develop and implement a medication therapy management (MTM) pilot program that seeks to provide high quality, cost-effective services in support of initiatives administered by the Bureau to ensure optimal health outcomes for TennCare beneficiaries. Establishes the medication therapy management pilot program termination date of June 30, 2020. Directs the Bureau of TennCare to report to the Senate Health and Welfare Committee and the Health Committee of the House of Representatives regarding program costs and patient outcomes related to incorporating the pharmacist-provided medication therapy management pilot program on or before April 15 of each year the pilot program is supported.

*Fiscal Note:* (Dated February 11, 2017) NOT SIGNIFICANT

*Senate Status:* 05/04/17 - Senate passed.

*House Status:* 05/04/17 - House passed with amendment 1. House Amendment 1 (006705).

*Executive Status:* 05/09/17 - Sent to governor.

**SB540 Medical assistance services for those who need interpreters.**

*Sponsors:* Sen. Briggs, Richard ,

*Summary:* Authorizes the TennCare program to provide medical assistance for language interpreter services. Clarifies language interpreter services may include sign language interpreter services or spoken language interpreter services.

*Senate Status:* 02/13/17 - Withdrawn in Senate.

**SB593/HB502 Imposing preexisting condition exclusions on insureds.**

*Sponsors:* Sen. Yarbro, Jeff , Rep. Powell, Jason

*Summary:* Prohibits health insurance issuers from excluding people from coverage based off pre-existing conditions.

*Fiscal Note:* (Dated March 5, 2017) Increase State Expenditures Not Significant Other Fiscal Impact An increase in premiums for Medicare Supplement and Long-term Care plans will result in an increase in premium tax revenue. The amounts and timing of any increased revenue cannot be reasonably quantified. Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. 3-2-111): The proposed legislation could result in an increase in the cost of health insurance premiums for Medicare Supplement and Long-Term Care insurance consumers. Any increase as a result of the proposed legislation cannot be quantified due to the multiple factors equated to insurance premiums and could vary greatly within each individual plan.

*Senate Status:* 04/03/17 - Senate Commerce & Labor Committee deferred to 04/04/17.

*House Status:* 03/29/17 - Taken off notice in House Insurance & Banking Subcommittee.

*Executive Status:* 03/27/17 - Taken off notice in Joint Council on Pensions and Insurance.

**SB597/HB968 Disabled adults may have personal aides to perform health maintenance tasks.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Hill, Matthew

*Summary:* Allows disabled adults to have paid personal aides to perform health maintenance tasks. Requires a licensed health care provider to determine if a task can be provided by a paid personal aide. Requires a licensed health care provider to evaluate the

ability of the paid personal aide to perform the health maintenance task, teach the health maintenance task, ensure supervision of the paid personal aide, and re-evaluate the aide at regular intervals. Exempts the licensed healthcare provider who ordered treatment by a paid personal aide from liability for negligence. Requires the Tennessee commission on aging and disabilities to promulgate rules implementing this act after consulting various agencies, including the bureau of TennCare and the department of intellectual and developmental disabilities.

*Amendment Summary:*

Senate Amendment 1 (005397) removes the provision that requires the paid aide to be evaluated and supervised. Adds language that indicates that self-direction of healthcare tasks by an individual receiving Medicaid-reimbursed home and community based long-term care services are to be provided pursuant to Title 71, Chapter 5, Part 14. Removes the Board of Nursing from the list to be consulted for the promulgation of rules and adds the Dept. of Mental Health and Substance Abuse Services, AARP Tennessee, the Tennessee Disability Coalition, and the Tennessee Association of Home Care to the list that the Tennessee Commission on Aging and Disability are required to consult with for the promulgation of rules.

*Fiscal Note:*

(Dated February 26, 2017) Decrease State Expenditures Exceeds \$906,200/FY17-18 Exceeds \$1,812,400/FY18-19 and Subsequent Years Decrease Federal Expenditures Exceeds \$1,728,400/FY17-18 Exceeds \$3,456,900/FY18-19 and Subsequent Years

*Senate Status:*

04/17/17 - Senate passed with amendment 1 (005397).

*House Status:*

05/03/17 - House passed.

*Executive Status:*

05/04/17 - Sent to governor.

**SB697/HB1091 Prohibits an HMO from denying payment for preventative and diagnostic services.**

*Sponsors:* Sen. Yager, Ken , Rep. Keisling, Kelly

*Summary:* Prohibits an HMO or subcontractor from denying payment for preventative and diagnostic services provided by primary care providers or through a provider's supervision of auxiliary personnel.

*Fiscal Note:*

(Dated March 18, 2017) Increase State Expenditures \$55,272,800 Increase Federal Expenditures - \$105,427,200

*Senate Status:*

04/03/17 - Senate Commerce & Labor Committee deferred to summer study.

*House Status:*

03/22/17 - House Insurance & Banking Subcommittee deferred to summer study.

**SB744/HB1150 Insurance Costs Reduction Act.**

*Sponsors:* Sen. Johnson, Jack , Rep. Casada, Glen

*Summary:* Enacts the Insurance Costs Reduction Act to coordinate the investigation of an alleged occurrence of a medical injury. Creates the patient compensation system. The PCS is administered by the department of health, however the department may contract with designated agents to provide for the administration of this system. Establishes a patient compensation board to govern the patient compensation system.

*Senate Status:*

02/13/17 - Referred to Senate Judiciary Committee.

*House Status:*

02/15/17 - Referred to House Civil Justice Subcommittee.

**SB759/HB900 Annual reports regarding investigating and prosecuting TennCare fraud.**

*Sponsors:* Sen. Beavers, Mae , Rep. Pody, Mark  
*Summary:* Requires the inspector general within the department of finance and administration and the director of the Tennessee bureau of investigation to present their annual reports regarding investigating and prosecuting TennCare fraud to the health and welfare committee of the senate and the health committee of the house of representatives.  
*Fiscal Note:* (Dated March 24, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/30/17 - Taken off notice in Senate Health & Welfare Committee.  
*House Status:* 02/14/17 - Referred to House Health Subcommittee.

**SB782/HB878 Recovery of benefits.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Sexton, Cameron  
*Summary:* Adds additional parties who are required to provide certain information to the commissioner of finance and administration, the bureau of TennCare, or managed care organization regarding recovery of benefits. Requires third parties to treat a managed care organization as the bureau of TennCare for the purposes of providing access to eligibility and claims data.  
*Fiscal Note:* (Dated February 24, 2017) NOT SIGNIFICANT  
*Senate Status:* 03/13/17 - Senate passed.  
*House Status:* 03/16/17 - House passed.  
*Executive Status:* 03/31/17 - Enacted as Public Chapter 0026 effective July 1, 2017.

**SB830/HB842 Establishes minimum essential benefits for health insurance coverage.**

*Sponsors:* Sen. Yarbrow, Jeff , Rep. Fitzhugh, Craig  
*Summary:* Requires the commissioner of commerce and insurance by July 1, 2017, to establish by rule requirements for minimum essential benefits for health insurance coverage in this state that is no less extensive than that available under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.  
*Fiscal Note:* (Dated March 16, 2017) Other Fiscal Impact Due to multiple unknown factors, the impact of the proposed legislation on state and local revenue and expenditures cannot be determined with reasonable certainty.  
*Senate Status:* 02/13/17 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 04/05/17 - Taken off notice in House Insurance & Banking Subcommittee.  
*Executive Status:* 03/20/17 - Taken off notice in Joint Council on Pensions and Insurance

**SB836/HB479 Federal and state statutes concerning mental health parity.**

*Sponsors:* Sen. Briggs, Richard , Rep. Clemmons, John  
*Summary:* Requires the department of commerce and insurance to implement and enforce federal and state statutes concerning mental health parity. Mandates the department to issue a report to the general assembly and provide an educational presentation to the general assembly concerning the department's efforts to implement and enforce federal and state statutes concerning mental health parity. no later than June 1 of each year.  
*Fiscal Note:* (Dated March 30, 2017) Increase State Expenditures - \$3,200/One-Time \$71,400/Recurring

*Senate Status:* 02/13/17 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 02/14/17 - Referred to House Insurance & Banking Subcommittee.

**SB837/HB480 Report on coverage for mental health treatment.**

*Sponsors:* Sen. Briggs, Richard , Rep. Clemmons, John

*Summary:* Requires managed care organizations participating in the TennCare program to annually report to the bureau of TennCare certain information regarding treatment of claims for mental health and alcoholism or drug dependence benefits in relation to the requirements of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.

*Fiscal Note:* (Dated March 22, 2017) NOT SIGNIFICANT

*Senate Status:* 04/10/17 - Senate passed.

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

*Executive Status:* 05/01/17 - Enacted as Public Chapter 0221 effective July 1, 2017.

**SB839/HB1244 Coverage for behavioral health treatment.**

*Sponsors:* Sen. Briggs, Richard , Rep. Clemmons, John

*Summary:* Revises requirements for mental health parity with medical health insurance statutes to require certain demonstrations of parity and reports from insurers.

*Amendment Summary:* House Insurance & Banking Subcommittee Amendment 1 (006014) deletes and rewrites the proposed legislation such that the only substantive changes are changing the date that DCI is required to issue a report and provide an educational presentation to the General Assembly, from not later than June 1 of each year to not later than January 31, 2019, and requiring DCI to describe how the Department examines any provider or consumer complaints related to denials or restrictions to care for opioid use disorder treatment for possible violations of this section, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA), 42 U.S.C § 18031(j), Tenn. Code Ann. § 56-7-2601, and § 56-7-2602, including complaints regarding, but not limited to certain criteria. House Insurance & Banking Subcommittee Amendment 2 (006821) substitutes "American Society of Addiction Medicine" in subsection (b) in Section 1 with the language "American Society of Addiction Medicine or other evidence-based clinical guidelines, such as those referenced by the federal substance abuse and mental health services administration (SAMHSA)".

*Fiscal Note:* (Dated March 25, 2017) Increase State Expenditures - \$116,800/FY17-18 \$214,300/FY18-19 and Subsequent Years

*Senate Status:* 04/04/17 - Taken off notice in Senate Commerce & Labor Committee.

*House Status:* 04/05/17 - House Insurance & Banking Subcommittee deferred to first calendar of 2018 after adopting amendment 1 (006014) and amendment 2 (006821).

**SB1145/HB1188 Reestablishes the legislative oversight committees on TennCare, children's services, and correction.**

*Sponsors:* Sen. Hensley, Joey , Rep. Hill, Matthew

*Summary:* Re-establishes legislative oversight committees on TennCare, children's services, and correction. Specifies the procedures by which the committees shall be created and who shall serve on the boards. (19 pp)

*Amendment Summary:* House State Government Committee Amendment 1 (006651) rewrites the bill. Deletes all language from the original bill which creates the 17-member Select Oversight Committee on Correction. Adds contingencies for the Select Oversight Committee on TennCare to employ staff or to enter into contracts for technical or professional services, if legislative staff are unable to staff the committee or provide the relevant professional services required of the committee. Sets the number of meetings for the Select Oversight Committee on TennCare to be at least 3 during the legislative session, rather than at least quarterly, with other meetings being subject to the call of the chair. Removes the sunset provision applicable to the Select Oversight Committee on TennCare. Requires the Speaker of the House to appoint the 5 required members to the Select Oversight Committee on Children's Services from the House Civil Justice Committee, rather than from the House Health Committee. Sets the number of meetings of the Select Oversight Committee on Children's Services to be twice a month during the legislative session, rather than monthly, with other meetings being subject to the call of the chair. Adds the Department of Human Services (DHS) to the list of entities required to provide the Select Oversight Committee on Children's Services with any financial or other relevant information as it may require. Adds the DHS to the list of entities for which the Select Oversight Committee in Children's Services shall perform legislative oversight. Establishes that both oversight committees created by this legislation shall cease to exist as of June 30, 2020.

*Fiscal Note:* (Dated March 2, 2017) Increase State Expenditures Exceeds \$351,100

*Senate Status:* 04/10/17 - Taken off notice in Senate Health & Welfare Committee.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

**SB1155/HB290 TennCare advisory commission.**

*Sponsors:* Sen. Hensley, Joey , Rep. Kumar, Sabi

*Summary:* Deletes the entire section and requires the department of finance and administration to reestablish a TennCare advisory commission. The purpose of the commission is to review annually the health care operations including, but not limited to, cost-management analysis, benefits, enrollment, eligibility, costs, and performance of the TennCare program and to make recommendations to the governor regarding cost-containment strategies and cost-effective program improvements. The advisory commission will be separate and distinct from the bureau of TennCare but will be allowed access to all data concerning the operations, management, and program functions of the TennCare program, including information relevant to the TennCare program held or maintained by other state agencies. Members of the advisory commission will provide nonpaid consulting services to the bureau of TennCare, but may be reimbursed for comprehensive travel. Members will be appointed by the speaker of the house of representatives and the speaker of the senate. The advisory commission will be composed of fifteen members; one member of the health and welfare committee of the senate, one member of the senate appointed by the speaker of the senate, one member of the health committee of the house of

representatives appointed by the speaker of the house , one member of the house of representatives appointed by the speaker of the house, one member representing hospitals appointed by the speaker of the senate, one member representing hospitals appointed by the speaker of the house, one member representing physicians appointed by the speaker of the senate, one member representing physicians appointed by the speaker of the house, one member representing nursing homes appointed by the speaker of the senate, one member representing nursing homes appointed by the speaker of the house, one member representing providers of home and community-based services appointed by the speaker of the senate, one member representing providers of home and community-based services appointed by the speaker of the house, one member representing providers of behavioral health services appointed by the speaker of the senate, one member representing providers of behavioral health services appointed by the speaker of the house, and one member representing the advocacy community to be jointly appointed by the speaker of the senate and the speaker of the house. Initially, members will serve three-year terms. Creates term guidelines for appointments made by the speaker of the senate, and the speaker of the house in section (1) part (4) of the bill. Proposed modifications submitted by the commission that may result in increased program expenditures should be accompanied by recommendations to achieve commensurate savings in other program areas in order to achieve overall management of program costs. The commission can create subcommittees to study specific topics, relative to any area concerning TennCare. The commission shall present its recommendations in writing to the governor and the general assembly no later than November 10 of each year.

*Amendment  
Summary:*

Senate Government Operations Committee Amendment 1 (005302) requires the comptroller of the treasury to reestablish a TennCare advisory commission. Increases the number of members on the commission from 15 to 21. Adds a member of the senate commerce & labor committee, senate government operations committee, housing insurance & banking committee, house government operations committee, and a member of the house finance ways & means committee, to the commission. Creates revisions for initial appointments of a nonlegislative member, including the initial joint appointment of the member representing the advocacy community, to serve until June 30, 2018. Requires the commission to review any amendment or changes to Title XIX state plan. Deletes the requirement for the commission to present its recommendation in writing to the governor and the general assembly. Authorizes the commission to employ staff. Senate Health & Welfare Committee Amendment 1, House Health Committee Amendment 1 (006257) deletes all language after the enacting clause. Reestablishes the TennCare Advisory Commission consisting of 21 members who should reflect the broad impact that the TennCare program has on the state of Tennessee. The 21 members will be appointed by Speaker of the House of Representatives and the Speaker of the Senate; 8 members will be legislative members, 12 members will be from the industry, and one will be a nonvoting ex officio member designee of the Commissioner of Finance and Administration. Requires the Commission to review the health care operations, including but not limited to, cost-management analysis, benefits, enrollment, eligibility, costs, and performance of the TennCare program annually. Authorizes the Commission to employ staff. Requires the review of the TennCare program to include



the holding of public hearings on any proposed amendment to any federal waiver governing the provision of medical assistance under Title 71, and attention to behavioral health services and the Long Term Care Community Choices Act of 2008. Prohibits the submission of any application for an amendment to any federal waiver governing the provision of medical assistance under Title 71 or the Title XIX state plan to any agency of the federal government unless the Commission has been afforded 30 days in which to hold a public hearing on the proposed waiver before submission. Any waiver application failing to receive the opportunity to hold such public hearing before submission to an agency of the federal government shall be void and of no effect. Requires the Commission to meet quarterly to perform certain duties. Adds the Commission to the sunset cycle provisions under the Tennessee Governmental Entity Review Law, thereby creating a termination date for the Commission of June 30, 2019.

*Fiscal Note:* (Dated March 1, 2017) Increase State Expenditures - \$1,900/Each One-Day Meeting

*Senate Status:* 05/09/17 - Senate Finance, Ways & Means Committee deferred to first calendar of 2018.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

**SB1212/HB323 Consumer-directed care.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David

*Summary:* Makes self-directed health care available to anyone receiving medicaid-reimbursed home and community based long-term care services, support in accord with state plan or federal waiver. Part of Administration Package.

*Senate Status:* 03/08/17 - Senate Health & Welfare Committee deferred until 3/15/17.

*House Status:* 02/07/17 - Referred to House Health Subcommittee.

**SB1213/HB324 Time period for enrollee to mail documentation of material changes to information.**

*Sponsors:* Sen. Norris, Mark , Rep. Hawk, David

*Summary:* Changes time period for a TennCare enrollee or applicant to mail documentation of material changes to information in a TennCare application from 30 to 15 days. Requires the court to notify the appropriate state facility if the court commits the defendant to a public hospital has available with suitable accommodations in lieu of the state facility. Prohibits the delivery of mental health information of a patient without the patient's consent. Requires the commissioner to consult the bureau of TennCare when determining the contents of the report of health statistics. Broadly captioned. Part of Administration Package.

*Fiscal Note:* (Dated March 21, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Commerce & Labor Committee.

*House Status:* 02/07/17 - Referred to House Health Subcommittee.

**SB1319/HB328 Medicaid estate recovery claims.**

*Sponsors:* Sen. Crowe, Rusty , Rep. VanHuss, James

*Summary:* Requires that if a notice to creditors is provided to the bureau of TennCare within six months of the decedent's date of death, the bureau shall file a claim for recovery, for personal representatives of a decedent recipient of TennCare. If a notice to creditors

is provided to the bureau after six months of the decedent's date of death and before the end of twelve months from the date of death, the bureau shall file a claim for recovery before the end of twelve months from the date notice was provided to the bureau. If a notice to creditors is not provided to the bureau before the end of twelve months from the decedent's date of death, the bureau shall file a petition to open the decedent's estate as a creditor and file a claim for recovery before the end of thirty-six months from the decedent's date of death. Sets additional guidelines for recovery, if no claim for recovery is filed by the bureau before the end of thirty-six months from the decedent's date of death.

*Fiscal Note:* (Dated March 5, 2017) Decrease State Revenue - \$141,700

*Senate Status:* 04/05/17 - Taken off notice in Senate Health & Welfare Committee.

*House Status:* 03/29/17 - House Health Subcommittee deferred to 2018.

**SB1364/HB807 The department required to administer the Medical Assistance Act.**

*Sponsors:* Sen. Bailey, Paul , Rep. Keisling, Kelly

*Summary:* Designates the department of finance and administration instead of the department of health as the department required to administer the Medical Assistance Act.

*Amendment Summary:* Senate Commerce & Labor Committee Amendment 1, House Health Committee Amendment 1 (006729) deletes all language after the enacting clause. Establishes a task force to study various issues relative to TennCare. Requires the Chairs of the Health Committee of the House of Representatives (HHC) and the Commerce and Labor Committee of the Senate (SCLC) to each appoint three members of the General Assembly to the task force and authorizes the staff of the HHC and the SCLC to provide support to the task force if requested. Requires the task force to provide a report with recommendations to the HHC and the SCLC by January 15, 2018, at which time it shall cease to exist.

*Fiscal Note:* (Dated March 16, 2017) NOT SIGNIFICANT

*Senate Status:* 04/10/17 - Re-referred to Senate Calendar Committee.

*House Status:* 05/01/17 - Taken off notice in House Study Subcommittee of Finance.

**SB1420/HB1328 Prescription Drug Fair Pricing Act.**

*Sponsors:* Sen. Harris, Lee , Rep. Stewart, Mike

*Summary:* Adds language to enact the "Prescription Drug Fair Pricing Act" which requires the commissioner of health, the bureau of TennCare and the state insurance committee, to examine changes in prices for essential generic drugs in prescription drug programs operated by state government for the last five fiscal years. On or before January 15, 2018, the commissioner shall report the findings of the study and any recommendations for legislation or other appropriate action to prevent price gouging for essential generic drugs to the health committee of the house of representatives and the health and welfare committee of the senate. Requires the commissioner of commerce and insurance to examine issues relating to requiring price transparency in prescription drug pricing. The commissioner must report the findings of the study and any recommendations for legislation or other appropriate action to implement price transparency for prescription drugs to the health committee of the house of representatives and the health and welfare committee of the senate.

*Fiscal Note:* (Dated March 1, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Commerce & Labor Committee.  
*House Status:* 02/17/17 - Referred to House Insurance & Banking Subcommittee.

**SJR44 Expresses support for conversion of Medicaid funding to a block grant.**

*Sponsors:* Sen. Green, Mark ,

*Summary:* Expresses support for conversion of Medicaid funding to a block grant and opposes expansion of Medicaid under the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.

*Fiscal Note:* (Dated February 7, 2017) Pursuant to Tenn. Code Ann. 3-2-107, this fiscal note has been corrected to include an Impactto Commerce Statement. The fiscal analysis of the original fiscal note dated January 29, 2017has not changed. NOT SIGNIFICANT

*Senate Status:* 02/01/17 - Referred to Senate Commerce & Labor Committee.

**Intellectual/Developmental Disabilities**

**SB199/HB384 Tennessee Council on Autism Spectrum Disorder.**

*Sponsors:* Sen. Overbey, Doug , Rep. Williams, Ryan

*Summary:* Terminates the autism spectrum disorder taskforce and creates the Tennessee council on autism spectrum disorder. The council shall consist of the commissioner of intellectual and developmental disabilities or the commissioner's designee, the commissioner of health or the commissioner's designee, the commissioner of education or the commissioner's designee, the commissioner of human services or the commissioner's designee, the commissioner of commerce and insurance or the commissioner's designee, the deputy commissioner of the bureau of TennCare or the deputy commissioner's designee, the commissioner of mental health and substance abuse services or the commissioner's designee, one representative of the council on developmental disabilities, and six adults who have a diagnosis of autism spectrum disorder or who are either family members or primary caregivers of persons with a diagnosis of autism spectrum disorder. Two of the adult members shall represent each grand division of the state, and these persons shall be appointed by the governor. Persons appointed from the western grand division shall serve until June 30, 2019. Persons appointed from the middle grand division shall serve until June 30, 2020. Persons appointed from the eastern grand division shall serve until June 30, 2021. No member of the council can serve more than two consecutive three-year terms. The council shall meet quarterly and may meet more often upon a call of the chair, who is appointed by the governor. No council member shall receive compensation or reimbursement for actual travel and other expenses incurred in attending any meeting or performing any duties. Provides additional guidelines on the duties of the council.

*Amendment Summary:* Senate Amendment 1 (003081) adds language to the original bill to designate the Executive Director of the Commission on Children and Youth, or the Executive Director's designee, as an additional member on the Tennessee Council on Autism Spectrum Disorder. Senate Amendment 2 (003489) deletes and replaces language that extends the termination date for the Council to June 30, 2019, rather than June 30, 2018. Senate Amendment 3 (003852) adds language to the amended bill that: (1) changes, from six to nine, the number of adults who have a diagnosis of autism

spectrum disorder, or who are either family members or primary caregivers of persons with autism spectrum disorder, to serve as members of the Council and (2) changes, from two to three, the number of adult members who are to represent each grand division of the state.

*Fiscal Note:* (Dated February 3, 2017) NOT SIGNIFICANT

*Senate Status:* 02/23/17 - Senate passed with amendment 1 (003081), amendment 2 (003489), and amendment 3 (003852).

*House Status:* 03/23/17 - House passed.

*Executive Status:* 04/06/17 - Enacted as Public Chapter 0086 effective July 1, 2017.

**SB264/HB941 Supported Decision Making Agreement Act.**

*Sponsors:* Sen. Massey, Becky , Rep. Carter, Mike

*Summary:* Enacts the Supported Decision Making Agreement Act, which allows for an adult with a disability to seek assistance in making certain decisions without forfeiting their self-determination as the ultimate decision-maker in their life.

*Fiscal Note:* (Dated February 2, 2017) NOT SIGNIFICANT

*Senate Status:* 03/28/17 - Senate Judiciary Committee deferred to Summer Study.

*House Status:* 04/05/17 - House Civil Justice Subcommittee deferred to 2018.

**SB597/HB968 Disabled adults may have personal aides to perform health maintenance tasks.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Hill, Matthew

*Summary:* Allows disabled adults to have paid personal aides to perform health maintenance tasks. Requires a licensed health care provider to determine if a task can be provided by a paid personal aide. Requires a licensed health care provider to evaluate the ability of the paid personal aide to perform the health maintenance task, teach the health maintenance task, ensure supervision of the paid personal aide, and re-evaluate the aide at regular intervals. Exempts the licensed healthcare provider who ordered treatment by a paid personal aide from liability for negligence. Requires the Tennessee commission on aging and disabilities to promulgate rules implementing this act after consulting various agencies, including the bureau of TennCare and the department of intellectual and developmental disabilities.

*Amendment Summary:* Senate Amendment 1 (005397) removes the provision that requires the paid aide to be evaluated and supervised. Adds language that indicates that self-direction of healthcare tasks by an individual receiving Medicaid-reimbursed home and community based long-term care services are to be provided pursuant to Title 71, Chapter 5, Part 14. Removes the Board of Nursing from the list to be consulted for the promulgation of rules and adds the Dept. of Mental Health and Substance Abuse Services, AARP Tennessee, the Tennessee Disability Coalition, and the Tennessee Association of Home Care to the list that the Tennessee Commission on Aging and Disability are required to consult with for the promulgation of rules.

*Fiscal Note:* (Dated February 26, 2017) Decrease State Expenditures Exceeds \$906,200/FY17-18 Exceeds \$1,812,400/FY18-19 and Subsequent Years Decrease Federal Expenditures Exceeds \$1,728,400/FY17-18 Exceeds \$3,456,900/FY18-19 and Subsequent Years

*Senate Status:* 04/17/17 - Senate passed with amendment 1 (005397).

*House Status:* 05/03/17 - House passed.

*Executive Status:* 05/04/17 - Sent to governor.

**SB810/HB905 Costs and compensation when a disabled person does not qualify for SSI benefits.**

*Sponsors:* Sen. Yager, Ken , Rep. Kumar, Sabi

*Summary:* Provides that all proceeds for costs and compensation must be kept by the district public guardian to support the ongoing operations of that respective district public guardian. This applies when a disabled person does not qualify for SSI benefits.

*Fiscal Note:* (Dated February 24, 2017) NOT SIGNIFICANT

*Senate Status:* 03/14/17 - Taken off notice in Senate Judiciary Committee.

*House Status:* 03/22/17 - Taken off notice in House Civil Justice Subcommittee.

**SB1109/HB1110 Special designation on driver and photo identification licenses for persons with developmental disabilities.**

*Sponsors:* Sen. Kyle, Sara , Rep. Deberry Jr., John

*Summary:* Authorizes department of safety to issue special designation on driver and photo identification licenses for persons with developmental disabilities. Establishes a set of procedures for law enforcement interactions with persons with developmental disabilities.

*Amendment Summary:* Senate Transportation & Safety Committee Amendment 1 (004958) deletes and replaces language of the original bill to specify the type of physician that can provide documentation that an applicant has a disability, and to change the effective date from July 1, 2017, to January 1, 2018.

*Fiscal Note:* (Dated March 9, 2017) Increase State Expenditures Exceeds \$60,000/One-Time Other Fiscal Impact To the extent redesign of the driver license card can be accomplished with one of two available allowances permitted by the current third party vendor contract, any impact would be not significant. Otherwise, redesign of the card will result in an additional one-time state expenditure estimated to be \$100,000.

*Senate Status:* 05/09/17 - Senate Finance, Ways & Means Committee deferred to the first calendar of 2018.

*House Status:* 04/05/17 - House Transportation Subcommittee deferred to 01/01/18.

**Miscellaneous**

**SB22 Tennessee Rural Broadband Grant Expansion Program.**

*Sponsors:* Sen. Green, Mark ,

*Summary:* Enacts the Tennessee Rural Broadband Grant Expansion Program to be administered by the TRA. Requires TRA to hold a workshop, create a program, and make broadband expansion grants to eligible applicants for the purpose of funding the construction, expansion, or operation of broadband infrastructure in underserved areas. Also requires TRA to establish criteria for evaluating applications and issuing orders awarding grants under this section.

*Senate Status:* 01/30/17 - Referred to Senate Commerce & Labor Committee.

**SB33/HB31 Expands barbers' ability to perform services.**

*Sponsors:* Sen. Harris, Lee , Rep. Parkinson, Antonio

*Summary:* Expands barbers' ability to perform services in the residence of any person suffering from illness to include persons with disability. Broadly captioned.

*Fiscal Note:* (Dated February 5, 2017) NOT SIGNIFICANT

*Senate Status:* 02/01/17 - Referred to Senate Commerce & Labor Committee.

*House Status:* 03/21/17 - Taken off notice in House Business & Utilities Subcommittee.

**SB126/HB930 Tennessee Rural Broadband Grant Expansion Program.**

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

*Summary:* Enacts the Tennessee Rural Broadband Grant Expansion Program to be administered by the TRA. Requires TRA to hold a workshop, create a program, and make broadband expansion grants to eligible applicants for the purpose of funding the construction, expansion, or operation of broadband infrastructure in underserved areas. Also requires TRA to establish criteria for evaluating applications and issuing orders awarding grants under this section.

*Fiscal Note:* (Dated March 6, 2017) Increase State Expenditures - \$10,955,200/FY17-18 \$10,885,200/FY18-19 \$10,885,200/FY19-20 Other Fiscal Impact Due to multiple unknown variables, the precise impact to local government cannot be determined; however any increase in local government expenditures is considered permissive. Other secondary economic impacts may occur as a result of this bill. Due to multiple unknown factors, fiscal impacts directly attributable to such secondary economic impacts cannot be quantified with reasonable certainty.

*Senate Status:* 03/14/17 - Taken off notice in Senate Commerce & Labor Committee.

*House Status:* 03/28/17 - Taken off notice in House Business & Utilities Subcommittee.

**SB151/HB381 Automated driving systems (ADS) in Tennessee.**

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

*Summary:* Authorizes the operation of automated driving systems (ADS) on the public roads of Tennessee.

*Amendment Summary:* House Amendment 4 (008565) deletes and rewrites the bill. Clarifies that the section stating "No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway" does not apply to an ADS-operated vehicle. Requires a passenger or human operated to wear a safety belt in an ADS-operated vehicle. Requires the ADS-operated vehicle to remain on the scene if the operator is involved in an accident resulting only in damage to fixtures or other property. Defines "dynamic driving task" and "minimal risk condition." Deletes provisions relating to automatic crash notification technology. Outlines conditions in which an ADS-operated vehicle may drive or operate on streets and highways in Tennessee with the ADS engaged without a human driver physically present in the vehicle. Allows a person who is physically inside an ADS-operated vehicle, when the ADS is engaged, to use an integrated electronic display. Specifies that liability for accidents involving an ADS-operated vehicle must be determined in accordance with product liability law, common law, or other applicable federal or state law. States that the chapter exclusively governs the authorization of the operation and use of an

ADS-operated vehicle when the ADS is engaged and in high or full automation mode, including commercial use.

*Fiscal Note:* (Dated March 11, 2017) Increase State Revenue - \$1,500/FY17-18/Department of Revenue \$3,000/FY18-19/Department of Revenue \$4,500/FY19-20/Department of Revenue \$6,000/FY20-21/Department of Revenue \$7,500/FY21-22 and Subsequent Years/Department of Revenue Increase State Expenditures - \$1,500/FY17-18/Department of Revenue \$3,000/FY18-19/Department of Revenue \$4,500/FY19-20/Department of Revenue \$6,000/FY20-21/Department of Revenue \$7,500/FY21-22 and Subsequent Years/ Department of Revenue \$134,800/FY19-20/General Fund \$76,300/FY20-21 and Subsequent Years/General Fund SB 151 HB 381

*Senate Status:* 05/09/17 - Senate concurred in House amendment 4.

*House Status:* 05/05/17 - House passed with amendment 4 (008565).

*Executive Status:* 05/09/17 - Sent to the speakers for signatures.

**SB363/HB1143 Inclusionary housing requirements clarified.**

*Sponsors:* Sen. Haile, Ferrell , Rep. Casada, Glen

*Summary:* States no local government has the authority to enact a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local

*Fiscal Note:* (Dated March 13, 2017) NOT SIGNIFICANT

*Senate Status:* 04/04/17 - Senate State & Local Government Committee deferred to 2018.

*House Status:* 03/30/17 - House passed.

**SB800/HB873 Expunction of convictions.**

*Sponsors:* Sen. Dickerson, Steven , Rep. Akbari, Raumesh

*Summary:* Allows a person who has no more than two convictions to petition on a one-time basis for expunction of both convictions provided each offense is otherwise eligible for expunction. Specifies that at the time of the filing of the petition for expunction at least five years have elapsed since the completion of the sentence imposed for the most recent offense. Requires the person to have fulfilled all the requirements of the sentences imposed by the court for each offense the petitioner is seeking to expunge.

*Amendment Summary:* House Amendment 1 (005222) rewrites the bill to clarify that the two offenses must be two expungable misdemeanors or one expungable felony and one expungable misdemeanor. This amendment also clarifies that 10 years must have elapsed before expungement of a drug offense.

*Fiscal Note:* (Dated March 10, 2017) NOT SIGNIFICANT

*Senate Status:* 04/27/17 - Senate passed.

*House Status:* 04/17/17 - House passed with amendment 1 (005222).

*Executive Status:* 05/05/17 - Signed by governor.

**SB1245/HB418 Reduces expunction fee for criminal convictions.**

*Sponsors:* Sen. Norris, Mark , Rep. Akbari, Raumesh

*Summary:* Reduces the expunction fee for criminal convictions from \$350 to \$180. Changes allocation of fee proceeds.

*Fiscal Note:* (Dated February 17, 2017) Decrease State Revenue \$131,400/General Fund \$13,100/Public Defenders Expunction Fund \$500/District Attorneys Expunction Fund Decrease Local Revenue \$9,100/Court Clerks

*Senate Status:* 05/09/17 - Senate passed.

*House Status:* 05/09/17 - House passed.

*Executive Status:* 05/09/17 - Sent to the speakers for signatures.

**SB1254/HB383 Expungement of records.**

*Sponsors:* Sen. Norris, Mark , Rep. Shaw, Johnny

*Summary:* Reduces the fee for expungement to \$205. Reduces the time after which sentences have been completed before a person can apply for expungement to one year. Allows a person to obtain expungement for an assault conviction.

*Amendment* House Amendment 2 (006038) deletes all language after the enacting clause.

*Summary:* Authorizes expungement for 16 misdemeanor offenses not currently expungable under current law.

*Fiscal Note:* (Dated February 25, 2017) Decrease State Revenue \$131,400

*Senate Status:* 04/19/17 - Taken off notice in Senate Judiciary Committee.

*House Status:* 04/17/17 - House passed with amendment 2 (006038).

**SB1304/HB1116 Expands the yellow dot motor vehicle medical information program.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Halford, Curtis

*Summary:* Amends language to establish that the purpose of the yellow dot program is to assist drivers and passengers who participate in the program, emergency medical responders in reporting critical medical information in the event of a motor vehicle accident or a medical emergency involving a participant's vehicle, and law enforcement officers in becoming aware of a motorist's or passenger's critical medical information that may impact the officer's encounter with the motorist or passenger during a traffic stop or welfare check. Requires the department of transportation and the governor's highway safety office to take reasonable measures to publicize the yellow dot program to potential participants, law enforcement officers, emergency medical responders, and other noted organizations. Authorizes a law enforcement officer to review the driver who has a yellow dot, yellow dot folder or folders present in the vehicle.

*Fiscal Note:* (Dated February 21, 2017) NOT SIGNIFICANT

*Senate Status:* 03/13/17 - Senate passed.

*House Status:* 03/13/17 - House passed.

*Executive Status:* 03/31/17 - Enacted as Public Chapter 0034 effective March 29, 2017.

**Public Benefits**

**SB7/HB632 Capping the total value of certain public assistance at the level of average household income in the state.**

*Sponsors:* Sen. Green, Mark , Rep. Holt, Andy

*Summary:* Places a cap on the total value of public assistance benefits a household can receive that is not to exceed the median household income for the State of Tennessee. States



that once a household reaches the median income level, the household is ineligible for further public assistance. The department of finance and administration shall develop a system for calculating the value of public assistance a household is receiving and monitor affected households.

*Fiscal Note:* (Dated March 2, 2017) Increase State Expenditures - \$2,925,600/FY17-18 \$2,041,100/FY18-19 \$1,348,200/FY19-20 and Subsequent Years Other Fiscal Impact -- The provisions of the bill conflict with federal laws governing the states participation and operation of the Supplemental Nutrition Assistance Program (SNAP), the Child Care Development Block Grant (CCDBG), and Unemployment Insurance (UI) and would jeopardize federal funding. The federal funding for these programs of approximately \$1,909,000,000 for SNAP, \$127,000,000 for CCDBG, and \$32,000,000 for UI, will be in jeopardy in FY17-18 and subsequent years.

*Senate Status:* 03/22/17 - Taken off notice in Senate Health & Welfare Committee.

*House Status:* 03/22/17 - Taken off notice in House Health Subcommittee.

### **SB365/HB227 Program Integrity Act of 2017.**

*Sponsors:* Sen. Roberts, Kerry , Rep. Howell, Dan

*Summary:* Enacts the "Program Integrity Act of 2017", which requires the Tennessee education lottery corporation on a monthly basis to provide the department of human services the name, prize amount, and other available identifying information of any individual collecting a prize of more than five thousand dollars. Adds language to Title 71 that requires the department of human services on a quarterly basis to conduct data matches against information databases as required by federal law (the guideline for the specific data being collected can be found in section 3 (A) of the bill). Allows the department of human services to join any multi-state cooperative for identifying individuals who currently receive benefits in other states. Requires the bureau of TennCare to implement an automated, electronic eligibility system for the purpose of verifying identity information for each respective applicant and enrollee prior to awarding SNAP assistance.

*Fiscal Note:* (Dated February 11, 2017) NOT SIGNIFICANT

*Senate Status:* 04/03/17 - Senate passed.

*House Status:* 02/27/17 - House passed.

*Executive Status:* 05/01/17 - Enacted as Public Chapter 0191 effective December 1, 2017.

### **SB504/HB1215 Report on recommendations regarding the supplemental nutrition assistance program.**

*Sponsors:* Sen. Tracy, Jim , Rep. Hicks, Gary

*Summary:* Requires the commissioner of human services to study and report any appropriate recommendations to the health and welfare committee of the senate and the health committee of the house concerning options for reducing or prohibiting the purchase of harmful products with no or little nutritional value by recipients of benefits under the supplemental nutrition assistance program.

*Fiscal Note:* (Dated February 14, 2017) NOT SIGNIFICANT

*Senate Status:* 03/29/17 - Senate Health & Welfare Committee deferred to Summer Study.

*House Status:* 04/05/17 - Taken off notice in House Health Subcommittee.

**SB505/HB1218 Federal waiver of work requirements for adults in the supplemental nutrition assistance program.**

*Sponsors:* Sen. Tracy, Jim , Rep. Hicks, Gary

*Summary:* Prohibits the department of human services from seeking, applying for, accepting, or renewing a federal waiver of work requirements for adults in the supplemental nutrition assistance program.

*Fiscal Note:* (Dated March 22, 2017) NOT SIGNIFICANT

*Senate Status:* 05/09/17 - Taken off notice in Senate Finance, Ways & Means Committee.

*House Status:* 04/12/17 - Taken off notice in House Health Subcommittee.

**SB977/HB1077 Background checks for food stamp applicants.**

*Sponsors:* Sen. Niceley, Frank , Rep. Sexton, Jerry

*Summary:* Increases the amount of time from seven years to eight years that the department of human services is required to conduct background checks on an applicant's criminal history prior to applying to a food program to determine eligibility.

*Fiscal Note:* (Dated February 21, 2017) NOT SIGNIFICANT

*Senate Status:* 02/13/17 - Referred to Senate Health & Welfare Committee.

*House Status:* 02/15/17 - Referred to House Health Subcommittee.

**SB1172/HB91 Requirements for recipients of food assistance (SNAP).**

*Sponsors:* Sen. Hensley, Joey , Rep. VanHuss, James

*Summary:* Requires recipients of food assistance (SNAP), as a condition of participation and eligibility, to periodically submit proof that the recipient has been employed for at least 20 hours of work each week, has been engaged in at least 24 hours of community service each month, has participated at an employment center in classes to improve skills or in actively seeking employment for at least 20 hours each week, or is enrolled as a full-time student in a higher education institution or technical school. Specifies certain exemptions to this requirement.

*Amendment Summary:* House Health Subcommittee amendment 1 (004172), which codifies standard practices by the Department of Human Services with respect to county by county waivers.

*Fiscal Note:* (Dated March 5, 2017) Increase State Expenditures - \$8,600 Increase Federal Expenditures - \$8,600 Other Fiscal Impact -- The provisions of the bill could jeopardize federal funding if it is determined the state is noncompliant with federal law. The DHS reports that if someone is denied benefits that would otherwise be eligible by virtue of meeting general work requirements and requirements applicable to Able-Bodied Adults with Dependents, and such action is considered noncompliant with federal law, then the Departments federal funding, approximately \$1,909,112,700 in FY17-18, could be in jeopardy.

*Senate Status:* 03/29/17 - Taken off notice in Senate Health & Welfare Committee.

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

**HB43 Restrictions for welfare recipients.**

*Sponsors:* Rep. Butt, Sheila  
*Summary:* Prohibits recipients of electronic benefits transfer (EBT) cards from using the card to purchase food that is high in calories, sugar, and fat, as recommended by the United States department of agriculture. Bans people or businesses that take EBT cards from accepting the card if used to purchase food that is high in calories, sugar, and fat.  
*House Status:* 02/01/17 - Referred to House Health Subcommittee.

## **Sunsets**

### **SB57/HB243 Sunset- Board of communication disorders and sciences.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy  
*Summary:* Extends the board of communication disorders and sciences to June 30, 2021.  
*Fiscal Note:* (Dated January 25, 2017) NOT SIGNIFICANT  
*Senate* 02/13/17 - Senate passed.  
*Status:*  
*House Status:* 03/20/17 - House passed.  
*Executive* 04/06/17 - Enacted as Public Chapter 0039 effective March 31, 2017.  
*Status:*

### **SB66/HB236 Sunset - committee for purchase from the blind and other severely disabled.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy  
*Summary:* Extends the committee for purchase from the blind and other severely disabled four years to June 30, 2021.  
*Fiscal Note:* (Dated January 26, 2017) NOT SIGNIFICANT  
*Senate* 02/13/17 - Senate passed.  
*Status:*  
*House Status:* 03/20/17 - House passed.  
*Executive* 04/06/17 - Enacted as Public Chapter 0047 effective March 31, 2017.  
*Status:*

### **SB68/HB224 Sunset- department of children's services.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy  
*Summary:* Extends the department of children's services to June 30, 2021. Requires the department to report back to the government operations committee on the department's response to the findings in the performance audit report by December 31, 2017.  
*Fiscal Note:* (Dated February 1, 2017) NOT SIGNIFICANT  
*Senate* 05/08/17 - Senate passed.  
*Status:*  
*House Status:* 05/03/17 - House passed.  
*Executive* 05/10/17 - Sent to governor.  
*Status:*

### **SB72/HB250 Sunset- department of mental health and substance abuse services.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy

*Summary:* Extends the department of mental health and substance abuse services four years to June 30, 2021.

*Fiscal Note:* (Dated February 2, 2017) NOT SIGNIFICANT

*Senate* 02/13/17 - Senate passed.

*Status:*

*House Status:* 03/20/17 - House passed.

*Executive* 04/06/17 - Enacted as Public Chapter 0051 effective March 31, 2017.

*Status:*

**SB77/HB241 Sunset- human rights commission.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy

*Summary:* Extends the human rights commission to June 30, 2021. Requires the division of state audit to perform a limited audit to address findings in the commission's 2016 performance audit report.

*Fiscal Note:* (Dated February 2, 2017) NOT SIGNIFICANT

*Senate* 03/20/17 - Senate passed.

*Status:*

*House Status:* 05/01/17 - House passed.

*Executive* 05/09/17 - Signed by governor.

*Status:*

**SB95/HB215 Sunset - statewide planning and policy council for the department of intellectual and developmental disabilities.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy

*Summary:* Extends the statewide planning and policy council for the department of intellectual and developmental disabilities to June 30, 2022.

*Fiscal Note:* (Dated February 10, 2017) NOT SIGNIFICANT

*Senate* 02/23/17 - Senate passed.

*Status:*

*House Status:* 03/20/17 - House passed.

*Executive* 04/06/17 - Enacted as Public Chapter 0067 effective March 31, 2017.

*Status:*

**SB96/HB249 Sunset - statewide planning and policy council for the department of mental health and substance abuse services.**

*Sponsors:* Sen. Bell, Mike , Rep. Faison, Jeremy

*Summary:* Extends the statewide planning and policy council for the department of mental health and substance abuse services to June 30, 2021.

*Fiscal Note:* (Dated February 10, 2017) NOT SIGNIFICANT

*Senate* 02/23/17 - Senate passed.

*Status:*

*House Status:* 03/20/17 - House passed.

*Executive* 04/06/17 - Enacted as Public Chapter 0068 effective March 31, 2017.

*Status:*

## Taxes

### **SB10/HB15 Exemption - vehicles sold to disabled veteran or service member.**

*Sponsors:* Sen. Green, Mark , Rep. Goins, Tilman

*Summary:* Exempts from sales tax, registration fees, and motor vehicle privilege tax, any motor vehicle sold, given or donated to a veteran or service member who has a service-connected disability and who is eligible for a U.S. Department of Veterans Affairs automobile grant under the Disabled Veterans' and Servicemen's Automobile Assistance Act of 1970.

*Amendment Summary:* Senate Finance, Ways & Means Committee Amendment 1 (006608) deletes and replaces language of the bill to establish that the proposed state and local sales tax exemption only applies to the portion of the price of the vehicle that is in excess of the amount of the USDVA automobile grant received.

*Fiscal Note:* (Dated January 24, 2017) Decrease State Revenue Net Impact \$100,700 Decrease Local Revenue \$6,000

*Senate Status:* 04/18/17 - Senate Finance, Ways & Means Committee recommended with amendment 1 (006608). Sent to Senate Calendar Committee.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

### **SB21/HB23 Property tax relief for disabled veterans.**

*Sponsors:* Sen. Green, Mark , Rep. Hill, Timothy

*Summary:* Re-establishes the first portion of home value for which real property tax relief will be reimbursed to disabled veteran home owners from \$100,000 to \$175,000.

*Fiscal Note:* (Dated February 9, 2017) Increase State Expenditures \$4,835,000

*Senate Status:* 04/05/17 - Taken off notice in Senate State & Local Government Committee.

*House Status:* 04/04/17 - House Local Government Subcommittee deferred to 04/11/17.

### **SB23/HB20 Property tax relief for disabled veterans and low-income elderly.**

*Sponsors:* Sen. Green, Mark , Rep. Forgety, John

*Summary:* Increases the home value for which real property tax relief will be granted from \$100,000 to \$175,000 for veterans with disabilities and from \$23,500 to \$25,000 for low-income elderly or disabled homeowners.

*Amendment Summary:* House Local Government Amendment 2 (006630)- Deletes and rewrites the bill to require the state to reimburse the first 27,000 of the full market value of such property owned by elderly low-income homeowners and disabled homeowners and the first \$135,100 of the full market to disabled veterans. House Finance Subcommittee Amendment 1 (007575)- Deletes all language after the enacting clause. Increases the property value threshold for determining the extent of any property tax relief payments to low-income elderly homeowners and low-income disabled homeowners from \$23,500 of full market value of the property to \$27,000 of the full market value of the property.

*Fiscal Note:* (Dated February 15, 2017) Increase State Expenditures - \$5,992,200

*Senate Status:* 03/06/17 - Senate State & Local Government Veterans Affairs Subcommittee returned to full committee with a neutral recommendation.

*House Status:* 05/08/17 - Taken off notice in House Finance Subcommittee.

**SB25/HB5 Disabled veteran property tax reimbursement.**

*Sponsors:* Sen. Green, Mark , Rep. Ragan, John

*Summary:* Increases the stated value of a given property to \$175,000 from \$100,000 for reimbursement of property taxes to a disabled veteran.

*Fiscal Note:* (Dated February 6, 2017) Increase State Expenditures \$4,835,000

*Senate Status:* 01/30/17 - Referred to Senate State & Local Government Committee.

*House Status:* 04/04/17 - House Local Government Subcommittee deferred to 04/11/17.

**SB254/HB176 Property tax relief for disabled veterans.**

*Sponsors:* Sen. Crowe, Rusty , Rep. Forgety, John

*Summary:* Increases the property value threshold for determining the extent of property tax relief payments to disabled veterans and their surviving spouses from \$100,000 to \$175,000 of the full market value of the property.

*Fiscal Note:* (Dated March 5, 2017) Increase State Expenditures - \$3,219,500/FY17-18 \$2,961,900/FY18-19 Other Fiscal Impact In FY19-20 and subsequent years, the estimated increase in state expenditures pursuant to this bill will diminish by approximately eight percent each year into perpetuity until the impact of the property tax relief program is constant with the impact experienced under current law.

*Senate Status:* 03/06/17 - Senate State & Local Government Veterans Affairs Subcommittee returned to full committee with a neutral recommendation.

*House Status:* 04/04/17 - House Local Government Subcommittee deferred to 04/11/17.