



TENNESSEE CABLE TELECOMMUNICATIONS ASSOCIATION

WEEKLY LEGISLATIVE UPDATE

Friday, February 19, 2010

Below is a legislative update which includes bills of interest to the Tennessee Cable Telecommunications Association. Please let us know if you need more information on any other bills or wish to make any changes to the bills listed within this report. Hyperlinks to the full text of each bill were added for your convenience. To utilize this feature, hold down the “control” key while clicking on the link with your mouse. This update is current through February 19, 2010.

Sponsored Legislation

UTILITIES		
SB 1276 HB 1957 (Full Text)		<p>TRA to regulate municipal electric system providing cable. Specifies that that any municipal electric system that provides cable or Internet services is subject to regulation by the Tennessee regulatory authority. (S: Bunch; H: Tindell)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture deferred to summer study. House Status: Taken off notice in House State & Local Government 05/20/2009.</p>
SB 1508 HB 1743 (Full Text)		<p>Pole attachments made by cable operators. Requires all municipally owned utilities operated and all rural cooperatively-owned utilities doing business to allow telecommunications service providers and cable operators of the Federal Cable Policy Act of 1984, to make pole attachments at just, reasonable</p>

		<p>and non-discriminatory rates, based on actual cost. Requires the Tennessee regulatory authority to adopt and implement a formula similar to the federal pole formula for investor-owned utilities adopted and implemented by the federal communications commission. Requires any party negotiating an agreement to pay a fee of \$500 to the Tennessee regulatory authority. (S: Burchett; H: Fitzhugh)</p> <p>House Co-Sponsor: Montgomery</p> <p>Amendment: House Commerce amendment 1 establishes best practice standards for pole attachment contract negotiations. Creates a statewide operational working group comprised of three representing pole owners and three representing pole users, to be appointed by the speakers of the House and Senate. The group members will not receive state reimbursement for attending meetings. Outlines issues for the group to discuss and requires the filing of an annual report.</p> <p>Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 05/05/2009.</p> <p>House Status: Held on House clerk's desk.</p>
<p>SB 3582 HB 3155 (Full Text)</p>		<p>Municipal electric system providing cable or Internet. Provides that any municipal electric system that provides cable or Internet services shall be subject to regulation by the Tennessee regulatory authority. (S: Ketron; H: Tindell)</p> <p>Senate Status: Referred to Senate State & Local Government.</p> <p>House Status: Referred to House Local Government Subcommittee.</p>

Legislation of Interest

BANKING & CREDIT		
<p>SB 3103 HB 3112 (Full Text)</p>		<p>Payday lender cannot provide loans via the Internet. Prohibits the issuance of payday loans via the Internet for Tennessee residents regardless of whether the payday lender is located within or without the boundaries of the state. (S: Marrero; H: Richardson)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture.</p> <p>House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>HB 1362 (Full Text)</p>		<p>Closings under the Tennessee Home Loan Protection Act. Requires all closings under the Tennessee Home Loan Protection Act to be attorney supervised closings. Also specifies that only attorneys with sufficient errors and omission insurance shall be authorized to act as supervising</p>

		attorneys. (H: Hardaway) House Status: Caption bill held on House clerk's desk.
CAMPAIGNS & LOBBYING		
SB 0728 HB 0105 (Full Text)		Campaign contributions by corporations. Allows representatives of any corporation doing business with the state to make campaign contributions up to the same contribution limits as individuals, LLCs, or partnerships on behalf of the corporation. (S: Watson B.; H: McCormick) Senate Status: Referred to Senate State & Local Government. House Status: Failed in House Elections Subcommittee 04/08/2009.
SB 1423 HB 1719 (Full Text)		Allows trade and professional association to fund PACs. Permits qualifying trade and professional associations to contribute money to association PACs as long as the association has been in existence in TN for at least 5 years and has regular dues-paying members. (S: Stanley; H: McCormick) Senate Status: Referred to Senate State & Local Government. House Status: Failed in House Elections Subcommittee 04/08/2009.
SB 3118 HB 3587 (Full Text)		Corporations - statement of contributions and expenditures. Requires corporations that contribute in any way to political campaigns to file a report including all contributions received and expended. Specifies that certain advertisements by corporations expressly for or against a specific candidate shall have a disclaimer that details the name of the corporation that funded the advertisement. (S: Berke; H: Coleman) Senate Co-Sponsors: Finney L.; Stewart E.; Marrero; Barnes; Harper; Haynes J.; Burks; Jackson; Tate House Co-Sponsors: Fincher; Pitts; Stewart; Sontany Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Elections Subcommittee.
SB 3303 HB 3626 (Full Text)		Corporate Expenditure Disclosure Act. Prohibits corporations from directly contributing to a specific candidate. Requires corporations using independent expenditures over \$1,000 for media advocating election or defeat of a candidate to electronically file itemized expenditure statements with the registry of election finance every ten days. (S: Kelsey; H: Dennis) Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Elections Subcommittee.

<p>SB 3660 HB 3700 (Full Text)</p>		<p>PAC registry of election finance fee increased. Requires that the registration fee paid by multicandidate political campaign committees to the registry of election finance be at least \$200. (S: Marrero; H: Stewart M.)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Elections Subcommittee.</p>
<p>SB 3674 HB 3211 (Full Text)</p>		<p>Redefines employer of a lobbyist. Includes in the definition of "employer of a lobbyist" for corporations, associations, and other organizations persons who are in-house counsel, corporate officers, board members, and persons in government relations or oversight of government relations positions. (S: Bunch; H: Casada)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House State Government Subcommittee.</p>
COMMERCIAL LAW		
<p>SB 0098 HB 0494 (Full Text)</p>		<p>Penalty for price-gouging. Establishes that an immediate price increase of 25 percent or more is considered price-gouging and is in violation of excessive pricing during a state of emergency. Includes a fine of three times the amount of gross profits for such violations. (S: Berke; H: Fincher)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Consumer Affairs Subcommittee.</p>
<p>SB 0598 HB 0550 (Full Text)</p>		<p>Referring to governmental entities in advertising. Makes the act of using any word in an advertisement or trade name referring to a governmental entity that may tend to mislead consumers to believe a private entity is, is acting for or on behalf of, or has a direct or indirect relationship to a governmental entity, when such use is false, inaccurate, or misleading a violation of the Consumer Protection Act. Clarifies that using the plural of words such agency, state or bureau in a company name in attempt to lead consumers to the believe the company has a formal connection to the state is one example of such a violation. (S: Burchett; H: Hardaway)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Failed 04/21/2009 in House Consumer Affairs Subcommittee.</p>
<p>SB 0847 HB 1206 (Full Text)</p>		<p>Claiming of damages under Consumer Protection Act. Requires an individual claiming damages under Consumer Protection Act to prove causal link between alleged act and person's damages. Requires such a claimant to show actual out-of-pocket loss based on actual market value of good or</p>

		<p>service received in order to recover damages. (S: Black; H: McCord)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture deferred to 05/26/2009. House Status: House Consumer & Employee Affairs deferred to last calendar.</p>
<p>SB 1433 HB 2097 (Full Text)</p>		<p>TN Identification and Personal information Act of 2009. Renames the "Tennessee Identity Theft Deterrence Act of 1999" to the "Tennessee Identification and Personal Information Protection Act of 2009". Includes the unauthorized transfer of personal information under such act. (S: Stanley; H: Towns)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Consumer Affairs Subcommittee.</p>
<p>SB 1545 HB 2100 (Full Text)</p>		<p>Requesting an individual's social security number deceptive. Makes it an unfair or deceptive act for an entity to request a person's social security number. Permits the request to be made in certain circumstances if the state or federal government requires it or if the number is to be used for employment verification. (S: Burchett; H: Towns)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture deferred to 03/23/2010. House Status: House Consumer & Employee Affairs deferred to 2010.</p>
<p>SB 3652 HB 3952 (Full Text)</p>		<p>Special purpose corporations and associations - obligations. Increases the total limit of obligations of certain corporations from 10 times the amount of their paid-in capital and surplus to 15 times the amount of their paid-in capital and surplus. (S: Beavers; H: Weaver)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: House companion bill introduced. (H: Weaver)</p>
<p>SB 3862 HB 3817 (Full Text)</p>		<p>Violations of Fair Debt Collection Practices Act. Makes engaging in any prohibited practice while attempting to collect or collecting a debt a violation of the Consumer Protection Act of 1977. (S: Kyle; H: Turner M.)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Consumer Affairs Subcommittee.</p>
<p>SB 3898 HB 3883 (Full Text)</p>		<p>TN Small Business Investment Company Credit Act - revisions. Revises various provisions of the Tennessee Small Business Investment Company Credit Act. Specifies consequences of failure on the part of a company participating as part of the Tennessee Small Business Investment Company Credit</p>

		<p>Act which fails to meet performance measures including forfeiture or recapture of any investment tax credit. (S: Johnson J.; H: Sargent) House Co-Sponsor: Harwell</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Commerce Small Business Subcommittee.</p>
CONSTRUCTION		
<p>SB 3220 HB 3434 (Full Text)</p>		<p>Minimum statewide building construction safety standards. Requires that minimum statewide building construction safety standards be selected from the 2006 International Building Code. (S: Woodson; H: Hawk)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Commerce. House Government Operations will review if recommended.</p>
CORRECTIONS		
<p>SB 2658 HB 3227 (Full Text)</p>		<p>Telecommunication detection at correctional facilities. Requires the commissioner to maintain at least one dog trained to detect contraband telecommunication devices at each correctional facility. (S: Ketron; H: McCord)</p> <p>Senate Status: Set for Senate State & Local Government Committee 02/24/2010. House Status: Referred to House State & Local Government. Other Status: Set for Joint Oversight Committee on Corrections 02/22/2010.</p>
CRIMINAL LAW		
<p>SB 0257 HB 0624 (Full Text)</p>		<p>Obscene or harmful advertising to minors. Prohibits cable television or satellite television company from advertising or promoting material that it knows to be obscene or harmful to minors. Allows an exception if such advertising is transmitted between the hours of 12:00 a.m. and 6:00 a.m. (S: Jackson; H: Maggart)</p> <p>Amendment: Senate Commerce amendment 1 adds the word, "transmit", to the first sentence of section 1 to specify that it is an offense is to knowingly produce, broadcast, transmit, distribute, send, cause to be sent, or bring or cause to be brought into this state any obscene matter for broadcast. Senate Commerce amendment 2 changes the effective date to July 1, 2010.</p>

		<p>Senate Status: Senate Commerce, Labor & Agriculture 02/09/2010 recommended with amendment. Sent to Senate Finance, Ways & Means.</p> <p>House Status: Withdrawn in House 02/18/2010.</p>
<p>SB 0458 HB 0625 (Full Text)</p>		<p>Sexual exploitation of children found on computers. Creates a Class A misdemeanor punishable only by a fine of no more than \$2,500 for any person who either repairs and services computers or develops film and becomes aware of the sexual exploitation of children and knowingly fail to report the existence of such material. (S: Black; H: Maggart)</p> <p>House Co-Sponsors: Casada; Eldridge; Shipley</p> <p>Senate Status: Referred to Senate Judiciary.</p> <p>House Status: Referred to House Judiciary Criminal Practice Subcommittee.</p>
<p>SB 0746 HB 0760 (Full Text)</p>		<p>Advertising of materials that are harmful to children. Prohibits television station or cable television company from advertising or promoting material that it knows or has reason to know to be obscene or harmful to children. (S: Jackson; H: Turner M.)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture.</p> <p>House Status: Withdrawn in House 02/18/2010.</p>
<p>SB 0782 HB 0591 (Full Text) Public Chapter (PDF)</p>		<p>Interception of cellular or wireless phone transmissions. Deletes offense for the interception of cellular or cordless telephone transmissions. Redefines "electronic communication" and "wire communication". (S: Overbey; H: Coleman)</p> <p>Amendment: House amendment 1 retains the present law criminal offense for recording or disseminating telephone communications without having the consent of a party to the conversation or a court order. Clarifies that this bill will not remove the requirement that a communication be made "by the aid of wire, cable or other like connection" to be considered a wire communication.</p> <p>Senate Status: Senate passed 06/08/2009.</p> <p>House Status: House 06/04/2009 passed with amendment 1.</p> <p>Other Status: Enacted as Public Chapter 0440 (effective 07/01/2009).</p>
<p>SB 1066 HB 0932 (Full Text)</p>		<p>Victims of violent crimes - access to personal info. Authorizes victims of certain violent crimes to have immediate access to their phone records, bank records and credit card information. (S: Marrero; H: Kernell)</p> <p>Senate Status: Senate Judiciary deferred to 05/20/2009.</p>

		House Status: Taken off notice in House Judiciary 05/19/2009.
SB 1228 HB 1146 (Full Text)		<p>Inmates in penal institutions and communications devices. Prohibits the possession of any telecommunication device by any person while present in any penal institution where prisoners are quartered without the express written consent of the chief administrator of the institution. (S: Bunch; H: Bass)</p> <p>House Co-Sponsor: Maggart</p> <p>Oversight Corrections Committee comment: Oversight Corrections Committee 03/16/2009 adopted and released to full committee with additional remark that current law makes it a Class E felony to possess a telecommunication device in a penal institution without a written directive. This bill makes that offense a class C felony also.</p> <p>Senate Status: Referred to Senate State & Local Government.</p> <p>House Status: Taken off notice in House Judiciary 04/01/2009.</p> <p>Other Status: Oversight Corrections Committee 03/16/2009 reviewed, comment adopted and released to full committee.</p>
SB 1529 HB 1257 (Full Text) Public Chapter (PDF)		<p>Sexual exploitation of a minor and Internet usage. Allows the attorney general or the chief deputy to issue a subpoena for production of records related to Internet and computer use in any investigation relating to the sexual exploitation of a minor or aggravated sexual exploitation of a minor. Specifies that such records include e-mail address, Internet usernames, ISP address and Internet history. (S: Burchett; H: Tindell)</p> <p>Senate Co-Sponsor: Finney L.</p> <p>House Co-Sponsor: Montgomery</p> <p>Amendment: Senate amendment 1, House amendment 1 makes the bill. Authorizes a district attorney general or an assistant district attorney general to issue a subpoena to require production of records related to the Internet or computer use in cases of sexual exploitation of a minor. Requires each district attorney general to report annually to the House and Senate Judiciary Committees certain information regarding administrative subpoenas.</p> <p>Senate Status: Senate passed 02/01/2010.</p> <p>House Status: House 05/28/2009 passed with amendment 1.</p> <p>Other Status: Enacted as Public Chapter 0613 (effective 02/10/2010).</p>
SB 1751 HB 1302 (Full Text)		Unlawful restraint, compelling prostitution, pornography. Declares a person commits the offense of unlawful restraint if the person transports an individual in a manner that is designed to conceal the individual from law enforcement, creates a substantial likelihood of bodily injury or death, or the

		<p>individual is restricted in movement without consent. Creates Class E felony for the offense of unlawful restraint and a Class D felony if such offense results in death. Declares a person commits the offense of compelling prostitution if the person knowingly causes an individual by force or threat to commit prostitution. Creates Class E felony for the offense of compelling prostitution and a Class D felony if such offense involves an individual younger than 18. Declares a person commits the offense of compelling production of pornography if through force or threat causes an individual to undress, have pornographic photographs taken of them or perform sexual acts on film. Creates a Class E felony for the offense of compelling production of pornography. Establishes civil liability for trafficking offenses. (S: Marrero; H: Jones S.)</p> <p>Senate Status: House Status: House Budget Subcommittee 06/15/2009 deferred to next calendar.</p>
<p>SB 1976 HB 1814 (Full Text) Public Chapter (PDF)</p>		<p>Statutory provisions modified for theft - recordings. Creates the offense of criminal simulation for anyone who, with knowledge of its character, possesses one of the following: any machinery, plates, or other contrivances designed to produce instruments reporting to be credit or debit cards of an issuer who had not consented to the preparation of such cards; or any instrument, apparatus, or contrivance designed, adapted or used for commission of any theft of property or services by fraudulent means. Specifies that criminal simulation is punishable as theft and constitutes at least a Class E felony. Makes it illegal for anyone to knowingly reproduce for sale or cause to be transferred any recording with intent to sell it or cause it to be sold or use it or cause it to be used for commercial advantage or private financial gain through public performance without the consent of the owner. Specifies that, in the absence of a written agreement or law to the contrary, the performer or performers of a live performance may be presumed to own the rights to record or fix those sounds. Creates a Class D felony accompanied by a fine of no less than \$1,000 for violating this section if the violation involves 100 or more recordings during a 180-day period or if the violator has committed this offense before. Details punishment for lesser offenses under this section. Authorizes the court to require restitution be made for such property. (S: Burchett; H: Harwell)</p> <p>Senate Status: Senate passed 04/20/2009. House Status: House passed 05/26/2009. Other Status: Enacted as Public Chapter 0408 (effective 07/01/2009).</p>
<p>SB 2501 HB 2503 (Full Text)</p>		<p>Concealing phone number utilized by ADAD equipment. Creates an offense for a person to use ADAD equipment to intentionally conceal or misrepresent the telephone number utilized by ADAD equipment. Specifies that such violation is a Class A misdemeanor punishable by a fine only. (S: Haynes J.; H: Moore) Amendment: House Consumer & Employee Affairs Committee amendment 2, Senate amendment 1</p>

		<p>rewrites the bill. Expands violations of the Consumer Telemarketing Protection Act of 1990 to include the intentional displaying of other phone numbers or an "unknown number" message instead of the telephone number used by ADAD equipment. Exempts the use of a political candidate's home number from violations when written documentation has been provided to the Tennessee Regulatory Authority. Violations are punishable as a Class A misdemeanor with a fine not to exceed \$2,500 for each violation. Authorizes TRA to promulgate rules to implement provisions of subsection (d) rather than of the "act" in order to be more specific. Exempts telephone and voice-over-internet service providers acting solely as an intermediary between a caller and recipient. House Consumer & Employee Affairs Committee amendment 3, Senate amendment 2 specifies that it is not a violation for a business, school, or charitable organization to use ADAD equipment and display a different telephone number from the number being used by the ADAD equipment if the phone number is displayed with a TN area code, such phone number is answered during regular business hours by a designated representative of such organization, and name of the organization is displayed along with the phone number.</p> <p>Senate Status: Senate 02/18/2010 passed with amendments 1 and 2. House Status: Referred to House Commerce Industrial Impact Subcommittee.</p>
<p>SB 2929 HB 2843 (Full Text)</p>		<p>Tennessee Multilevel and Pyramid and Distributorship Act. Prohibits any person to knowingly contrive, prepare, set up, propose, or operate an endless chain or pyramid scheme. Requires all multilevel distribution companies to provide an agreement granting the participant's right to cancel, have all products in resale condition repurchased for a price not less than 90 percent of the original net cost by the company, and to register with the state attorney general. Designates the penalty for operating a pyramid scheme as a Class E felony allowing a fine of not less than \$10,000 and/or imprisonment for not less than one year. (S: Johnson J.; H: Sargent)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Judiciary.</p>
<p>SB 3009 HB 3141 (Full Text)</p>		<p>Storage of firearm in vehicle by employee. Allows an employee with a handgun carry permit to possess a firearm in the employer's parking lot as long as the vehicle is locked and the firearm is not visible from the outside of the vehicle. Prohibits an employer from discriminating against an employee for possessing a firearm in their vehicle. (S: Jackson; H: McDonald)</p> <p>Senate Status: Referred to Senate Judiciary. House Status: Referred to House Judiciary Criminal Practice Subcommittee.</p>
ECONOMIC DEVELOPMENT		

<p>SB 2980 HB 3308 (Full Text)</p>		<p>Industrial development corporations - projects. Adds the following types of projects that industrial development corporations located in municipalities having a central business improvement district may undertake: public improvement, public facilities, or combination thereof, located within an area designated by the municipality as the center city area. Includes alleys, auditoriums, bridges, culverts, curbs, drainage systems, garages, parks, parking facilities, parkways, playgrounds, plazas, public art, roads, sewers, sidewalks, stadiums, streets, street equipment, tunnels, and viaducts. Authorizes such municipality to provide assistance for the corporation from revenue except ad valorem property tax revenue. (S: Tate; H: Lollar)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Local Government Subcommittee.</p>
<p>SB 3622 HB 3417 (Full Text)</p>		<p>Financing infrastructure expenses: mixed-use developments. Authorizes industrial development corporations to finance streets, utilities, and public improvements serving certain mixed-use developments. (S: Beavers; H: Wunningham)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Local Government Subcommittee.</p>
<p>SB 3653 HB 3699 (Full Text)</p>		<p>Mandatory use of e-verify system in hiring. Requires each employer, including the state and local government, to use the e-verify system created by the federal governments to verify the employment eligibility status of any person seeking employment. Requires such employer to maintain a copy of documentation verifying the eligibility of the application for a period of three years. (S: Kelsey; H: Rowland)</p> <p>House Co-Sponsor: Bell</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
EDUCATION		
<p>HB 0593 (Full Text)</p>		<p>Mobile phones during school hours. Establishes that it is a delinquent act for any student under 18 years old to use a mobile telephone during school hours on school property. Establishes that it is a Class C misdemeanor punishable by fine or community service for any student 18 years or older to use a mobile phone during school hours on school property. (H: Coleman)</p> <p>House Status: Taken off notice in House Education K-12 Subcommittee 04/08/2009.</p>

ENERGY & MINING		
SB 0906 HB 2001 (Full Text)		<p>State building commission projects - energy cost savings. Requires, at the design development stage, the designer of a project with the state building commission to provide estimated yearly energy consumption of the proposed site, the basis for the submitted figures, and a description of energy consumption alternatives. Establishes procedure for deducting from amount bid on state building commission project the estimated energy cost savings attributable to bidder's design modifications and proposals. (S: Burks; H: Curtiss)</p> <p>Senate Status: Taken off notice in Senate State & Local Government 04/20/2009. House Status: House State Government Subcommittee deferred to 2010.</p>
SB 0907 HB 2003 (Full Text)		<p>Energy efficient standards for building contracts. Requires that providers of services, material, and equipment in state and local building contracts meet certain, specified energy efficiency standards. (S: Burks; H: Curtiss)</p> <p>Senate Status: Taken off notice in Senate State & Local Government 04/20/2009. House Status: House State Government Subcommittee deferred to 2010.</p>
SB 1089 HB 1518 (Full Text) Public Chapter (PDF)		<p>Electric G&T Cooperative Act - non-profit corporations. Creates new special purpose non-profit corporation, referred to as a G&T cooperative, for owning and operating electric generation plants. Authorizes creation of G&T cooperatives to supply or furnish at wholesale electric power and energy services to patrons, to have control of all property necessary to furnish electrical energy and power for the needs of its wholesale customers, to supply, furnish or exchange wholesale electrical power, capacity and energy with any other entity, to provide management or operate services by contract with any distribution cooperative, energy acquisition corporation, or governmental electric system or other cooperatively organized or governmentally-owned utility system, and for such other lawful purposes as may be prescribed in the charter of the G&T cooperative that are for the benefit of the members of the G&T cooperative. Specifies that only distribution cooperatives, governmental electric systems, energy acquisition corporations, another G&T cooperative, and joint action agencies would be eligible to be members of a G&T cooperative. Allows for member classifications, qualifications, rights and obligations to be established for members as the bylaws, to the extent not inconsistent with this bill. Specifies that members that are governmental electric systems would act through the board or supervisory body having responsibility for the members' electric systems or pursuant to ordinances or resolutions adopted by the governing boards and that a board of directors of at least five directors would manage the G&T cooperative. With respect to the supplying or furnishing of service by a G&T cooperative, there would be an accounting of the revenues for any fiscal year that are in excess of the amount necessary to defray expenses of the G&T cooperative, pay interest and principal obligations of</p>

the G&T cooperative coming due in such fiscal year, finance, or to provide a reserve to finance, the construction or acquisition by the G&T cooperative of additional facilities to the extent determined by the board, provide a reasonable reserve for working capital, provide a major maintenance reserve, and provide a reserve for the payment of indebtedness of the G&T cooperative maturing more than one year after the date of the incurrence of such indebtedness in an amount up to the maximum amount of interest and principal payments to be made during any future fiscal year. Specifies manner in which any funds in excess of revenues must be distributed to patrons. Authorizes any corporation organized on a non-profit or a cooperative basis for one or the designated purposes and operating in a state adjacent to TN to transact business in TN without complying with any present law provision pertaining to the qualification of foreign corporations for the transaction of business. Requires such foreign corporation to designate to the secretary of state its agent to accept service of process in its behalf, allowing any such corporation to sue and or be sued in TN. Specifies that payment of ad valorem taxes by such companies would be in lieu of all other taxes, except as otherwise specified in present law. Exempts all facilities and plants constructed for the purposes of this bill from ad valorem property taxes for four years after the date of the construction. Prohibits a G&T cooperative from providing electrical power and energy services to retail customers in the TVA area or telephony, cable television, video programming, Internet access or other telecommunications services to retail customers in the TVA area, except as otherwise provided. Exempts in all respects from TRA jurisdiction any G&T cooperative or foreign corporation transacting business in TN under this bill. Clarifies that this bill would not apply to any note, bond, or other evidence of indebtedness issued by any G&T cooperative or foreign corporation transacting business under this bill, the U.S. or any agency or instrumentality thereof, or utility districts created pursuant to the Utility District Law of 1937. Specifies that certain present law provisions regarding non-profit corporations would not apply to G&T cooperatives subject to this bill. Modifies the state energy acquisition corporation statutes to permit representation on the board. Broadly captioned. (23 pp.) (S: McNally; H: Fitzhugh)

House Co-Sponsor: Sargent

Amendment: Senate amendment 1 removes exemption from ad valorem property taxes for four years after construction date for all facilities and plants constructed for the purposes of this bill. Removes language requiring any corporation "otherwise existing as of the effective date of this chapter" to be operated as a not-for-profit membership cooperative corporation. Makes other technical corrections. Senate amendment 2 requires TACIR to conduct a study to consider whether the current wholesale power supply arrangements between TVA and municipal utilities and electric cooperatives are likely to change in the future in a way that could affect payments in lieu of taxes from TVA to the state and to local governments. TACIR must report written findings to the senate commerce, labor and agriculture committee, the house commerce committee, and the finance, ways and means committees of the senate and house by February 1, 2010.

		<p>Senate Status: Senate 04/09/2009 passed with amendments 1 and 2. House Status: House passed 06/01/2009. Other Status: Enacted as Public Chapter 0475 (effective 06/23/2009).</p>
<p>SB 2300 HB 2318 (Full Text) Public Chapter (PDF)</p>		<p>Energy efficiency standards - state buildings and vehicles. Requires department of finance and administration to develop a plan for ensuring state-owned facilities have individual energy meters by 2010. Includes electric vehicles in the definition of "energy-efficient vehicle" for purposes of provisions governing fleet of state vehicles. Requires that statewide building construction safety standards include provisions for energy efficiency (Part of Administration Package). (S: Kyle; H: Winningham)</p> <p>House Co-Sponsor: Hackworth</p> <p>Amendment: Senate amendment 1 establishes a retrofit initiative for state office buildings to achieve better energy efficiency. This amendment also raises the target goal for the state for energy efficient vehicles. Requires department to ensure that 25 percent of newly purchased passenger motor vehicles procured for use in areas designated by the EPA as ozone nonattainment areas shall be hybrid electric vehicles, provided that such vehicles are available. Requires all future office equipment, appliances, lighting, and heating and cooling products and systems purchased by and for state agencies to be Energy Star qualified. Senate amendment 2, as amended, does the following: adds clean diesel and natural gas powered vehicles to the list of energy efficient passenger motor vehicles for purposes of the state fleet; clarifies certain language in tax and revenue section; requires the department of commerce and insurance to gather information on residential fire sprinklers; exempts remodels from any new code requirements; and clarifies that construction previously required to have sprinklers is still required to do so. Senate amendment 3 removes the provision whereby energy cost saving measures can be funded by appropriations, including the proceeds of bonds notes or other obligations, as authorized by law, when such bonds, notes or other obligations can be substantially repaid from resulting energy and operational cost savings. House amendment 21 subjects the provisions of the bill to sunset review in 2014. House amendment 22 prohibits the standards in subsection (a) with respect to one-family and two-family dwellings from applying in the counties of Fentress, Morgan, and Overton. House amendment 42 changes the effective date from July 1, 2009, to July 1, 2010, for the provision that requires the state fire marshal to enforce the minimum statewide building construction safety codes with regard to those buildings for which a local jurisdiction has not adopted and is not enforcing codes. House amendment 41 removes the provisions of House amendment 22. Authorizes counties and municipalities to opt out of the provisions of this bill that apply the minimum statewide building construction safety standards to one-family and two-family homes. To opt out of the standards, the legislative body of the county or municipality must, by a 2/3 vote, adopt a resolution to exempt the county or municipality from those provisions. The adoption of such a resolution by a county legislative</p>

		<p>body would be limited to the jurisdictional boundaries outside any municipality located within the county. The governing body of any county or municipality located in any such county which has adopted the resolution may reverse the action. The presiding officer of the governing body shall notify the state fire marshal of the approval of the resolution. Upon approving the resolution or reversing its action, the presiding officer of the legislative body must notify the state fire marshal of the actions taken. The resolution must take effect on July 1, 2010, or at any date thereafter. The resolution will expire 180 days after the election for the local legislative body next occurring following the adoption of the resolution, or at an earlier expiration date stated in the resolution.</p> <p>Senate Status: Senate 06/17/2009 concurred in House amendment 2. House Status: House 06/11/2009 passed with amendments 21, 22, 42 and 41. Other Status: Enacted as Public Chapter 0529 (effective 06/25/2009).</p>
<p>SB 2993 HB 3661 (Full Text)</p>		<p>Requirements for G&T cooperative boards. Allows the board or members of a G&T cooperative to change any bylaw that potentially exposes the G&T cooperative to legal or regulatory action. Requires the board to send 30-day written notice of any annual or special meeting in which a recommendation to dissolve the G&T cooperative will be considered. (S: Berke; H: Stewart M.)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
ENVIRONMENT & NATURE		
<p>SB 1335 HB 0941 (Full Text)</p>		<p>24 hour advance notice prior to utilities site inspection. Requires the department of environment and conservation give operator in charge or general manager of a public or private utility or municipality at least 24 hours notice prior to conducting an inspection, site visit, records review, sampling event, or other regulatory action. (S: Yager; H: Ferguson)</p> <p>Senate Status: Taken off notice in Senate Environment, Conservation & Tourism 04/07/2009. House Status: House Environment Subcommittee deferred to 03/31/2009.</p>
<p>SB 3228 HB 3418 (Full Text)</p>		<p>Internet reservation system - parks and recreation division. Requires the division of parks and recreation to establish an Internet reservation system by January 1, 2011 that allows visitors to have online access to reservations for state park facilities. (S: Southerland; H: Litz) Senate Co-Sponsor: Ketrone</p> <p>Senate Status: Referred to Senate Environment, Conservation & Tourism. House Status: Taken off notice in House Parks & Tourism Subcommittee 02/10/2010.</p>

FAMILY LAW		
SB 3405 HB 3422 (Full Text)		<p>Advertisements by out-of-state adoption agencies. Clarifies that an advertisement in TN for the placement of children for adoption in another state by an agency, including a private, domestic adoption agency, not licensed in this state must prominently state that the agency or individual is not licensed to do such business in this state. (S: Barnes; H: Litz)</p> <p>Senate Status: Referred to Senate Judiciary. House Status: Referred to House Domestic Relations Subcommittee.</p>
GOVERNMENT CONTRACTS		
SB 1972 HB 2191 (Full Text)		<p>Governmental utility board - bidding procedures. Establishes an alternative procedure for competitive bids for a governmental utility board if the board finds it is unlikely such procedure will encourage favoritism or substantially diminish competition for contracts. (S: Norris; H: DeBerry L.)</p> <p>Senate Status: Senate State & Local Government deferred to 04/07/2009. House Status: House State Government Subcommittee deferred to 2010.</p>
SB 2896 HB 2976 (Full Text)		<p>Financial review of contracts before renewal. Requires financial review prior to renewal, extension, or modification of contracts for goods or services requiring approval by the comptroller of the treasury. (S: McNally; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House State Government Subcommittee.</p>
SB 3089 HB 3061 (Full Text)		<p>Contracts between LLCs and counties or state. Requires all contracts for goods or services being purchased that are entered into between the state or a county and an LLC include a requirement that the LLC shall disclose the name of each partner before the contract becomes effective. Requires such disclosure to be posted on the state's or county's web site, as applicable, with sufficient information to identify the respective contract. (S: Burchett; H: Niceley)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House State Government Subcommittee.</p>
SB 3598 HB 3353 (Full Text)		<p>Establishes procurement commission. Creates a procurement commission, procurement office, and an advisory council on state procurement that will regulate procurement, grants, contracts, a bidding system, and the disposal of goods and services by the state. (20 pp.) (S: Ketron; H: Curtiss)</p>

		<p>Senate Status: Referred to Senate State & Local Government.</p> <p>House Status: Referred to House State & Local Government. House Government Operations will review if recommended.</p>
GOVERNMENT ORGANIZATION		
<p>SB 0223 HB 0148 (Full Text)</p>		<p>Advisory board to commissioner and governor. Creates an advisory board to commissioner and governor for the purpose of reviewing complaints against regulatory boards administered by department. Broadly captioned. (S: Stanley; H: Sargent)</p> <p>Senate Status: Referred to Senate Government Operations.</p> <p>House Status: House sponsor changed from Casada to Sargent.</p>
<p>SB 0355 HB 1035 (Full Text) Public Chapter (PDF)</p>		<p>Sunset - TACIR. Sunsets the Tennessee advisory commission on intergovernmental relations on June 30, 2011. (S: Johnson J.; H: Lynn)</p> <p>House Co-Sponsors: Kernell; Cobb J.</p> <p>Amendment: Senate amendment 1 extends for four years the Tennessee advisory commission on intergovernmental relations.</p> <p>Senate Status: Senate 03/26/2009 passed with amendment 1.</p> <p>House Status: House passed 05/11/2009.</p> <p>Other Status: Enacted as Public Chapter 0240 (effective 05/20/2009).</p>
<p>SB 0610 HB 0085 (Full Text)</p>		<p>Emergency communications funds transferal. Removes authority to transfer emergency communications funds for the purpose of balancing expenditures and revenues to close fiscal year ending June 30, 2009. (S: Tracy; H: Fraley)</p> <p>Senate Status: Set for Senate Finance, Ways & Means Committee 06/12/2009.</p> <p>House Status: Taken off notice in House Finance Budget Subcommittee 03/25/2009.</p>
<p>SB 1006 HB 0999 (Full Text) Public Chapter (PDF)</p>		<p>Sunset - emergency communications board. Sunsets the emergency communications board on June 30, 2010. (S: Johnson J.; H: Lynn)</p> <p>House Co-Sponsors: Kernell; Cobb J.</p> <p>Amendment: Senate amendment 1 extends the emergency communications board for four years. Directs TACIR to perform a study on the impact on public safety of non-emergency communications district affiliated public service answering points. Requires the report to be delivered to each member of the house and senate government operations committees by December 1, 2009.</p>

		<p>Senate Status: Senate 05/20/2009 passed with amendment 1. House Status: House passed 06/01/2009. Other Status: Enacted as Public Chapter 0473 (effective 06/23/2009).</p>
<p>SB 1041 HB 1044 (Full Text) Public Chapter (PDF)</p>		<p>Sunset - utility management review board. Sunsets the utility management review board on June 30, 2015. (S: Johnson J.; H: Lynn) House Co-Sponsors: Cobb J.; Kernell</p> <p>Senate Status: Senate passed 03/09/2009. House Status: House passed 05/11/2009. Other Status: Enacted as Public Chapter 0249 (effective 05/20/2009).</p>
<p>SB 1045 HB 1041 (Full Text) Public Chapter (PDF)</p>		<p>Sunset - TN public television council. Sunsets the Tennessee public television council on June 30, 2014. (S: Johnson J.; H: Lynn) House Co-Sponsors: Kernell; Cobb J.</p> <p>Senate Status: Senate passed 06/12/2009. House Status: House passed 05/04/2009. Other Status: Enacted as Public Chapter 0543 (effective 06/25/2009).</p>
<p>SB 3193 HB 3352 (Full Text)</p>		<p>State emergency communications board requirements. Prohibits the state emergency communications board from requiring the board of directors of any emergency communications district to hold more than 50 percent of the district's operating budget in reserve. (S: Stewart E.; H: Curtiss)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Set for House State Government Subcommittee 02/23/2010.</p>
GOVERNMENT REGULATION		
<p>SB 1388 HB 1815 (Full Text) Public Chapter (PDF)</p>		<p>UAPA revisions. Streamlines procedure by which the government operations committees of both houses will review legislation amending or repealing portions of the UAPA. Changes publication requirements from posting information in the notice section of the secretary of states monthly administrative register to the administrative register website within five business days of receipt of such information. Requires the agency to adopt the proposed rule without a public hearing unless within sixty days after the first day of the month subsequent to the filing of the proposed rule with the secretary of state a petition for a public hearing on such proposed rule is filed by 25 interested individuals. Specifies that rules will become effective 75 days after filing with the secretary of state</p>

and removes requirement that the attorney general approve it. Extends reasons that the agency may proceed without prior notice to adopt an emergency rule to include the following: the rule only delays the effective date of another rule that is not yet effective; it is required by the Constitution or court order; it is required by an agency of the federal government and adoption of the rule through ordinary rulemaking procedures might jeopardize the loss of a federal program or funds; or the agency is required by an enactment of the general assembly to implement rules within a prescribed period of time that precludes utilization of rulemaking procedures. Authorizes the secretary of state to approve or deny a rule if the attorney general does not do so within 45 days of filing. Removes document requirements specific to the department of environment and conservation. Requires the secretary of state to update agency rules on the effective date of any new amendment to existing rules or of any new rules. Also requires the secretary of state to incorporate emergency rules within the appropriate agency's rules within two business days of their filing. (16 pp.) (S: Johnson J.; H: Lynn)

Amendment: House amendment 1 states that nothing contained in the Uniform Administrative Procedures Act can be construed to prevent the government operations committee from being considered an appropriate standing committee to consider legislation that amends or repeals and provision within. Directs the TN code commission to provide to the government operations committees an annual list by January 1 of all public necessity rules under the UAPA. Removes authorization for the secretary of state to approve or deny a rule if the attorney general does not do so within 45 days of filing. Deletes section of the bill that removed document requirements specific to the department of environment and conservation. House amendment 2 requires any legislation that re-establishes, restructures or otherwise delegates any type of rulemaking authority to any new or pre-existing governmental entity to be referred to the government operations committee by the speaker of each house. Requires the government operations committee to be considered a standing committee. Requires the secretary of state to file within five business days of a rule's acceptance on the state's website. Deletes the provision that requires a written request by a person having an interest in the environment and conservation department's rules, proposed rules, or requesting person. Requires that if an agency withdraws a rule amending previously existing rule, then such previously existing rule must continue in effect until it is later amended. Requires all amendments to existing execute agency rules to needing to be reviewed by the committees or subcommittees to be filed with the secretary of state. Defines "redline form" as a denotation of all amendments to an existing rule by placing a line through all language to be deleted and including brackets clearly indicating the changes made to the rule. Establishes that failure to comply with such rules is evidence of the failure be by an agency to meet its burden of proof. Changes from 75 to 120 the amount of days it takes for a rule to become effective once filled in the office of the secretary of state. Establishes that an emergency rule must become effective immediately, unless otherwise stated in the rule, upon a copy of such rule and a copy of the written statement of the reasons for the rule being filed with the secretary of state. Prohibits the emergency rule from being effective for a period longer than 210 days. Prohibits the agency from

		<p>adopting the same or a substantially similar emergency rule within one calendar year from its first adoption, unless the agency clearly establishes that it could not reasonably be foreseen during the initial 210 period that such emergency could continue or would likely recur during the next nine months. House amendment 4 removes the ability of the government operations committee to delay or prevent consideration of any such legislation by withholding its recommendation unless such legislation is assigned to the government operations committee as the only standing committee to hear the bill. Senate amendment 2 is the same as House amendment 2 except changes from 75 to 90, instead of 120 as in the House amendment, the amount of days it takes for a rule to become effective once filled in the office of the secretary of state. Senate amendment 3 corrects technical changes that make sure the changes made by Senate amendment 2 are consistent throughout the bill. Senate amendment 5 deletes all the language of House amendments 2 and 4. Senate amendment 6 deletes section 4 of the bill entirely.</p> <p>Conference Committee: Conference Committee Report on HB 1815/SB 1388 recommends that all amendments be deleted. The Committee further recommends that the following amendment (#1031732) be adopted.</p> <p>Senate Status: Senate 06/18/2009 adopted conference committee report. House Status: House 06/18/2009 adopted conference committee report. Other Status: Enacted as Public Chapter 0566 (effective 07/01/2009).</p>
SB 3787 HB 3289 (Full Text)		<p>UAPA - general assembly must approve permanent rule. Requires approval of the general assembly before a permanent rule becomes effective. (S: Bunch; H: Lynn)</p> <p>Senate Status: Referred to Senate Government Operations. House Status: Referred to House Consumer Affairs Subcommittee.</p>
JUDICIARY		
SB 0045 HB 0117 (Full Text)		<p>Contested case hearings. Authorizes appeals from contested case hearings in any county in which the attorney general has an office. Specifies such appeals shall be heard de novo. (S: Bunch; H: Bell)</p> <p>Senate Status: Referred to Senate Judiciary. House Status: Referred to House Judiciary Civil Practice Subcommittee.</p>
SB 0046 HB 0116 (Full Text)		<p>Contested case appeals made directly to chancery court. Authorizes any person involved in a contested case hearing to appeal directly to a chancery court under UAPA and specifies those hearings granted will be de novo. (S: Bunch; H: Bell)</p> <p>Judicial Council comment: Judicial Council adopted and released to full committee with additional</p>

		<p>remark that the requirement that judicial review of contested administrative cases occur by a de novo hearing will significantly increase the workload of the Attorney General's office and the chancery court for Davidson County, where most of these types of reviews are directed. In addition, the litigation costs to the parties will be significantly increased as the requirements call for the preparation for and presentation of two separate trials.</p> <p>Senate Status: Referred to Senate Judiciary. House Status: Referred to House Judiciary Civil Practice Subcommittee. Other Status: Tennessee Judicial Council reviewed 04/02/2009 with comment.</p>
<p>SB 0047 HB 0115 (Full Text)</p>		<p>Review of administrative contested case hearings. Permits filing of a petition for review in contested case hearings. (S: Bunch; H: Bell) Judicial Council comment: Judicial Council adopted and released to full committee with additional remark that this legislation establishes significant changes to the process of judicial review of contested administrative cases. The Judicial Council noted that the requirement that judicial review of contested administrative cases occur by a de novo hearing will significantly increase the workload and travel expenses for the Attorney General's office, as these matters would be spread out statewide instead of largely concentrated in Davidson County, where most such cases are currently directed. In addition, the litigation costs to the parties will be significantly increased as the requirements call for the preparation for and presentation of two separate trials. Further, it may be difficult for local judges to hear a review of a contested administrative hearing, as conflicts may be more likely, especially in cases that garner local media coverage. The council noted that the current system of judicial review of contested administrative cases appears to be working and sees no reason the change the current process.</p> <p>Senate Status: Referred to Senate Judiciary. House Status: Referred to House Judiciary Civil Practice Subcommittee. Other Status: Tennessee Judicial Council reviewed 04/02/2009 with comment.</p>
LABOR LAW		
<p>SB 0682 HB 1161 (Full Text) Public Chapter (PDF)</p>		<p>Retaliatory discharge of an employee. Clarifies that the civil cause of action for the retaliatory discharge of an employee for reporting illegal activities applies to state employees, private employees, and certain persons paid by the federal government. (S: Woodson; H: Haynes R.) House Co-Sponsor: Evans Amendment: Senate amendment 1 corrects a drafting error, inserting "not" between "are" and "full-time" in subsection c of the bill.</p> <p>Senate Status: Senate 03/12/2009 passed with amendment 1.</p>

		<p>House Status: House passed 04/23/2009. Other Status: Enacted as Public Chapter 0161 (effective 05/07/2009).</p>
<p>SB 1664 HB 0776 (Full Text)</p>		<p>Pay Equity in the Workplace Act. Prohibits an employer from discriminating between employees on the basis of sex by paying any employee salary or wage rates less than the rates the employer pays to any employee of the opposite sex for comparable work. Authorizes the commissioner of labor and workforce development to endeavor to eliminate such pay practices by informal means of conference, conciliation, and persuasion. Also authorizes the commissioner to supervise the payment of wages owing to an employee who has been discriminated against. Requires commissioner to develop guidelines to enable employers to evaluate job categories based on objective criteria. (S: Harper; H: Turner M.)</p> <p>Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 03/03/2009. House Status: House Employee Affairs Subcommittee deferred to 03/02/2010.</p>
<p>SB 1674 HB 1916 (Full Text)</p>		<p>Secret Ballot Protection Act of 2009. Enacts the Secret Ballot Protection Act of 2009 to ensure employees' right to free choice in deciding employment-related matters. Creates a Class C misdemeanor for any person to directly or indirectly violate such provisions. (S: Johnson J.; H: Lynn)</p> <p>Senate Status: Re-referred to Senate Calendar Committee 01/12/2010. House Status: Failed in House Employee Affairs Subcommittee 02/03/2010.</p>
<p>SB 2633 HB 3095 (Full Text)</p>		<p>Payments to employees using automated fund transfer. Permits employers to pay employees by electronic automated fund transfer into an account in the name of the employee or by credit to a prepaid debit card from which the employee is able to withdraw or transfer funds. (S: Johnson J.; H: Fitzhugh)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture 02/02/2010 recommended. Sent to Calendar Committee. House Status: Referred to House Employee Affairs Subcommittee.</p>
<p>SB 2925 HB 2905 (Full Text)</p>		<p>Disqualifying claimant for unemployment benefits. Establishes that when an employer provides certain evidence showing four or more complaints from customers concerning the employee's work performance, a discharge by an employer shall be deemed to be a discharge for misconduct, and thus, disqualify the claimant from unemployment benefits. Employer must show evidence that employee was notified of such complaints within 10 days of receiving each complaint, and that employee was given a reasonable opportunity to correct his or her performance. (S: Johnson J.; H: Sargent)</p>

		<p>Senate Co-Sponsor: Tracy House Co-Sponsor: Rowland</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
<p>SB 3105 HB 3108 (Full Text)</p>		<p>Increases unemployment security benefits. Increases the weekly unemployment security benefit amount by \$50 for benefits established on or after August 5, 2001. (S: Marrero; H: Jones S.)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
<p>SB 3518 HB 3421 (Full Text)</p>		<p>Unemployment compensation - payment by electronic transfer. Requires the weekly benefit amount payable to a claimant to be paid by electronic transfer to a specific bank account if requested by the claimant in writing. Redacts social security number from the check and the check stub if the claimant chooses to be paid by check. (S: Overbey; H: Litz)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
<p>SB 3635 HB 3696 (Full Text)</p>		<p>Employer required to verify eligibility status of applicant. Requires any employer in the state, including any governmental entity, to use the e-verify system created by the federal government to verify the employment eligibility status of any person seeking employment. Also requires the employer to maintain a copy of documentation verifying the eligibility of the applicant for a period of no less than three years. (S: Ketron; H: Johnson C.)</p> <p>Senate Co-Sponsor: Tracy</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
LOCAL GOVERNMENT		
<p>SB 0077 HB 0502 (Full Text)</p>		<p>Property Owners Bill of Rights. Revises code sections dealing with the power of eminent domain. Specifies that governmental entity or other person or entity with the power of eminent domain who enters upon the land of another for the purpose of taking surveys of the land is liable for the actual damages done to the property. Requires local governments to conduct public hearings to determine whether the property to be condemned will be used by the local government for a public use. Also requires a majority vote of the legislative body to approve the specific use of eminent domain. Requires</p>

		<p>three appraisals of the property to be obtained prior to the taking of the property by eminent domain and requires condemning authority to pay for the three appraisals. Specifies that the price offered by the condemning authority is to be the median of the three appraisals. Requires entity with power of eminent domain to deposit funds with the circuit court clerk for amount of damages to which the owner of the property is entitled because of the taking of such property. Also requires the entity with the power of eminent domain to file a petition for condemnation with the court and specifies what information is to be included on petition. Requires notice of the filing of such petition to be given to each respondent at least 30 days prior to the taking of any additional steps in the case. Specifies that if the right to take the property is challenged within 30 days then the court is to determine whether the condemnor has the right to take the property. Establishes procedure for respondent to object to the taking of the property or the amount deposited by the condemnor for the property. Prohibits a state or local government entity that has been granted the power of eminent domain from selling, leasing or transferring the real property acquired through eminent domain for a period of five years unless the property is sold back to the original owner. Makes various other changes to eminent domain law. (22 pp.) (S: Stanley; H: Todd)</p> <p>Senate Status: Referred to Senate Judiciary. House Status: Taken off notice in House Civil Practice Subcommittee 03/17/2009.</p>
<p>SB 0414 HB 0273 (Full Text) Public Chapter (PDF)</p>		<p>Internet auction for surplus property. Specifies that any provision of law or charter provision that requires a county or municipality to sell surplus property by public auction, such term includes sale by Internet auction. (S: Watson B.; H: Dean)</p> <p>Senate Status: Senate passed 04/27/2009. House Status: House passed 04/16/2009. Other Status: Enacted as Public Chapter 0173 (effective 05/07/2009).</p>
<p>SB 0506 (Full Text)</p>		<p>Cities to regulate 911 services. Permits cities to regulate and coordinate 911 services within the city boundaries. (S: Burchett)</p> <p>Senate Status: Referred to Senate State & Local Government.</p>
<p>SB 1639 HB 1300 (Full Text)</p>		<p>Placement of telecommunications towers. Requires the municipal or county legislative body to approve the location and placement of any telecommunication tower. Authorizes the municipal or county legislative body to establish reasonable requirement, including but not limited to permit requirements, landscaping, off-street parking or set-back lines, provided that any such tower must be compatible with the surrounding area in which the tower is located. (S: Beavers; H: Jones S.)</p> <p>House Co-Sponsors: Moore; Pruitt; Stewart M.; Hackworth; Sontany; Odom; Turner M.</p>

		<p>Senate Status: Senate Commerce, Labor & Agriculture deferred to 04/28/2009. House Status: Taken off notice in House Local Government Subcommittee 04/22/2009.</p>
<p>SB 1845 HB 2095 (Full Text)</p>		<p>Referendum for publicly funded entity to be sold or leased. Prohibits any facility receiving state or local funds to support its operations from being sold or leased unless approval is granted by referendum. Specifies that sale or lease means that more than 30 percent of the assets of such publicly funded entity are subject to sale or lease. (S: Kyle; H: Towns) Amendment: House State & Local Government amendment 1 rewrites the bill and requires the county election concerning the sale or lease of the publicly funded entity to occur after an ordinance to sell the entity has been adopted.</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: House State & Local Government 05/12/2009 recommended with amendment. Sent to House Finance, Ways & Means.</p>
<p>SB 2022 HB 2035 (Full Text) Private Chapter (PDF)</p>		<p>Hamilton County - energy efficiency standards for purchases. Local bill for Hamilton County that prohibits any purchases that do not comply with energy efficiencies standards and life cycles costing employed by the state of Tennessee in its procurement policies. Amends Chapter 156 of the Private Acts of 1941, as amended. (S: Berke; H: Dean)</p> <p>Senate Status: Senate passed 05/11/2009. House Status: House passed 04/13/2009. Other Status: Enacted as Public Private 016 (effective 05/20/2009).</p>
<p>SB 2346 (Full Text)</p>		<p>Gallatin - revises charter. Local bill for Gallatin that revises charter of city of Gallatin. (S: Black)</p> <p>Senate Status: Withdrawn in Senate 03/09/2009.</p>
<p>SB 2347 HB 2380 (Full Text) Private Chapter (PDF)</p>		<p>Gallatin - revises charter. Local bill for Gallatin that revises charter of city of Gallatin. Amends Chapter 67 of the Private Acts of 1953, as amended. Clarifies that the mayor does not have a vote in the election of vice mayor. (S: Black; H: McDonald)</p> <p>Senate Status: Senate passed 05/21/2009. House Status: House passed 05/18/2009. Other Status: Enacted as Private Chapter 019 (effective 06/03/2009).</p>
<p>SB 2349</p>		<p>Milan - revises city charter. Local bill for Milan that revises the charter of the city of Milan. Amends</p>

<p>HB 2383 (Full Text)</p>		<p>amend Chapter 7 of the Private Acts of 1999. (S: Finney L.; H: Halford)</p> <p>Senate Status: Local bill held on Senate clerk's desk. House Status: Held on House clerk's desk.</p>
<p>SB 2367 HB 2401 (Full Text)</p>		<p>Clarksville - rewrites charter. Local bill for Clarksville that rewrites the charter. Amends Chapter 292 of the Private Acts of 1957. (S: Barnes; H: Johnson C.) House Co-Sponsors: Pitts; Johnson P.</p> <p>Senate Status: Local bill held on Senate clerk's desk. House Status: Set for House Local Government Subcommittee 02/24/2010.</p>
<p>SB 2512 HB 2757 (Full Text)</p>		<p>Cornersville - election of mayor and alderman. Local bill for Cornersville that amends the charter to specify the timetable and manner of elections of the mayor and five aldermen, to alter the requirement of qualified voters having to live in the town for 30 days preceding an election, to change the required reading of a bill or ordinance from three readings to two, and to delete language that allows the fire chief to be the chief of police and vice versa. Amends Chapter 150 of the Private Acts of 1994. (S: Ketron; H: Bass)</p> <p>Senate Status: Held on Senate clerk's desk. House Status: House State & Local Government 02/16/2010 recommended. Sent to Calendar & Rules.</p>
<p>SB 2527 HB 2521 (Full Text)</p>		<p>Union County - hotel/motel tax. Local bill for Union County that enacts a hotel/motel tax. (S: Faulk; H: Faulkner)</p> <p>Senate Status: Local bill held on Senate clerk's desk. House Status: Held on House clerk's desk.</p>
<p>SB 2566 HB 2650 (Full Text)</p>		<p>Friendsville - amends charter. Local bill for the City of Friendsville that amends the corporate charter of the city. Amends Chapter 555 of the Private Acts of 1953. (S: Overbey; H: Ramsey B.)</p> <p>Senate Status: Local bill held on Senate clerk's desk. House Status: Set for House Consent 02/22/2010.</p>
<p>SB 2611 HB 2487 (Full Text)</p>		<p>Town of Palmer - changes to certain elections. Amends, subject to local approval, the charter of the city of Palmer to grant four-year terms of office to the town's mayor and two of the four aldermen receiving the most votes in the 2010 election. Thereafter, all four aldermen shall have four-year terms of office. (S: Stewart E.; H: Harmon)</p>

		<p>Senate Status: Set for Senate Local Bill Consent 02/22/2010. House Status: House passed 02/18/2010.</p>
<p>SB 2705 HB 2793 (Full Text)</p>		<p>Cleveland - vacancies at city council meetings. Local bill for Cleveland that amends the city's charter to clarify that a vacancy shall occur if the mayor or a council member fails to attend three consecutive regular meetings of the city council, and further changes the required 13-day lapse between the first and second reading of an ordinance to a 12-day lapse. Amends Chapter 78 of the Private Acts of 1993, as amended. (S: Bunch; H: Brooks, Kevin)</p> <p>Senate Status: Held on Senate clerk's desk. House Status: Taken off notice in House State & Local Government 02/09/2010.</p>
<p>SB 2790 HB 2809 (Full Text)</p>		<p>Charges for accident reports for the City of Portland. Authorizes the police department of the City of Portland to charge \$5.00 for each accident report rather than requiring the city council to follow the per page fee guidelines established by the office of open records counsel in its schedule of reasonable charges for copies of public records. (S: Black; H: McDonald)</p> <p>Senate Status: Taken off notice in Senate State & Local Government 02/10/2010. House Status: Taken off notice in House Civil Practice Subcommittee 02/17/2010.</p>
<p>SB 3194 HB 3175 (Full Text)</p>		<p>Local governments and cooperative purchasing agreements. Authorizes cooperative purchasing agreements between or among certain units of local government for the procurement of any supplies, services, or construction. (S: Finney L.; H: Swafford)</p> <p>Senate Status: Set for Senate State & Local Government Committee 02/24/2010. House Status: House Local Government Subcommittee deferred to 03/03/2010.</p>
<p>SB 3270 HB 3938 (Full Text)</p>		<p>Clarifying definition of private act. Clarifies the definition of "private act" for purposes of action required by the secretary of state. Clarifies that a private act amends county or city charters, not the general law. (S: Woodson; H: Tindell)</p> <p>Senate Status: Senate State & Local Government deferred to 03/03/2010. House Status: Referred to House State & Local Government.</p>
<p>SB 3428 HB 3659 (Full Text)</p>		<p>Administrative hearing officers - building code violations. Authorizes municipal governments to create an office of administrative hearing officer to hear building and property maintenance code violations. Outlines plan for such administrative proceedings. (17 pp.) (S: Finney L.; H: Stewart M.)</p>

		<p>Senate Status: Set for Senate State & Local Government Committee 02/24/2010. House Status: Set for House Civil Practice Subcommittee 02/24/2010.</p>
<p>SB 3447 HB 2965 (Full Text)</p>		<p>Lafollette - board of public utilities. Local bill for Lafollette that revises the language conferring powers on the board of public utilities. Amends Chapter 46 of the Private Acts of 2003. (S: Yager; H: Faulkner)</p> <p>Senate Status: Held on Senate clerk's desk. House Status: Held on House clerk's desk.</p>
<p>SB 3755 HB 3275 (Full Text)</p>		<p>Local preference purchasing policies for counties. Authorizes county governments to adopt local preference purchasing policies. Provides opportunity for local vendors to identify themselves. Permits local officials to give preference to local vendors in accordance with the policy. (S: Bunch; H: Watson E.)</p> <p>Senate Status: Set for Senate State & Local Government Committee 02/24/2010. House Status: Referred to House Local Government Subcommittee.</p>
MEDIA & PUBLISHING		
<p>SB 0133 HB 0190 (Full Text)</p>		<p>Public records employees - required information. Requires the chief administrative officers to inform each employee responsible for public records and person appointed to serve on a board under the officer's authority about the provisions of state law on public records and policies. Broadly captioned. (S: Ketron; H: Casada)</p> <p>Senate Status: Senate State & Local Government deferred to 05/05/2009. House Status: Taken off notice in House Civil Practice Subcommittee 05/05/2009.</p>
PROFESSIONS & LICENSURE		
<p>SB 0059 HB 0867 (Full Text) Public Chapter (PDF)</p>		<p>Signs exempt from requirements for buildings and structures. Allows persons other than registered architects or engineers to prepare plans and specifications for signs having a cost of no more than \$25,000 as long as the signs are smaller than 150 square feet in total sign face and a have maximum height of 25 feet. (S: Bunch; H: Brooks, Kevin)</p> <p>Senate Co-Sponsor: Ketron Amendment: Senate amendment 1 makes the bill. Allows persons other than registered architects or engineers to prepare plans and specifications for signs that do not exceed either of the following limits:</p>

		<p>any portion of the sign is 20 feet or more above the ground level; or any portion of the sign is 15 feet or more above the ground level, if the sign has more than 120 square feet in total sign face area. Specifies that such provisions shall not apply if, in the opinion of the local government building official, failure of the support system for the sign is likely to cause harm to people or property.</p> <p>Senate Status: Senate 04/16/2009 passed with amendment 1. House Status: House passed 05/11/2009. Other Status: Enacted as Public Chapter 0268 (effective 05/21/2009).</p>
PROPERTY & HOUSING		
SB 0247 HB 0128 (Full Text)		<p>Seller of real property to provide buyer with energy audit. Requires seller of real property to provide an energy audit estimating the energy usage required at the property to the potential buyer prior to the sale. Also requires such audit to be included in the deed of conveyance. (S: Marrero; H: Hardaway)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture deferred to 04/07/2009. House Status: House Commerce Industrial Impact Subcommittee deferred to 1st calendar of 2010.</p>
SB 0250 HB 0130 (Full Text)		<p>Residential property for rent - energy audit required. Requires landlord of residential property to provide an energy audit to tenants before entering into a rental agreement. Specifies that failure of landlord to provide energy audit will bind both parties in a month-to-month tenancy. (S: Marrero; H: Hardaway)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Taken off notice in House Civil Practice Subcommittee 02/03/2010.</p>
SB 1903 HB 1637 (Full Text)		<p>Protections for true owners of residential real property. Revises the law concerning qualifications for and practices of notary publics in certain circumstances. Creates protections for true owners of residential real property where deeds have been signed by persons involved in fraudulent and criminal activities concerning such property. (S: Marrero; H: Jones U.)</p> <p>Amendment: House Judiciary amendment 1 prohibits notaries from having been convicted of a felony and raises their bond from \$10,000 to \$25,000. Creates a civil cause of action for someone who is a victim by a notary and allows them to recoup attorneys fees and costs.</p> <p>Senate Status: Senate Judiciary deferred to 05/19/2009. House Status: Referred to House Finance Budget Subcommittee.</p>

PUBLIC FINANCE		
SB 0123 HB 0246 (Full Text)		<p>Taxpayer Transparency Act. Requires the commissioner of finance and administration to create and maintain a searchable budget database website detailing where, for what purpose and what results are achieved for all taxpayer investments in state government. Requires the database to be developed by January 1, 2010. (S: Ketron; H: Lynn) House Co-Sponsor: Rich</p> <p>Senate Status: Referred to Senate Finance, Ways & Means by suspension of the rules from the Senate Floor 03/19/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
SB 0232 HB 0226 (Full Text)		<p>Appropriations for fiscal years 2008-2009, 2009-2010. Makes appropriations for fiscal years 2008-2009 and 2009-2010. Specifically earmarks sufficient funds for the implementation of bills funding signage for memorial highways and bridges for those individuals killed in the line of duty. Clarifies the legislative intent to recognize a revenue loss from bills that result in no expenditure increase but forgo revenue not collected previously. (S: Haynes J.; H: Odom)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/12/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
SB 0233 HB 0229 (Full Text)		<p>Bond issuance to fund state projects. Authorizes the issuance of bonds to fund state projects in an amount not to exceed \$50,000,000. (S: Haynes J.; H: Odom)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/03/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
SB 0237 HB 0212 (Full Text)		<p>Authorizes an education appropriations bill. Authorizes an education appropriations bill to fund K-12 education that is separate from the general appropriations bill. Requires the education appropriations bill to be passed by the house of representatives and the senate prior to consideration of the general appropriations bill for funding the remainder of state government. (S: Gresham; H: Coley)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 04/08/2009. House Status: Taken off notice in House Finance Budget Subcommittee 05/13/2009.</p>
SB 0269 HB 0210 (Full Text)		<p>Authorizes an education appropriations bill. Authorizes an education appropriations bill to fund K-12 education that is separate from the general appropriations bill. Requires the education appropriations bill to be passed by the house of representatives and the senate prior to consideration of the general</p>

		<p>appropriations bill for funding the remainder of state government. (S: Gresham; H: Coley)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 04/08/2009. House Status: Taken off notice in House Finance Budget Subcommittee 05/13/2009.</p>
<p>SB 0317 HB 0420 (Full Text) Public Chapter (PDF)</p>		<p>Appropriations - FY 2008-2009. Appropriates funds for 2008-2009 fiscal year. (Part of Administration Fiscal Management Package.) (S: Kyle; H: Fitzhugh) Senate Co-Sponsors: Barnes; Berke; Ford O.; Watson B. House Co-Sponsors: Turner M.; Johnson C.; Pitts; Floyd; Favors; McCormick; Shaw; Eldridge; Litz; Naifeh</p> <p>Senate Status: Senate passed 02/26/2009. House Status: House passed 03/02/2009. Other Status: Enacted as Public Chapter 0005 (effective 03/10/2009).</p>
<p>SB 0514 HB 1750 (Full Text)</p>		<p>Authorization of TN to issue and sell bonds. Authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds in an amount not to exceed \$40 million. Specifies that the proceeds of the bonds will be allocated to the higher education commission for the maintenance of institutions of higher learning. (S: McNally; H: Fitzhugh) Senate Co-Sponsors: Henry; Burchett</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/10/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 0515 HB 1752 (Full Text)</p>		<p>Appropriations for fiscal year 2009-2010. Makes appropriations to defray the expenses of state government for fiscal years beginning July 1, 2008 and July 1, 2009. (S: McNally; H: Fitzhugh) Senate Co-Sponsors: Henry; Burchett</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/10/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 0563 HB 0200 (Full Text)</p>		<p>Appropriations for fiscal years 2008-2009, 2009-2010. Makes appropriations for fiscal years 2008-2009 and 2009-2010. (S: Norris; H: Casada)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/18/2009. House Status: Caption bill held on House clerk's desk.</p>
<p>SB 1754</p>		<p>Appropriations - University of Memphis. Appropriates \$300,000 to the Earth Sciences Department</p>

<p>HB 0206 (Full Text)</p>		<p>at the University of Memphis for the study of ecological tourism. (S: Marrero; H: Coley)</p> <p>Senate Status: Set for Senate Finance, Ways & Means Committee 06/12/2009. House Status: House Budget Subcommittee deferred to 2010.</p>
<p>SB 1858 HB 0655 (Full Text)</p>		<p>Requirements for budget document. Deletes requirements that budget document include personal income statement for calendar year 1977 and actual state appropriations for fiscal year 1977-1978. (S: Kyle; H: Fitzhugh)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/03/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 1859 HB 0654 (Full Text)</p>		<p>Appropriations for 2009 legislative enactments. Makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2009 session of the 106th General Assembly. (S: Kyle; H: Fitzhugh)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/03/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 1860 HB 0656 (Full Text)</p>		<p>Authorizes issuance of bonds to fund state projects. Authorizes the issuance of bonds in the amount of \$100,000,000 to fund state projects. (S: Kyle; H: Fitzhugh)</p> <p>Senate Status: Taken off notice in Senate Finance, Ways & Means 06/03/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 2614 HB 2554 (Full Text)</p>		<p>Appropriations - 2010 annual session of GA. Makes appropriations to defray the costs of certain enactments of the 2010 annual session of the 106th General Assembly. (S: McNally; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 3349 HB 2980 (Full Text)</p>		<p>Appropriation - FY 2009-2010 and FY 2010-2011. Makes appropriations for the purpose of defraying the expenses of state government for fiscal years beginning July 1, 2009 and July 1, 2010. (S: Kyle; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 3702</p>		<p>Appropriations - 2010 session of general assembly. Makes appropriations for the purpose of</p>

<p>HB 2526 (Full Text)</p>		<p>defraying the expenses of certain legislative enactments passed during the 2010 session of the 106th General Assembly. (S: Black; H: Casada)</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 3916 HB 3925 (Full Text)</p>		<p>Bond issuance. Authorizes the issuance and selling of interest-bearing bonds and bond anticipation notes in amounts not to exceed \$271,800,000 for the purpose of providing funds to the Department of Finance and Administration and the Department of Transportation. (This is the bond bill.) (S: Kyle; H: Fitzhugh)</p> <p>Senate Co-Sponsor: Henry</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance, Ways & Means.</p>
<p>SB 3917 HB 3926 (Full Text)</p>		<p>Index of appropriations - estimated growth in state economy. Authorizes the index of appropriations from state tax revenues for the 2010-2011 fiscal year to exceed the index of estimated growth in the state's economy by \$11.5 million or 0.1 percent. (This is one of two spending cap bills. The other is SB 3918.) (S: Kyle; H: Fitzhugh)</p> <p>Senate Co-Sponsor: Henry</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance, Ways & Means.</p>
<p>SB 3918 HB 3927 (Full Text)</p>		<p>Index of appropriations - estimated growth in state economy. Authorizes the index of appropriations from state tax revenues for the 2009-2010 fiscal year to exceed the index of estimated growth in the state's economy by \$11.3 million or 0.1 percent. (This is one of two spending cap bills. The other is SB 3917.) (S: Kyle; H: Fitzhugh)</p> <p>Senate Co-Sponsor: Henry</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance, Ways & Means.</p>
<p>SB 3919 HB 3928 (Full Text)</p>		<p>Appropriations - FY 2009-2010 and FY 2010-2011. Makes appropriations for fiscal years 2009-2010 and 2010-2011. (This is the appropriations bill for the 2010 session.) (S: Kyle; H: Fitzhugh)</p> <p>Senate Co-Sponsor: Henry</p> <p>Senate Status: Referred to Senate Finance, Ways & Means.</p>

		House Status: Referred to House Finance, Ways & Means.
SB 7007 HB 7006 (Full Text) Public Chapter (PDF)		Appropriations for FY 2009-2010 and FY 2010-2011. Makes appropriations for fiscal years 2009-2010 and 2010-2011. (S: Kyle; H: Fitzhugh) Amendment: Senate amendment 1 changes the total cost of non-recurring funds from \$6,000,000 to \$6,200,000. Authorizes the commissioner of finance and administration to establish one additional position for managing the achievement school district. Authorizes the commissioner of finance to reduce the amount of money expected to be distributed if the money granted through the Race to the Top fund is less than expected. Senate Status: Senate 01/21/2010 passed with amendment 1. House Status: House passed 01/21/2010. Other Status: Enacted as Public Chapter 7004 (effective 02/04/2010).
SB 7008 HB 7005 (Full Text)		Index of appropriations for FY 2009-2010. Allows the index of appropriations from state tax revenues for the 2009-2010 fiscal year to exceed the index of estimated growth in the state's economy by \$11.3 million or 0.1 percent. (S: Kyle; H: Fitzhugh) Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance, Ways & Means. Referred to House Finance Budget Subcommittee.
SB 7017 HB 7020 (Full Text)		Appropriations - FY 2009-2010 and FY 2010-2011. Makes appropriations for fiscal years 2009-2010 and 2010-2011. (S: McNally; H: Fitzhugh) Senate Co-Sponsors: Henry; Burchett Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance, Ways & Means.
SB 7019 HB 7019 (Full Text)		Appropriations - FY 2009-2010 and FY 2010-2011. Makes appropriations for fiscal year 2009-2010 and fiscal year 2010-2011. (S: McNally; H: Fitzhugh) Senate Co-Sponsors: Henry; Burchett Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance, Ways & Means.
RETAIL TRADE		

<p>SB 2981 HB 3595 (Full Text)</p>		<p>Home solicitation sales clarified. Adds to list of items excluded from definition of "home solicitation sales" farm equipment or motor vehicles or both; or insurance and securities sales or agreements. Provides buyers in home solicitation sales with additional cancellation rights. Establishes additional notice requirements for sellers. Allocates the cost of any notary witnessing the signatures to sellers. (S: Tate; H: Turner J.)</p> <p>House Co-Sponsors: Jones U.; Miller L.; Richardson; Pruitt</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Consumer Affairs Subcommittee.</p>
<p>TAXES BUSINESS</p>		
<p>SB 0502 HB 1350 (Full Text)</p>		<p>Food and Business Tax Fairness Act. Requires combined reporting for franchise and excise tax purposes. Expands concept of unitary business to all corporations (current law is limited to financial institutions). Reduces sales tax on food from 5.5 percent to 4.5 percent. (S: Burchett; H: Sargent)</p> <p>Senate Status: Taken off notice in Senate Finance Tax Subcommittee 05/12/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 0834 HB 1481 (Full Text)</p>		<p>Assessment of taxes on video and satellite services. Provides that rules promulgated by commissioner of revenue for administration of taxes on cable and satellite television services must follow the Uniform Administrative Procedures Act. Broadly captioned. (S: McNally; H: Sargent)</p> <p>Senate Status: Taken off notice in Senate Finance Tax Subcommittee 03/11/2009. House Status: Withdrawn in House 04/09/2009.</p>
<p>SB 1152 HB 1389 (Full Text)</p>		<p>F&E credit for commercial broadcasting stations. Grants commercial television stations a franchise/excise tax credit of \$50 per waiver granted under federal law during the tax year to enable a consumer who subscribes to digital broadcast satellite services in the station's service area to receive non-local commercial broadcasting stations. (S: Gresham; H: Dennis)</p> <p>House Co-Sponsor: Rich</p> <p>Senate Status: Taken off notice in Senate Finance Tax Subcommittee 05/12/2009. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 2119 HB 2124 (Full Text)</p>		<p>Property leased or rented - medical equipment. Provides that for purposes of determining whether leased property is inventory of merchandise held for exchange, property leased or rented with medical equipment, substances, or implants includes property leased or rented simultaneously regardless of</p>

		<p>whether it is separately invoiced and whether there is a written lease. (S: Norris; H: Sargent)</p> <p>Senate Status: Set for Senate Finance Tax Subcommittee 06/11/2009. House Status: House Budget Subcommittee 06/15/2009 deferred to next calendar.</p>
<p>SB 2642 HB 3097 (Full Text)</p>		<p>Persons making sales of new tires by Internet. Defines "dealer" as every person engaged in the sale of new tires in TN, including those making sales by Internet, mail or common carrier into TN, so long as they have constitutional nexus. (S: Finney L.; H: Shaw) House Co-Sponsor: Eldridge</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: House companion bill introduced. (H: Shaw)</p>
<p>SB 3073 HB 3085 (Full Text)</p>		<p>Limited excise tax exemptions for certain businesses. Creates a limited excise tax exemption for the first \$25,000 in net income of any business having annual profits of less than \$100,000 for tax years 2010 and 2011. Creates a limited excise tax exemption for the first \$15,000 in net income of any business having annual profits between \$100,000 and \$200,000 for tax years 2010 and 2011. (S: Herron; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate Finance Tax Subcommittee. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 3901 HB 3787 (Full Text)</p>		<p>Tax provisions concerning video programming services. Modifies various tax provisions concerning video programming services, telecommunications services, sales of property for use in business of selling, and determination of net earnings for real estate investment trusts. Broadly captioned. (S: Kyle; H: Turner M.)</p> <p>Senate Status: Referred to Senate Finance Tax Subcommittee. House Status: Referred to House Finance Budget Subcommittee.</p>
TAXES GENERAL		
<p>SB 1235 HB 0810 (Full Text)</p>		<p>Amusement tax added to adult-oriented materials. Enacts Food Tax - Adult Materials Tax Swap Act. Lowers food tax to 3% from 5.5%. Holds local governments harmless from loss of revenue. Enacts 25% tax on adult-oriented materials and activities, in addition to any other applicable tax. (S: Bunch; H: Campfield)</p> <p>Senate Status: Senate Finance Tax Subcommittee 06/02/2009 deferred to next meeting.</p>

		House Status: Referred to House Finance Budget Subcommittee.
SB 3135 HB 3169 (Full Text)		Tax refunds. Requires that state tax refunds to any persons having certain debts shall be issued to claimants with the remainder of the refund, if any, to be paid to the debtor. Provides a hierarchy for types of debts to be repaid through the refund. Mandates the comptroller of the treasury to undertake a performance audit and provide a report by January 10, 2011. (S: McNally; H: Curtiss) Senate Co-Sponsor: Ketron Senate Status: Referred to Senate Finance Tax Subcommittee. House Status: Set for House Government Operations Committee 02/23/2010.
SB 3136 HB 3170 (Full Text)		Lawsuits challenging state taxes. Clarifies that orders and pleadings cannot be issued or filed in lawsuits challenging state taxes, unless it is a properly filed suit in the appropriate chancery court and the court can only issue a stay on the collection of the tax pending final determination of the suit. (S: McNally; H: Curtiss) Senate Status: Referred to Senate Judiciary. House Status: Set for House Finance Budget Subcommittee 02/24/2010.
TAXES PROPERTY		
SB 0873 HB 0889 (Full Text) Public Chapter (PDF)		Procedures for forced assessment and equalization. Provides that business taxpayer who fails to file a personal property schedule is deemed to have waived objections to forced assessment by assessor (rather than class A misdemeanor). Provides new procedure for mitigation of forced assessment if taxpayer fails to make timely appeal to county board of equalization; mitigation is limited to extent forced assessment exceeds depreciated value of property by 25 percent or more. (S: Ketron; H: Hackworth) Senate Status: Senate passed 03/30/2009. House Status: House passed 04/23/2009. Other Status: Enacted as Public Chapter 0163 (effective 05/07/2009).
SB 1570 HB 1535 (Full Text) Public Chapter		Property assessors to intervene in contested cases. Specifies that the division of property assessments has the right to intervene in contested cases before the state board of equalization. Specifies persons who are authorized to represent the assessor of property in contested case hearings before the state board of equalization. (S: Ketron; H: McCormick) Amendment: Senate amendment 1 gives the division of property assessment the unconditional right to

<p>(PDF)</p>		<p>intervene in a contested case before the state board of equalization. Specifies who may represent the assessor of property in any contested case before the state board of equalization.</p> <p>Senate Status: Senate 05/07/2009 passed with amendment 1. House Status: House passed 05/07/2009. Other Status: Enacted as Public Chapter 0256 (effective 05/20/2009).</p>
<p>SB 1829 HB 1740 (Full Text)</p>		<p>Amended schedule of personal property - time period. Tolls time period for taxpayer to file amended schedule of personal property when taxpayer's personal property account has been audited and the audit reveals that the assessment should be adjusted downward. (S: Kyle; H: Kelsey)</p> <p>Senate Status: Senate Finance Tax Subcommittee deferred to 03/25/2009. House Status: Taken off notice in House Local Government Subcommittee 05/06/2009.</p>
<p>SB 2111 HB 2075 (Full Text)</p>		<p>Judicial review of action of the state board. Requires that judicial review of action of the state board of equalization be conducted in accordance with the Uniform Administrative Procedures Act. Authorizes reviewing court to remand to board for additional proof upon request of party not represented by counsel before the board and whose case was substantially prejudiced as a result. (S: Overbey; H: Fitzhugh)</p> <p>Amendment: House Local Government Subcommittee amendment 1 clarifies that there is no prohibition against non-attorney representation.</p> <p>Senate Status: Taken off notice in Senate State & Local Government 05/12/2009. House Status: Taken off notice in House State & Local Government 05/20/2009.</p>
<p>SB 2196 HB 2175 (Full Text) Public Chapter (PDF)</p>		<p>Shelby County - correcting clerical mistakes in tax reports. Provides that in Shelby County, errors in property tax reports or schedules filed by a taxpayer are not included in the list of clerical errors correctable by the assessor. (S: Kyle; H: DeBerry L.)</p> <p>Amendment: Senate amendment 3 makes the bill applicable statewide to other counties that have reappraisals coming up. Authorizes the assessor of property to recognize the effects of a significant number of foreclosures on the values of properties within affected neighborhoods.</p> <p>Senate Status: Senate 06/16/2009 passed with amendment 3. House Status: House passed 06/18/2009. Other Status: Enacted as Public Chapter 0527 (effective 06/25/2009).</p>
<p>SB 2605 HB 2475</p>		<p>Taxation of intangible personal property. Excludes shares of stock of stockholders of cemetery companies from state, county and municipal taxation of intangible personal property. (S: Watson B.; H:</p>

(Full Text)		<p>Floyd) Senate Co-Sponsor: Bunch</p> <p>Senate Status: Referred to Senate Finance Tax Subcommittee. House Status: Referred to House Finance Budget Subcommittee.</p>
<p>SB 3305 HB 3128 (Full Text)</p>		<p>Filing extension for personal property schedules. Extends the deadline from March 1 to April 15 for businesses to file schedules with property assessor detailing personal property. (S: Kelsey; H: White)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: House Local Government Subcommittee deferred to 03/10/2010.</p>
<p>SB 3687 HB 3606 (Full Text)</p>		<p>Certified rate for SSDs, proration for utilities. Removes the exemption of counties with a population of at least 50,000 people from provision making special school districts in such counties subject to the certified tax rate adjustment of property taxes following countywide reappraisal. Revises present law regarding assessments of public utility taxpayers and property to authorize proration of assessment for damaged or destroyed property. (S: McNally; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Caption bill held on House clerk's desk.</p>
<p>HB 3763 (Full Text)</p>		<p>Businesses sharing same location considered single taxpayer. Provides that affiliated businesses at the same location that share tangible personal property be taxed as a single taxpayer on that shared personal property. (H: West)</p> <p>House Status: Referred to House Local Government Subcommittee.</p>
<p>TAXES SALES</p>		
<p>SB 1392 HB 1290 (Full Text)</p>		<p>Hosting a website in Tennessee. Provides that hosting a website in Tennessee does not establish a physical presence for purposes of sales tax. Creation, development, or modification of a website by a Tennessee dealer is taxable only if the customer has a physical presence in Tennessee. (S: Johnson J.; H: Casada)</p> <p>Senate Status: Senate Finance Tax Subcommittee deferred to 04/22/2009. House Status: Taken off notice in House Finance Budget Subcommittee 03/11/2009.</p>
<p>SB 3452 HB 3481</p>		<p>Study on collection of sales tax from Internet purchases. Directs the department of revenue to study benefits and potential hurdles to collecting sales tax on all Internet sales and report to finance, ways</p>

(Full Text)		and means committees of the house and senate by December 15, 2010. (S: Yager; H: Ferguson) Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Finance Budget Subcommittee.
TORT LIABILITY		
SB 3560 HB 3560 (Full Text)		Defamation - Web site owners. Includes web site owners to list of types of media owners who are not liable for any damages for defamatory statements displayed or published on the web site by another unless the web site owner failed to exercise due care to prevent the publication or utterance of such statement on such web site. (S: Ketron; H: Rowland) Senate Status: Referred to Senate Judiciary. House Status: Referred to House Judiciary Civil Practice Subcommittee.
TRANSPORTATION GENERAL		
HB 0344 (Full Text)		Permit for changeable message signs with digital display. Requires an applicant for a permit, or permit renewal, for any changeable message sign with a digital display to sign a statement accepting the department's emergency communication policy. Requires the TBI and the emergency management agency to develop a communication policy for placing federal, state and local emergency notifications on any changeable signs. (H: Hardaway) House Status: Caption bill held on House clerk's desk.
TRANSPORTATION VEHICLES		
SB 0393 HB 0107 (Full Text) Public Chapter (PDF)		Prohibits texting while driving. Prohibits sending or reading text messages while operating a motor vehicle. Specifies that a violation is a Class C misdemeanor subject to a fine that is not to exceed \$50.00. (S: Tracy; H: Lundberg) House Co-Sponsors: Shipley; Harrison; Rich; Hensley; Cobb J.; Armstrong; Harwell; Turner M.; McDaniel; Faulkner; Cobb T.; Fraley; Brooks, Kevin; Roach; Ford D. Amendment: Senate amendment 1 specifies that for a violation to occur, the vehicle must be in motion on a public street. Exempts certain law enforcement personnel. Senate amendment 3 specifies that a violation of this bill will be a nonmoving violation and that no points will be added a drivers record for such a violation. Senate amendment 5 allows the state to use the electronic boards on the interstate to provide notice regarding the prohibition on texting while driving. House amendment 4 clarifies that the entirety of the bill would not apply to officers of the state, or of any county, city or town, charged with

		<p>the enforcement of the laws of the state, when in the actual discharge of their official duties; campus police officers and public safety officers, when in the actual discharge of their official duties; emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties; and emergency management agency officers of the state, or of any county, city or town, when in the actual discharge of their official duties.</p> <p>Senate Status: Senate 04/30/2009 concurred in House amendment 4. House Status: House 04/27/2009 passed with amendment 4. Other Status: Enacted as Public Chapter 0201 (effective 07/01/2009).</p>
<p>SB 0884 HB 0331 (Full Text)</p>		<p>Prohibits the use of cell phones during highway driving. Prohibits a driver from operating a motor vehicle on the highway while using a wireless telephone while the vehicle is in motion. Provides exemption for hands-free telephones. Creates a Class C misdemeanor punishable by fine of \$50.00. Creates an affirmative defense to prosecution under this section that the driver's use of a wireless telephone was necessitated by a bona fide emergency. (S: Ketron; H: Jones S.)</p> <p>Senate Status: Referred to Senate Transportation. House Status: Failed in House Transportation Public Safety Subcommittee 04/21/2009 for lack of a motion.</p>
<p>SB 3912 HB 3780 (Full Text)</p>		<p>Extends driver license duration from five to eight years. Extends duration of driver licenses from five to eight years. Increases fees for various classes of driver licenses and photo identification cards. (S: Kyle; H: Harmon) Senate Co-Sponsor: Stewart E. House Co-Sponsor: Turner M.</p> <p>Senate Status: Referred to Senate Transportation. House Status: Referred to House Transportation Public Safety Subcommittee.</p>
UTILITIES		
<p>SB 0042 HB 0111 (Full Text)</p>		<p>911 emergency fund interest not to be used for general fund. Prohibits interest derived from the 911 Emergency Communications Fund from being transferred to the general fund. (S: Bunch; H: Bell)</p> <p>Senate Status: Taken off notice in Senate State & Local Government 05/05/2009. House Status: Taken off notice in House Finance Budget Subcommittee 06/10/2009.</p>

<p>SB 0200 HB 0424 (Full Text)</p>		<p>911 Emergency Communications Fund. Increases from 25 percent to 50 percent the amount of revenue from charges on commercial mobile radio services required by to be distributed to emergency communications districts. Allocates 22 percent of such revenue to be used for the operational and administrative expenses of the emergency communications board. Requires that 28 percent of such revenue be distributed to financially distressed districts for maintaining minimum 911 quality standards. Requires that the board establish minimum 911 quality standards. (S: Bunch; H: Bell)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Taken off notice in House State Government Subcommittee 05/06/2009.</p>
<p>SB 0208 HB 0204 (Full Text)</p>		<p>Public Safety and Emergency Communications Act. Sets a minimum of \$1.50 for the CMRS flat statewide rate for the emergency telephone service charge. Increases from 25 to 65 the percentage of CMRS emergency telephone service charge revenues the board must distribute to emergency communication districts. Requires the board to distribute an additional five percent of the revenue to the fifty lowest population districts determined by the federal decennial census. (S: Stewart E.; H: Matheny)</p> <p>House Co-Sponsors: Fraley; Cobb J. Amendment: House State Government Subcommittee amendment 1 creates a study committee on this issue.</p> <p>Senate Status: Taken off notice in Senate State & Local Government 05/05/2009. House Status: House State & Local Government 04/28/2009 referred the bill to TACIR for study.</p>
<p>SB 0616 (Full Text)</p>		<p>State-issued certificate of franchise authority. Allows municipal electric systems providing Internet, cable, video programming, or other similar services to obtain a state-issued certificate of franchise authority. Requires the system to obtain the consent of each electric cooperative or other municipal electric system in whose territory the municipal electric system will provide such services. (S: Southerland)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture.</p>
<p>SB 0656 HB 0863 (Full Text)</p>		<p>Number of directors of TRA. Reduces the number of directors of the Tennessee Regulatory Authority from four to three. (S: Stanley; H: Casada)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>SB 0818</p>		<p>Underground Utility Damage Prevention Act. Requires all operators operating or maintaining</p>

<p>HB 0852 (Full Text) Public Chapter (PDF)</p>		<p>underground utilities within the state to participate as members in, and cooperate with, the one-call service. Establishes procedures to be followed and penalties to be imposed pursuant to the Underground Utility Damage Prevention Act. Specifies that the penalties recovered in any action must be paid into the public utilities fund and each year the authority shall review the amount of money paid into the fund. Establishes an advisory committee to oversee and evaluate the implementation of the act. (S: Norris; H: Odom) House Co-Sponsor: Mumpower Amendment: Senate amendment 1 makes the bill. Requires TACIR to study the effectiveness of Tennessee's current underground utility damage prevention program and report findings to the general assembly by January 29, 2010. Senate Status: Senate 04/23/2009 passed with amendment 1. House Status: House passed 06/01/2009. Other Status: Enacted as Public Chapter 0470 (effective 06/23/2009).</p>
<p>SB 0819 HB 0738 (Full Text)</p>		<p>Tennessee Energy Conservation Endorsement Act of 2009. Authorizes TRA to propose, develop, solicit, approve, require, implement and monitor energy conservation programs and measures by public utilities that cause such utilities to incur costs of service and investments which conserve, as well as distribute, electrical energy and existing supplies of natural gas, oil, and other fuels. (S: Norris; H: Mumpower) House Co-Sponsor: Odom Amendment: House amendment 1 removes the reference to "natural gas and oil" and replaces it with "all forms of energy." Includes "hydropower" in the list of renewable energy technologies. States that, upon approval of an energy conservation program, the TRA will provide for the timely recovery of the utility's investment for such program. House amendment 2 adds that the bill will become effective upon becoming law. Senate Status: Senate 04/27/2009 bumped from consent. Set for Senate floor 04/30/2009. House Status: House re-passed 06/17/2009 with previously adopted amendment 1 and newly adopted amendment 2.</p>
<p>SB 1098 HB 1351 (Full Text)</p>		<p>Municipal electric plants to provide phone, cable, Internet. Authorizes municipal electric plants to provide telephone, telegraph, telecommunications, cable service, two-way video transmission, video programming, Internet services, and other like systems beyond their service area to state and local governmental entities who request the service be provided. (S: Stewart E.; H: Matheny) Senate Status: Referred to Senate Commerce, Labor & Agriculture.</p>

		House Status: Referred to House Local Government Subcommittee.
SB 1099 HB 1352 (Full Text)		Municipal electric systems and expanded broadband services. Requires that art supplies purchased by any school or school district for use by students in K-6 must be certified non-toxic. Mandates the commissioner for agriculture to reexamine any art supply purchased by such LEA for unsafe levels of lead. Requires the commissioner to develop a list of those art supplies which cannot be purchased or ordered for use in K-6. Requires the list to be distributed to all school districts in Tennessee and be posted on the website of the department. (S: Stewart E.; H: Matheny) Amendment: Senate Commerce amendment 1 adds language to restrict the expansion of such services to governmental, educational, or health care customers or to commercial or industrial customers that operate at an established commercial or industrial place of business. Senate Status: Taken off notice in Senate Finance, Ways & Means 05/12/2009. House Status: House Local Government Subcommittee 04/29/2009 referred bill to summer study.
SB 1210 HB 1303 (Full Text) Public Chapter (PDF)		Creates 2-1-1 advisory council. Creates an 18 member 2-1-1 advisory council. Specifies that the TRA is to appoint members to the council. (S: Woodson; H: Jones S.) Senate Status: Senate passed 04/13/2009. House Status: House passed 05/11/2009. Other Status: Enacted as Public Chapter 0275 (effective 07/01/2009).
SB 1232 HB 0913 (Full Text)		Businesses to enroll on Do Not Call registry. Allows business telephone subscribers to enroll on the Tennessee Do Not Call Register. (S: Bunch; H: Hill) Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 04/21/2009. House Status: Withdrawn in House 04/09/2009.
SB 1410 HB 1733 (Full Text)		Microwave systems licensed by federal communications system. Deletes restrictions on concurrent operation with microwave systems for existing electric cooperatives. Repeals prohibition on authorizing any existing electric cooperative to provide services where they are currently being provided by a wireless cable (microwave) system authorized and licensed by the federal communications commission as a multi-channel and/or multipoint distribution system (MDS) on April 7, 1988, without the express written consent of the MDS/MMDS owner/operator. (S: Ketron; H: Bone) Senate Status: Referred to Senate State & Local Government. House Status: Taken off notice in House State Government Subcommittee 05/06/2009.

<p>SB 1437 HB 1523 (Full Text)</p>		<p>Small and minority-owned business assistance. Clarifies that the department of the treasury is required to administer the small and minority-owned business assistance program. (S: Stanley; H: Harwell)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>SB 1438 HB 0303 (Full Text)</p>		<p>Electronic notification for discontinued utility service. Allows for a notice to be sent either electronically or by mail to a user stating that utility service shall be discontinued unless payment is made within a specified time. (S: Haynes J.; H: Sontany)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>SB 1539 HB 0875 (Full Text) Public Chapter (PDF)</p>		<p>Required submissions to the utility management review board. Clarifies that certain supplemental petitions are not required to be submitted to the utility management review board. (S: Burchett; H: Haynes R.)</p> <p>Amendment: House amendment 1 requires that supplemental petitions for authority to furnish utility services be filed with the utility management review board simultaneously with the filing of the petition with the county mayor; provided, that the petitions will not be subject to approval or disapproval by the board.</p> <p>Senate Status: Senate passed 05/14/2009. House Status: House 04/13/2009 passed with amendment 1. Other Status: Enacted as Public Chapter 0316 (effective 05/27/2009).</p>
<p>SB 1540 HB 0876 (Full Text) Public Chapter (PDF)</p>		<p>Utility district terms clarified. Details terms and procedures relative to the consolidation transfer of assets, and merger of utility districts. Stipulates the boundary limits and operational processes for such districts. (S: Burchett; H: Haynes R.)</p> <p>Amendment: House amendment 1 rewrites the bill. Requires the petition for the incorporation of a utility district to be filed with the utility management review board for review and approval and to the county mayor. Current law only specifies that the petition be submitted to these entities. Requires the utility management review board to issue an order approving or disapproving the petition for incorporation of the utility district within 90 calendar days of receipt of such petition. Specifies that if the petition is approved by the board, the board is then required to forward its order of approval and the original petition to the county mayor of any county in which the proposed district will serve. If the board fails to act on the petition within 90 calendar days, the board is required to forward the original petition to the county mayor of any county in which the proposed district will serve. Clarifies that the</p>

		<p>board is not required to forward the petition to the county mayor if the board disapproves the petition.</p> <p>Senate Status: Senate passed 05/14/2009. House Status: House 04/13/2009 passed with amendment 1. Other Status: Enacted as Public Chapter 0320 (effective 05/27/2009).</p>
<p>SB 1657 HB 1591 (Full Text)</p>		<p>Rural electric cooperatives acquisition of property. Requires all records of any rural electric and community services cooperative to be open for personal inspection by any member of such cooperative at all times during normal business hours. Requires the meetings of the board of directors of any rural electric and community services cooperative to be open to the public. Requires rural electric and community services cooperatives to comply with a specified course of action when adopting a plan that may result in the acquisition of real property for new or expanded electric power distribution facilities, may require the use of eminent domain for acquisition of real property, or may result in the installation of new incoming power supply lines which traverse new routes or which carry higher voltages than existing supply lines. The conditions require the cooperative to provide at least 120 days public notice to counties that might be affected, conduct at least one public meeting at least 30 days prior to any action by the cooperative's board to adopt such a plan, provide alternatives considered, and describe the nature, need and amount of the proposed investment, and the demand projections to which the proposed investment responds. (S: Burks; H: Curtiss)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Local Government Subcommittee.</p>
<p>SB 1918 HB 1994 (Full Text)</p>		<p>TRA disposal of certain records. Reduces time period, from 30 days to 20 days, from date of filing petition within which TRA is required to dispose of such petition. (S: Finney L.; H: Litz)</p> <p>Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 04/28/2009. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>SB 1935 HB 1697 (Full Text)</p>		<p>Compensation for use of public rights-of-way. Specifies that any local government can require reasonable compensation for use of public rights-of-way for construction of telephone or telegraph lines. Also specifies that a fee of five percent of provider's gross revenues from operation of such line or lines, exclusive of revenues from long distance operations, is presumed reasonable and enforceable. (S: Haynes J.; H: Odom)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Caption bill held on House clerk's desk.</p>

<p>SB 1941 HB 1458 (Full Text)</p>		<p>State-issued certificate of franchise authority. Allows a municipal electric system to obtain a state-issued certificate of franchise authority in order to provide cable, video programming and Internet service throughout the area covered by the state-issued certificate. (S: Southerland; H: Mumpower)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture deferred to summer study. House Status: Taken off notice in House Local Government Subcommittee 05/06/2009.</p>
<p>SB 1954 HB 1698 (Full Text) Public Chapter (PDF)</p>		<p>Market Regulation Act of 2009. Authorizes any incumbent certificated provider of local exchange or intra-state long distance telephone service to elect to operate pursuant to market regulation by filing notice with the authority. Exempts the provider from authority jurisdiction upon election of market regulation by a certificated provider. Specifies that such certificated providers electing market regulation are subject to the jurisdiction of the authority only when the following occurs: the authority is exercising jurisdiction expressly delegated to it pursuant to the federal 1996 Telecommunications Act; the authority is assessing and collecting inspection fees; the authority is exercising jurisdiction over video franchises; the authority is exercising jurisdiction respecting underground facilities damage prevention; or the authority is exercising jurisdiction respecting the Life Line or Link Up programs funded by the federal universal service fund. (S: Stanley; H: McCormick)</p> <p>Senate Co-Sponsors: Stewart E.; Beavers; Burchett; Ketron; Harper; Johnson J.; Tracy; Norris; Tate; Ford O.</p> <p>House Co-Sponsors: Turner M.; Jones U.; McDaniel; Fitzhugh; Harwell; Casada; Harmon; Sargent; Roach; Lynn; Johnson P.; Lundberg; Jones S.; Shepard; Cobb T.; McCord; Pitts; Rich; Johnson C.; Coley; Turner L.; Gilmore; Cobb C.; Shaw; Camper; Cooper B.; Carr; Dennis; Lollar</p> <p>Amendment: SENATE AMENDMENT 1 rewrites the bill. Allows any non-incumbent or incumbent certificated provider of local exchange telephone or intra-state long distance telephone service that has elected price regulation, pursuant to present TN Code, to elect to operate pursuant to market regulation by filing notice with TRA. Exempts such providers from TRA jurisdiction, including but not limited to state-based regulation of retail pricing or retail operations, except in specified cases. Clarifies intent of General Assembly that TRA is authorized as a matter of state law to receive any jurisdiction delegated it by the federal 1996 Telecommunications Act or FCC orders or rules and that TRA continue to be a dispute resolution forum for complaints between certificated carriers, provided that such complaints must be resolved pursuant to federal law and not state law. Requires all complaints brought between carriers to be resolved by final order of the TRA within 180 days of the complaint filing. Specifies that such certificated providers electing market regulation are also subject to TRA jurisdiction in the following cases: enforcement/modification of any wholesale Self Effectuating Enforcement Mechanism Plan in place as of January 1, 2009; assessing and collecting inspection fees; exercising jurisdiction over video franchises; underground facilities damage prevention; in regard to the TN Relay Service Center or the TN Devices Access Program; in regard to Life Line or Link Up programs</p>

consistent with FCC rules; in regard to the Small and Minority-Owned Business Participation Plan; in response to a specific customer complaint regarding residential telecommunication service from the provider; in regard to Universal Service Funding; or respecting intrastate switched access service. Specifies that election of market regulation shall not alter the character of intrastate revenue. Specifies that incumbent local exchange providers that have elected market regulation shall not be entitled to specified limitations on TRA jurisdiction with respect to those residential local exchange telecommunications services that are offered in exchanges with less than 3,000 access lines or, for carriers who serve more than 1,000,000 access lines in TN, those exchanges with access line counts and calling areas that would result in classification as rate group 1 or 2 under AT&T's tariff in effect on January 1, 2009, and that are offered as single, individually-priced services at a rate-group specific price rather than a state-wide price, except in specified circumstances. These circumstances include: where a market regulated provider petitions the authority may order services to be subject to limited jurisdiction by showing the exchange has at least two non-affiliated telecommunications providers that offer service to customers in each zone rate area of each exchange or if the provider has lost twenty percent of its residential access line count in each exchange in the preceding five years; cable television providers that offer telephone and broadband services to residential customers may be included when counting the number of providers to evaluate the competition standard; when the petitioning party satisfies the competition standard the petitioner is entitled to a rebuttable presumption that the competition standard is satisfied; the petition is subject to an accelerated schedule that requires a decision by the authority within 90 days of the filing of the petition; unregulated providers of service are not required to participate in the authority's docket considering the petition but if they intervene are required to provide certain discovery responses; even where a petition is not filed or granted the limitations on authority shall automatically become applicable to all services of a market regulated provider offered in rate groups 1 and 2 as of January 1, 2015. Clarifies that providers electing market regulation are subject to the TN Consumer Protection Act. Requires TRA to submit an annual report describing the competitive nature of the telecommunications market in TN. Specifies applications in the event that a carrier has elected market regulation and later chooses to exit the business of providing local exchange telephone service in an exchange by selling all of its network in such exchange to another entity. SENATE AMENDMENT 2 specifies that rates existing on January 1, 2009, rather than June 6, 1995, for all basic local exchange telephone services and non-basic services shall be used as basis of comparison with the implementation of a price regulation plan. Prohibits a company that has elected price regulation prior to 2009 from being required to reapply for price regulation or to reset its rate under its price regulation plan. States that such company is entitled, in its sole discretion, to the 1995 rates upon which its original election was based or may base its price regulation calculation upon rates in effect as of January 1, 2009. Specifies that rates for call waiting service provided by an incumbent local exchange telephone company subject to price regulation shall not exceed, for a period of four years from the date the company becomes subject to such regulation, the maximum rate in

		<p>effect in the state for such service on January 1, 2009, rather than June 6, 1995. Provides that such maximum rate shall not apply to companies becoming subject to such regulation after June 1, 2009. Provides that the current TRA audit required for any incumbent local exchange telephone company electing price regulation shall not be conducted for a local exchange telephone company electing price regulation after June 1, 2009. Prohibits, notwithstanding any laws to the contrary, the earnings of an incumbent local exchange company operating under rate of return regulation from being considered in setting initial rates under this legislation for an incumbent local exchange company implementing a price regulation plan after January 1, 2009. SENATE AMENDMENT 3 clarifies that TRA shall continue to serve in its role as a dispute resolution forum for complaints, including complaints for anti-competitive practices, between certificated carriers, provided that such complaints be resolved pursuant to federal, and not state substantive law. Requires TRA to apply state procedural rules to such claims. Prohibits any complaint from being brought to the TRA on a matter as to which the FCC has exclusive jurisdiction. SENATE AMENDMENT 4, as amended, makes changes to language. Clarifies that TRA shall continue to exercise its jurisdiction in its role as a dispute resolution forum to hear complaints between certificated carrier, including complaints to prohibit anti-competitive practices, and to issue orders to resolve such complaints. Requires TRA to interpret and apply federal, not state, state substantive law which is hereby adopted so that such law is applicable to intrastate services for the purpose of adjudicating such state complaints. Requires TRA to adjudicate and enforce such claims in accordance with state procedural law and rules, including enforcement and penalty. Prohibits any complaint from being brought to the TRA on a matter as to which the FCC has exclusive jurisdiction. Specifies certain situations under which a certificated provider electing market regulation shall be subject to the jurisdiction of the authority. SENATE AMENDMENT 5 deletes and rewrites multiple provisions of Section 2 of the bill specifying the jurisdiction of the TRA over incumbent certificated providers of local exchange or intra-state long distance telephone service, when such certificated providers elect to operate pursuant to market regulation.</p> <p>Senate Status: Senate 04/13/2009 passed with amendments 1, 2, 3, 4, as amended, and 5. House Status: House passed 05/07/2009. Other Status: Enacted as Public Chapter 0278 (effective 05/21/2009).</p>
<p>SB 1977 HB 1908 (Full Text)</p>		<p>Rates for pole attachments. Authorizes all municipally owned utilities and all rural cooperatively owned utilities doing business to allow telecommunications service providers to make pole attachments at just, reasonable and non-discriminatory cost based rates, terms and conditions pursuant to negotiated or arbitrated agreements. Such pole attachments may be denied only where there is insufficient capacity or for reasons of safety, reliability, and generally applicable engineering principles, if those limitations cannot be remedied by rearranging, expanding or otherwise reengineering facilities at the cost, reasonable and actual, of the telecommunications service provider or cable operator requesting the</p>

		<p>pole attachment. (S: Burchett; H: McManus)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>SB 2147 HB 2117 (Full Text)</p>		<p>TRA - universal service program support mechanism fund. Authorizes the Tennessee regulatory authority to take any actions necessary to implement and administer the universal service program support mechanism fund. (S: Haynes J.; H: Curtiss)</p> <p>Senate Status: Taken off notice in Senate Commerce, Labor & Agriculture 04/28/2009. House Status: House Commerce Utilities & Banking Subcommittee deferred to 2010.</p>
<p>SB 2200 HB 2343 (Full Text)</p>		<p>TRA - report to the general assembly. Changes date of authority's report to the general assembly from first Monday in February to first Monday in March. (S: Burchett; H: Coley)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Caption bill held on House clerk's desk.</p>
<p>SB 2219 HB 2363 (Full Text)</p>		<p>Market Regulation Act of 2009. Enacts "Market Regulation Act of 2009." Allows any certificated provider of local exchange or intra-state long distance telephone service to elect to operate pursuant to market regulation by filing of its notice to do so with the authority. Requires the authority to hold the notice for a period of 15 days. Establishes that if the 15-day period expires without an intervention requesting a contested case proceeding, the filing party's election to operate pursuant to market regulation must become effective immediately. Requires the authority to conduct a contested case proceeding and enter a final order within 90 days from the date of the filing of the original notice to determine whether the public interest and policies would be served by granting the filing party's notice. (S: Overbey; H: Todd)</p> <p>House Co-Sponsors: Harmon; McManus</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Taken off notice in House Commerce Utilities & Banking Subcommittee 04/21/2009.</p>
<p>SB 2497 HB 3533 (Full Text)</p>		<p>Prepaid wireless emergency telephone service charge. Establishes a statewide prepaid wireless emergency telephone service charge of 2 percent of each retail transaction. Specifies that such prepaid wireless E911 charge shall be the only E911 funding obligation imposed with respect to prepaid wireless telecommunications service in this state, and no tax, fee, surcharge, or other charge shall be imposed by this state. (S: Southerland; H: Maddox)</p> <p>House Co-Sponsors: McCord; Sargent; Todd; Tindell</p>

		<p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House State Government Subcommittee.</p>
<p>SB 2857 HB 3166 (Full Text)</p>		<p>Pilot project for reverse 911 notification system. Requires the board to select one emergency communications district in each grand division to conduct a pilot project creating a reverse 911 notification system that would notify persons of sever weather warnings and emergency information. (S: Stewart E.; H: Curtiss)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House State Government Subcommittee.</p>
<p>SB 2945 HB 2970 (Full Text)</p>		<p>TACIR report on underground utility damage prevention. Requires TACIR to submit report on effectiveness of TN's current underground utility damage prevention program to the general assembly no later than January 17, 2011, rather than January 29, 2010. (S: Norris; H: Odom)</p> <p>Senate Status: Senate State & Local Government deferred to 03/03/2010. House Status: Set for House Utilities & Banking Subcommittee 02/23/2010.</p>
<p>SB 2992 HB 3662 (Full Text)</p>		<p>Rural and electric community services cooperative - bylaws. Authorizes the board or the members of a rural electric and community services cooperative to change any bylaw that potentially exposes the cooperative to legal or regulatory action. (S: Berke; H: Stewart M.)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Local Government Subcommittee.</p>
<p>SB 3016 HB 3165 (Full Text)</p>		<p>Consolidation of 911 districts. Establishes that it is in the best interest of the public that the dispatch services of an emergency communications district be the direct dispatch method. Allows a petition signed by voters of a county, amounting to 10 percent of votes cast in the county in the last gubernatorial election, to request the county in which they reside be removed from the consolidated district and be restored to a separate emergency communication district. Creates an incentive for 911 districts to consolidate or select the direct dispatch method. Requires the privilege tax to be for the sole purpose of providing funding to an emergency communications district meeting the requirements of this legislation. (S: Stewart E.; H: Curtiss)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House State Government Subcommittee.</p>

<p>SB 3131 HB 3204 (Full Text)</p>		<p>Energy acquisition corporations - bond issuance. Allows energy acquisition corporations and creditors or bondholders of energy acquisition corporations to obtain loans, issue bonds, make loans, or purchase bonds, respectively, at the maximum effective interest rate charged on loans over \$100. (S: Finney L.; H: Eldridge) House Co-Sponsor: Shaw</p> <p>Senate Status: Set for Senate State & Local Government Committee 02/24/2010. House Status: Set for House Local Government Subcommittee 02/24/2010.</p>
<p>SB 3146 HB 3140 (Full Text)</p>		<p>Comptroller to report on new telecommunication towers. Requires the comptroller of the treasury, prior to February 1 of each year, to report the total number of new telecommunications towers constructed in the previous calendar year to the commerce committee chairs. Broadly captioned. (S: Black; H: Maggart)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Caption bill held on House clerk's desk.</p>
<p>SB 3215 HB 3446 (Full Text)</p>		<p>Number of lines a telephone cooperative can have. Changes the minimum amount of lines an existing telephone cooperative can have to operate in certain areas from 100,000 lines to 200,000 lines. Broadly captioned. (S: Finney L.; H: Yokley)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Caption bill held on House clerk's desk.</p>
<p>SB 3333 HB 3504 (Full Text)</p>		<p>Payments in lieu of taxes. Authorizes a G&T cooperative to make payments in lieu of taxes to any state or local taxing jurisdiction under certain circumstances. (S: McNally; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate Finance, Ways & Means. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>SB 3400 HB 3772 (Full Text)</p>		<p>Regional areas being served by more than one utility. Establishes the Regional Utility Authority Act of 2010. Authorizes counties with a charter form of government to create a regional utility authority to provide utility services as determined by the participating governmental entities. (S: Faulk; H: Haynes R.)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Local Government Subcommittee.</p>

<p>SB 3401 HB 3854 (Full Text)</p>		<p>Regional Utility Authority Act of 2010. Enacts the Regional Utility Authority Act of 2010. Act permits any county having a charter form of government being served by several utility providers to create a regional utility authority to provide services as determined by the participating government entities. (S: Faulk; H: Faulkner)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Local Government Subcommittee.</p>
<p>SB 3466 HB 3296 (Full Text)</p>		<p>Disconnection of utility service to state government users. Requires 30 days notice prior to disconnection of utility service to state government users. (S: Stewart E.; H: Fitzhugh)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House State Government Subcommittee.</p>
<p>SB 3637 HB 3895 (Full Text)</p>		<p>Party seeking rate increase not allowed to recover expenses. Prohibits any party filing a petition with the Tennessee Regulatory Authority and seeking a rate increase from recovering any legal expenses. (S: Bunch; H: Watson E.)</p> <p>Senate Status: Referred to Senate State & Local Government. House Status: Referred to House Commerce.</p>
<p>SB 3640 HB 3773 (Full Text)</p>		<p>Provider of local exchange phone services - tariff filing. Allows a certificated provider of local exchange telephone services to file a tariff with the authority regulating such services. Specifies that such tariff shall become effective upon filing and be deemed approved, unless rejected by the authority within 60 days of such filing. (S: Ketron; H: McManus)</p> <p>Senate Status: Set for Senate State & Local Government Committee 02/24/2010. House Status: Set for House Utilities & Banking Subcommittee 02/23/2010.</p>
<p>SB 3649 HB 3916 (Full Text)</p>		<p>Notice of intent to discontinue service for nonpayment. Permits a utility to send a notice of intent to discontinue service for nonpayment to a user. either by mail or electronically. (S: Johnson J.; H: Stewart M.)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Caption bill held on House clerk's desk.</p>
<p>SB 3757 HB 2727</p>		<p>Requires phone companies to provide call blocking services. Requires all entities providing phone service, including cellular phones, in TN as public utilities, including but not limited to those regulated</p>

(Full Text)		<p>by TRA, to provide call blocking services. Encourages cooperatives and foreign entities to provide such services. (S: Bunch; H: Campfield)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Commerce Utilities & Banking Subcommittee.</p>
<p>HB 0076 (Full Text)</p>		<p>Billing practices of residential cable. Forbids residential cable or video programming service providers to subject customers to an assessment of a late fee until at least thirty days after the service to which the late fee applies has been received by the customer. Prohibits residential cable or video service providers holding a state-issued certificate of franchise to impose a late fee on services unless the billing statement for such services contains a clear notice of when the late fee is to be imposed. (H: Gilmore)</p> <p>House Status: Withdrawn in House 02/23/2009.</p>
<p>WORKERS COMPENSATION</p>		
<p>SB 2409 HB 3889 (Full Text)</p>		<p>Calculating base period for purposes of unemployment. Excludes periods of temporary total disability under the workers compensation law from calculation of base period for purposes of unemployment compensation. (S: Faulk; H: Harrison)</p> <p>Senate Status: Senate Commerce, Labor & Agriculture deferred to 03/09/2010. House Status: Set for House Employee Affairs Subcommittee 02/24/2010.</p>
<p>SB 2559 HB 2869 (Full Text)</p>		<p>Redefines average weekly wage. Revises the definition of "average weekly wage" to mean the actual weekly earnings of an employee under the employment contract or contract of hire in force at the time of the injury plus any overtime earnings and bonuses. Provides that average weekly wages may not be computed on less than a full-time workweek. Defines "earnings" to include anything received by the employee under the terms of the employment contract or contract for hire from which the employee realizes economic gain, including any allowance made in lieu of wages. Specifies that "employment contract" or "contract of hire" can be implied. Provides that if average weekly wages cannot be fairly and justly determined by the statute, then the average weekly wages of a person in the same grade/classification employed at the same work by the same employer at the time of the employee's injury will be used, and if a similar employee does not exist, the usual wage paid in the vicinity of the employer for the same or similar services will be used, provided the results obtained are just and fair to the employee and the employer. (S: Haynes J.; H: Hackworth)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture.</p>

		<p>House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 2841 HB 2845 (Full Text)</p>		<p>Extension of workers' compensation suspension. Extends suspension of requirement for sole proprietors and partners to maintain workers' compensation insurance on themselves from March 28, 2011 to April 1, 2012. (S: Stewart E.; H: Matheny)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
<p>SB 2943 HB 2928 (Full Text)</p>		<p>Revises determination of meaningful return to work. Applies cap of 1.5 times an employee's medical impairment rating when the pre-injury employer returns the injured employee to employment and at the time of settlement or trial the average weekly wages earned by the employee are equal to or greater than the average weekly wages the employee was receiving at the time of the injury, rather than equal to or greater than the wage the employee was receiving at the time of the injury. Creates presumption that the employee had a meaningful return to work if at the time of settlement or hearing, the employee is making an average weekly wage equal to or greater than the average weekly wage the employee was receiving at the time of the injury. (S: Norris; H: Sargent)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 3163 HB 3043 (Full Text)</p>		<p>Settlement of future medical benefits. Reduces from three years to one year the period of time permitted for compromise and settlement of future medical benefits in a case. Contains broad caption. (S: Johnson J.; H: Sargent)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 3175 HB 3514 (Full Text)</p>		<p>Exemptions on religious grounds. Permits employer to file application with department of labor and workforce development including written waiver of workers' compensation benefits and affidavit by employee indicating employee's membership with recognized religious sect or division of sect and adherence to established tenets or teaching of such sect or division by reason of which employee is conscientiously opposed to acceptance of benefits of any public or private insurance which makes payments in event of death, disability, old age, or retirement or makes payments toward cost of, or</p>

		<p>provides services for medical bills, including benefits of any insurance system established by federal Social Security Act. (S: Herron; H: McDonald)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 3603 HB 3162 (Full Text)</p>		<p>Insurance for sole proprietors and partners. Lengthens suspension of requirement that sole proprietors and partners maintain workers' compensation insurance on themselves from March 28, 2011, until June 30, 2011. (S: Ketron; H: Curtiss)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee.</p>
<p>SB 3730 HB 3358 (Full Text)</p>		<p>Procedures governing approval of settlements. Revises procedures governing approval of settlements of workers compensation cases by courts. Prohibits the parties from submitting a settlement agreement for approval to any court that is not a court of competent jurisdiction as provided in TCA 50-6-225 and prohibits the parties from waiving personal jurisdiction for the purposes of obtaining approval of a proposed settlement. Provides that the employee must be required to be present at the time any proposed settlement agreement is submitted to a court for approval. Excepts situations where physical presence is not possible due to military service or the employee is suffering a debilitating illness and cannot physically be present. Prohibits judge from approving any proposed settlement agreement without having communicated with the employee in person or by telephone. Contains broad caption. (S: Haynes J.; H: Fincher)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 3731 HB 3582 (Full Text)</p>		<p>Handling future medicals after judgment or settlement. Establishes a procedure for handling disputes involving future medical care and treatment, medical services, or medical benefits, or both, in a workers' compensation case after judgment or settlement. Permits the employee or the employer, or the attorney for the employee or employer, to request assistance of a workers' compensation specialist by filing with the Division of Workers' Compensation a form prescribed for that purpose. Provides that if the employer does not agree to provide the medical care and treatment at issue, the specialist will enter an order as to whether the employer will provide medical care and treatment, medical services or medical benefits, or both, and if so, the specific medical care and treatment, medical services or medical benefits, or both, that will be provided. Provides that if the request for assistance involved a</p>

		<p>request for medical care or treatment pursuant to a court judgment or decree following a trial of the underlying workers' compensation claim, either the employer or the employee may appeal the specialist's order to the original court that issued the judgment or decree. Provides that if the request for assistance involved a request for medical care and treatment pursuant to a settlement, the aggrieved party may request administrative review. Contains broad caption. (S: Haynes J.; H: Coleman)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 3732 HB 3143 (Full Text)</p>		<p>Treatment of common carrier by motor vehicle. Eliminates exclusion for leased owner/operator of a motor vehicle under contract to a common carrier from workers' compensation law. Contains broad caption. (S: Haynes J.; H: Stewart M.)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 3750 HB 3557 (Full Text)</p>		<p>Whether person is employee or independent contractor. Creates a rebuttable presumption that an individual is an "independent contractor" and not an "employee" if the court finds that one or more of the statutory factors tend to prove that the individual is an "independent contractor" and not an "employee." Creates conclusive presumption that an individual is an "independent contractor" and not an employee if the court finds that three or more of statutory factors tend to prove that the individual is an "independent contractor" and not an "employee." (S: Bunch; H: Rowland)</p> <p>Senate Status: Referred to Senate Commerce, Labor & Agriculture. House Status: Referred to House Employee Affairs Subcommittee. Other Status: Set for Workers' Compensation Advisory Council 02/08/2010.</p>
<p>SB 7001 HB 7007 (Full Text) Public Chapter (PDF)</p>		<p>Workers compensation requirements for contractors. Liability of principal intermediate contractor or subcontractor is clarified to state that sole proprietors and partners shall not be required to carry workers compensation insurance on themselves. Revision takes place immediately upon becoming law, but then only effective until February 28, 2011. At that time, the next revision will go into effect. That revision states that if a sole proprietor or partner is working as an intermediate contractor or subcontractor, then workers compensation insurance shall be required on themselves. (S: Ketron; H: Pitts)</p> <p>House Co-Sponsor: Matheny Amendment: Senate amendment 1 changes the date to March 28, 2011, from February 28, 2011, on</p>

		<p>which the requirement for sole proprietors and partners who are engaged in the construction industry to obtain workers' compensation would be reinstated.</p> <p>Senate Status: Senate 01/15/2010 passed with amendment. House Status: House passed 01/15/2010. Other Status: Enacted as Public Chapter 7001 (effective 01/22/2010).</p>
<p>HB 2427 (Full Text)</p>		<p>Maintaining workers' compensation insurance. Suspends until March 31, 2012, the requirement, which became law December 31, 2009 (PC 1041, 105th GA), for sole proprietors and partners engaged in the construction industry to maintain workers' compensation insurance on themselves unless the proprietor or partner is doing work directly for the owner of the property or unless the proprietor or partner is working as an intermediate contractor or subcontractor but specifies that the proprietor or partner must carry workers' compensation insurance on any subcontractor, employee, or worker not otherwise covered by a workers' compensation policy. (H: Evans)</p> <p>House Status: Referred to House Employee Affairs Subcommittee.</p>