



ADAMS AND REESE LLP

TENNESSEE LEGISLATIVE REPORT

TTA Comprehensive Bill Report 2023

Tennessee

SB11/HB2 COVID-19: Makes permanent various provisions regarding COVID-19.



Sen. Johnson, Jack
Rep. Zachary, Jason

Summary: Makes permanent various provisions regarding COVID-19.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/10/23, H: 01/10/23

Senate Status: 02/13/23 - Senate passed.

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

Executive Status: 03/27/23 - Enacted as Public Chapter 0048 effective March 21, 2023.

Meetings: Wed 2/8/23 1:00pm - Senate Hearing Rm I, Senate Health & Welfare Committee

Tue 2/14/23 1:30pm - House Hearing Rm III, House Civil Justice Subcommittee

Mon 2/13/23 4:00pm - Senate Chamber, Senate Floor

Wed 2/22/23 12:00pm - House Hearing Rm I, House Civil Justice Committee

Thu 3/2/23 8:30am - House Hearing Rm I, House Calendar & Rules Committee

Mon 3/6/23 5:00pm - House Chamber, House Floor

Public Chapter: PC48.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 9; Title 14; Title 29, Chapter 20 and Section 49-7- 159, and Chapter 896 of the Public Acts of 2022, relative to COVID-19.

Last Action Date: 03/27/23

Citations: 9-8-307; 14-5-102; 14-6-104; 29-20-205; 29-20-310; 49-7-159;

Cosponsors: Sen. Bowling, Janice; Rep. Capley, Kip; Rep. Grills, Rusty; Sen. Haile, Ferrell; Sen. Powers, Bill; Sen. Reeves, Shane; Rep. Rudd, Tim ; Sen. Stevens, John; Rep. Todd, Chris; Sen. White, Dawn;

Effective Date: 03/21/23

Position: Support

Priority: 1 - Top-tier

Comment: Makes permanent COVID liability protection for businesses

SB66/HB232 GOVERNMENT ORGANIZATION: Sunset - underground storage tanks and solid waste disposal control board.



Sen. Roberts, Kerry
Rep. Ragan, John

Summary: Extends the underground storage tanks and solid waste disposal control board to June 30, 2027. Establishes minimum attendance requirement for board members and requires removal of members who do not meet the requirement.

Fiscal Note: (Dated February 17, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/10/23, H: 01/20/23

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

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

Executive Status: 04/11/23 - Enacted as Public Chapter 0081 effective March 31, 2023.

Meetings: Wed 2/22/23 8:30am - Senate Hearing Rm I, Senate Government Operations Committee

Mon 2/27/23 4:00pm - Senate Chamber, Senate Consent 2

Mon 3/6/23 1:30pm - House Hearing Rm I, House Government Operations Committee

Thu 3/9/23 7:30am - House Hearing Rm I, House Calendar & Rules Committee Consent

Mon 3/13/23 5:00pm - House Chamber, House Consent

Public Chapter: PC81.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 68, Chapter 211, Part 1, relative to the underground storage tanks and solid waste disposal control board.

Last Action Date: 04/11/23

Citations: 4-29-244; 4-29-248; 68-211-111;

Effective Date: 03/31/23

Position: Neutral

Priority: 3 - Third-tier

SB73/HB1181 COMMERCIAL LAW: Tennessee Information Protection Act.



Sen. Watson, Bo
Rep. Garrett, Johnny

Summary:

Enacts the "Tennessee Information Protection Act," which establishes personal information rights for consumers and responsibilities for data controllers. Defines "controller" to mean the natural or legal person that, alone or jointly with others, determines the purpose and means of processing personal information. Requires controllers to limit the collection of personal information to what is adequate, relevant, and reasonably necessary in relation to the purposes for which the data is processed, as disclosed to the consumer. Requires controllers to establish, implement, and maintain reasonable data security practices to protect the confidentiality, integrity, and accessibility of personal information. Prohibits a controller from processing sensitive data concerning a consumer without obtaining the consumer's consent. Requires controller to conduct and document a data protection assessment of certain processing activities involving personal information, including the processing of personal information for purposes of targeted advertising and the sale of personal information. Requires data protection assessments conducted to identify and weigh the benefits that may flow, directly and indirectly, from the processing to the controller, the consumer, other stakeholders, and the public against the potential risks to the rights of the consumer associated with the processing, as mitigated by safeguards that can be employed by the controller to reduce the risks. Specifies for requirements of processing de-identified data by controllers. Requires a controller or processor to create, maintain, and comply with a written privacy program that reasonably conforms to the National Institute of Standards and Technology (NIST) privacy framework entitled "A Tool for Improving Privacy through Enterprise Risk Management Version 1.0." Gives the attorney general investigative authority over this part and exclusive authority for enforcement of provisions (32 pp.).

Amendment

Summary:

House amendment 1 (006458) requires a company that controls, processes or sells personal information to adhere to outlined requirements. Establishes personal information rights for consumers and requires applicable controllers to comply with consumer requests regarding personal information rights. Applies to a company that exceeds \$25,000,000 in revenue and that controls or processes personal information of at least 25,000 consumers and derives more than 50 percent of gross revenue from the sale of personal information or controls or processes personal information of at least 175,000 consumers during a calendar year. Provides exemptions to various organizations, agencies, institutions, and entities. Establishes that the Attorney General and Reporter (AG) has exclusive authority to bring actions for an alleged violation. Authorizes the court to impose a civil penalty up to \$7,500 per violation as well as other relief the court determines appropriate. Establishes that a controller or processor that complies with a privacy program that reasonably conforms to the National Institute of Standards of Technology (NIST) or other documented policies, standards, and procedures designed to safeguard consumer privacy, has an affirmative defense to a cause of action for a violation of this part. Establishes a violation of such is an unfair and deceptive act or practice under the Consumer Protection Act of 1977. Establishes that a consumer is not entitled to a private right of action upon such violation. Effective July 1, 2025. House amendment 1 (006596) makes various technical changes and additions to this bill, along with the following significant modifications: (1) Clarifies that consent under this bill may include, rather than shall include, a written statement or an unambiguous affirmative action; (2) Specifies that a natural person acting in a commercial or employment context is not a consumer for purposes of this bill; (3) Defines "decisions that produce legal or similarly significant effects concerning the consumer" to mean decisions made by a controller that result in the provision or denial by the controller of financial or lending services, housing, insurance, education enrollment or opportunity, criminal justice, employment opportunities, healthcare services, or access to basic necessities. This amendment requires a controller to comply with a consumer request to exercise the right to opt out of a controller's processing of personal information for purposes of selling personal information about the consumer, targeted advertising, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning the consumer. Such compliance requirement replaces provisions of this bill that would require disclosure of certain information concerning that a controller sold or disclosed for a business purpose; (4) Specifies that an entity owned or controlled by a nonprofit organization is exempt from this bill as a nonprofit organization; (5) Replaces this bill's definition of "personal information". This bill specifies various classes of information that are personal information. This amendment instead defines personal information to mean information that is linked or reasonably linkable to an identified or identifiable natural person; (6) Changes the threshold for this bill to apply to a person conducting business in Tennessee to persons producing products or services that target residents of Tennessee and that: (A) Exceed \$25,000,000 in revenue; and (B) Either control or process personal information of at least 25,000 consumers and derive more than 50 percent of gross revenue from the sale of personal information or, during a calendar year, control or process personal information of at least 175,000 consumers; (7) Adds courses of conduct by which a controller that obtained personal information about a consumer from a source other than the consumer complies with the consumer's request to delete such information; (8) Makes various changes concerning the information that a controller must include in consumer disclosure statements and privacy notices; (9) Exempts from this bill information that is included in a limited data set to the extent that the information is used, disclosed, and maintained in the manner specified in federal regulations promulgated under HIPAA and the American Recovery and Reinvestment Act of 2009; (10) Reduces the maximum civil penalty for a violation of this bill from \$15,000 to \$7,500 and removes the list of criteria for assessing and calculating a penalty; (11) Removes the requirement that a controller's privacy program must disclose the commercial purposes for which the controller collects, controls, or processes personal information; (12) Preempts conflicting local regulation; (13) Specifies that the Tennessee Information Protection Act does not apply to personal information maintained or used for purposes of compliance with the regulation of listed chemicals under the federal Controlled Substances Act; and (14) Changes the effective date from July 1, 2024, to July 1, 2025.

Subcommittee

Amendments:

Fiscal Note:

Intro Dates:

Senate Status:

House Status:

Executive Status:

Meetings:

Banking_Sub_Amendments_03.21.23.pdf

(Dated January 28, 2023) NOT SIGNIFICANT

S: 01/10/23, H: 02/01/23

04/21/23 - Senate passed.

04/10/23 - House passed with amendment 1 (006596).

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

Tue 3/14/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee

Tue 3/14/23 1:30pm - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee

Mon 3/20/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee

Tue 3/21/23 1:30pm - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee

Tue 3/21/23 3:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee

Tue 3/28/23 9:00am - House Hearing Rm I, House Commerce Committee

Mon 3/27/23 4:00pm - Senate Chamber, Senate Floor

Thu 3/30/23 8:30am - Senate Chamber, Senate Floor

Tue 4/4/23 9:00am - House Hearing Rm I, House Commerce Committee

Thu 4/6/23 8:00am - Senate Chamber, Senate Floor

Thu 4/6/23 8:30am - House Hearing Rm I, House Calendar & Rules Committee

Mon 4/10/23 5:00pm - House Chamber, House Floor

Thu 4/13/23 8:30am - Senate Chamber, Senate Floor

Mon 4/17/23 4:00pm - Senate Chamber, Senate Floor

Thu 4/20/23 10:00am - Senate Chamber, Senate Regular Calendar 1

Fri 4/21/23 10:30am - Senate Chamber, Senate Regular Calendar 1

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 12; Title 43; Title 45; Title 47; Title 48; Title 50; Title 61; Title 66 and Title 67, relative to commerce.

Last Action Date: 04/21/23

Citations: 4; 12; 43; 45; 47; 47-18-104; 47-18-109; 47-18-3201; 47-18-3202; 47-18-3203; 47-18-3204; 47-18-3205; 47-18-3206; 47-18-3207; 47-18-3208; 47-18-3209; 47-18-3210; 47-18-3211; 47-18-3212; 47-18-3213; 47-18-3214; 48; 48-51; 50; 56; 61; 66; 67; 68;

Cosponsors: Sen. Campbell, Heidi; Rep. Clemmons, John; Rep. Haston, Kirk; Rep. Hicks, Tim; Rep. Howell, Dan; Sen. Lowe, Adam; Rep. Moody, Debra; Sen. Stevens, John; Rep. Todd, Chris; Rep. Towns Jr., Joe; Rep. Williams, Ryan; Rep. Zachary, Jason;

Position: Amend

Priority: 2 - Second-tier

Comment: This is similar to legislation filed last two years. Very complicated and has raised concerns with many in the business community. Will monitor.

SB78/HB141 TRANSPORTATION GENERAL: Transportation project completion dates to be included in commissioner's report.

Sen. Massey, Becky
Rep. Howell, Dan

Summary: Authorizes the commissioner of transportation to include the anticipated completion dates for projects under construction in the commissioner's quarterly report to the state building commission on the status of road projects. Broadly captioned.

Fiscal Note: (Dated January 17, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/10/23, H: 01/12/23



Senate Status: 01/20/23 - Referred to Senate Transportation & Safety Committee.

House Status: 03/15/23 - House Finance, Ways & Means Subcommittee deferred to 03/22/23.

Committees: Senate Transportation & Safety Committee
House Finance, Ways & Means Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 54; Title 55; Title 65 and Title 67, relative to transportation.
Last Action Date: 03/15/23
Citations: 4; 5; 6; 7; 8; 54; 54-5-1401; 55; 65; 67;
Position: Support
Priority: 1 - Top-tier
Comment: Caption bill that now will be used to carry the HAZ MAT one CDL bill

SB79/HB142 **TRANSPORTATION VEHICLES: Motor vehicle titling or registration - notice of change of address.**

 Sen. Massey, Becky
 Rep. Howell, Dan



Summary: Authorizes a person who, after applying for or receiving a motor vehicle title or registration, moves from the address named in the application or title or registration, or changes names, to submit the required notice to the department in writing or electronically. Broadly captioned.

Amendment Summary: Senate amendment 1 (003596) rewrites the bill to revise present law provisions concerning hazardous materials endorsements applicable to temporary permits and licenses. Under present law, the department of safety is prohibited from issuing or renewing a hazardous materials endorsement until a determination of no security threat has been issued in accordance with federal law. The department is required to revoke a current hazardous materials endorsement upon receipt of an initial or final determination of a security threat. This amendment adds that a commercial driver license issued with such an endorsement expires on the date the endorsement authorization expires.

Fiscal Note: (Dated January 19, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/10/23, H: 01/12/23
Senate Status: 02/23/23 - Senate passed with amendment 1 (003596).
House Status: 04/20/23 - House passed.
Executive Status: 04/24/23 - Sent to governor.
Meetings:
 Wed 2/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Thu 2/23/23 8:30am - Senate Chamber, Senate Floor
 Wed 3/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Tue 3/14/23 8:00am - House Hearing Rm I, House Transportation Committee
 Wed 3/22/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Tue 4/18/23 9:00am - Special Calendar - House Hearing Rm I, House Finance, Ways & Means Subcommittee
 Tue 4/18/23 5:35pm - House Hearing Rm I, House Finance, Ways & Means Committee
 Tue 4/18/23 8:50pm - House Hearing Rm I, House Calendar & Rules Committee
 Thu 4/20/23 8:30am - House Chamber, House Regular Calendar 1

Caption: AN ACT to amend Tennessee Code Annotated, Title 54; Title 55; Title 65 and Title 67, relative to transportation.
Last Action Date: 04/24/23
Citations: 54; 55; 55-4-131; 55-50-302; 55-50-337; 65; 67;
Cosponsors: Rep. Howell, Dan;
Position: Support
Priority: 1 - Top-tier
Comment: Very broad caption bill. May be the annual special plate bill. Now is the caption for the Hazmat CDL bill

SB83/HB139 **TRANSPORTATION VEHICLES: Driver of lead commercial motor vehicle traveling in a platoon.**



 Sen. Massey, Becky
 Rep. Howell, Dan

Summary: Requires a driver who holds a valid commercial driver license to be present behind the wheel of the lead commercial motor vehicle traveling in a platoon, rather than behind the wheel of each commercial motor vehicle traveling in that platoon. Broadly captioned.

Fiscal Note: (Dated March 3, 2023) Other Fiscal Impact Passage of the proposed legislation could jeopardize federal highway and grant funding to the Department of Transportation.
Intro Dates: S: 01/10/23, H: 01/12/23
Senate Status: 03/08/23 - Taken off notice in Senate Transportation & Safety Committee.
House Status: 01/24/23 - Referred to House Transportation Subcommittee.
Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
Committees: Senate Transportation & Safety Committee
 House Transportation Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 54 and Title 55, relative to vehicles operating as part of a platoon.
Last Action Date: 03/08/23
Citations: 39; 54; 55-8-201;
Cosponsors: Sen. Bowling, Janice;
Position: Oppose
Priority: 1 - Top-tier
Comment: This seems to amend the "platooning" law that TTA assisted with passing several years ago. There has been no platooning activity in Tennessee. Bill is being general sub. Company promoting this may be closing down. Never coordinated with TTA

SB90/HB6 **TRANSPORTATION VEHICLES: Utility task vehicles authorized for operation on state highways.**

 Sen. Hensley, Joey
 Rep. Warner, Todd

Summary: Authorizes utility task vehicles and Class I and II off-highway vehicles to be registered with the Department of Revenue to be operated on county roads and state highways with a posted maximum speed limit of 45 miles per hour. Authorizes the department to design, issue, and renew designated off-highway vehicle plates for utility task vehicles and Class I and II off-highway vehicles. Requires the operator to be at least 16 years of age with a valid driver's license. Requires the vehicle to have brakes, two taillights and headlights, two turn-signals, seatbelts, a horn, a spark arrester, properly connected muffler, and a roll bar unless passengers wear a crash helmet.

Amendment Summary: Senate Transportation & Safety Committee amendment 1, House Transportation Subcommittee amendment 1 (005756) authorizes three- or four-wheel all-terrain and off-highway vehicles to be operated on State Route 272, from the intersection with State Route 99 to the intersection with Double Bridge Road, within the jurisdiction of Marshall County.

Subcommittee Amendments: Transportation_Sub_Amendments_03.15.2023.pdf

Fiscal Note: (Dated February 25, 2023) Increase State Revenue \$100/FY24-25 and Subsequent Years/General Fund \$2,400/FY23-24/Highway Fund \$4,800/FY24-25 and Subsequent Years/Highway Fund
Intro Dates: S: 01/10/23, H: 01/10/23
Senate Status: 03/15/23 - Senate Transportation & Safety Committee recommended with amendment 1 (005756). Sent to Senate Calendar Committee.
House Status: 03/15/23 - Failed in House Transportation Subcommittee after adopting amendment 1 (005756).
Meetings:
 Wed 3/1/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Wed 3/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/15/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee

Committees: Senate Calendar Committee
 House Transportation Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 3; Title 55, Chapter 4 and Title 55, Chapter 8, relative to operation of off-highway vehicles on certain roads.

Last Action Date: 03/15/23

Citations: 54-10-103; 55-3; 55-3-101; 55-4-111; 55-4-201; 55-4-203; 55-4-204; 55-4-210; 55-4-701; 55-4-702; 55-8-101; 55-8-144; 55-8-185; 55-8-203; 55-9-201; 55-9-302;

Cosponsors: Sen. Bowling, Janice; Rep. Capley, Kip; Rep. Darby, Tandy; Rep. Doggett, Clay; Rep. Hicks, Tim; Rep. Richey, Bryan; Rep. Towns Jr., Joe; Sen. Walley, Page;

Position: Neutral

Priority: 3 - Third-tier

Comment: Tracking only for licenses

SB97/HB396 **WORKERS COMPENSATION: Maximum weekly death benefit through workers' compensation.**

 Sen. Walley, Page
Rep. Gant, Ron

Summary: Specifies that the maximum weekly death benefit available through workers' compensation for a deceased employee who leaves dependents is 75 percent of the employee's average weekly wage up to 100 percent of the state's average weekly wage for injuries occurring on or after July 1, 2023. Removes language that dependent children of the deceased employee have the status of orphan upon the surviving spouse's remarriage. Permits dependents who are employed or enrolled in an apprenticeship program to be paid benefits until 22 years of age.

Amendment Summary: Senate amendment 1 (004512) rewrites this bill to make changes to death benefits in workers' compensation claims, as described below. REMARRIAGE OF A SURVIVING SPOUSE Under present law, upon the remarriage of a surviving spouse, if there is no child of the deceased employee, the compensation terminates; but if there is a child or children under the 18, or over 18 if physically or mentally incapacitated from earning, from the time of the remarriage, the child or children must have status of orphans, and draw compensation accordingly, not, however, to exceed 66 and 2/3 percent of the average weekly wages of the deceased. This amendment adds that, upon the remarriage of a surviving spouse, if there is no child of the deceased employee, then the surviving spouse is entitled to one lump sum payment equal to 100 weeks based on 25 percent of the average weekly wages of the deceased employee, subject to the maximum total benefit. This amendment provides that any benefit payable for compensation in death cases that is currently 50 percent is increased 66 and 2/3 percent. Under present law, in computing and paying compensation to orphans or other children, in all cases, only those under 18, or those over 18 who are physically or mentally incapacitated from earning, must be included, the former to receive compensation only during the time they are 18, the latter only for the time they are so incapacitated. However, if the dependent is attending a recognized educational institution, benefits must be paid until 22. This amendment expands the requirement that benefits be paid until 22 for dependents attending a recognized educational institution to include if the dependent is completing secondary education or a program leading to an equivalent credential, or enrolled in a recognized institution that provides postsecondary or career or technical education. This amendment adds to the present law pertaining to dependents for compensation payments that if a dependent, as established by order, judgment, or decree, is determined to be entitled to benefits under the Workers' Compensation Law, then the employer or insurer may periodically require the dependent to provide information relevant to whether the dependent continues to qualify for benefits. After receipt of the request for information, the dependent must provide the requested information relevant to dependency within 15 days of the date of the request. If the dependent fails to provide the requested information relevant to dependency, then the employer or insurer may suspend benefits. If benefits are suspended, then the employer or insurer must notify the department by filing a notice of change or termination of benefits within 15 days of the first omitted payment of compensation. If the dependent provides the requested information relevant to dependency within any period of suspension of benefits and the employer or insurer does not dispute the dependent's eligibility for benefits, then within 15 days of the receipt of such information, the employer or insurer must restore periodic benefits and must remit to the dependent any periodic benefits that were withheld during any period of suspension of benefits. If the dependent provides information indicating the dependent no longer qualifies for benefits under this chapter based on changes in the dependent's circumstances that have occurred since the time of the initial order, judgment, or decree, then the employer or insurer may terminate benefits. If benefits are terminated, then the employer or insurer must notify the department by filing a notice of change or termination of benefits within 15 days of the first omitted payment of compensation. If benefits are suspended or terminated, then the dependent may file a petition for benefit determination. This amendment establishes that a person who provides false or misleading information in response to a request for information relevant to dependency commits a fraudulent insurance act, which is punishable as theft. Senate amendment 2 (004767) names this bill the "Garrison-Jordan Survivor Benefits Act."

Subcommittee Amendments: Banking_Sub_Amendments_03.07.23.pdf

Fiscal Note: (Dated February 21, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/11/23, H: 01/30/23

Senate Status: 03/06/23 - Senate passed with amendment 1 (004512) and amendment 2 (004767).

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

Executive Status: 04/25/23 - Enacted as Public Chapter 0158 effective July 1, 2023.

Meetings:
Tue 2/21/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
Tue 2/28/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
Tue 3/7/23 1:30pm - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee
Mon 3/6/23 4:00pm - Senate Chamber, Senate Floor
Tue 3/14/23 9:00am - House Hearing Rm I, House Commerce Committee
Tue 3/21/23 9:00am - House Hearing Rm I, House Commerce Committee
Thu 3/23/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee
Mon 3/27/23 5:00pm - House Chamber, House Floor
Thu 3/30/23 9:00am - House Chamber, House Floor

Public Chapter: PC158.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, relative to workers' compensation.

Last Action Date: 04/25/23

Citations: 50-6-210;

Cosponsors: Sen. Akbari, Raumesh; Sen. Bowling, Janice; Sen. Campbell, Heidi;

Effective Date: 07/01/23

Position: Neutral

Priority: 2 - Second-tier

Comment: Broad bill on workers comp death benefits

SB105/HB88 **TRANSPORTATION VEHICLES: Military waivers for commercial driver licenses.**

 Sen. Watson, Bo
Rep. Marsh, Pat

Summary: Requires the department of safety to waive the knowledge test and accept alternative requirements for active duty and honorably discharged service members applying for temporary commercial learner's permits. Requires the applicant to certify that the applicant has not had a driver license suspended, revoked, or canceled in this state or another state during the one year preceding the application. Requires the application to be accompanied by documentation establishing the applicant's military occupational specialty and driving experience, including military orders or other documentation acceptable to the department establishing the applicant's military occupational specialty and current duty station assignment and a valid military identification card, if the applicant is on active duty. Requires an applicant who obtains the knowledge test waiver to successfully complete any applicable vision and skills tests, and pay the appropriate fees, other than the skills testing fee.

Amendment Summary: Senate amendment 1 (003622) revises the bill to include a member of the national guard or the armed forces reserves as those eligible for the waiver of the knowledge test. This amendment clarifies that if the applicant has been honorably discharged, they must provide, with their application, their certificate of release or discharge, including, but not limited to a department of defense form 214, that shows date of service and that the applicant received an honorable discharge or release. This amendment removes the provision that makes the bill inapplicable to a United States reserve technician. This amendment changes the effective date of this bill from July 1, 2023, to January 1, 2024.

Subcommittee Amendments: Transportation_Sub_Amendments_02.08.2023.pdf

Amendments:

Fiscal Note:

(Dated February 3, 2023) Other Fiscal Impact To the extent that the required modifications to the Department of Safety's A-List system can be accomplished within available resources provided under the current vendor contract, the proposed legislation will not result in a significant increase in state expenditures. Otherwise, those modifications could result in a one-time increase in state expenditures of up to \$20,000 in FY23-24.

Intro Dates:

S: 01/12/23, H: 01/11/23

Senate Status:

03/02/23 - Senate passed with amendment 1 (003622).

House Status:

04/20/23 - House passed.

Executive Status:

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

Meetings:

Wed 2/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Tue 2/14/23 8:00am - House Hearing Rm I, House Transportation Committee
 Wed 2/22/23 10:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 2/22/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Thu 3/2/23 8:30am - Senate Chamber, Senate Floor
 Tue 4/18/23 9:00am - Special Calendar - House Hearing Rm I, House Finance, Ways & Means Subcommittee
 Tue 4/18/23 5:35pm - House Hearing Rm I, House Finance, Ways & Means Committee
 Tue 4/18/23 8:50pm - House Hearing Rm I, House Calendar & Rules Committee
 Thu 4/20/23 8:30am - House Chamber, House Regular Calendar 1

Caption:

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, relative to military waivers for commercial driver licenses.

Last Action Date:

04/20/23

Citations:

55-50-404;

Cosponsors:

Sen. Bowling, Janice; Sen. Briggs, Richard; Sen. Crowe, Rusty; Rep. Glynn, Ronnie; Sen. Haile, Ferrell; Rep. Vital, Greg; Rep. White, Mark; Rep. Whitson, Sam ;

Position:

Support

Priority:

1 - Top-tier

Comment:

Allows for military driving experience to be used to be exempted from knowledge and other testing.

SB131/HB639 TAXES GENERAL: Joint report on transportation equity fund.



Sen. Stevens, John
 Rep. Bricken, Rush

Summary:

Adds the legislative librarian to the list of persons to whom the commissioners of revenue and transportation must provide a copy of their joint annual report summarizing the amount and source of tax revenues received and deposited during the preceding fiscal year in the transportation equity fund. Broadly captioned.

Amendment

Summary:

Senate Finance Revenue Subcommittee amendment 1 (004141) clarifies that the amount of any qualified charitable contribution of food by an excise taxpayer be equal to the amount deducted for the qualified contribution of food, in accordance with 26 U.S.C. § 170(e)(3), when computing federal taxable income for an excise taxpayer for the tax year. Specifies that food is defined as either articles used for food or drink for humans or other animals, chewing gum, or articles used for components of any food, drink, or chewing gum.

Fiscal Note:

(Dated January 17, 2023) NOT SIGNIFICANT

Intro Dates:

S: 01/12/23, H: 01/30/23

Senate Status:

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

House Status:

02/28/23 - Referred to House Finance, Ways & Means Subcommittee.

Meetings:

Tue 3/7/23 9:45am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
 Thu 4/20/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

Committees:

Senate Finance, Ways & Means Committee
 House Finance, Ways & Means Subcommittee

Caption:

AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

Last Action Date:

04/21/23

Citations:

67-6-408;

Position:

Neutral

Priority:

3 - Third-tier

Comment:

Broad caption bill

SB175/HB162 TRANSPORTATION VEHICLES: Report on placards issued to transporters of manufactured homes.



Sen. Massey, Becky
 Rep. Moon, Jerome

Summary:

Requires the department of transportation to submit a brief written summary to the transportation committee of the house of representatives and the transportation and safety committee of the senate no later than March 15 annually concerning placards issued to transporters of manufactured homes, including data on unsafe and erratic driving reported to the department using the telephone number that appears on the placards.

Fiscal Note:

(Dated January 20, 2023) NOT SIGNIFICANT

Intro Dates:

S: 01/20/23, H: 01/12/23

Senate Status:

01/21/23 - Referred to Senate Transportation & Safety Committee.

House Status:

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

Committees:

Senate Transportation & Safety Committee

Caption:

AN ACT to amend Tennessee Code Annotated, Title 55; Title 62; Title 67 and Title 68, relative to manufactured homes.

Last Action Date:

01/21/23

Citations:

55; 55-4-411; 62; 67; 68;

Position:

Amend

Priority:

3 - Third-tier

SB210/HB180 TRANSPORTATION VEHICLES: Exceeding vehicle weight limits - vehicles operated by electric motors.



Sen. Massey, Becky
 Rep. Howell, Dan

Summary:

Adds weight limit exception criteria for vehicles operated by electric motors similar to the criteria for vehicles operated by an engine fueled primarily by natural gas. Stipulates that, to the extent required by federal law, a vehicle operated by electric motors may exceed vehicle weight limits, up to a maximum gross vehicle weight of 82,000 pounds, by an amount that is equal to the difference between the batteries used to power the electric motors.

Amendment

Summary:

Senate amendment 1 (003467) rewrites the bill such that a vehicle operated by an engine powered primarily by means of electric battery power can exceed the vehicle weight limits, up to a maximum gross vehicle weight of 82,000 pounds, by an amount that is equal to the difference between the electric batteries used to power the vehicle and the weight of a comparable diesel tank and fueling system.

Fiscal Note:

(Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates:

S: 01/20/23, H: 01/20/23

Senate Status:

02/13/23 - Senate passed with amendment 1 (003467).

House Status:

02/27/23 - House passed.

Executive Status:

03/20/23 - Enacted as Public Chapter 0039 effective July 1, 2023.

Meetings:

Wed 2/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 2/15/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Mon 2/13/23 4:00pm - Senate Chamber, Senate Floor
 Tue 2/21/23 8:00am - House Hearing Rm I, House Transportation Committee
 Thu 2/23/23 8:30am - House Hearing Rm I, House Calendar & Rules Committee
 Mon 2/27/23 5:00pm - House Chamber, House Floor

Public Chapter:

PC39.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 7, relative to electric vehicles.
Last Action Date: 03/20/23
Citations: 55-7-203;
Effective Date: 07/01/23
Position: Support
Priority: 1 - Top-tier
Comment: The EV bill that we have filed to line up with the federal variance of up to 2000 pounds (82,000) at request of Bridgestone

SB239/HB57 INSURANCE GENERAL: Revises the Insurance Holding Company System Act.



Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Makes various changes to the "Insurance Holding Company System Act," including a requirement to file an annual group capital calculation, requirements regarding the use and filing of results of a liquidity stress test, and other related changes. Adds definitions for "group capital calculation instructions," "NAIC liquidity stress test framework," and "scope criteria" to the Act. Part of Administration Package.

Fiscal Note: (Dated February 2, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 01/10/23

Senate Status: 02/13/23 - Senate passed.

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

Executive Status: 03/20/23 - Enacted as Public Chapter 0023 effective July 1, 2023.

Meetings: Tue 2/7/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
Tue 2/7/23 12:00pm - House Hearing Rm I, House Insurance Subcommittee
Tue 2/14/23 10:30am - House Hearing Rm I, House Insurance Committee
Mon 2/13/23 4:00pm - Senate Chamber, Senate Consent 2
Thu 2/16/23 8:30am - House Hearing Rm I, House Calendar & Rules Committee
Thu 2/23/23 9:00am - House Chamber, House Consent

Public Chapter: PC23.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 11, relative to insurance holding companies.

Last Action Date: 03/20/23

Citations: 56-11-101; 56-11-105; 56-11-106; 56-11-108;

Cosponsors: Rep. Campbell, Scotty; Rep. Cochran, Mark; Rep. Powers, Dennis;

Effective Date: 07/01/23

Position: Neutral

Priority: 3 - Third-tier

Comment: We track many insurance bills especially as related to the defining of selling insurance and minimum requirements

SB254/HB73 LABOR LAW: Maximum potential penalties for OSHA violations to match federal law.



Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Updated the maximum potential penalties for violations of the Tennessee Occupational Safety and Health Act to match those allowed under federal law. Part of Administration Package.

Intro Dates: S: 01/20/23, H: 01/10/23

Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.

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

Committees: Senate Commerce & Labor Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 3, Part 4, relative to occupational safety and health penalties.

Last Action Date: 01/21/23

Citations: 50-3-400; 50-3-403; 50-3-404; 50-3-405; 50-3-406;

Cosponsors: Rep. Cochran, Mark;

Position: Neutral

Priority: 2 - Second-tier

Comment: May be a federal update to TOSHA

SB260/HB79 TRANSPORTATION VEHICLES: Delinquency penalty - businesses with a motor vehicle fleet of 200 or more vehicles.



Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Extends the delinquency penalty deadline period from 30 days to 60 days from businesses that maintain a fleet of at least 200 motor vehicles that has contracted with the department of revenue to provide proper titling and registration to comply with certification of title requirements. Broadly captioned. Part of Administration Package.

Fiscal Note: (Dated January 20, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 01/10/23

Senate Status: 01/21/23 - Referred to Senate Transportation & Safety Committee.

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

Committees: Senate Transportation & Safety Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 55; Title 57 and Title 65, relative to transportation.

Last Action Date: 01/21/23

Citations: 4; 7; 55; 55-3-114; 57; 65;

Cosponsors: Rep. Cochran, Mark;

Position: Neutral

Priority: 1 - Top-tier

Comment: Very broad caption bill and assume a Lee administration bill since the House Leader is sponsoring. Lamber and Johnson strong supporters of our industry and will confirm

SB263/HB82 WORKERS COMPENSATION: Changes to Worker's Compensation Law.



Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Makes various changes to the Workers' Compensation Law including award timeframes, attorney's fees, payment of medical expenses, and benefits of settlements. Broadly captioned. Part of Administration Package.

*Amendment
Summary:*

House amendment 1 (003993) makes various changes to workers' compensation statutes. Clarifies that a judge of a court of workers' compensation may review and approve an injured employee's attorney's fee as to reasonableness up to the statutory maximum allowed for attorney's fees. Extends the timeline, from June 30, 2023 to June 30, 2025, in which injuries occur and an employer wrongfully denies an employee's claim or fails to provide certain entitled benefits, the Court of Workers' Compensation Claims may subsequently award reasonable attorneys' fees and reasonable costs, including, but not limited to, reasonable and necessary court reporter expenses and expert witness fees for depositions and trials. Authorizes the Bureau of Workers' Compensation (BWC) to utilize funds in the Uninsured Employers Fund (UEF) to provide death benefits to eligible employees who suffered an injury arising primarily within the course and scope of the employee's employment with an employer who failed to provide workers' compensation coverage at the time of the eligible employee's death. Authorizes a death benefit award of \$20,000 to an eligible employee claimant, payable from the UEF, when the employer has failed to provide workers' compensation coverage. Increases the maximum amount, from \$40,000 to \$60,000, that may be awarded from the UEF to an eligible, injured employee or the employees' dependent, having won a workers' compensation claim and subsequently requested benefits from the BWC. Clarifies that total temporary and medical benefits payable by the BWC to an injured employee cannot exceed \$40,000, exclusive of death benefits. Authorizes the Commissioner of Labor and Workforce Development (DLWD) to establish by rule a voluntary physician education program which provides additional reimbursement under the comprehensive medical fee schedule set by the BWC. Requires the Commissioner to determine in rule the education and quality improvement requirements to receive this additional reimbursement.

Fiscal Note: (Dated February 5, 2023) Increase State Expenditures \$20,000/FY23-24 and Subsequent Years/Uninsured Employers Fund

Intro Dates: S: 01/20/23, H: 01/10/23

Senate Status: 03/16/23 - Senate concurred in House amendment 1 (003993).

House Status: 03/13/23 - House passed with amendment 1 (003993).

Executive Status: 04/17/23 - Enacted as Public Chapter 0145 effective April 13, 2023.

Meetings: Tue 2/7/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
Tue 2/7/23 1:30pm - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee
Tue 2/14/23 9:00am - House Hearing Rm I, House Commerce Committee
Thu 2/16/23 8:30am - Senate Chamber, Senate Floor
Tue 2/21/23 9:00am - House Hearing Rm I, House Commerce Committee
Wed 3/1/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
Tue 3/7/23 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee
Thu 3/9/23 7:30am - House Hearing Rm I, House Calendar & Rules Committee
Mon 3/13/23 5:00pm - House Chamber, House Floor
Thu 3/16/23 8:30am - Senate Chamber, Senate Message

Public Chapter: PC145.pdf

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, relative to workers' compensation.

Last Action Date: 04/17/23

Citations: 50-6-118; 50-6-204; 50-6-210; 50-6-226; 50-6-235; 50-6-236; 50-6-801; 50-6-802;

Cosponsors: Rep. Boyd, Clark; Rep. Cochran, Mark; Sen. White, Dawn;

Effective Date: 04/13/23, 07/01/23

Position: Amend

Priority: 1 - Top-tier

Comment: Should be an administration bill with the Leader sponsoring. A caption bill

SB273/HB321 TRANSPORTATION GENERAL: Composition of selection committee awarding construction manager/general contractor services contracts.

 Sen. Johnson, Jack
Rep. Lamberth, William

Summary: Decreases from eight to five, the number of members appointed by the commissioner of transportation to the selection committee that evaluates and scores requests for proposal when selecting and awarding a construction manager/general contractor services contract. Part of Administration Package.

Amendment Summary: Senate amendment 2 (005545) rewrites this bill to establish the "Transportation Modernization Act of 2023," makes numerous changes to existing law governing "design-build contracts," and adds "performance-based asset maintenance contracts" to authorize the Tennessee department of transportation to solicit proposals and award contracts. DESIGN-BUILD AND PERFORMANCE-BASED ASSET MAINTENANCE CONTRACTS. Under present law, selection criteria for a design-build contract must include the cost of the project and may include design-build firm qualifications, time of completion, innovation, design and construction quality, design innovation, or other technical or quality related criteria, as determined by the department. The department is authorized to award a stipulated fee to design-build firms that submit responsive proposals but are not awarded the design-build contract. The department must not be required to award a stipulated fee, but if it elects to award the fee, the amount of the stipend and the terms under which stipends are to be paid must be stated in the request for proposals. The department's authority to use design-build contracting procedures as provided in this section is subject to the following limitations: (1) The department may initiate up to 15 design-build contracts in any one fiscal year, if the contract has a total estimated contract amount of less than \$1 million; (2) The department may not initiate more than five design-build contracts in any one fiscal year, if the contract has a total estimated contract amount in excess \$1 million; and (3) If the proposed design-build contract has a total estimated contract amount in excess of \$70 million, the department must specifically identify the project as a proposed design-build project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations. The department is required to prepare a report on the effectiveness of design-build contracts and submit it to the chairs of the transportation and safety committee of the senate and transportation committee of the house of representatives upon the completion of three design-build contracts that have a total contract amount in excess of \$1 million. The department may establish agency policy, or the department may promulgate rules in furtherance of these provisions. This amendment authorizes the department to award performance-based asset maintenance contracts in addition to design-build contracts. A performance-based asset maintenance contract is defined as an agreement, typically long-term, that provides for managing and performing the inspection and reconstruction, repair, or maintenance of multiple highway facility components for specific roadway corridors or within a geographic area, where the contract sets specific performance standards, rather than prescriptive work tasks and deadlines, and may include incentive or disincentive provisions to promote achievement of the desired outcomes. Such contracts may also include third-party damage repair and claim management services, and may also provide for design, right-of-way acquisition, regulatory permit review and approvals, or utility relocation activities. Types of projects not suited for performance-based asset maintenance contracts include, but are not limited to, resurfacing and bridge repair projects. This amendment deletes the limitations to the department's authority to use design-build contracting procedures, and instead requires that prior to executing a design-build contract, the commissioner must send written notice to the chair of the transportation and safety committee of the senate and the chair of the transportation committee of the house of representatives. This amendment deletes the requirement that the department prepare a report on the effectiveness of design-build contracts upon the completion of three design-build contracts that have a total contract amount of more than \$1,000,000. This amendment requires instead that if a proposed design-build contract has a total estimated contract amount in excess of \$100,000,000, then the department must specifically identify the project as a design-build project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations. USE OF CONSTRUCTION MANAGER/GENERAL CONTRACTOR AND PROGRESSIVE DESIGN-BUILD SERVICES. Under present law, the department of transportation is authorized to use the project delivery method of construction manager/general contractor services (CM/GC). This method allows the department to engage a construction manager during the design process to provide input on the design. During the design phase, the construction manager provides advice, including, but not limited to, constructability review, scheduling, pricing, and phasing to assist the department in designing a more efficient and well-designed project. The construction manager/general contractor may subsequently construct the project if the department and the CM/GC reach agreement on a guaranteed maximum price for construction. The department will select CM/GC projects based upon generally accepted industry criteria that include factors such as fostering innovation, mitigating risk, improving design quality, improving cost control, and optimizing construction schedules. Projects suited for the CM/GC process include instances where the department needs feedback during the design phase due to complex components that require innovation. Other projects that are suited for CM/GC are projects that have public involvement, third-party considerations such as acquisition of right-of-way or utility relocation issues, or other factors that impact the overall schedule. Projects not suited for the CM/GC process include routine maintenance and resurfacing projects or other construction projects that present a low level of technical complexity, a low level of risk management, and simple traffic phasing, and that do not have any compelling need for project acceleration. Before using the CM/GC method of project delivery, the commissioner must send written notice to the chair of the transportation and safety committee of the senate and the chair of the transportation committee of the house of representatives. The written notice must identify the project and the reasons for deciding to use the CM/GC method. This amendment further authorizes the department to use the progressive design-build (PDB) method as a delivery method for procuring transportation project services. Progressive design-build method is defined as a transportation project delivery method in which the department procures a design-builder to provide pre-construction services and may subsequently complete the final design and construct the project, or part of the project, if the department and the design-builder reach agreement on a guaranteed maximum price. This amendment deletes the requirement that before using the CM/GC method the commissioner must send written notice to the chair of the transportation and safety committee

of the senate and the chair of the transportation committee of the house of representatives. Under present law, the department's authority to use the CM/GC method is subject to the following limitations: (1) If a proposed CM/GC contract has a total estimated contract amount in excess of \$70 million, then the department must specifically identify the project as a proposed CM/GC project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations; and (2) The cumulative cost of the CM/GC projects awarded in any single fiscal year must not exceed 25 percent of the total amount of construction contract awards made in the previous fiscal year, except as the general assembly may otherwise approve in accordance with the annual appropriations act. This amendment deletes these provisions, instead requiring that prior to executing a contract, the commissioner must send written notice to the chair of the transportation and safety committee of the senate and of the chair of the transportation committee of the house of representatives. If a proposed CM/GC or PDB contract has a total estimated contract amount in excess of \$100 million, the department must identify the project as a CM/GC or PDB project in the transportation improvement program submitted annually to the general assembly in support of the commissioner's annual funding recommendations. Under present law, if the commissioner determines that the CM/GC method of procurement is appropriate for the project, the commission must establish a multi-phase process to select the CM/GC that is the most responsive and responsible proposer. Phase 1 of the process is the appointment of the selection committee. Phase 2 is the development and issuance of the request for proposals. Phase 3 is the CM/GC "Selection-Design Phase." Phase 4 is the "CM/GC Selection-Construction phase. The selection committee, for Phase 1, must have eight members. The commissioner must appoint five department employees to the selection committee based on their qualifications and experience, including at least one employee who is a licensed professional engineer in this state. The commissioner must also appoint three members who are not employees of the department, all of whom are residents of this state, with one member appointed from and residing in each grand division of the state. At least two of these three must have a minimum of ten years of construction or highway engineering design experience, and at least one of these two members must have a valid professional engineering license. The other one of these three members must have either a minimum of ten years of construction or highway engineering design experience or a minimum of five years of employment experience in a banking, finance, accounting, surety, or insurance position. This amendment renames Phase 3 to the evaluation and selection phase. This amendment also adds "PDB" after any reference to "CM/GC" in the four phases. This amendment also deletes the requirements for the selection committee under Phase 1. Instead, this amendment requires that the selection committee consists of five members to be appointed by the commissioner as follows: (1) Three department employees, including at least one employee who is a licensed professional engineer in this state; and (2) Two members who are not employees of the department, each of whom must be a resident of this state. At least one of the members must have a minimum of ten years of construction or highway engineering design experience, and at least one of the members must be a licensed professional engineer in this state. Under present law, Phase 3 requires that upon completion of the evaluation process, each member of the selection committee must independently review and score the proposals. Each member must score the proposals pursuant to the scoring matrix that the department provides in the RFP and based on the RFP's evaluation criteria. The scores will be tallied and averaged according to the procedure established in the RFP; provided, however, that the scores of the two selection committee members giving the highest and lowest scores on a proposal must be excluded when computing the average score for each proposal. Upon completion of the scoring, the proposals will be ranked in order of the highest aggregate score to the lowest aggregate score. The proposer whose proposal receives the highest aggregate score will be considered the best-evaluated proposer. The proposals must be submitted in rank order to the commissioner. The commissioner may either accept the selection committee's recommendation of the best-evaluated proposer, or the commissioner may reject all proposals and proceed with construction of the project through any lawful method for procuring a construction services contract. The department must send all proposers a written notice of award to the best-evaluated proposer, or a written notice that all proposals have been rejected. If the department issues a written notice of award, the notice must include a copy of the scores from each member of the selection committee for each RFP proposal. This amendment deletes the present law requirements for scoring and ranking the proposals after completion of the evaluation process under Phase 3. Instead, this amendment requires that upon completion of the evaluation process, each member of the selection committee must independently review and score the proposals. Each member must score the proposals pursuant to the scoring matrix that the department provides in the RFP and based on the RFP's evaluation criteria. The scores must be tallied and averaged according to the procedure established in the RFP. Upon completion of the scoring, the proposals must be ranked in order of the highest aggregate score to the lowest aggregate score. The proposer whose proposal receives the highest aggregate score must be identified as a first-tier proposer. In addition, another proposer whose proposal receives an aggregate score within five percent of the proposal with the highest aggregate score, where five percent is measured as a percentage of the highest aggregate score, must also be identified as a first-tier proposer. The proposals of the first-tier proposers must be submitted in alphabetical order to the commissioner without an evaluation ranking. The commissioner may select a first-tier proposer, or the commissioner may reject all proposals and proceed with construction of the project through a lawful method for procuring a construction services contract. The department must send all proposers a written notice of award to the selected proposer, or a written notice that all proposals have been rejected. If the department issues a written notice of award, then the notice must include a copy of the scores from each member of the selection committee for each RFP proposal. Under present law, Phase 4 requires that once the design has been completed, or has been sufficiently developed to allow the CM/GC to prepare a proposed guaranteed maximum price for the construction of the project, or part of the project, the department must conduct the following steps before proceeding with any construction on the project: (1) Prepare and compile the contract plans, specifications, special provisions, and other requirements which will comprise the contract for construction of the project; (2) Prepare a detailed construction cost estimate to evaluate the appropriate price for construction of the project as designed; and (3) If directed by the commissioner, have an independent third-party estimator prepare a detailed construction cost estimate to confirm the appropriate price for construction of the project as designed. The department's detailed construction cost estimate, and any construction cost estimate prepared by an independent third-party estimator, must not be disclosed to the CM/GC, and must remain confidential and not subject to public disclosure until after award of the contract for construction of the project. The contract must require the CM/GC to self-perform a portion of the construction work comprising at least 30 percent of the total cost for construction, excluding specialty items. The cost for pre-construction services must not be considered part of the 30 percent but may be considered a specialty item. Based on the contract plans, specifications, special provisions, and other contract terms and conditions compiled by the department, the CM/GC must prepare a guaranteed maximum price (GMP), including any authorized contingency, for construction of the project. When completed, the CM/GC's proposed GMP must be submitted to the department for review. The CM/GC's proposed GMP must otherwise remain confidential and not subject to public disclosure until after award of the contract for construction of the project. The department is required to compare the CM/GC's proposed GMP with its own confidential construction estimate, and with any construction estimate prepared by an independent third-party estimator. If the GMP does not exceed the department's estimate, or the independent third-party estimate, by more than 10 percent, the commissioner may, but is not required to, award the contract for construction of the project to the CM/GC. If the commissioner rejects the proposed GMP, the department may continue to conduct contract discussions with the CM/GC to develop an acceptable GMP for the project as designed. Alternatively, the department may direct the CM/GC to provide additional pre-construction services as needed to assist in the further development of contract plans, terms, or specifications for the purpose of repeating the Phase 4 process steps. If the CM/GC and the commissioner are unable to reach agreement on the GMP, the commissioner may proceed with construction of the project through the low bid procurement process. This amendment adds to what occurs if an agreement on the GMP cannot be met, requiring that if an agreement on the GMP is unable to be reached for a PDB, then the PDB must relinquish and assign ownership of its design work product to the department, the department must take ownership of an assume liability for the design work product, and the commissioner may: (1) Employ the PDB's design consultant or another design consultant to complete the final design and proceed with construction of the project through the low bid procurement process; or (2) Use the PDB's design consultant's work product, or a part of it, to proceed with construction of the project through a design-build procurement process and, if another design consultant or design-builder completes the final design, the other design consultant to design-builder must assume responsibility for the final design. TENNESSEE MODERNIZATION ACT. FUNDING AND REPORTING. This amendment establishes a fund to be known as the "transportation modernization fund" that is a segregated account within the state treasury. Subject to appropriation in the general appropriations act, the fund is to be composed of: (1) A sum of \$3 billion to be divided into sums of \$750 million for projects within each region of the department; (2) A sum of \$300 million to be distributed to local governments as grants, as determined by the commissioner, provided, that a local government must not use grants distributed from the sum to supplant other state or local moneys appropriated or allotted for building, maintaining, or improving county roads or bridges; (3) Other revenues or moneys that the general assembly may appropriate to the fund; and (4) Other moneys received by the department for the purposes of the fund that are not otherwise allocated to the department by law. This amendment requires that the fund be administered by the department of transportation and be kept separate and apart from all other funds, including the state highway fund. Amounts remaining in the fund at the end of each fiscal year do not revert to the general fund. This amendment authorizes that the fund can be used for the following purposes: (1) To fund strategic transportation initiatives, including, but not limited to, congestion mitigation, rural interstate widening, and the accelerated delivery of strategic transportation improvements over and above the transportation improvements program generally supported by the state highway fund; (2) To respond to a transportation system failure, an imminent threat of a failure, or other emergency, which use may be eligible for reimbursement from the federal government; and (3) Another purpose for which the state highway fund may be lawfully used. This amendment requires that prior to January 1, 2024, and prior to each January 1 after, the department of transportation must submit a report to the speakers of the senate and the house of representatives, the chair of the transportation and safety committee of the senate, and the chair of the transportation committee of the house of representatives, on the status of projects funded by the transportation modernization fund. The report must include for each project: (1) The date on which engineering activities began, or are anticipated to begin, if known; (2) The date on which right-of-way acquisition activities began, or are anticipated to begin, if known; (3) The date on which construction activities began, or are anticipated to begin, if known; and (4) The date on which construction was completed, as applicable. REPLACING TOLLWAY ACT WITH USER FEE. This amendment replaces the "Tennessee Tollway Act," which authorizes tolling as an additional and alternative method for funding or financing the development and operation of highways and appurtenant facilities or other transportation-related facilities. Instead, this amendment authorizes user fees as an additional and alternative method for funding or financing the development and operation of highways and appurtenant facilities or other transportation-related facilities. The operation of user fee facilities is limited to new facilities opened and to existing facilities where one or more new vehicle lanes is added on the facility, on or after July 1, 2023. To further effectuate this change, this amendment deletes "state tollway fund," wherever it may appear, and replaces it with "state user fund"; deletes "toll revenues," wherever it may appear, and replaces it with "user fee revenues"; deletes "tollway projects and toll facility projects" and replaces it with "user fee facility projects"; and deletes

"tollway or toll facility," wherever it may appear, and replaces it with "user fee facilities." DEVELOPMENT AND OPERATION OF USER FEE FACILITY PROJECTS. This amendment authorizes the department to develop user fee facility projects and operate such user fee facilities. The department is further authorized to expend funds from the state user fee fund, the transportation modernization fund, and other funds, grants, or loans received from or made available by the federal government or another government agency that may be lawfully applied to a user fee facility project. This amendment requires that the development of a user fee facility project must be in accordance with the department's long-range statewide transportation plan. The development of a project must consider the alternatives to the project; the economic, social, and environmental effects of the user fee facility project; and the findings of the environmental evaluation process and public comments, including comments from a metropolitan planning organization or rural planning organization, or both, in which the project is located, before developing final construction plans for the user fee facility. The department must hold the public meetings at a convenient location during the environmental evaluation of the project and prior to plans for the user fee facility project being finally adopted. If the proposed project involves federal aid funding or constitutes a major federal action, then the department's environmental evaluation process is subject, as applicable, to the federal National Environmental Policy Act of 1969. If the proposed project does not involve federal aid funding and does not otherwise constitute a major federal action, then it is subject to environmental evaluation and documentation in accordance with such policies and procedures as the department may establish. This amendment requires that to establish a new user fee facility or to add a user fee facility on an existing facility, the department must submit a proposal to the board. The proposal must include plans, feasibility analyses, and other such information as may be available to describe the proposed project and the need for such project, including: (1) Projected traffic on the user fee facility; (2) The anticipated amount of the user fee to be charged, or the method for setting variable user fees; (3) Projected user fee revenue; and (4) If applicable, the proposed use of a franchise agreement, concession agreement, or a combination of those agreements, to design, construct, finance, operate, or maintain the user fee facility. Further development of the user fee facility project must not occur until it has been approved by the board, and, if applicable, the general assembly. Prior to the board approving the proposal, the board must provide written notice of the proposed user fee facility project to the speakers of the senate and the house of representatives, the chairs of the finance, ways and means committees of the senate and the house of representatives, the chair of the transportation and safety committee of the senate, and the chair of the transportation committee of the house of representatives. If any state agency proposes to assist in funding the user fee facility project with state or federal-aid funds, then the project is subject to the approval of the general assembly pursuant to the express provisions of the general appropriations act in which the funds must be specifically appropriated by reference to the project. With board approval, the department may designate one or more lanes of a highway, or portion of a highway, within the state as a user fee facility; provided, however, that such designation must not reduce the existing number of general purpose lanes and lanes available for use without payment of a user fee. In making such designations, the department must specify the high occupancy requirement or other conditions for use of the lanes, which may include restricting vehicle types and implementing access controls. New transportation facilities constructed on or after July 1, 2023, are required to include at least one lane for use without payment of a user fee, and at least one lane for use without payment of the user fee must be operational in order to assess a user fee on any use fee lane within the transportation facility. The department is authorized, with board approval, to set user fees or establish the method for setting variable user fees for the use of managed lanes, subject to resolutions or indentures authorizing bonds. Upon or prior to the issuance of any bonds, and until such time as the bonds are no longer outstanding under the resolution or indenture providing for the issuance of the bonds, the department must collect, or cause to be collected, such user fees and must revise the user fees from time to time whenever necessary, to produce revenue, together with other moneys that may be available, sufficient to: (1) Provide for all costs of the development and operation of the user fee facility project, including reasonable reserves; and (2) Pay when due all bonds and interest on the bonds, obligations under hedging agreements and ancillary agreements, and other indebtedness incurred by the state for the payment of which the user fees have been pledged, charged, or otherwise encumbered, and interest thereon, including reasonable reserves. A user fee, allowable increases, or the method for setting variable user fees on managed lanes, imposed or collected on a user fee facility on a state highway that is the subject of a user fee development agreement must be set in the user fee facility development agreement. The board is required to obtain further approval by the board to later modify the user fee conditions set forth in the user fee facility development agreement. The department must then specifically identify a proposed user fee facility or user fee facility project in the transportation improvement program furnished to the general assembly in support of the commissioner's annual funding recommendations. The department is required, by July 1, 2024, and by every July 1 after, to submit a report to the chairs of the finance, ways, and means committees of the house of representatives and the senate and the chairs of the transportation and safety committee of the senate and transportation committee of the house of representatives on the activities of the department involving any of the above. DEPARTMENT CONTRACTING AUTHORITY. This amendment authorizes the department to enter into user fee facility development agreements with private entities, the federal government, or other government agencies for the purpose of developing or operating a user fee facility, or any part of, including, but not limited to: (1) Contracts with private entities using a project delivery method available to the department by law, pursuant to which all or part of the design, right-of-way acquisition, relocation of utilities, and construction of a user fee facility is accomplished by a private entity or entities on behalf of the department; (2) Service agreements for the operation, or the operation and maintenance, of a user fee facility, or appurtenant facility, which may be procured on the basis of competitive sealed bids or the competitive selection of proposals, including the evaluation of qualifications and cost; (3) Franchise agreements, concession agreements, or a combination of, in accordance with the following conditions: (A) The department may procure such agreements in a manner consistent with law, except, that the department may, but is not required to, accept or evaluate unsolicited proposals for projects; (B) The confidentiality provisions provided by this amendment apply to both solicited and unsolicited proposals received by the department for such agreements; provided, however, that a proposer submitting an unsolicited proposal must include an executive summary covering the major elements of the proposal and must exclude information from the executive summary that the proposer intends to be kept confidential as proprietary information, as the executive summary is a public record under, that may be used to solicit competing proposals; and (4) Agreements with the federal government or other governmental agencies for the purpose of undertaking all or part of a user fee facility project. This amendment prohibits a contract or agreement being entered into with a person or entity appearing on a sanctions list published by the United States department of the treasury, office of foreign assets control. This amendment authorizes a user fee facility development agreement entered into by the department and a private entity to allow the private entity to lease a lane or lanes on the state highway system; provided, that, the private entity is not allowed to own a lane or lanes on the state highway system. USER FEES AND RESTRICTIONS. This amendment authorizes the commissioner, subject to approval of the board, to establish user fees, vehicle restrictions, and other fees or restrictions applicable to the operation of the user fee facilities. The commissioner may also enforce these fees and restrictions. This amendment requires that the operator of a vehicle that is driven through a user fee facility must pay the established user fee. The following vehicles are exempt from payment of the user fee: (1) Law enforcement or other authorized emergency vehicles, regardless of whether the vehicle is responding to an emergency or displaying a flashing light; (2) Multiple-passenger vehicles operated by a public transit authority; and (3) On a high occupancy user fee lane, vehicles that have been authorized to use an HOV lane free of charge during the time period specified for HOV use. This amendment authorizes the department, with approval of the board, to prohibit certain classes of vehicles from operating in a user fee facility through the posting of appropriate signage, wherever the department determines, on the basis of an engineering and traffic investigation that the presence of those vehicles impair the safe or efficient operation of the user fee facility. A person who operates a prohibited vehicle on a user fee facility, commits an offense, classified as a Class C misdemeanor. The punishment for a violation is a fine not to exceed \$50. TRANSPORTATION MODERNIZATION BOARD. This amendment establishes the transportation modernization board to consist of five voting members as follows: (1) One member to be appointed by the governor, whose initial term will be six years; (2) One member to be appointed by the speaker of the house of representatives, whose initial term will be five years; (3) One member to be appointed by the speaker of the senate, whose initial term will be three years; (4) The governor, ex officio, or the governor's designee; and (5) The commissioner of transportation, ex officio, or the commissioner's designee. Following the initial terms, the term for a board member who does not serve ex officio is four years. A board member who does not serve ex officio is eligible for reappointment and may serve a maximum of two full terms; provided, however, that an appointment to fill an unexpired term as a result of a vacancy does not count toward the term limit. At the expiration of a board member's term, the member may continue to serve until a successor is appointed or until the member is reappointed. This amendment provides that three board members constitute a quorum for the transaction of business. If a quorum is present, a vacancy on the board does not prevent the board from transacting business or otherwise taking an action authorized. The commissioner of transportation or the commissioner's designee must serve as chair. The board must meet at the call of the chair. The board may elect other officers as the board deems appropriate. The department is required to provide administrative support to the board. The board may exercise the powers and duties necessary to implement the Act. ENFORCEMENT OF NONPAYMENT. This amendment provides that the operator of a vehicle that is driven through a user fee facility without payment of the user fee commits a violation, classified as a Class C misdemeanor, punishable by a fine not to exceed \$50. Each event of nonpayment is a separate violation. This amendment authorizes the department, or its contractor, to use an open road user fee system to monitor use of a user fee facility and collect payment. The state is authorized to enter into reciprocity agreements with other government entities or toll authorities for the purpose of collecting user fees and any applicable administrative fees from non-Tennessee residents for violation. The department, or department's contractor, is required to place signs on, or in advance of, a user fee facility that provide drivers with the following information: (1) Notice that the driver is approaching a facility for which a user fee is required, with signs providing this information placed in advance of the location where the user fee is required; (2) The methods by which the user fee may be paid; and (3) If applicable, directions to the nearby user fee collection facility that accepts cash payment of the user fee. This amendment requires the department to establish administrative fees for the collection of unpaid user fees as well as procedures for the collection of these fees. In the event of nonpayment of the user fee required, and of the issuance of a written notice of nonpayment by the department or its contractor, the registered owner of the vehicle is liable for the payment of the required user fee and any applicable administrative fee established. This amendment establishes an exception to the violation of driving through a user fee facility without payment of the fees if the registered owner of the vehicle was a lessor of the vehicle at the time the user fee was incurred or if the registered owner of the vehicle transferred ownership of the vehicle to another person before the event of nonpayment. Within 30 days of the department or contractor mailing notice of nonpayment to the registered owner, the registered owner provides to the department or its contractor a copy of the rental, lease, or other contract, with the name and address of the lessee at the time the user fee was incurred clearly legible; or the name and address of the person to whom the vehicle was transferred. If the lessor or former owner provides the required information, the department or the department's contractor may send a notice of nonpayment to the lessee or new owner at the address provided within 30 days of receipt of the required information from the lessor and must follow the procedures

established for collection of unpaid fees and administrative fees. A lessee or subsequent owner who is mailed a written notice of nonpayment is liable for payment of the user fee and any applicable administrative fee. This amendment provides that the department has sufficient proof of nonpayment upon: (1) Proof that a vehicle was driven through a user fee collection facility without payment of the user fee, which may include, but is not limited to, testimony of a law enforcement officer, or evidence obtained through the use of an open road user fee system installed by the department or its contractor; and (2) Proof that the person was the registered owner, lessee, or subsequent owner, which may include, but is not limited to, records of the department of revenue or the analogous department of another state or country, or information provided by a lessor or previous owner. It is also an exception to a violation if the vehicle was stolen before the event of nonpayment occurred; provided, however, that the theft was reported to the appropriate law enforcement authority before the earlier of the occurrence of nonpayment, or eight hours after the discovery of the theft. This amendment authorizes a registered owner who commits three or more violations within the same 12-month period to be determined to be a habitual violator and to be subject to suspension or non-renewal of the register owner's vehicle registration. It is required that no later than January 1, 2025, the department must establish: (1) The criteria for a determination by the department or the department's contractor that a registered owner is a habitual violator; and (2) The process for the department or the department's contractor to notify the department of revenue of the determination that a registered owner is a habitual violator. The department must then notify the department of revenue upon establishment of the criteria and process. No later than 18 months following this notification, the department of revenue is required to promulgate rules to establish a process for suspending or non-renewing a habitual violator's vehicle registration. The rules must include, but are not limited to, a process for providing at least 60 days' written notice to the registered owner of the department of revenue's intention to suspend or non-renew the registered owner's vehicle registration, which notice must include the reason for the proposed suspension or non-renewal, an explanation of the process for a registered owner to challenge the suspension or non-renewal, which must include an opportunity for a hearing, the process by which the registered owner can avoid the suspension or non-renewal of the registered owner's vehicle registration through the payment of unpaid user fees and any applicable administrative fee, and the imposition of any administrative fees necessary to cover the department of revenue's cost in administering enforcement of nonpayment. PRIORITY RECORDS. This amendment establishes that personal information or highly restricted personal information obtained in connection with a motor vehicle record, and thereafter obtained by the department or the department's contractor in connection with the collection of and enforcement of user fees on a user fee facility, is subject to disclosure limitations established in the federal Driver's Privacy Protection Act and the Uniform Motor Vehicle Records Disclosure Act and must remain confidential as required by such federal and state laws and not be open for public inspection under state law, nor discoverable in legal proceedings. However, financial information, transaction history, and information generated by an open road user fee system on a user fee facility related to the collection of a user fee from a person, and which has been obtained by the department or the department's contractor for the purposes of collecting and enforcing user fees on a user fee facility must remain confidential and not be open for public inspection or another law. The department or the department's contractor may use the account information only for purposes of collecting and enforcing user fees. Notwithstanding another law to the contrary, this information is not open to public inspection or another law; provided, however, that the user fee facility account holder may examine the account holder's own account information, and a third party by authority of a proper court order may inspect and examine confidential account information. This amendment establishes that proposals received by the department for franchise agreements, concession agreements, or some combination of those agreements, related to the design, construction, financing, operation, or maintenance of user fee facilities, and documents used by the department to evaluate and accept or reject such proposals, must remain confidential, not be subject to disclosure to another proposer, and not be open for public inspection or another law until after the department has selected a proposal and awarded a contract. Proprietary information contained in a proposal for such an agreement, whether a solicited or unsolicited proposal, must remain confidential, not be subject to disclosure to another proposer, and not be open for public inspection pursuant to or another law. ALTERNATE DELIVERY CONTRACTS AND LIMITATIONS. This amendment prohibits the department from procuring more than 28 alternative delivery contracts per fiscal year. An alternative delivery contract is defined as a design-build contract, contracts using the construction manager/general contractor method, and contracts using the progressive design-build method. This limit only applies to projects funded by the state highway fund and does not apply to projects funded by the transportation modernization fund, discretionary funds, or federal grant program funds. ELECTRIC VEHICLES. Under present law, in addition to all other motor vehicle registration fees, for an electric vehicle, it is required that an additional registration fee of \$100 be paid to the department at the time the vehicle is registered or renewed. This amendment deletes this provision. Instead, it requires that beginning January 1, 2024, in addition to all other vehicle registration fees, there must be paid to the department at the time the vehicle registration is renewed an additional fee according to the following schedule: (1) For all-electric vehicles: (A) On or after January 1, 2024, and prior to January 1, 2027, \$200; (B) On or after January 1, 2027, and prior to January 1, 2028, \$274; and (C) On or after January 1, 2028, and each subsequent year, the fee described in (B) adjusted by an amount each year to reflect the effect of annual inflation or deflation; (2) For hybrid electric vehicles and plug-in hybrid electric vehicles: (A) On or after January 1, 2024, and prior to January 1, 2028, \$100; and (B) On or after January 1, 2028, and each subsequent year, \$100, adjusted by an amount to reflect the annual inflation or deflation. The department is required, on January 1, 2028, and every January 1 after, for the registration fees assessed to adjust the amount of the fee to reflect the effect of annual inflation or deflation for the cost of living that consumers in this state experienced on average during the immediately preceding fiscal year, as follows: (1) If, based upon the chained consumer price index for all urban consumers rate published by the United States department of labor, bureau of labor statistics or another similar index established by the federal government for June of the previous year, the department determines that this federal index reflects the effect of inflation and deflation for the cost of living that consumers in this state experienced on average during the preceding fiscal year, and if the rate is less than three percent, then the department must adjust the amount of the fee by that rate; and (2) If, based upon the chained consumer price index for all urban consumers rate published by the United States department of labor, bureau of labor statistics or another similar index established by the federal government for June of the previous year, the department determines that this federal index reflects the effect of inflation and deflation for the cost of living that consumers in this state experienced on average during the preceding fiscal year, and the rate is equal to or more than 3 percent, then the department must adjust the amount of the fee by 3 percent. The adjustment made must be rounded to the nearest whole dollar figure and the department is required to publish each adjusted registration fee on its website. This amendment requires that the proceeds of these additional fees established must be appropriated as follows: (1) 63.4 percent to the state highway fund; (2) 11.8 percent to municipalities, in proportion as the population of each municipality bears on the aggregate population of all municipalities according to the federal census; (3) 22 percent to counties, on the basis of the distribution of the county aid funds which is distributed equally among the 95 counties of the state, with 50 percent of the balance being distributed among the 95 counties based on area, and 50 percent distributed among the 95 counties based on population; and (4) 2.8 percent to the general fund. This amendment requires that, beginning January 1, 2027, if the federal government implements any taxes or fees on all-electric vehicles and allocates those taxes or fees to the federal highway trust fund, then the additional registration fee for all-electric vehicles must be adjusted so as to account for the tax or fee assessed by the federal government. The department must adjust the additional registration fee on all-electric vehicles by subtracting the sum of federal tax or fee from the sum of the additional registration fee at the time of the adjustment. An adjustment in the additional registration fee will become effective beginning January 1 of the calendar year following the implementation of the federal tax or fee on all-electric vehicle. Notwithstanding the sum of the taxes or fees imposed by the federal government, the department's adjustment of the additional registration fee must not result in an additional registration fee for all-electric vehicles of less than \$200, adjusted for inflation, on or after January 1, 2028. If the federal government subsequently elects to decrease any or all taxes or fees on all-electric vehicles after implementation, then the additional registration fee must be increased by an amount equal to the amount of the decrease by the federal government. HOV. This amendment rewrites the present law on high occupancy vehicles and lanes. This amendment requires drivers to obey the directions of every official traffic control device that is erected or placed to restrict usage of a lane designed for high-occupancy vehicles. Operation of a vehicle other than a high occupancy vehicle in an HOV lane is an offense. A violation of this section is a Class C misdemeanor, subject only to imposition of a fine, not to exceed \$50.00, and court costs, not to exceed \$10 including, but not limited to, any statutory fees of officers. State or local litigation taxes are not applicable to a case prosecuted for a violation. Drivers of emergency vehicles are exempt from the HOV provisions. ADMINISTRATION AND DISPOSITION OF STATE PROPERTY. Under present law, the commissioner of general services, with the approval of the governor and attorney general and reporter, may sell, lease or otherwise convey any interest in surplus state real property according to the following provisions: (1) If the property was acquired by or for the use of the department of transportation for right-of-way, if its fair market value does not exceed \$75,000 or such amounts in excess of \$75,000 as may be approved by the state building commission, and if any adjoining property owner or the former owner of that property wishes to purchase the property, or if a legal governmental body wishes to acquire the property for a public use purpose, or if a legal governmental body wishes to acquire the property for fair market value, then this subdivision must apply, notwithstanding any other provision of this section. Instead, the commissioner of transportation is authorized to declare the property surplus if the commissioner determines that the purpose of its acquisition has been completed and that the property is no longer needed by the department of transportation or another state agency, and may sell it to any adjoining property owner or the former owner of that property, for an amount representing not less than the fair market value, together with costs; provided, however, that the department of transportation may convey the property or any interest in the property by negotiated sale or disposal to any legal governmental body for a public use purpose, subject to reversion to the department of transportation for failure to continue public ownership and use. If approved by the department of transportation, and the federal highway administration where required by federal law, the department of transportation may accept real property in exchange for the surplus real property conveyed if the replacement property is at least equal in fair market value to the surplus property being replaced. The fair market value of the replacement property must be determined in accordance with the procedures for determining the fair market value of the surplus property. The commissioner of general services must concur in the fair market value amount or in the negotiated sale or disposal of the property to a legal governmental body for a public use purpose. If in the judgment of the department of transportation a survey of the property is required, the prospective purchaser must pay the department of transportation in advance for the cost of the survey; (2) The former property owner's right terminates 10 years after the date of acquisition by the department of transportation by conveyance or date of taking in condemnation of the subject property by the department. The former property owner's right must not transfer to the owner's heirs. The former property owner must have first right of refusal to purchase the right-of-way; provided, however, that the department may convey the property or any interest in the property to a legal governmental body for a public use purpose, subject to reversion to the department of transportation for failure to continue public ownership and use, without offering the former owner a first right of refusal to purchase the property. If the former property owner relinquishes the owner's right or the right has expired, the property may be conveyed to a legal governmental body or to

an adjoining property owner. If more than one adjoining property owner is interested in purchasing the right-of-way, the interested adjoining property owners must submit sealed bids to the department of transportation, with the minimum bid price being the fair market value determined by appraisal, and the property may be conveyed to the adjoining property owner offering the highest responsive bid. The successful bidder must reimburse any unsuccessful prospective purchaser for survey and appraisal costs incurred; (3) The fair market value of surplus right-of-way property must be determined in accordance with the following procedures: (A) The department of transportation must make a preliminary planning estimate of the fair market value of the property in accordance with procedures that the department may establish; (B) If the department of transportation's preliminary planning estimate of the fair market value of the property is \$10,000 or less, the property must be appraised by an appraiser on staff with the department of transportation at no cost to the prospective purchaser; (C) If the department of transportation's preliminary planning estimate or subsequent staff appraisal of the fair market value of the property is greater than \$10,000, the property must be appraised by an independent appraiser whose services must be procured by the department of transportation in accordance with state law. The independent appraiser must be licensed and certified by the Tennessee real estate appraiser commission and must be selected from a list of prequalified appraisers approved by the department of transportation. The prospective purchaser must pay the department of transportation in advance for the cost of the independent appraisal; (D) The initial appraisal must be subject to review and approval by the department of transportation in accordance with procedures that the department of transportation may establish. The appraisal review must be conducted, at the department of transportation's expense, by a review appraiser who is licensed and certified by the Tennessee real estate appraiser commission and who is either employed by or under contract with the department of transportation. The review appraiser must either approve the initial appraisal or reject the initial appraisal and reappraise the property to determine the fair market value of the property, subject to the approval of the director of the right-of-way division of the department of transportation or the director's designee. If approved by the director or the director's designee, the review appraiser's determination must be presented to a prospective purchaser as the fair market value of the property; (E) If a prospective purchaser does not accept the appraised fair market value of the property as determined by the review appraiser, the prospective purchaser may request a final review and reconsideration by the commissioner of transportation or the commissioner's designee. The commissioner or the commissioner's designee must obtain a final review of the appraisal by a review appraiser who is licensed and certified by the Tennessee real estate appraiser commission and who is either employed by or under contract with the department of transportation; provided, however, that the final review appraiser must not be the same person who previously reviewed the initial appraisal. The prospective purchaser must be given the opportunity to present information concerning the value of the property for the consideration of the final review appraiser. The final review appraiser must consider all relevant information, including any appraisal previously performed by or for the department of transportation, and must have the authority to reappraise or make adjustments in the appraised fair market value, in accordance with generally accepted professional standards and guidelines. The final review appraiser's determination of the fair market value of the property must be subject to the approval of the commissioner or the commissioner's designee; and (F) The department's final determination of the fair market value of the property is subject to the concurrence of the commissioner of general services. This amendment replaces Transportation_Sub_Amendments_02.08.2023.pdf " \$75,000," wherever it may appear, with "\$250,000," and "\$10,000," wherever it may appear, with "\$25,000."

Subcommittee

Amendments:

Fiscal Note:

Intro Dates:

Senate Status:

House Status:

Executive Status:

Meetings:

(Dated February 5, 2023) NOT SIGNIFICANT

S: 01/20/23, H: 01/21/23

03/20/23 - Senate passed with amendment 2 (005545).

03/30/23 - House passed.

04/25/23 - Enacted as Public Chapter 0159 effective April 17, 2023.

Wed 2/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee

Tue 2/14/23 8:00am - House Hearing Rm I, House Transportation Committee

Wed 3/1/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Tue 2/28/23 8:00am - House Hearing Rm I, House Transportation Committee

Mon 3/6/23 1:30pm - House Hearing Rm I, House Government Operations Committee

Tue 3/14/23 9:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

Wed 3/15/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee

Tue 3/21/23 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee

Mon 3/20/23 4:00pm - Senate Chamber, Senate Floor

Thu 3/23/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee

Mon 3/27/23 5:00pm - House Chamber, House Floor

Thu 3/30/23 9:00am - House Chamber, House Floor

Public Chapter:

Caption:

Last Action Date:

Citations:

Cosponsors:

Effective Date:

Position:

Priority:

Comment:

PC159.pdf

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29, Part 2; Section 12-2-112; Title 54 and Title 55, relative to transportation.

04/25/23

4-29-246; 12-2-112; 54-1-100; 54-1-119; 54-1-501; 54-1-502; 54-1-503; 54-1-504; 54-1-505; 54-1-601; 54-1-602; 54-2; 54-2-201; 54-2-202; 54-3-100; 54-3-101; 54-3-102; 54-3-103; 54-3-104; 54-3-105; 54-3-106; 54-3-107; 54-3-108; 54-3-109; 54-3-110; 54-3-113; 54-3-114; 54-3-115; 54-3-1000; 54-6-106; 54-6-109; 55-4-116; 55-6-107; 55-8-188;

Rep. Burkhart, Jeff; Rep. Carr, Dale; Rep. Cochran, Mark; Rep. Davis, Elaine; Rep. Garrett, Johnny ; Rep. Hawk, David; Rep. Hazlewood, Patsy; Rep. Hicks, Tim; Rep. Holsclaw, Jr., John; Rep. Howell, Dan; Sen. Jackson, Ed; Rep. Johnson, Curtis; Rep. Marsh, Pat; Sen. Massey, Becky; Rep. Powers, Dennis; Sen. Powers, Bill; Rep. Raper, Kevin; Rep. Russell, Lowell; Rep. Sherrell, Paul; Rep. Vital, Greg; Rep. Whitson, Sam ; Sen. Yager, Ken;

04/17/23

Support

1 - Top-tier

This is the three billion "Choice Lane " act. This will rename the "toll authority " and will become the " user fee lane " authority. The Governor has asked for three billion for this project which will be seed money for the choice lane P3 project and also assuming money for construction or expansion existing highways. If this passes it will authorize the authority to publish RFPs for construction of choice lanes. Most optimistic time line for drivable choice lanes is 5-10 years .

SB275/HB323 TAXES BUSINESS: Report concerning the review of credits allowed for certain taxes submitted by ECD.



Sen. Johnson, Jack
Rep. Lamberth, William

Summary:

Authorizes the commissioner of economic and community development to submit electronically the report concerning the review of credits allowed for certain taxes that is conducted every four years to the governor, the speaker of the house of representatives, the speaker of the senate, the finance, ways and means committees of both chambers, and the office of legislative budget analysis. Broadly captioned. Part of Administration Package.

Amendment

Summary:

House amendment 1 (004955) rewrites this bill to make various changes to present tax law, as described below. TAX RATES UNDER THE BUSINESS TAX ACT Under present law, tax Classification 4 is for each person engaged in the business of contracting or performing a contract or engaging in any of the activities, or similar activities, listed below for a price, commission, fee, or wage: (1) Persons receiving compensation from rendering exterminating services, from installing personal property, from constructing, building, erecting, repairing, grading, excavating, drilling, exploring, testing, or adding to a building, highway, street, sidewalk, bridge, culvert, sewer, irrigation or water system, drainage, or dredging system, levee or levee system or any part thereof, railway, reservoir, dam, power plant, electrical system, air conditioning system, heating system, transmission line, pipeline, tower, dock, storage tank, wharf, excavation, grading, water well, or any other improvement or structure or any part thereof; and (2) Persons engaged in the business of selling livestock, poultry, or other farm products not exempted by other law. Present law provides that, during any taxable period, persons receiving more than \$50,000 of compensation from contracts under Classification 4 in a county or incorporated municipality, or both, other than the county or incorporated municipality where domiciled or located, are deemed to have a location in the county or municipality, or both, where the work was performed and a business tax return must be filed for that location for the period in question. This amendment revises this provision to apply, instead, to a person who, during any taxable period, receives more than \$100,000 of such compensation. Present law provides that an industrial loan and thrift company required by law to obtain a certificate and a license is subject to tax at the rate of three-tenths of one percent of the gross income of the business. This amendment changes that rate to one-tenth of one percent. EXEMPTIONS TO THE BUSINESS TAX ACT Present law provides that the Business Tax Act does not apply to a person primarily engaged in the manufacture of goods, wares, merchandise, or other articles of value from a location or outlet subject to ad valorem taxation. This amendment revises this provision to provide, instead, that the Business Tax Act does not apply to a person primarily engaged in the fabrication or processing of tangible personal property for resale and consumption off the premises with respect to the sales of such property made from the manufacturing location or from a storage or warehouse facility that is situated within a ten-mile radius of the manufacturing location. Present law provides that a person having less than \$10,000 within a county or incorporated municipality is exempt from the tax and licensing provisions, or the tax imposed for persons with a substantial nexus in the state, for the privilege of making sales and engaging in a vocation, occupation, business, or business activity. This amendment revises these exemptions to apply, instead, to such a person having less than \$100,000. DISTRIBUTIONS OF TAXES UNDER THE BUSINESS TAX ACT. Present law provides that, after distributions are made to the county clerk, forty-three percent of the remaining proceeds of the tax must be earmarked and allocated specifically and exclusively to the state's general fund. This amendment lowers the forty-three percent to forty-two and sixty-two hundredths

percent. NET EARNINGS UNDER THE EXCISE TAX LAW OF 1999. This amendment adds to present law that for assets purchased on or after January 1, 2023, for purposes of computing "net earnings" or "net loss," § 168 of the Internal Revenue Code of 1986, relative to the accelerated cost recovery system, must be applied as it exists and applies under the federal Tax Cuts and Jobs Act of 2017. Present law provides that there are certain items added to a taxpayer's net earnings or net losses. This amendment revises the current list in the following way: (1) Revises the provision that adds any depreciation that the taxpayer deducted in computing its federal taxable income in excess of that which the taxpayer could have deducted in computing such income, if the taxpayer had computed its depreciation under § 168 of the Internal Revenue Code as it existed and applied immediately prior to the passage of the Job Creation and Worker Assistance Act of 2002 to, instead, provide that such provision applies to assets purchased on or before December 31, 2022; and (2) Adds to the current list that, for tax years ending on or after December 31, 2023, but before December 31, 2025, any amount deducted under a provision relative to any gross premiums tax being deducted in determining net earnings, but taken as a credit against the excise tax, relating to the federal employer tax credit in Section 45S of the Internal Revenue Code of 1986 and earned as a credit against the excise tax must be added. Present law provides that there are certain items subtracted from a taxpayer's net earnings or net losses. This amendment revises the current list in the following way: (1) Revises the provision that subtracts any depreciation in excess of that which the taxpayer deducted in computing its federal taxable income that could have been deducted in computing such income if the taxpayer had computed its depreciation under § 168 of the Internal Revenue Code as it existed and applied immediately prior to the passage of the Job Creation and Worker Assistance Act of 2002; to, instead, provide that such provision applies to assets purchased on or before December 31, 2022; and (2) Adds to the current list that an amount equal to the lesser of net earnings or \$50,000 must be subtracted. However, this amount must not create or increase a net loss.

CREDITS UNDER THE EXCISE TAX LAW OF 1999. Present law provides that the tax imposed by the Excise Tax Law of 1999 is in addition to all other taxes and there is no credit allowed upon it except as provided in law. This amendment adds to the list of current exceptions that, for tax years ending on or after December 31, 2023, but before December 31, 2025, there is allowed against the sum total of the taxes imposed by the Franchise Tax Law of 1999, and by the Excise Tax Law of 1999, a credit equal to the federal employer tax credit in Section 45S of the Internal Revenue Code of 1986, as a result of compensation paid in this state during the tax period by the taxpayer. However, such credit taken on a franchise and excise tax return must not exceed fifty percent of the combined franchise and excise tax liability shown by the return before the credit is taken. Such a credit that is unused may be carried forward in a tax period until the credit is taken. However, the credit may not be carried forward for more than 15 years.

APPORTIONMENT FORMULA UNDER THE EXCISE TAX LAW OF 1999. Under present law, for tax years beginning prior to July 1, 2016, generally all net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which must be the property factor plus the payroll factor plus twice the receipts factor, and the denominator of the fraction must be four. Additionally, for tax years beginning on or after July 1, 2016, generally all net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which must be the property factor plus three times the receipts factor, and the denominator of the fraction must be five. This amendment adds the following new apportionments: (1) For tax years ending on or after December 31, 2023, but before December 31, 2024, generally net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which is the property factor plus the payroll factor plus five times the receipts factor, and the denominator of the fraction is seven; (2) For tax years ending on or after December 31, 2024, but before December 31, 2025, generally net earnings must be apportioned to this state by multiplying the earnings by a fraction, the numerator of which is the property factor plus the payroll factor plus 11 times the receipts factor, and the denominator of the fraction is 13; and (3) For tax years ending on or after December 31, 2025, generally net earnings must be apportioned to this state by multiplying the earnings by the receipts factor only. This amendment provides that, if the application of (1)-(3) above to a tax year results in a lower apportionment ratio than under the current application of the apportionment method as it applied to tax years ending before December 31, 2023, then a taxpayer may annually elect to apply the current apportionment method as it applied to tax years ending before December 31, 2023. However, the election must result in a higher apportionment factor for the tax year, and the taxpayer must have net earnings, rather than a net loss, for that tax year.

Under present law, a taxpayer whose principal business in Tennessee is manufacturing may elect to apportion net earnings to this state by multiplying the earnings by a fraction, the numerator of which is the total receipts of the taxpayer in Tennessee during the taxable year and the denominator of which is the total receipts of the taxpayer from any location within or outside of the state during the taxable year. A taxpayer's principal business in Tennessee is manufacturing if more than 50 percent of the revenue derived from its activities in this state, excluding passive income, is from fabricating or processing tangible personal property for resale and consumption off the premises. Present law provides that a financial asset management company may elect to apportion net earnings by multiplying such earnings by a fraction, the numerator of which is the total receipts of the taxpayer in Tennessee during the taxable year as determined under this section and the denominator of which is the total receipts of the taxpayer everywhere during the taxable year. To elect either method of apportionment, the taxpayer must notify the department of the election, in writing, on its return for the taxable year to which the election applies. Once a taxpayer elects the method of apportionment, such election must remain in effect for a minimum of five tax years and thereafter until revoked. The taxpayer may revoke the election after the minimum period by notifying the department of the revocation, in writing, on its return for the first taxable year to which the revocation applies. A taxpayer that revokes the election must not be permitted to newly elect the method of apportionment for a period of five tax years, beginning with the tax year in which the taxpayer revoked the previous election. This amendment repeals the above methods of apportionment for tax years ending on or after December 31, 2025 for both the Excise Tax Law and Franchise Tax Law apportionments.

CERTIFIED DISTRIBUTIONS. Present law provides that a taxpayer that makes an election for application based on meeting certain gross sales and receipts factor thresholds must, so long as such election is in effect, apportion net earnings and net worth in the manner prescribed elsewhere in the Excise Tax Law and Franchise Tax Law. The gross sales threshold must exceed one billion dollars of sales of tangible personal property made in this state during the tax period. This amendment adds that the gross sales threshold can also be met if the taxpayer has sales of alcoholic beverages made in this state to an affiliate that continues the manufacturing process that exceeds one billion dollars. However, the total amount derived from certified distribution sales must be excluded from the numerator of the receipts factor. A taxpayer that has made such an election, so long as such election is in effect, pay to the commissioner, annually, an excise tax on the total amount of certified distribution sales excluded from the numerator of the taxpayer's receipts factor. "Certified distribution sales" is defined as sales of tangible personal property made in this state by the taxpayer to any distributor, whether or not affiliated with the taxpayer, that is resold for ultimate use or consumption outside the state; provided, that the distributor has certified that such property has been resold for ultimate use or consumption outside this state. This amendment adds that "certified distribution sales" also includes sales of alcoholic beverages when such sales are made in this state by the taxpayer to an affiliate that continues the manufacturing process, prior to the manufactured beverage being sold for ultimate use or consumption outside this state, as long as the affiliate has certified that such property has been sold for ultimate use or consumption outside this state.

FRANCHISE TAX LAW OF 1999. Under present law, the measure of the tax levied by the Franchise Tax Law of 1999 must in no case be less than the actual value of the real or tangible property owned or used in Tennessee, excluding exempt inventory and exempt required capital investments. However, this amendment provides that for tax years ending on or after December 31, 2023, the measure of the tax levied applies to the actual value of the taxpayer's aggregate real or tangible property in excess of \$500,000. This amendment extends this provision out to tax years ending on or after December 31, 2024. Under present law, for tax years beginning prior to July 1, 2016, generally the net worth of a taxpayer doing business both in and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which must be the property factor plus the payroll factor plus twice the receipts factor, and the denominator of the fraction must be four. Additionally, for tax years beginning on or after July 1, 2016, generally the net worth of a taxpayer doing business both in and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which must be the property factor plus the payroll factor plus three times the receipts factor, and the denominator of the fraction must be five. This amendment adds the following new apportionments: (1) For tax years ending on or after December 31, 2023, but before December 31, 2024, generally the net worth of a taxpayer doing business both inside and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which is the property factor plus the payroll factor plus five times the receipts factor, and the denominator of the fraction is seven; (2) For tax years ending on or after December 31, 2024, but before December 31, 2025, generally the net worth of a taxpayer doing business both inside and outside this state must be apportioned to this state by multiplying such values by a fraction, the numerator of which is the property factor plus the payroll factor plus 11 times the receipts factor, and the denominator of the fraction is 13; and (3) For tax years ending on or after December 31, 2025, generally the net worth of a taxpayer doing business both inside and outside this state must be apportioned to this state by multiplying such values by the receipts factor only. This amendment provides that, if the application of (1)-(3) above to a tax year results in a lower apportionment ratio than under the application of the current apportionment method as it applied to tax years ending before December 31, 2023, then a taxpayer may annually elect to apply the current apportionment method as it applied to tax years ending before December 31, 2023. However, the election must result in a higher apportionment factor for the tax year, and the taxpayer must have net earnings, rather than a net loss, for that tax year.

SALE AND USE TAXES. GENERALLY. This amendment levies a tax at the rate of the tax levied on the sale of personal tangible property at retail on the repairing of tangible personal property or computer software, the laundering or dry cleaning of tangible personal property, the installing of tangible personal property that remains tangible personal property after installation, and the installing of computer software, when such repair, cleaning, or installation occurs at a place of business outside this state and the serviced tangible personal property or computer software is delivered by the seller to the purchaser or the purchaser's designee within the physical limits of this state or to a carrier for delivery to a place inside the physical limits of this state for use or consumption in this state. Under present law, the sale at retail, the use, the consumption, and the distribution and storage for use or consumption in the state of magazines and books that are distributed and sold to consumers by United States mail or common carrier, where the only activities of the seller or distributor in this state are those activities having to do with the printing, storage, labeling and/or delivery to the United States mail or common carrier of the magazines or books, or the maintenance of raw materials with respect to those activities, notwithstanding that the seller or distributor maintains employees in the state solely in connection with the production and quality control of the printing, storage, labeling and/or delivery, or in connection with news gathering and reporting is exempt from the sales and use taxes. Additionally, sales and use taxes do not apply to the sale or use of direct mail advertising materials that are distributed in Tennessee from outside the state by a person engaged solely and exclusively in the business of providing cooperative direct mail advertising. This amendment deletes these exemptions. This amendment establishes a sales tax holiday, exempting the retail sale of food and food ingredients, if sold between 12:01 a.m. on August 1, 2023 and 11:59 p.m. on October 2023 from the sales and use taxes. However, this provision does not exempt sales for an unattended food establishment or vending machine or device.

TRANSACTIONS SUBJECT TO THE SALES AND USE TAXES. This amendment

expands on the present law regarding transactions subject to the sales and use taxes. This amendment clarifies that these provisions apply in determining whether a transaction is sourced to this state, apply regardless of the characterization of a product as tangible personal property, a digital good, a service, or other taxable product and applies only to determine a seller's obligation to pay or collect and remit a sale and use tax with respect to the seller's retail sale of a product. However, these provisions do not impose tax on a transaction if that tax is prohibited by the United States Constitution or Constitution of Tennessee. The retail sale of a product from out of state into this state is sourced as follows: (1) When the product is received by the purchaser at a business location of the seller, the sale is sourced to that business location; (2) When the product is not received by the purchaser at a business location of the seller, the sale is sourced to the location where receipt by the purchaser or the purchaser's donee as designated by the purchaser occurs, including the location indicated by instructions for delivery to the purchaser or the purchaser's donee, known to the seller; (3) When subdivisions (1) and (2) do not apply, the sale is sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of that address does not constitute bad faith; (4) When subdivisions (1)-(3) do not apply, the sale is sourced to the location indicated by an address for the purchaser obtained during the consumption of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of that address does not constitute bad faith; and (5) When subdivisions (1)-(4) do not apply, or in the circumstance in which the seller is without sufficient information to determine which sourcing requirement applies, then the location is determined by the address from which tangible personal property was shipped, from which the digital good or the computer software delivered electronically was first available for transmission by the seller, or from which the service was provided. The lease or rental of tangible personal property imported into this state is sourced as follows: (1) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale described above; (2)(A) For a lease or rental that requires recurring periodic payments, generally the first periodic payment is sourced the same as a retail sale in accordance with the provisions for the sale of a product from out of state into this state. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment; (B) The primary property location is as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of that address does not constitute bad faith; and (C) The property location must not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and services calls; (3) For the lease or rental of motor vehicles, trailers, semi-trailers, or aircraft that do not qualify as transportation equipment and watercraft with a displacement of under 50 tons, that requires recurring periodic payments, the first and each subsequent periodic payment is sourced to the primary property location. The primary property location is determined in accordance with (2); and (4) Notwithstanding the primary property location covered by a recurring periodic payment, the lease or rental of transportation equipment is sourced the same as a retail sale in accordance with the provisions described above for the sale from out of this state into this state. This amendment provides that the sale, including the lease or rental, or a product made from a place of business within the physical limits of this state where delivery is made by the seller or lessor to a purchaser or a lessee within the physical limits of this state or to a carrier or United States postal service location for delivery to a place within the physical limits of this state, is sourced to the seller's or lessor's place of business in this state. The location of where the purchaser may take or use the product is not determinative of where the sale is sourced. For the sale of a product made from a place of business within the physical limits of this state that is delivered by the seller to the purchaser or the purchaser's designee outside the physical limits of this state or to a carrier for delivery to a place outside the physical limits of this state, the sale is not sourced to this state. For a lease or rental of property, excluding transportation equipment, delivered to the lessee or renter in this state that requires recurring periodic payments, the periodic payments made subsequent to the first payment that cover periods where the primary property location is no longer within the physical limits of this state are not sourced to this state. The lessor is not liable for sales and use taxes on the periodic payments that cover periods where the primary property location is no longer in this state. The primary property location is determined in accordance with the rules governing the lease or rental of tangible personal property imported into this state. For the sale of repairing of tangible personal property or computer software; laundering or dry cleaning of tangible personal property; and installing of tangible personal property that remains tangible personal property after installation; and installing of computer software, made from a place of business within the physical limits of this state where the serviced tangible personal property or computer software is delivered by the seller to the purchaser or the purchaser's designee outside the physical limits of this state or to a carrier for delivery to a place outside the physical limits of this state, the sale is not sourced to this state. This amendment provides that the sale of direct mail is sourced as follows: (1) For the sale of advertising and promotional direct mail and other direct mail made from a place of business in this state to a purchaser where delivery is made by the seller to a carrier or United States postal service location for distribution or delivery to direct mail recipients within the physical limits of this state, the sale is sourced to the seller's place of business; (2) To the extent the seller knows based on information provided by the purchaser showing the jurisdictions to which the direct mail will be delivered to recipients in another state, the portion of the sales price that equals the percentage of direct mail delivered to recipients in another state is not sourced to this state; (3) In lieu of providing the delivery information, a purchaser may provide the streamlined certificate of exemption to claim the direct mail exemption for the portion of the sales price that equals the percentage of direct mail delivered to recipients in another state; and (4) In the absence of bad faith, where the seller sourced the sale according to the delivery information provided by the purchaser in accordance with this section, the seller is not liable for tax if it is determined the purchaser provided incorrect delivery information. A sale of a prepaid calling service, or a sale of a prepaid wireless calling service, is sourced in accordance with the following: (1) The sale of a product made from a place of business within the state and delivered to a purchaser within the state, when sold from a place of business within the physical limits of this state; and (2) The retail sale of a product from out of this state into this state, when sold from out of state into this state. However, in the case of a sale of prepaid wireless calling service, the rule provided when a seller is without sufficient information to determine which sourcing requirement applies includes as an option the location associated with the mobile telephone number. House amendment 2 (006162) makes the following changes: (1) Provides that there must be allocated and distributed to the counties and municipalities an amount substantially equal to the amount that would have been allocated to the counties and municipalities but for the temporary exemption from sales tax applicable to the retail sale of food and food ingredients between 12:01 a.m. on August 1, 2023, and 11:59 p.m. on October 31, 2023. This allocation must be based on the reporting of exempt sales of food and food ingredients during the exemption period and any other data or information the commissioner deems relevant; and (2) Changes the effective date for Sections 26, 27, 28, 30, 31, and 32 of this bill to July 1, 2024. House amendment 3 (006724) clarifies that in addition to a taxpayer that meets certain gross sales threshold and receipts factor threshold being authorized to make an election concerning the apportionment of net earnings and net worth, and tax liability associated with certain certified distribution sales, under the Excise Tax Law of 1999, a taxpayer that is an affiliate of such taxpayer may also make such election. Currently, a taxpayer meets the receipts factor threshold if the taxpayer's receipts factor exceeds 10 percent. This amendment revises that provision to provide, instead, that a taxpayer meets the receipts factor threshold if the taxpayer's receipts factor exceeds 7.5 percent and more than 50 percent of the taxpayer's sales in this state are certified distribution sales. Under present law, a taxpayer making an election must annually pay the commissioner of revenue an excise tax on the total amount of certified distribution sales excluded from the numerator of the taxpayer's receipts factor. This amendment changes that to a gross receipts tax. NOTE: This amendment adds four new undesignated Sections to this bill. This amendment assigns one undesignated Section an effective date of January 1, 2025, and one or more other undesignated Sections an effective date of January 1, 2024. Senate amendment 4 (007182) renumbers the effective date section by deleting the language "qualifies for the application of this section" and substituting "and any taxpayers that are affiliates of such taxpayer shall each qualify for the application of this section." Provides that a taxpayer meets the receipts factor threshold if the taxpayer's receipts factor exceeds 7.5 percent and more than 50 percent of the taxpayer's sales in this state are certified distribution sales. Makes other provisions based on tax years ending on certain dates.

*Subcommittee
Amendments:*

(Dated January 22, 2023) NOT SIGNIFICANT

Intro Dates: S: 01/20/23, H: 01/21/23

Senate Status: 04/19/23 - Senate passed with amendment 4 (007182).

House Status: 04/20/23 - House concurred in Senate amendment 4 (007182).


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

Meetings:



Tue 2/21/23 9:00am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
 Tue 2/28/23 9:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
 Tue 3/7/23 9:45am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
 Wed 3/8/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Tue 3/14/23 9:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Wed 3/15/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Tue 3/21/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Wed 3/22/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Tue 3/28/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Tue 3/28/23 3:00pm - House Hearing Rm I, House Finance, Ways & Means Committee
 Thu 3/30/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee
 Tue 4/4/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Mon 4/3/23 5:00pm - House Chamber, House Floor
 Wed 4/5/23 2:30pm - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Tue 4/11/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Tue 4/18/23 1:30pm - Senate Chamber, Senate Floor
 Wed 4/19/23 1:30pm - Senate Chamber, Senate Regular Calendar 1
 Thu 4/20/23 8:30am - House Chamber, House Message

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.
Last Action Date: 04/20/23
Citations: 4-5; 57-3-101; 67-1-118; 67-4-409; 67-4-709; 67-4-712; 67-4-717; 67-4-723; 67-4-724; 67-4-2006; 67-4-2009; 67-4-2012; 67-4-2023; 67-4-2105; 67-4-2108; 67-4-2109; 67-4-2111; 67-6-102; 67-6-103; 67-6-202; 67-6-203; 67-6-329; 67-6-344; 67-6-393; 67-6-900; 67-6-901; 67-6-903; 67-6-904; 67-6-905;
Cosponsors: Rep. Alexander, Rebecca; Rep. Boyd, Clark; Rep. Bricken, Rush; Rep. Burkhart, Jeff; Rep. Cepicky, Scott; Rep. Cochran, Mark; Rep. Davis, Elaine; Rep. Doggett, Clay; Rep. Eldridge, Rick; Rep. Garrett, Johnny; Sen. Haile, Ferrell; Rep. Hale, Michael; Rep. Hawk, David; Rep. Hicks, Gary; Rep. Howell, Dan; Rep. Kumar, Sabi; Rep. Lafferty, Justin; Rep. Leatherwood, Tom; Rep. Littleton, Mary; Rep. Lynn, Susan; Rep. Marsh, Pat; Rep. Martin, Brock; Rep. McCalmon, Jake; Sen. McNally, Randy; Rep. Moody, Debra; Rep. Powers, Dennis; Rep. Ragan, John; Rep. Raper, Kevin; Rep. Reedy, Jay; Rep. Sherrell, Paul; Rep. Terry, Bryan; Rep. Todd, Chris; Rep. Vital, Greg; Rep. White, Mark; Rep. Williams, Ryan; Sen. Yager, Ken; Rep. Zachary, Jason;



SB306 TORT LIABILITY: Proving of claim by clear and convincing evidence.

 Sen. Lundberg, Jon
Summary: Requires, in order to recover for any tort, whether established at common law or by statute, a person to prove the claim by clear and convincing evidence. Applies to actions, excluding workers' compensation claims, accruing on or after July 1, 2023. Broadly captioned.
Fiscal Note: (Dated March 24, 2023) Other Fiscal Impact Any impact on state or local government expenditures cannot be quantified with reasonable certainty.
Intro Dates: S: 01/21/23
Senate Status: 01/26/23 - Referred to Senate Judiciary Committee.
Committees: Senate Judiciary Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 20; Title 27; Title 28 and Title 29, relative to torts.
Last Action Date: 01/26/23
Citations: 20; 27; 28; 29-34-901;
Position: Neutral
Priority: 2 - Second-tier
Comment: Very broad caption bill. May be the Senate Judiciary Chairman's caption bill. Appears to be no House companion bill

SB373/HB598 TRANSPORTATION GENERAL: Establishes the office of rail and public transportation.

 Sen. Campbell, Heidi
 Rep. Powell, Jason
Summary: Establishes the office of rail and public transportation within the department of transportation. Requires, among other duties and responsibilities, the office to determine present and future needs for, and economic feasibility of providing, public transportation and the retention, improvement, and addition of passenger and freight rail transportation in this state. Broadly captioned.
Amendment Summary: House Transportation Subcommittee amendment 1 (005049) creates the Office of Rail and Public Transportation (ORPT) within the Department of Transportation (TDOT). Requires the Governor to appoint a director of the ORPT. Authorizes the ORPT to accept grants and enter into contracts. Permits the ORPT to assist entities in the implementation and improvement of passenger rail and public transportation services. Authorizes the office to acquire, lease, improve, and construct passenger rail and public transportation facilities and acquire and hold title to land necessary for implementation of such. Enables the ORPT to conduct various studies, plans, and programs concerning the needs, economic feasibility, establishment, improvement, and development of public transportation and the retention, improvement, and addition of passenger rail transportation using various methods and coordinating with varied entities. Permits the office to administer state grants for rail transportation and public transportation and to develop guidelines for the development of strategic plans for transit agencies of Davidson and Shelby counties.
Fiscal Note: (Dated March 4, 2023) Increase State Expenditures - \$164,100/FY23-24 \$161,100/FY24-25 and Subsequent Years Other Fiscal Impact The costs to meet all the requirements of this legislation, including but not limited to additional staff and related resources, are unknown, but considered very significant. It is estimated that such recurring costs would exceed \$100,000,000 in state expenditures. The state would likely purchase land and/or enter into contracts with local governments as a result of this legislation. Therefore, there will be a permissive increase in local government revenue and expenditures, the extent and timing of which cannot be reasonably determined. SB 373 - HB 598
Intro Dates: S: 01/25/23, H: 01/30/23
Senate Status: 03/08/23 - Senate Transportation & Safety Committee deferred to the first calendar of 2024.
House Status: 03/08/23 - House Transportation Subcommittee deferred to first calendar of 2024 after adopting amendment 1 (005049).
Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
Wed 3/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
Committees: Senate Transportation & Safety Committee
House Transportation Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 54, Chapter 1; Title 64 and Title 65, relative to transportation.
Last Action Date: 03/08/23
Citations: 4; 4-3-2300; 54-1; 64; 65;
Cosponsors: Rep. Clemmons, John;
Position: Neutral
Priority: 2 - Second-tier
Comment: Very broad caption bill that could be a caption bill filed by the RR industry

SB439/HB445 TRANSPORTATION GENERAL: Use of surveillance cameras on interstate highways and state rights of ways.

 Sen. Jackson, Ed
 Rep. Whitson, Sam
Summary: Prohibits surveillance cameras on federal interstate highways except for SmartWay cameras, other intelligent transportation systems, or surveillance cameras used to enforce or monitor traffic violations within work zones designated by the department of transportation when department employees or construction workers are present. Allows surveillance cameras operated by law enforcement agencies to be allowed on federal interstate highways and state roads as a non-highway use of the highway right-of-way for the purpose of aiding in criminal investigations.
Amendment Summary: Senate amendment 1 (005998) makes the following changes to this bill: (1) Clarifies that the department of transportation is authorized, but not required, to permit the installation of surveillance cameras operated by law enforcement agencies; (2) Requires, prior to the installation and operation of a surveillance camera by a local law enforcement agency, that the agency seek approval from the department of transportation. The agency must demonstrate to the department's satisfaction that the following conditions are met: (A) The manufacturer, surveillance camera, or any of the surveillance camera's components are not produced, assembled, or based in an entity appearing on a sanctions list published under the authority of the United States department of the treasury, office of foreign assets control; prohibited or restricted under the federal National Defense Authorization Act; prohibited or restricted under the federal SECURE Technology Act; or prohibited or restricted under United States department of commerce regulations on Information and Communications and Services Supply Chain; and (B) The manufacturer of and custodian of any data collected by the surveillance camera complied with present law that prohibits any captured plate data collected or retained by any governmental entity from being stored for more than 90 days unless the data is retained or stored as part of an ongoing investigation; ensures that all aspects of the manufacturer's and custodian's data services, data retention, information technology or other internal data management processes are contained and managed within the United States; and ensures that all data and metadata collected by the surveillance camera are not used for commercial purposes or sold, other than sharing with other law enforcement agencies in the United States as authorized by law; (3) Authorizes the department of transportation, at any time prior to or following its approval of a surveillance camera, to inspect the camera, components of the camera, and data collected by the camera to ensure compliance. In reviewing applications, the department is authorized to consult with the department of safety or any other state agency; and (4) Authorizes the department of transportation to revoke its approval and order the removal of cameras upon the determination that the manufacturer, camera, or custodian of data collected are not in compliance with the above requirements.
Subcommittee Amendments: Transportation_Sub_Amendments_03.15.2023.pdf
Fiscal Note: (Dated March 5, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/26/23, H: 01/30/23
Senate Status: 03/23/23 - Senate passed with amendment 1 (005998).

House Status: 04/06/23 - House passed.
Executive Status: 04/24/23 - Signed by governor.
Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/15/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Tue 3/21/23 8:00am - House Hearing Rm I, House Transportation Committee
 Thu 3/23/23 8:30am - Senate Chamber, Senate Floor
 Tue 3/28/23 8:00am - House Hearing Rm I, House Transportation Committee
 Thu 3/30/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee
 Thu 4/6/23 9:00am - House Chamber, House Floor
Caption: AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 5; Title 38 and Title 55, relative to the use of surveillance cameras on interstate highways and state rights of ways.
Last Action Date: 04/24/23
Citations: 2; 10-7-500; 38; 55-8-198; 55-10-302;
Cosponsors: Rep. Carr, Dale; Rep. Davis, Elaine; Rep. Hazlewood, Patsy; Rep. Howell, Dan; Rep. Marsh, Pat; Sen. Massey, Becky; Rep. Russell, Lowell; Rep. Vaughan, Kevin; Sen. Walley, Page; Rep. White, Mark;
Position: Neutral
Priority: 2 - Second-tier

SB469/HB125 TAXES SALES: Exemption - trailers moved to another state after purchase.

●●●●●●●●●● Sen. Rose, Paul
 ●●●●●●●●●● Rep. Leatherwood, Tom
Summary: Exempts from sales tax the retail sale of trailers that are removed for registration and use in another state within three days of purchase.
Amendment Senate amendment 1 (004489) exempts the retail sale of certain trailers that are removed for registration and use in another state within three calendar days of purchase
Summary: from the sales and use tax. Clarifies that use of trailer within the state subject subsequent to purchase, but prior to removal from the state, does not constitute a use subject to tax.
Subcommittee Finance_Sub_Amendments_03.22.2023.pdf
Amendments:
Fiscal Note: (Dated February 17, 2023) Decrease State Revenue Exceeds \$680,200/FY23-24 and Subsequent Years Decrease Local Revenue Exceeds \$32,300/FY23-24 and Subsequent Years
Intro Dates: S: 01/26/23, H: 01/12/23
Senate Status: 04/03/23 - Senate passed with amendment 1 (004489).
House Status: 04/21/23 - House passed.
Executive Status: 04/21/23 - Sent to the speakers for signatures.
Meetings: Tue 2/21/23 9:00am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
 Tue 3/14/23 8:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
 Tue 3/21/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
 Wed 3/22/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Mon 4/3/23 4:00pm - Senate Chamber, Senate Floor
 Tue 4/18/23 9:00am - Special Calendar - House Hearing Rm I, House Finance, Ways & Means Subcommittee
 Tue 4/18/23 5:35pm - House Hearing Rm I, House Finance, Ways & Means Committee
 Tue 4/18/23 8:50pm - House Hearing Rm I, House Calendar & Rules Committee
 Thu 4/20/23 8:30am - House Chamber, House Regular Calendar 1
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, Part 3, relative to trailers.
Last Action Date: 04/21/23
Citations: 55-1-105; 67-6-300; 67-6-343;
Position: Neutral
Priority: 3 - Third-tier
Comment: Very broad caption bill. Doesn't appear to be an exemption bill for trailers and assume has another purpose . If an exemption will have a fiscal note . Shouldn't affect interstate carriers but will confirm

SB470/HB124 TRANSPORTATION VEHICLES: Personal trailer registration.

●●○○○○○○○○○○ Sen. Rose, Paul
 ●●○○○○○○○○○○ Rep. Leatherwood, Tom
Summary: Requires the registration of personal trailers, including those used for the transportation of boats, other trailers, or semitrailer drawn by an automobile or truck.
Intro Dates: S: 01/26/23, H: 01/12/23
Senate Status: 01/30/23 - Referred to Senate Transportation & Safety Committee.
House Status: 02/13/23 - Withdrawn in House.
Committees: Senate Transportation & Safety Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 55, relative to registration of trailers.
Last Action Date: 02/13/23
Citations: 55-4-111; 55-4-113;
Position: Neutral
Priority: 1 - Top-tier
Comment: caption bill and appears to apply to personal trailers only HB has been withdrawn

SB472/HB402 TRANSPORTATION VEHICLES: Penalty for driving without a valid driver license.

●●○○○○○○○○○○ Sen. Rose, Paul
 ●●○○○○○○○○○○ Rep. Lamberth, William
Summary: Increases the penalty for driving upon a highway without a valid driver license from a Class C misdemeanor to a Class B misdemeanor for a first offense and a Class A misdemeanor for a second or subsequent offense committed within 10 years of a prior offense.
Fiscal Note: (Dated February 25, 2023) Increase Local Revenue - \$733,400/FY23-24 and Subsequent Years Increase Local Expenditures \$9,107,800/FY23-24 and Subsequent Years*
Intro Dates: S: 01/26/23, H: 01/30/23
Senate Status: 04/21/23 - Senate Finance, Ways & Means Committee deferred to 2024.
House Status: 04/18/23 - Taken off notice in House Finance, Ways & Means Subcommittee.
Meetings: Wed 3/1/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/15/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Tue 3/21/23 8:00am - House Hearing Rm I, House Transportation Committee
 Wed 3/29/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
 Tue 4/18/23 9:00am - Special Calendar - House Hearing Rm I, House Finance, Ways & Means Subcommittee
 Thu 4/20/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
Committees: Senate Finance, Ways & Means Committee
 House Finance, Ways & Means Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 39 and Title 55, relative to criminal offenses involving driving.
Last Action Date: 04/21/23

Citations: 39; 55-50-301;
 Cosponsors: Rep. Whitson, Sam ;
 Position: Neutral
 Priority: 3 - Third-tier

SB505/HB410 TRANSPORTATION VEHICLES: Fines for speeding.



Sen. Powers, Bill
 Rep. Johnson, Curtis

Summary: Authorizes the legislative body of a municipality to establish the fine for speeding within a residential zone within its jurisdictional boundaries at \$200. Broadly captioned.
Fiscal Note: (Dated March 1, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/26/23, H: 01/30/23
Senate Status: 03/13/23 - Senate passed.
House Status: 03/20/23 - House passed.
Executive Status: 04/11/23 - Enacted as Public Chapter 0119 effective July 1, 2023.
Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Tue 3/14/23 8:00am - House Hearing Rm I, House Transportation Committee
 Mon 3/13/23 4:00pm - Senate Chamber, Senate Consent 2
 Thu 3/16/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee
 Mon 3/20/23 5:00pm - House Chamber, House Consent
Public Chapter: PC119.pdf
Caption: AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7 and Title 55, Chapter 8, relative to fines for speeding.
Last Action Date: 04/11/23
Citations: 55-8-152;
Effective Date: 07/01/23
Comment: Very broad caption bill

SB506/HB488 TAXES GENERAL: Allocating tax on beer and soft drinks to the highway fund.



Sen. Powers, Bill
 Rep. Boyd, Clark

Summary: Extends the repeal date from July 1, 2028 to August 1, 2028, for the allocation of a portion of the beer tax and the tax on soft drinks to the highway fund for the purpose of funding programs for the prevention and collection of litter and trash and matters related to the programs. Broadly captioned.
Fiscal Note: (Dated March 13, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/26/23, H: 01/30/23
Senate Status: 03/14/23 - Senate Finance Revenue Subcommittee deferred to first calendar of 2024.
House Status: 02/01/23 - Referred to House Finance, Ways & Means Subcommittee.
Meetings: Tue 3/14/23 8:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
Committees: Senate Finance Revenue Subcommittee
 House Finance, Ways & Means Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 57, Chapter 5 and Title 67, Chapter 4, relative to taxes on beverages.
Last Action Date: 03/14/23
Citations: 57-5-201; 67-4-402;
Position: Neutral
Priority: 3 - Third-tier
Comment: Very broad tax bill

SB569/HB604 TRANSPORTATION VEHICLES: Brochures on interstate CDLs provided at driver license service locations.



Sen. Yarbro, Jeff
 Rep. Powell, Jason

Summary: Authorizes the department of safety to prepare brochures that provide information on the opportunity for persons 18 to 20 years of age to apply for interstate CDLs and the opportunity for persons to apply to become third-party skills test examiners to perform skills tests required to obtain a CDL. Requires the department to make the brochures available at driver license service locations throughout the state.
Fiscal Note: (Dated March 30, 2023) NOT SIGNIFICANT
Intro Dates: S: 01/26/23, H: 01/30/23
Senate Status: 01/30/23 - Referred to Senate Transportation & Safety Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Committees: Senate Transportation & Safety Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, relative to driver license services.
Last Action Date: 02/01/23
Citations: 55-50-418;
Position: Support
Priority: 1 - Top-tier
Comment: Not sure where this came from but appears to be helpful re CDL and driver recruitment

SB649/HB650 TRANSPORTATION VEHICLES: Installation of vehicle immobilization device.



Sen. Johnson, Jack
 Rep. McCalmon, Jake

Summary: Prohibits a person from knowingly installing a vehicle immobilization device on a motor vehicle parked on private property in this state. Broadly captioned.

Amendment
Summary:

Senate amendment 1 (004385) rewrites this bill to enact the "Booting Consumer Protection Act," as described below. This amendment provides that a person engaged in the business of installing a mechanical device that is designed or adapted to be attached to a wheel, tire, or other part of a parked motor vehicle to prohibit the vehicle's usual manner of movement or operation ("device") on motor vehicles in this state must accept credit cards and debit cards as methods of payment for the removal of a device. However, this provision does not prohibit a person engaged in this business from accepting cash or other methods of payment if the individual making such payment, in that individual's sole discretion, elects to use such alternative payment method. If the individual who is requesting removal of the device elects to make the payment by credit card or debit card, and the payment cannot be completed by that method without undue delay at the site where the vehicle is located and an optional online payment method is either unavailable or has been refused by the individual, then the person engaged in the business of installing devices must remove the device and issue a billing invoice for payment due to the individual who is requesting the removal, if the individual provides a valid form of identification or by mail to the registered owner of the vehicle. This amendment prohibits a person who engages in the business of installing devices from charging a fee to accept payment by credit card or debit card, but authorizes the person to offer an alternative online payment service as an optional payment method. If the individual who is making payment for the removal of the device elects, in that individual's sole discretion, to use the optional online payment method, then the provider of the online payment service may charge a 3 percent convenience fee. This provision supersedes all local ordinances, rules, or other enactments to the contrary. This amendment prohibits a person engaged in this business from charging more than \$75 to remove a device. However, the cost of removal may increase by increments of \$75 for each 24-hour period that the vehicle remains immobilized. This amendment prohibits a person engaged in this business from contracting for or engaging the services of an independent contractor to install or remove devices or compensating employees on a commission basis. This amendment requires a person engaged in this business to only utilize for the work of installing and removing such devices those individuals for whose compensation for the work performed the person is required to file a W-2 wage and tax statement with the federal internal revenue service. If a device is placed on a vehicle that is parked on private property for failure to pay the required parking charge, then the owner or operator of the private property may require the owner of the vehicle to pay the applicable device removal fee, plus all unpaid parking fines and fees in order to have the device removed. This provision supersedes all local ordinances, rules, or other enactments to the contrary. This amendment prohibits a person engaged in this business from installing a device on a motor vehicle if the motor vehicle is located on a property that does not have a sign posted on the property in a manner that complies with the requirements described below. An owner, lessee, or other person, who has control of a property for which an enforceable agreement exists with a person engaged in the business of installing devices to provide parking enforcement services by installing devices on motor vehicles on that property, must post signage in a conspicuous location on the property bearing notice of the following: (1) That the property's parking policy is strictly enforced; (2) That a violator's vehicle will be immobilized with a device at the vehicle owner's expense; (3) That there is a maximum \$75 per day device fee; (4) The name and phone number of the authorized device operator; and (5) That consumers are protected from violations of this bill and that violations may be reported to the attorney general. This amendment also specifies that the sign must be no less than 24" in height and 18" in width and contain lettering that is no less than two inches in height. It must be located at each designated entrance to the property where parking prohibitions are to be effective or if there is no designated entrance, be erected so as to be clearly visible from each parking space. If, on July 1, 2023, a property has existing posted signage that contains the notice required by the specifications above, then the signage is considered to comply and is exempt from these specifications if the notice required is permanently affixed adjacent to the existing signage. However, new or replacement signage installed on or after July 1, 2023, must comply with all the specifications under this amendment. A violation under this act constitutes a violation of the Tennessee Consumer Protection Act of 1977, and is subject to the penalties and remedies provided in such Act, in addition to the penalties and remedies set forth in this bill. If the attorney general has reason to believe that a person has violated this bill, then the attorney general is authorized to institute a proceeding under this bill. If an authorized device operator is found to have violated this bill, with the judgment being final and the operator having no opportunity for an appeal remaining, then the attorney general must send notice of such violation to each municipality, public corporation, body politic, authority, district, metropolitan government, county, or an agency, department, or board of such entities ("political subdivision") that has authorized the operator to operate within its jurisdictional area. Upon the receipt of notice from the attorney general of a violation that constitutes a third violation under this bill by an operator, a political subdivision must permanently revoke the operator's authorization to engage in the business of installing devices within the jurisdictional area of the political subdivision. This bill applies to prohibited conduct occurring on or after July 1, 2023. House amendment 1 (005820) incorporates the provisions of Senate Amendment 1 with various clarifying grammatical changes and removes the \$75.00 limit on boot removal fees.

Subcommittee

Amendments:

Fiscal Note:

(Dated February 15, 2023) Other Fiscal Impact Due to multiple unknown factors, the extent and timing of any recurring decrease in state revenue and mandatory recurring decrease in local revenue and expenditures cannot reasonably be determined.

Intro Dates:

S: 01/30/23, H: 01/30/23

Senate Status:

04/10/23 - Senate concurred in House amendment 1 (005820).

House Status:

04/03/23 - House passed with amendment 1 (005820).

Executive Status:

04/13/23 - Sent to governor.

Meetings:

Tue 2/21/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
 Tue 2/28/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
 Tue 3/7/23 1:30pm - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee
 Mon 3/6/23 4:00pm - Senate Chamber, Senate Floor
 Tue 3/14/23 1:30pm - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee
 Tue 3/21/23 1:30pm - Special Calendar - House Hearing Rm II, House Banking & Consumer Affairs Subcommittee
 Tue 3/28/23 9:00am - House Hearing Rm I, House Commerce Committee
 Thu 3/30/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee
 Mon 4/3/23 5:00pm - House Chamber, House Floor
 Mon 4/10/23 4:00pm - Senate Chamber, Senate Message

Caption:

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 39; Title 47; Title 48; Title 55; Title 56; Title 62; Title 66 and Title 67, relative to parking.

Last Action Date:

04/13/23

Citations:

4; 5; 6; 6-54-132; 7; 39; 47; 47-18-104; 47-18-3201; 47-18-3202; 47-18-3203; 47-18-3204; 48; 55; 56; 62; 66; 67;

Position:

Neutral

Priority:

2 - Second-tier

Comment:

Very broad caption bill. Tracking re towing issues

SB751/HB627 TRANSPORTATION GENERAL: Removal of provision on benefits from the 1986 gasoline tax increases.



Sen. Massey, Becky
 Rep. Carr, Dale

Summary:

Deletes an expired provision specifying which highway projects were to benefit from the 1986 gasoline tax increases. Broadly captioned.

Fiscal Note:

(Dated January 28, 2023) NOT SIGNIFICANT

Intro Dates:

S: 02/02/23, H: 01/30/23

Senate Status:

02/06/23 - Referred to Senate Transportation & Safety Committee.

House Status:

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

Committees:

Senate Transportation & Safety Committee

Caption:

AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 9; Title 12; Title 54; Title 55; Title 64; Title 65 and Title 67, relative to transportation.

Last Action Date:

02/06/23

Citations:

4; 7; 9; 12; 54; 55; 64; 65; 67-3-903;

Position:

Neutral

Priority:

3 - Third-tier

Comment:

Broad gas tax bill

SB752/HB1014 TRANSPORTATION GENERAL: Railroad crossings - notification to affected railroad and governmental bodies.



Sen. Massey, Becky
 Rep. Grills, Rusty

Summary:

Authorizes the department to notify the railroad and governmental body affected by an applicant's proposed plan to construct a railroad grade crossing or convert a private crossing to a public crossing, by mail or electronically. Broadly captioned.

Fiscal Note:

(Dated January 31, 2023) NOT SIGNIFICANT

Intro Dates:

S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Committees: Senate Transportation & Safety Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 54; Title 55; Title 65 and Title 67, relative to transportation.
Last Action Date: 02/06/23
Citations: 4; 54; 55; 65-11-101; 67;
Position: Neutral
Priority: 2 - Second-tier
Comment: Broad RR crossing bill

SB775/HB1162 JUDICIARY: Makes various revisions to the Uniform Arbitration Act.

Sen. Stevens, John
Rep. Todd, Chris
Summary: Makes various revisions to the Uniform Arbitration Act including notice to arbitrate, agreement requirements to arbitrate, how to proceed with the arbitration, the process of the actual arbitration, witnesses, subpoenas, depositions, discovery, and award distribution.
Amendment Summary: House amendment 1 (006035) rewrites the Uniform Arbitration Act.
Fiscal Note: (Dated March 9, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 04/12/23 - Senate passed.
House Status: 04/06/23 - House passed with amendment 1 (006035).
Executive Status: 04/20/23 - Sent to governor.
Meetings: Tue 3/14/23 1:30pm - House Hearing Rm III, House Civil Justice Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 5; Section 47-18-5519(f)(2); Section 56-7- 1206(h)(1); Section 60-1-607(c)(2) and Section 66-34-104(f), relative to arbitration.
Last Action Date: 04/20/23
Citations: 29-5; 29-5-300; 29-5-301; 29-5-302; 29-5-303; 29-5-304; 29-5-305; 29-5-306; 29-5-307; 29-5-308; 29-5-309; 29-5-310; 29-5-311; 29-5-312; 29-5-313; 29-5-314; 29-5-315; 29-5-316; 29-5-317; 29-5-318; 29-5-319; 29-5-320; 29-5-321; 29-5-322; 29-5-323; 29-5-324; 29-5-325; 29-5-326; 29-5-327; 29-5-328; 29-5-329; 29-5-330; 29-5-331; 29-5-332; 47-18-5519; 60-1-607; 66-34-104;

SB800/HB858 TRANSPORTATION GENERAL: Annual report on tolling as an alternative means of financing bridges or highways.

Sen. Yarbro, Jeff
Rep. Jernigan, Darren
Summary: Authorizes the department of transportation to submit its report concerning tolling as an alternative means of funding or financing bridges or highways within the state pursuant to the Tennessee Tollway Act in an electronic format.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 02/06/23 - Referred to Senate State & Local Government Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Committees: Senate State & Local Government Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 54 and Title 55, Chapter 8, relative to highways and roadways.
Last Action Date: 02/06/23
Citations: 54-3-113; 55;
Position: Oppose
Priority: 1 - Top-tier
Comment: Study on tolling

SB801/HB857 TRANSPORTATION GENERAL: Publication of certified highway map on county's or municipality's website.

Sen. Yarbro, Jeff
Rep. Jernigan, Darren
Summary: Requires a county or municipality to publish its certified highway map on the county's or municipality's website, which must be accessible to the public, no less than 30 days prior to the date of a public hearing on the map.
Fiscal Note: (Dated April 5, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Committees: Senate Transportation & Safety Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 12; Title 54; Title 55; Title 64; Title 65 and Title 67, relative to transportation.
Last Action Date: 02/06/23
Citations: 4; 5; 6; 7; 8; 12; 54; 54-18-205; 55; 64; 65; 67;
Position: Neutral
Priority: 3 - Third-tier

SB829/HB1308 CRIMINAL LAW: Process for voluntary waiver of firearm rights.

Sen. Hensley, Joey
Rep. Kumar, Sabi
Summary: Creates a process for a person to file a voluntary waiver of firearm rights for the purpose of prohibiting the person from purchasing or possessing a firearm.
Fiscal Note: (Dated March 4, 2023) Increase State Expenditures \$132,100/FY23-24 \$172,800/FY24-25 and Subsequent Years
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 03/07/23 - Taken off notice in Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Civil Justice Subcommittee.

Meetings: Tue 3/7/23 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee
Committees: Senate Judiciary Committee
House Civil Justice Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Section 10-7-504 and Title 39, Chapter 17, Part 13, relative to a voluntary waiver of firearm rights.
Last Action Date: 03/07/23
Citations: 4-5; 10-7; 10-7-504; 39-16-702; 39-17-1300; 39-17-1316;

SB840/HB703 TAXES GENERAL: Annual transportation equity fund report date extended.

Sen. Hensley, Joey
Rep. Doggett, Clay
Summary: Extends, from December 31 to January 15, the date by which the transportation equity fund annual report, which includes tax revenues from fuels used for aviation, railways, and water carriers, must be submitted to the governor and members of the general assembly. Broadly captioned.
Fiscal Note: (Dated January 29, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 01/30/23
Senate Status: 03/14/23 - Taken off notice in Senate Finance Revenue Subcommittee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Meetings: Tue 3/14/23 8:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
Committees: Senate Finance Revenue Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.
Last Action Date: 03/14/23
Citations: 67-6-408;
Position: Neutral
Priority: 3 - Third-tier
Comment: Broad tax bill

SB915/HB1015 TRANSPORTATION VEHICLES: Regulations for motor vehicle towing or storage businesses.

Sen. Niceley, Frank
Rep. Grills, Rusty
Summary: Prohibits persons engaged in the business of towing motor vehicles by wrecker or otherwise, or storing such motor vehicles, for remuneration from charging the owner or lienholder a storage fee for a period exceeding 21 days without the owner or lienholder's consent unless certain exceptions apply. Broadly captioned.
Fiscal Note: (Dated February 3, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.
House Status: 02/07/23 - Referred to House Transportation Subcommittee.
Committees: Senate Transportation & Safety Committee
House Transportation Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 23 and Title 66, relative to motor vehicles.
Last Action Date: 02/07/23
Citations: 55-23-103; 66;
Position: Neutral
Priority: 1 - Top-tier
Comment: Broad towing caption and may be one filed by Tennessee Farmers Mutual the addresses a clerical error related to including body shops for protection against excessive storage fees

SB940/HB819 LABOR LAW: Increases state minimum wage.

Sen. Oliver, Charlane
Rep. Chism, Jesse
Summary: Increases the state minimum wage from \$7.25 to \$12.00 an hour. Requires employers to pay employees at least 1.5 times the regular wage rate for any work done in excess of 40 hours during a work week. Makes employers who violate the minimum wage requirements liable to the employee for the amount of unpaid wages.
Fiscal Note: (Dated March 12, 2023) Increase State Expenditures Exceeds \$570,300/FY24-25 and Subsequent Years/General Fund Exceeds \$220,000/FY24-25 and Subsequent Years/ Higher Education Institutions Increase Local Expenditures Exceeds \$150,000/FY24-25 and Subsequent Years*
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 03/14/23 - Taken off notice in Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.
Meetings: Tue 3/14/23 1:00pm - Senate Hearing Rm I, Senate Commerce & Labor Committee
Committees: Senate Commerce & Labor Committee
House Banking & Consumer Affairs Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Section 8- 23-203; Title 12 and Title 50, Chapter 2, relative to the minimum wage.
Last Action Date: 03/14/23
Citations: 4-5; 12; 50-2-100; 50-2-115;
Position: Neutral
Priority: 2 - Second-tier
Comment: Will not pass

SB1003/HB354 TRANSPORTATION VEHICLES: Activities for which automobile auction license required - exception.

Sen. Yager, Ken
Rep. Hicks, Tim
Summary: Increases from 15 to 16, the limitation of cars, which are at least four model years old, sold by a licensed motor vehicle dealer, licensed to sell used motor vehicles, in order for such dealer to not have to obtain an automobile auction license. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 01/21/23
Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.
House Status: 01/30/23 - Caption bill held on House clerk's desk.
Committees: Senate Transportation & Safety Committee
Caption: AN ACT to amend Tennessee Code Annotated, Title 55 and Title 62, relative to motor vehicles.
Last Action Date: 02/06/23
Citations: 55-17-109; 62;
Position: Neutral
Priority: 3 - Third-tier
Comment: Boras caption related to automobile auctions

SB1009/HB1490 TAXES BUSINESS: Business Tax Act administration.

Sen. Campbell, Heidi
Rep. Clemmons, John

Summary: Deletes the provision granting broad discretion to the commissioner of revenue to administer the Business Tax Act from July 1, 2013, to December 31, 2014. Broadly captioned.

Amendment Summary: Senate Finance Revenue Subcommittee amendment 1, House Government Operations Committee amendment 1 (003845) requires all publicly traded corporations, including those traded on foreign stock exchanges, doing business in the state of Tennessee for which 50 percent or more of the corporation's voting stock is owned, directly or indirectly, by a publicly traded corporation to file an additional tax disclosure statement with the Secretary of State (SOS). Authorizes corporations who must file the additional statement that are not required to file a Tennessee excise tax return to elect to file an alternative statement with the SOS containing all applicable information that is submitted by filing corporations who also file an excise tax return; an explanation of why the corporation is not required to file a Tennessee excise tax return; and identification of the filing corporations total gross receipts from sales to purchasers in Tennessee. Clarifies additional statements submitted are open for public review. Imposes a civil penalty up to \$5,000 if a corporation fails to submit an additional statement within 60 days after it is due. Allows applicable corporations required to file the additional statement to submit supplemental, publicly available, information to facilitate proper interpretation of the information contained in the additional statement. Requires the Department of Revenue (DOR) to offer assistance to the SOS. Subjects the required statements to audit by the DOR. Effective January 1, 2024.

Fiscal Note: (Dated February 6, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

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

House Status: 03/20/23 - House Government Operations Committee recommended with a negative recommendation with amendment 1 (003845). Sent to House Finance.

Meetings: Tue 3/7/23 9:45am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
Mon 3/20/23 1:30pm - House Hearing Rm I, House Government Operations Committee
Thu 4/20/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

Committees: Senate Finance, Ways & Means Committee
House Finance, Ways & Means Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, relative to taxation.

Last Action Date: 04/21/23


Citations: 4; 48-24-202; 67-1-110; 67-1-1701; 67-1-1801; 67-4-703; 67-4-2007; 67-4-2106; 67-4-2112; 67-4-3301; 67-4-3302; 67-4-3303; 67-4-3304; 67-4-3305; 67-4-3306; 67-4-3307; 67-4-3308;

Position: Neutral

Priority: 3 - Third-tier

Comment: Broad tax caption

SB1062/HB1228 TRANSPORTATION GENERAL: South Central Tennessee Railroad Authority report - electronic submission.

 Sen. Hensley, Joey
Rep. Carringer, Michele

Summary: Allows the annual report of financial expenditures, activities, and proposed plans, which is submitted by the board of directors of the South Central Tennessee Railroad Authority to the department of transportation and to the governing bodies of Dickson, Hickman, Lewis, Perry, and Wayne counties, and the cities of Centerville, Dickson, Hohenwald, Linden, and Waynesboro, to be submitted electronically.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 03/08/23 - Senate Transportation & Safety Committee deferred to 03/15/23.

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

Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Committees: Senate Transportation & Safety Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 64, Chapter 2, Part 2, relative to the South Central Tennessee Railroad Authority.

Last Action Date: 03/08/23


Citations: 4; 64-2-200; 64-2-211;

Cosponsors: Rep. Littleton, Mary;

Position: Neutral

Priority: 3 - Third-tier

SB1065/HB787 TRANSPORTATION VEHICLES: Certified highway maps to be published on county and municipal websites.

 Sen. Hensley, Joey
Rep. Warner, Todd

Summary: Requires a county or municipality to publish its certified highway map on the county or municipality's website, which shall be accessible to the public, no less than 30 days prior to the date of a public hearing on the map. Broadly captioned.

Fiscal Note: (Dated March 3, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 03/08/23 - Senate Transportation & Safety Committee deferred to 03/15/23.

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

Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Committees: Senate Transportation & Safety Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 8; Title 54; Title 55 and Title 67, relative to transportation.

Last Action Date: 03/08/23


Citations: 4; 5; 6; 7; 8; 54; 54-18-205; 55; 67;

Position: Neutral

Priority: 3 - Third-tier

Comment: Broad caption

SB1125/HB621 TRANSPORTATION GENERAL: Controlled-access state and interstate highways speed limits.

 Sen. Bowling, Janice
Rep. Warner, Todd

Summary: Increases from 70 miles per hour to 75 miles per hour, the maximum allowable speed limit on controlled-access state and interstate highways with four or more lanes.

Fiscal Note: (Dated February 25, 2023) Increase State Expenditures \$118,000/FY23-24/Highway Fund

Intro Dates: S: 02/02/23, H: 01/30/23

Senate Status: 03/15/23 - Senate Transportation & Safety Committee deferred to the first calendar of 2024.

House Status: 03/22/23 - Taken off notice in House Transportation Subcommittee.

Meetings: Wed 3/1/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
Wed 3/8/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
Wed 3/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
Wed 3/15/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
Wed 3/22/23 1:30pm - Special Calendar - House Hearing Rm III, House Transportation Subcommittee

Committees: Senate Transportation & Safety Committee
House Transportation Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 8, relative to speed limits.

Last Action Date: 03/22/23

Citations: 55-8-152;

Cosponsors: Rep. Capley, Kip; Rep. Doggett, Clay; Rep. Harris, Torrey; Rep. McCalmon, Jake; Rep. Richey, Bryan; Rep. Towns Jr., Joe;

Position: Neutral

Priority: 2 - Second-tier

SB1140/HB886 TAXES SALES: Compensation for costs incurred by dealers in accounting for and remitting sales and use taxes.

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Sen. Lundberg, Jon
Rep. Hawk, David

Summary: Allows dealers, when reporting and remitting sales taxes to the department of revenue, to retain a certain portion of such taxes in order to compensate for costs incurred in accounting for and remitting such taxes. Establishes certain maximum limitations for certain dealers to a maximum of \$25 per report.

Fiscal Note: (Dated February 27, 2023) Decrease State Revenue - \$2,814,500/FY23-24 and Subsequent Years/General Fund \$1,159,000/FY23-24 and Subsequent Years/Sinking Fund \$463,900/FY23-24 and Subsequent Years/DOR Decrease Local Revenue - \$5,806,100/FY23-24 and Subsequent Years

Intro Dates: S: 02/02/23, H: 02/01/23

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

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

Meetings: Tue 2/28/23 9:30am - Senate Hearing Rm I, Senate Finance Revenue Subcommittee
Wed 3/29/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
Tue 4/18/23 9:00am - Special Calendar - House Hearing Rm I, House Finance, Ways & Means Subcommittee
Thu 4/20/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

Committees: Senate Finance, Ways & Means Committee
House Finance, Ways & Means Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 6, Part 5, relative to compensation for certain costs incurred by dealers in accounting for and remitting sales and use taxes to the state.

Last Action Date: 04/21/23

Citations: 67-6-500; 67-6-509;

Position: Support

Priority: 3 - Third-tier

SB1148/HB1257 COVID-19: COVID-19 provisions to be made permanent.

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Sen. Niceley, Frank
Rep. Lynn, Susan

Summary: Makes various provisions regarding COVID-19 permanent by removing language specifying termination dates for such provisions.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 03/15/23 - Taken off notice in Senate Health & Welfare Committee.

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

Meetings: Wed 3/15/23 3:00pm - Senate Hearing Rm I, Senate Health & Welfare Committee

Committees: Senate Health & Welfare Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 9; Title 14; Title 29; Title 38; Title 49; Title 50; Title 63; Title 68 and Chapter 896 of the Public Acts of 2022, relative to public health.

Last Action Date: 03/15/23

Citations: 9; 9-8-307; 14; 14-5-102; 14-6-104; 29; 29-20-205; 29-20-310; 38; 49; 49-7-159; 50; 63; 68;

Position: Neutral

Priority: 3 - Third-tier

Comment: Tracking for effect on businesses. Not sure of intent and sponsored by two very anti COVID safety regulatory members.

SB1180/HB838 WORKERS COMPENSATION: Report on employers that failed to provide workers' compensation coverage.

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Sen. Swann, Art
Rep. Lynn, Susan

Summary: Changes, from December 31 to December 15, the date by which the bureau of workers' compensation must produce a report listing the name of each covered employer that failed, during the preceding fiscal year, to provide workers' compensation coverage or qualify as a self-insured employer. Broadly captioned.

Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.

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

Committees: Senate Commerce & Labor Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 50, relative to workers' compensation.

Last Action Date: 02/06/23

Citations: 50-6-132;

Position: Neutral

Priority: 3 - Third-tier

Comment: Broad caption on workers compensation statutes.

SB1253/HB1469 TRANSPORTATION GENERAL: Development of a new bridge crossing the Mississippi River into Arkansas.

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Sen. Akbari, Raumesh
Rep. Towns Jr., Joe

Summary: Requires the department of transportation to initiate the development of a new bridge crossing the Mississippi River connecting to Arkansas and any other highway facilities and structures needed for the completion of the project.

Fiscal Note: (Dated March 17, 2023) Other Fiscal Impact - The construction of a new bridge estimated to cost over \$1,000,000,000 and would be funded with a combination of federal, state, and local funds. The Department of Transportation would incur an additional one- time expenditure of \$2,500,000 to initiate the National Environmental Policy Act process. To the extent development of a new bridge is initiated in the absence of this legislation, these costs would be incurred under current law.

Intro Dates: S: 02/02/23, H: 02/01/23

Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.

House Status: 03/22/23 - Taken off notice in House Transportation Subcommittee.

Meetings: Wed 3/22/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee

Committees: Senate Transportation & Safety Committee
House Transportation Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 54, relative to a new bridge project crossing the Mississippi River.

Last Action Date: 03/22/23

Citations: 54;

Position: Support

Priority: 1 - Top-tier

SB1271/HB1510 TRANSPORTATION GENERAL: Report on findings of special committee to study improvement of transportation services.

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Sen. Akbari, Raumesh
Rep. Dixie, Vincent

Summary: Requires the department of transportation to present a report on the coordination committee's findings and recommendations no later than February 15 annually.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Intro Dates: S: 02/02/23, H: 02/01/23
Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.
House Status: 03/13/23 - Referred to House Transportation Subcommittee.
Committees: Senate Transportation & Safety Committee
 House Transportation Subcommittee
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 23; Title 7, Chapter 56; Section 29-34-210; Title 54; Title 55; Title 64, Chapter 8 and Title 71, relative to transportation services.
Last Action Date: 03/13/23
Citations: 4-3-2300; 4-3-2311; 7-56; 29-34-210; 54; 55; 64; 71;
Position: Neutral
Priority: 3 - Third-tier
Comment: Reporting bill on Transportation

SB1337/HB87 TRANSPORTATION VEHICLES: Safety chains for trailers - increase in fines for violations.

 Sen. Bailey, Paul
 Rep. Marsh, Pat

Summary: Increases, from \$50 to \$100, the minimum fine for second and subsequent violations of the offense of failure to attach a trailer, semitrailer, or pole trailer to a towing vehicle by a chain. Broadly captioned.

Amendment Summary: House amendment 1 (004123) rewrites this bill to revise present law provisions relative to motor vehicles, as described below. Present law provides that, if the motor vehicle clearly identifies the rental company and a garage keeper or towing firm lawfully comes into possession of the vehicle, then the garage keeper or towing firm must notify the rental company at the address identified with the vehicle's registration within three working days of taking possession of such vehicle by registered mail return receipt requested. In addition to any other penalty provided for a violation of this provision, such a violation is also deemed to be a violation of the Tennessee Consumer Protection Act of 1977, and the rental company may seek relief under that act. This amendment clarifies that a rental company, which the amendment redefines as rental vehicle company, as used in these provisions means a person or entity, or a subsidiary or affiliate of the person or entity, including a franchisee, in the business of renting vehicles to the public. Present law further provides the following: (1) That no person, firm, or entity has a right to a lien on any vehicle that has been towed without authorization of a police department or the owner of the vehicle or where the vehicle has been towed in violation of provisions governing unclaimed or abandoned vehicles; and (2) If the owner of the vehicle is not present, then prior to any person, firm or entity towing any vehicle, such person, firm or entity must notify local law enforcement of the vehicle identification number (VIN), registration information, license plate number and description of the vehicle. Local law enforcement must keep a record of all such information which must be available for public inspection. This amendment revises (2) above by requiring the person or entity towing the vehicle to notify local law enforcement as required by (2), within 15 minutes of the person or entity towing the vehicle. This amendment makes a violation of this notification requirement a Class A misdemeanor. Present law requires a police department that takes into custody an abandoned, immobile, or unattended motor vehicle, to, within three business days after taking such motor vehicle into custody, verify ownership of such motor vehicle; and within three business days after receiving verification of ownership, notify by registered mail, return receipt requested, the last known registered owner of the motor vehicle and all lien holders of record that the vehicle has been taken into custody. However, a police department does not have to comply with the requirements of the above provision if it provides preseizure notice to the owner of the motor vehicle and all lienholders of record that the vehicle has been found to be abandoned, immobile, or unattended. Any preseizure notice must be sent by registered or certified mail, return receipt requested, to the last known address of the owner of record and to all lienholders of record. This amendment revises these provisions to authorize such notices to be sent by overnight delivery using a nationally recognized carrier with proof of delivery. Under present law, when an employee of a public agency or a towing company contracting with a public agency takes possession of a vehicle found abandoned, immobile, or unattended, an employee of the agency must verify ownership through the Tennessee Information Enforcement System (TIES) and must place the ownership information on the towing sheet or form. Present law further requires the agency to provide the ownership information to any towing company or garagekeeper with whom the agency has a contract. This amendment revises the above provision to also apply to a towing company authorized to tow by a private property owner or the private property owner's authorized agent. In addition to the notification requirements for a police department that takes into custody an abandoned, immobile, or unattended motor vehicle, present law requires: (1) A garagekeeper or towing firm, which has in its possession an abandoned, immobile or unattended motor vehicle taken into custody by a police department, and in whose possession the vehicle was lawfully placed by the police department, to, within three business days after such motor vehicle is taken into its possession, verify ownership of such motor vehicle; and (2) The garagekeeper or towing firm to, within three business days after receiving verification of ownership, provide notice to the last known registered owner of the motor vehicle and all lienholders of record. All notification requirements for a police department that takes into custody an abandoned, immobile, or unattended motor vehicle apply to the notice required to be provided by a garagekeeper or towing firm. This amendment revises the above provisions to also apply to a garagekeeper or towing firm, which has in its possession an abandoned, immobile, or unattended motor vehicle authorized by a private property owner to be towed, and in whose possession the vehicle was authorized to be placed by a private property owner. Present law prohibits persons engaged in the business of towing motor vehicles by wrecker or otherwise and the storing of these motor vehicles for any type of remuneration, whether as the principal business of those persons or as an incidence to the persons' principal business, from charging the owner or lienholder of the stored motor vehicle a storage fee for a period exceeding 21 days without the consent of the owner or lienholder, except as provided in the Motor Vehicle Storage Act. This amendment clarifies that this provision applies to persons engaged in the following: (1) The business of towing motor vehicles or otherwise; or (2) The business of storing towed motor vehicles.

Subcommittee Transportation_Sub_Amendments_03.01.2023.pdf

Amendments:
Fiscal Note: (Dated January 22, 2023) Increase Local Revenue Exceeds \$300/FY23-24 and Subsequent Years
Intro Dates: S: 02/02/23, H: 01/11/23
Senate Status: 03/30/23 - Senate passed.
House Status: 03/16/23 - House passed with amendment 1 (004123).
Executive Status: 04/25/23 - Signed by governor.
Meetings: Wed 3/1/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Wed 3/1/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee
 Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee
 Tue 3/7/23 8:00am - House Hearing Rm I, House Transportation Committee
 Thu 3/9/23 7:30am - House Hearing Rm I, House Calendar & Rules Committee
 Thu 3/16/23 9:00am - House Chamber, House Floor
 Mon 3/27/23 4:00pm - Senate Chamber, Senate Floor
 Thu 3/30/23 8:30am - Senate Chamber, Senate Floor

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 47; Title 54; Title 55; Title 56; Title 65 and Title 66, relative to transportation.

Last Action Date: 04/25/23
Citations: 4; 47; 54; 55; 55-7-114; 55-16; 55-16-105; 55-23-103; 56; 65; 66; 66-19-103;
Cosponsors: Rep. Ragan, John;
Position: Support
Priority: 1 - Top-tier
Comment: Towing caption bill we have filed. Amendment has been drafted. This would add clear definitions of rental vehicles and private tows, require the TIES system to be used to determine owner of a towed vehicle for both public and private tows and also add the same notification requirements to private tows that are currently in place for public tows.

SB1357/HB616 TRANSPORTATION VEHICLES: Transporting intrastate load of logs or long pulpwood requirements.

 Sen. Gardenhire, Todd
 Rep. Travis, Ron

Summary: Requires motor vehicles or trailers transporting intrastate a load of logs or long pulpwood that protrudes beyond the length of the motor vehicle or trailer to have securely affixed to the vehicle a rear impact guard or impact absorbent guard extending across the rear of the vehicle or axle at a width equal to or greater than the interior width of the vehicle or axle. Broadly captioned.

Amendment

Summary:

Senate amendment 1 (005894) rewrites this bill to require a motor vehicle or trailer transporting a load of logs or pulpwood that protrudes at least four feet beyond the end of the body or bed of the vehicle or trailer to have the following securely affixed to the end of the projecting load while the vehicle or trailer is loaded with the protruding logs or pulpwood: (1) One amber strobe-type lamp or amber blinking light, or one amber LED strobe light or amber LED blinking light, which must be operating while affixed to the load; and (2) At least two red flags or at least two fluorescent orange flags, which must be in good condition and visible while affixed to the load.

Transportation_Sub_Amendments_03.15.2023.pdf

Subcommittee

Amendments:

(Dated March 4, 2023) NOT SIGNIFICANT

S: 02/02/23, H: 01/30/23

Senate Status: 04/10/23 - Senate passed with amendment 1 (005894).

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

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

Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Wed 3/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Wed 3/15/23 1:30pm - House Hearing Rm III, House Transportation Subcommittee

Tue 3/21/23 8:00am - House Hearing Rm I, House Transportation Committee

Mon 3/27/23 4:00pm - Senate Chamber, Senate Floor

Thu 3/30/23 8:30am - Senate Chamber, Senate Floor

Thu 3/30/23 8:15am - House Hearing Rm I, House Calendar & Rules Committee

Thu 4/6/23 8:00am - Senate Chamber, Senate Floor

Thu 4/6/23 8:30am - House Hearing Rm I, House Calendar & Rules Committee

Mon 4/10/23 4:00pm - Senate Chamber, Senate Floor

Thu 4/13/23 9:00am - House Chamber, House Floor

Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 55 and Title 65, relative to vehicles that haul logs or pulpwood.

Last Action Date: 04/19/23

Citations: 39; 55-7-100; 55-9-405; 65;

Cosponsors: Sen. Massey, Becky;

Position: Neutral

Priority: 1 - Top-tier

Comment: Very Broad caption bill on trailers and intrastate movement. TDOT asked for TTA position and TTA deferred to TDOT

SB1430/HB1323 TRANSPORTATION VEHICLES: Annual report on the administration of the Uniform Motor Vehicle Records Disclosure Act.



Sen. Roberts, Kerry

Rep. Keisling, Kelly

Summary:

Requires the department of revenue to annually report on the administration of the Uniform Motor Vehicle Records Disclosure Act by February 1 of each year to the chair of the senate transportation and safety committee, the chair of the transportation committee of the house of representatives, and the legislative librarian. Requires the department of safety and county clerks' offices to assist the department of revenue in compiling the report.

Fiscal Note: (Dated March 2, 2023) NOT SIGNIFICANT

Intro Dates: H: 02/01/23

Senate Status: 03/15/23 - Taken off notice in Senate Transportation & Safety Committee.

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

Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Wed 3/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Committees: Senate Transportation & Safety Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 25, relative to the Uniform Motor Vehicle Records Disclosure Act.

Last Action Date: 03/15/23

Citations: 55-25-100;

Position: Neutral

Priority: 3 - Third-tier

SB1473/HB1218 TRANSPORTATION GENERAL: Reporting of operations by railroad companies.



Sen. McNally, Randy

Rep. Hazlewood, Patsy

Summary:

Requires railroad companies to send to the department of transportation, on an annual basis, a report containing statements of the operations of the company, unless the railroad companies prepare such statements of operations on a monthly or quarterly basis. Broadly captioned.

Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT

Intro Dates: H: 02/01/23

Senate Status: 03/15/23 - Taken off notice in Senate Transportation & Safety Committee.

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

Meetings: Wed 3/8/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Wed 3/15/23 9:30am - Senate Hearing Rm I, Senate Transportation & Safety Committee

Committees: Senate Transportation & Safety Committee

Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 54; Title 55; Title 65; Title 66 and Title 67, relative to railroads.

Last Action Date: 03/15/23

Citations: 4; 7; 54; 55; 65; 65-3-107; 66; 67;

Cosponsors: Rep. Sexton, Cameron;

SB1503/HB1005 CRIMINAL LAW: Enhanced and concealed firearm carry permits.



Sen. Stevens, John

Rep. Grills, Rusty

Summary:

Renames enhanced and concealed handgun carry permits as enhanced and concealed firearm carry permits and authorizes a permit holder to carry any firearms, rather than handguns, that the permit holder legally owns or possesses. Expands the circumstances in which a permit holder may carry a firearm. Broadly captioned.

House Civil Justice Committee amendment 1 (005459) eliminates the criminal offense of possession of a firearm or club with intent to go armed. Lowers, from 21 to 18, the minimum age required for a person to obtain an enhanced, lifetime enhanced, and concealed handgun carry permit. Renames concealed handgun carry permits and enhanced handgun carry permits to concealed firearm carry permits and enhanced firearm carry permits. Authorizes holders of concealed and enhanced handgun carry permits to carry any firearm that the permit-holder legally owns or possesses in any place or manner that is currently authorized for handguns. Creates a Class A misdemeanor offense for a juvenile to carry, with the intent to go armed, a firearm. Provides numerous exceptions to this offense. Narrows the defenses available to certain individuals charged with various offenses of unlawful possession of a handgun, firearm, or deadly weapon. Senate Judiciary Committee amendment 1 (005535) lowers the age to carry a handgun, whether openly or concealed, from 21 to 18, and eliminates all associated military requirements. Lowers, from 21 to 18, the minimum age required for a person to obtain an enhanced, lifetime enhanced, and concealed handgun carry permit. Revises the defenses available to certain individuals charged with the offense of unlawful carrying, with the intent to go armed, a firearm or club.

Subcommittee: Civil_Justice_Sub_Amendment_02.21.2023.pdf

Amendments:

Fiscal Note: (Dated February 16, 2023) NOT SIGNIFICANT

Intro Dates: H: 02/01/23

Senate Status: 04/18/23 - Senate Finance, Ways & Means Committee deferred to 2024.

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

Meetings: Tue 2/21/23 1:30pm - House Hearing Rm III, House Civil Justice Subcommittee
Wed 3/1/23 12:00pm - House Hearing Rm I, House Civil Justice Committee
Tue 3/7/23 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee
Wed 3/8/23 12:00pm - House Hearing Rm I, House Civil Justice Committee
Mon 3/13/23 1:00pm - Senate Hearing Rm I, Senate Judiciary Committee
Wed 3/15/23 12:00pm - House Hearing Rm I, House Civil Justice Committee
Tue 3/14/23 3:00pm - Senate Hearing Rm I, Senate Judiciary Committee
Tue 3/21/23 1:00pm - Senate Hearing Rm I, Senate Judiciary Committee
Wed 3/22/23 10:30am - House Hearing Rm III, House Finance, Ways & Means Subcommittee
Tue 4/4/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
Wed 4/5/23 2:30pm - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
Tue 4/11/23 8:30am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
Wed 4/12/23 1:30pm - Senate Hearing Rm I, Senate Finance, Ways & Means Committee
Tue 4/18/23 9:00am - Special Calendar - House Hearing Rm I, House Finance, Ways & Means Subcommittee
Tue 4/18/23 10:00am - Senate Hearing Rm I, Senate Finance, Ways & Means Committee

Committees: Senate Finance, Ways & Means Committee
House Finance, Ways & Means Subcommittee

Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 10; Title 33; Title 36; Title 38; Title 39; Title 40; Title 49; Title 50 and Title 70, relative to firearms.

Last Action Date: 04/18/23

Citations: 8; 8-21-401; 10; 10-7-504; 33; 33-6-413; 36; 36-3-626; 38; 38-3-122; 38-6-105; 38-8-116; 39; 39-16-702; 39-17-1307; 39-17-1308; 39-17-1309; 39-17-1313; 39-17-1319; 39-17-1321; 39-17-1350; 39-17-1351; 39-17-1352; 39-17-1359; 39-17-1364; 39-17-1365; 39-17-1366; 40; 40-32-101; 40-32-105; 49; 49-6-816; 49-7-161; 49-50-803; 50-1-312; 50-3-201; 55-50-102; 55-50-300; 70; 70-2-104; 70-4-117; 70-5-101;

Cosponsors: Rep. Barrett, Jody; Rep. Butler, Ed; Rep. Capley, Kip; Rep. Doggett, Clay; Rep. Fritts, Monty; Rep. Richey, Bryan; Rep. Todd, Chris;

Position: Neutral

Priority: 1 - Top-tier

Comment: Broad caption and could extend the handgun in parking lot law that would allow carrying of handguns on private company property