

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 2835

House Bill No. 2899*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-217(b), is amended by deleting the subsection and substituting instead the following:

(b) A winery direct shipper, meeting the requirements of this section, is authorized to make sales and delivery of wine, as defined in § 57-3-101, by common carrier to the citizens of this state over twenty-one (21) years of age who have purchased the wine directly from the winery direct shipper, subject to the limitations and requirements imposed by this section; provided, however, a winery direct shipper may only ship wine sold under a brand name owned or licensed to the winery, that is:

- (1) Produced by the winery;
- (2) Produced exclusively for the winery under an existing written contract with the winery; or
- (3) Produced and bottled exclusively for the winery.

SECTION 2. Tennessee Code Annotated, Section 57-3-217(c), is amended by deleting the language "issuance of a winery direct shipper's license" and substituting instead the language "issuance or renewal of a winery direct shipper's license".

SECTION 3. Tennessee Code Annotated, Section 57-3-217, is amended by adding the following language as new subsections:

- () Notwithstanding any law or rule to the contrary, a fulfillment warehouse is not eligible for licensure or renewal of a winery direct shipper's license.
- () For purposes of this section, a "fulfillment warehouse" means a business, other than a winery, that operates a warehouse and provides storage, packaging, and



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shipping services for wineries for the purposes of effectuating shipment directly to consumers.

() The commission may require any winery direct shipper licensed under this section to provide periodic reports to the commission. The commission may request any information or records that the commission may deem necessary to enforce this section to be included in the reports.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any winery direct shipper's license issued or renewed on or after the effective date of this act.

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AMEND Senate Bill No. 2557

House Bill No. 2195*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 46, Chapter 6, is amended by adding the following as a new section:

(a) This section shall be known and may be cited as the "Major Trevor Joseph Act."

(b)

(1) The department of veterans services shall provide burial services for any person who died in the line of duty or while on active duty with the United States armed forces, the Tennessee national guard, or the Tennessee air national guard and is being interred in a state veterans' cemetery on any date requested by the family members of the person if the department is given notice of the burial at least seventy-two (72) hours in advance of the burial service.

(2) No burial services may be provided pursuant to subdivision (b)(1) that are scheduled on legal holidays, as defined in § 15-1-101.

(3) Notwithstanding subdivisions (b)(1) and (2), the commissioner may authorize burial services to be provided on a weekend if a weekday burial cannot be held due to inclement weather, an emergency that directly affects the ability for persons to conduct a burial service, or other circumstance that would adversely affect the department's ability to provide burial services.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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Signature of Sponsor

AMEND Senate Bill No. 1628

House Bill No. 1635*

by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-56-105, is amended by adding the following language as a new subdivision:

(21)

(A) On or before December 31, 2021, develop rules, policies, procedures, or templates regarding the grant management process that must be approved by the commission, and that establish a central database of information regarding grant recipients and sub-recipients for monitoring purposes, including, but not limited to:

(i) Defining the grant recipient and sub-recipient information, including state grants and loans, sufficient for entities to prepare the schedule of expenditures of federal awards required by the United States office of management and budget's uniform guidance;

(ii) Defining the federal grant recipient and sub-recipient information sufficient to determine which entities are subject to audit under the Single Audit Act of 1984 (P.L. 98-502) and the United States office of management and budget's uniform guidance;

(iii) Defining the state grant recipient and sub-recipient information sufficient to determine which entities are subject to audit under policies and procedures promulgated by the comptroller of the treasury;



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(iv) Specifying the extent of the state procurement office's responsibilities to develop and implement this database and ensure the completeness and validity of the information included; and

(v) Specifying the extent of other state agencies' responsibilities to ensure the information contained in the central database is complete and accurate.

(B) All state agencies shall use the central database established pursuant to this subdivision (21) and shall provide and update information in the central database, as required by the chief procurement officer.

(C) The database established pursuant to this subdivision (21) must be fully implemented and functioning on or before March 31, 2022.

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AMEND Senate Bill No. 724

House Bill No. 773*

by deleting all language after the caption and substituting instead the following:

WHEREAS, the General Assembly has enacted laws to provide revenue for the funding of State and local governments; and

WHEREAS, it is the duty of the commissioner of revenue to administer many of these laws; and

WHEREAS, in order to properly administer these laws, the commissioner of revenue must communicate guidance to taxpayers; and

WHEREAS, the General Assembly wants to foster an environment in which the commissioner of revenue can effectively communicate such guidance, and taxpayers will be confident in relying upon such guidance; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-1-108, is amended by deleting the section in its entirety and substituting instead the following:

(a) It is the commissioner's duty to implement and enforce the laws administered by the commissioner under this or any other title. The commissioner's enforcement of these laws shall be consistent with all applicable statutes, rules, and regulations. When the commissioner publishes guidance regarding the taxability of any privilege, affected taxpayers are entitled to rely on the guidance. If the commissioner changes the guidance, a taxpayer who relied on such guidance before it was changed is not liable for any assessment of additional tax, interest, or penalty that accrued before the guidance was changed and was unpaid because of the taxpayer's reasonable reliance upon the guidance.



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(b) If a taxpayer is either audited by the department or requests specific advice from the department and receives erroneous audit findings or advice, the taxpayer is not liable for any assessment of additional tax, interest, or penalty attributable to the erroneous finding or advice furnished by the department, to the extent the following conditions are all satisfied:

(1) The finding or advice was reasonably relied upon by the taxpayer. In determining whether such reliance was reasonable, the taxpayer is deemed to be aware of any changes in applicable law that occurred after the finding or advice was furnished by the department;

(2) The additional assessment did not result from the taxpayer's failure to provide adequate or accurate information; and

(3) The department provided the finding or advice to the taxpayer in writing or the department's records establish that the department provided erroneous verbal advice to the taxpayer. In furtherance of this condition, the department shall adopt formal audit procedures to allow taxpayers the right to memorialize audit findings in the final audit document prepared by the audit division upon completion of the audit.

(c) If the commissioner changes the policy of the department as to the taxability of any privilege, such policy change must be applied to the exercise of such privileges occurring after the date of the policy change only, unless otherwise provided by law.

(d) The commissioner is encouraged to continue providing and publishing guidance and advice to taxpayers to assist with compliance with this state's tax statutes. Except as specifically provided in this section, the issuance of guidance, advice, or audit findings by the commissioner does not constitute new or revised enforcement of the law.

(e) This section is intended only to prevent audit assessments against taxpayers that reasonably relied upon guidance, advice, or prior findings communicated to the taxpayer by the department. Such guidance, advice, or findings do not have the force and effect of law and do not independently establish a basis for a claim for refund under

§ 67-1-1802. Any claim for refund must be based on applicable statutes, rules, and regulations.

(f) As used in this section:

(1) "Audit finding" or "finding" means the specific conclusions contained in the final document written by the audit division or hearing office and presented to the taxpayer upon completion of an audit or an informal conference conducted to review an audit. "Audit finding" or "finding" also includes findings memorialized in the final document written by the audit division pursuant to the procedures established under subdivision (b)(3). "Audit finding" or "finding" does not include the issuance of a license, certificate, or application approval;

(2) "Published guidance" or "guidance" means tax manuals, important notices, statements presented in a question-and-answer format, or other substantive statements regarding the taxability of a privilege that are published on the department's website. The department shall designate such materials on its website that meet this definition. "Published guidance" or "guidance" does not include verbal comments from an auditor or letter rulings or revenue rulings, as described in § 67-1-109, that are redacted and placed on the department's website; and

(3) "Published" means displayed on the department's website.

SECTION 2. This act shall take effect October 1, 2020, the public welfare requiring it.

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Signature of Sponsor

AMEND Senate Bill No. 1125

House Bill No. 1127*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-120-111, is amended by designating the existing language as subsection (a) and adding the following new subsections:

(b) In one-family, two-family, and multi-family residential dwellings in existence before the effective date of this act, a smoke alarm, as defined in § 68-120-112(a), that contains a tamper-resistant battery unit designed to enable the smoke alarm to operate continuously for a period of not less than ten (10) years must be used to replace an existing battery-powered smoke alarm when:

(1) An existing battery-powered smoke alarm becomes more than ten (10) years of age from the date of manufacture;

(2) An existing battery-powered smoke alarm fails to respond to operability tests or otherwise malfunctions;

(3) There is a change of tenant in a residential unit and the residential unit has not been previously equipped in accordance with this subsection (b);

(4) A building permit is issued for an additional residential unit or an alteration to a residential unit, if the installation of a hardwired smoke alarm is not required due to the issuance of the building permit;

(5) A battery-powered smoke alarm is replaced for any reason; or

(6) A battery-powered smoke alarm lacks any indication of its date of manufacture.

(c) Subsection (b) does not apply to a fire alarm, smoke detector, smoke alarm, or ancillary component when:



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(1) The unit receives power from an electrical system of a building or is electronically connected as a part of a centrally monitored or supervised alarm system; or

(2) The unit uses:

(i) A low power radio frequency wireless communication signal;

(ii) WiFi or other wireless local area network capability to send and receive notifications to and from the Internet, such as early low battery warnings before the device reaches a critically low power level; or

(iii) Such other devices as the state fire marshal designates through its regulatory process.

(d) The tenant of a residential unit:

(1) Shall maintain the smoke alarm in the dwelling unit in good repair;

(2) Shall test the smoke alarm in the dwelling unit annually;

(3) Shall not remove or render the smoke alarm in the dwelling unit inoperable; and

(4) Shall notify the owner of the dwelling unit or its authorized agent in writing of any deficiencies relating to the smoke alarm.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

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Signature of Sponsor

AMEND Senate Bill No. 2494

House Bill No. 1906*

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by deleting SECTION 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-201, is amended by adding the following new subsection:

(h) Any licensee pursuant to this chapter shall maintain the license issued by the commission at the licensed premises and shall display it upon request.



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Signature of Sponsor

AMEND Senate Bill No. 2481

House Bill No. 2442*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding § 57-4-201(a)(3), an applicant for a catering license or the renewal of a catering license under this chapter may choose the expiration date of the license as long as the expiration date chosen is more than twelve (12) months but less than twenty-four (24) months from the date the license is issued or renewed and is the same date as an expiration date of another license issued under this chapter that is held by the applicant. The license fee for a license issued for more than twelve (12) months but less than twenty-four (24) months must be prorated according to the length of the license.

(b) A licensed caterer shall provide notice to the commission before an event at which the licensed caterer has contracted to provide and sell alcoholic beverages on a form developed by the commission. The notification must be transmitted electronically, and the commission shall confirm receipt of the notification.

(c) The department of revenue shall not use the event notification form submitted by a licensed caterer for purposes of an audit of the caterer.

(d) A wholesaler may deliver alcoholic beverages directly to the site where a licensed caterer is catering an event and charge a fee to the caterer for the delivery.



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(e) A new server hired by a licensed caterer may work for sixty-one (61) days after being hired without a server permit. A server who has worked for sixty-one (61) days must have a server permit.

(f)

(1) A licensed caterer may cater to a site that is a conveyance if the conveyance:

(A) Has enough interior space and is equipped for a bartender holding a valid server permit to serve drinks and food;

(B) Has space available to store alcoholic beverages in a manner that restricts access to alcoholic beverages by persons other than the bartender; and

(C) Maintains a fixed route.

(2) A caterer licensee catering to a conveyance may cater to the conveyance seven (7) days a week.

(3) For purposes of notification under subsection (b), a licensed caterer is only required to provide notification prior to the commencement of performance of a contract for catering services to a conveyance. The licensed caterer shall provide a new notification each time the contract is renewed. The notification must include a detailed description of the fixed route the conveyance will take during the events.

SECTION 2. Tennessee Code Annotated, Section 57-4-201, is amended by adding the following as new subsections:

() Notwithstanding subdivision (a)(3), an applicant for a license or the renewal of a license under this chapter who possesses more than one (1) licenses issued under this chapter may choose the expiration date of the license as long as the expiration date chosen is more than twelve (12) months but less than twenty-four (24) months from the date the license is issued or renewed and is the same date as the expiration date of

another license issued under this chapter that is held by the applicant. The license fee for a license issued for more than twelve (12) months but less than twenty-four (24) months must be prorated according to the length of the license.

() On or before June 1, 2021, the commission shall promulgate rules for a program of cooperative sting initiatives that are designed to increase compliance with the law, protect public safety, and train industry employees. In developing the program, the commission shall consult in good faith with representatives of the liquor-by-the-drink industry.

() Any documentation required by this chapter to be maintained by a licensee may be stored electronically, and the commission shall accept the electronic documentation for purposes of an inspection of the licensee or verification of compliance with this chapter.

SECTION 3. Tennessee Code Annotated, Section 57-4-102, is amended by adding the following as a new subdivision:

- () "Minor violation" means a failure to:
- (A) Maintain the establishment in proper sanitary conditions;
 - (B) Register all management personnel with the commission;
 - (C) Give adequate notice to the commission of catered events;
 - (D) Maintain copies of server permits on licensed premises; or
 - (E) Properly display any required permits or licenses;

SECTION 4. Tennessee Code Annotated, Section 57-4-201, is amended by adding the following as a new subsection:

() Notwithstanding § 57-1-201(b)(1)(B), multiple minor violations discovered during a single investigation of the same type by an entity licensed under this chapter must be treated as a single offense.

SECTION 5. Tennessee Code Annotated, Section 57-4-201(d), is amended by adding the following as a new subdivision (7) and renumbering the subsequent subdivision accordingly:

(7) The name of an individual or individuals to whom notification of violations must be given;

SECTION 6. Tennessee Code Annotated, Section 57-4-203, is amended by adding the following as new subsections:

(p) The commission shall provide a written notification of any violation to the individual identified in Section 5. The written notification must be sent by certified mail or some other form of communication that provides confirmation of receipt of the notification by the individual identified in Section 5.

(q) The commission shall allow a licensee a period of ten (10) business days to cure a minor violation prior to imposing a fine for the minor violation. The commission shall not impose a fine if the licensee cures the minor violation.

SECTION 7. Tennessee Code Annotated, Section 57-4-203(h), is amended by deleting the first sentence of the subsection and substituting instead the following:

An entity holding a license issued pursuant to § 57-4-101 shall not employ any person in the serving of beer, wine, or other alcoholic beverages, or to verify the age of persons who enter the establishment, who does not possess a server permit from the commission.

SECTION 8. Tennessee Code Annotated, Section 57-3-704, is amended by adding the following as a new subsection (b) and redesignating the existing subsections accordingly:

(b) An applicant for a server permit who is POST-certified is exempt from the training requirements of subdivision (a)(1).

SECTION 9. Tennessee Code Annotated, Section 57-3-703, is amended by deleting the language "§ 57-3-704(b)" wherever it appears and substituting instead the language "§ 57-3-704(c)".

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.