

**THE ATTACHED
AMENDMENT(S)
ARE TO BILLS
THAT WILL
BE HEARD
IN COMMITTEE
THE WEEK OF**

February 20, 2023

Amendment No. _____

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

Signature of Sponsor

AMEND Senate Bill No. 270*

House Bill No. 318

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 36-1-109(a)(1)(B)(i), is amended by deleting the language "ninety (90) days prior to or forty-five (45) days" and substituting "the duration of the pregnancy and ninety (90) days".

SECTION 2. Tennessee Code Annotated, Section 36-1-109(a)(1)(B)(ii), is amended by deleting the language "one (1) year" and substituting "two (2) years".

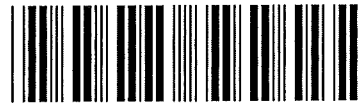
SECTION 3. Tennessee Code Annotated, Section 36-1-111(b)(1), is amended by deleting the language "in chambers" and inserting "A surrender made under this section may be made in chambers or over a virtual video platform on which the court sees the person or persons surrendering the child." at the end of the subdivision.

SECTION 4. Tennessee Code Annotated, Section 36-1-111(d)(2), is amended by deleting the subdivision and substituting:

A surrender or parental consent may be executed at any time prior to birth, but a surrender or parental consent made prior to the birth of a child shall not be filed with the clerk of court until after the birth of the child and until the surrendering party or parties have filed a written reaffirmation of their desire to surrender the child, unless the surrender was executed in accordance with subsection (g). At the time of taking a parental consent prior to the birth of the child, the judge shall explain to the consenting parent the legal effect of signing the document, the time limit for withdrawal of the consent, and the procedures for withdrawal of the consent. Any surrender or parental consent made prior to the birth of a child must be reaffirmed within three (3) calendar



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days of the birth of the child, except a surrender executed in accordance with subsection (g).

SECTION 5. Tennessee Code Annotated, Section 36-1-111(d)(3), is amended by deleting the language "that is made within three (3) calendar days subsequent to the date of the child's birth, such period to begin on the day following the child's birth" and substituting "unless made after the earlier of discharge from a hospital or other birthing facility or forty-eight (48) hours following the child's birth".

SECTION 6. Tennessee Code Annotated, Section 36-1-119(a), is amended by deleting the subsection and substituting:

Unless the child is related to the petitioners, a final order of adoption shall not be entered before the home study has been filed with the court and before the petition has been on file at least six (6) months and before a final court report is filed with the court, except when the order is based upon a petition for re-adoption pursuant to § 36-1-106; however, the court, considering the petition as a whole, may deem it in the best interest of the child to reduce the waiting period to three (3) months.

SECTION 7. Tennessee Code Annotated, Section 36-1-119(c), is amended by deleting the language "six (6) months" and substituting "three (3) months".

SECTION 8. Tennessee Code Annotated, Section 36-1-127(e), is amended by adding the following as a new subdivision:

() Notwithstanding § 36-1-149 or another law to the contrary, no identifying information from the sealed records, sealed adoption records, or post-adoption records may be released if the biological parent of the adopted person has executed a request for redaction of identifying information, and the adopted person was less than six (6) months old at the time the request was executed. Such request for redaction must be made on a form created by the department, and may only be rescinded by submission of a sworn, notarized statement requesting such rescission. The rescission is effective upon the department's acknowledgment of receipt of the rescission.

SECTION 9. Tennessee Code Annotated, Section 37-2-401, is amended by adding the following as a new subsection:

() The department of children's services shall strive to identify and finalize a safe, stable, and permanent home for children in the custody of the department.

SECTION 10. Tennessee Code Annotated, Section 37-2-405, is amended by adding the following as a new subdivision:

() A list of services available from other state programs or agencies.

SECTION 11. Tennessee Code Annotated, Section 37-2-415(a)(22), is amended by deleting the subdivision and substituting:

The department shall permit the foster parent or parents a period of respite for up to six (6) months, free from placement of foster children in the family's home with follow-up contacts by the agency occurring at a minimum of every three (3) months, without threat of reprisal. The foster parent or parents shall provide reasonable notice, as determined by the department, to the department for respite.

SECTION 12. This act takes effect on July 1, 2023, the public welfare requiring it.

Amendment No. _____

Lowell Russell

Signature of Sponsor

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

AMEND Senate Bill No. 617*

House Bill No. 1120

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

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) The department shall make chaplain services available on a regular basis to juveniles who are housed in a youth development center.

(b) The department shall not require a juvenile to attend or make use of the chaplain services.

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 5, Part 1, is amended by adding the following as a new section:

The department shall provide training to all persons employed by the department as youth service officers on best practices for behavior management and conflict resolution in the context of supervision of juvenile justice youth. The training must be conducted annually.

SECTION 3. Tennessee Code Annotated, Title 37, Chapter 5, Part 2, is amended by adding the following as a new section:

(a) Children sixteen (16) years of age or older who have been committed to the department for a determinate period of time and are housed in a hardware secure residential facility or youth development center, shall be housed separately from children less than sixteen (16) years of age.

(b) Notwithstanding subsection (a), the department may house children less than sixteen (16) years of age with determinately committed children sixteen (16) years of



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age or older in applicable facilities if the department deems it necessary for the safety and well-being of the children less than sixteen (16) years of age, or to otherwise comply with the requirements of § 37-5-214.

SECTION 4. This act takes effect January 1, 2024, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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

AMEND House Joint Resolution No. 38*

by deleting the following language from the first resolving clause:

That the citizens of this State have a right to keep and to bear arms for their
defense.

and substituting instead the following:

That the citizens of this State have a right to keep, bear, and wear arms.



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Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 822*

House Bill No. 1189

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 29, is amended by adding the following as a new chapter:

29-42-101.

As used in this chapter:

(1) "Ammunition" means an ammunition or cartridge case, primer, bullet, or propellant powder designed for use in a firearm;

(2) "Dealer" means a person who is licensed to engage in business as a dealer in this state in accordance with 18 U.S.C. § 923;

(3) "Defective condition" means a condition:

(A) Of a product that renders it unsafe or unreliable for normal or foreseeable handling; and

(B) That is the result of the dealer, manufacturer, or seller's negligent deviation from the qualified product design or quality;

(4) "Engaged in the business" has the same meaning as defined under 18 U.S.C. § 921(a)(21), and, as applied to a seller of ammunition, means a person who devotes time, attention, and labor to the sale of ammunition as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of ammunition;

(5) "Firearm" has the same meaning as defined under § 39-11-106;

(6) "Manufacturer" means a person who is:



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(A) Engaged in the business of manufacturing a qualified product in intrastate commerce;

(B) Licensed to engage in business as a manufacturer in accordance with 18 U.S.C. § 923; and

(C)

(i) Incorporated in this state; or

(ii) Headquartered in this state;

(7) "Negligent entrustment" means the supplying of a qualified product by a seller for use by another person when the seller knows, or reasonably should know, the person to whom the product is supplied is likely to, and does, use the product in a manner involving unreasonable risk of physical injury to the person or others;

(8) "Person" means an individual, corporation, company, association, firm, partnership, society, joint stock company, governmental entity, or other entity;

(9) "Qualified civil liability action" means a civil action or proceeding or an administrative proceeding brought by a person against a manufacturer or seller of a qualified product for damages, punitive damages, injunctive or declaratory relief, abatement, restitution, fines, penalties, or other relief, resulting from the criminal or unlawful misuse of a qualified product by a person;

(10) "Qualified product" means:

(A) A firearm;

(B) Ammunition; or

(C) A component part of a firearm or ammunition; and

(11) "Seller" means a person engaged in the business of selling a qualified product at wholesale or retail in this state.

A person shall not bring a qualified civil liability action in a court in this state against a dealer, manufacturer, or seller of a qualified product, except under the following circumstances:

(1) The dealer, manufacturer, or seller was involved directly in the crime giving rise to the action;

(2) An action brought against a transferor convicted under 18 U.S.C. § 924(h), by a party directly harmed by the conduct of which the transferor is so convicted;

(3) An action brought against a seller for negligent entrustment or negligence per se;

(4) An action in which a manufacturer or licensed seller or transferor of a qualified product knowingly violated a state or federal statute applicable to the sale or marketing of the product, and the violation was the sole proximate cause of the harm for which relief is sought, including a case in which the manufacturer or licensed seller or transferor knowingly made a false entry in, or intentionally failed to make appropriate entry in, any record required to be kept under federal or state law with respect to the qualified product, or aided, abetted, or conspired with a person in making a false or fictitious oral or written statement with respect to a fact material to the lawfulness of the sale or other disposition of a qualified product;

(5) An action for breach of contract or warranty in connection with the purchase of the product; or

(6) An action for death, physical injuries, or property damage resulting directly from a defect in design or manufacture of the product, when used as intended or in a reasonably foreseeable manner, except that where the discharge of the product was caused by a volitional act that constituted a criminal offense,

then such act is considered the sole proximate cause of any resulting death, personal injuries, or property damage.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Ruth R. Hilde
Signature of Sponsor

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

AMEND Senate Bill No. 1503

House Bill No. 1005*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (a).

SECTION 2. Tennessee Code Annotated, Section 39-17-1307(b)(1), is amended by deleting "unlawfully".

SECTION 3. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (e).

SECTION 4. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (g).

SECTION 5. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting "lawfully carries a handgun pursuant to § 39-17-1307(g)" and substituting "is not prohibited from possessing or carrying a firearm".

SECTION 7. Tennessee Code Annotated, Section 39-17-1364, is amended by deleting "§ 39-17-1307, or".

SECTION 8. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "handguns" wherever it appears and substituting instead the language "firearms".



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SECTION 9. Tennessee Code Annotated, Section 39-17-1351(r)(1), is amended by deleting the subdivision and substituting instead:

(1) A facially valid handgun permit, firearms permit, weapons permit, or license issued by another state shall be valid in this state according to its terms and shall be treated as if it is a firearm carry permit issued by this state.

SECTION 10. Tennessee Code Annotated, Section 39-17-1365, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 11. Tennessee Code Annotated, Section 39-17-1366, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "handguns" wherever it appears and substituting instead the language "firearms".

SECTION 12. Tennessee Code Annotated, Section 10-7-504(a)(2)(A), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit" and by deleting the language "handgun carry permits" and substituting instead the language "firearm carry permits".

SECTION 13. Tennessee Code Annotated, Section 10-7-504(o), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit" and by deleting the language "handgun permit holder" and substituting instead the language "firearm carry permit holder".

SECTION 14. Tennessee Code Annotated, Section 33-6-413(b), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 15. Tennessee Code Annotated, Section 36-3-626, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "as defined in § 39-17-1319" and substituting "as defined in § 39-11-106".

SECTION 16. Tennessee Code Annotated, Section 38-3-122(c), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 17. Tennessee Code Annotated, Section 38-6-105, is amended by deleting the language "handgun permit" and substituting instead the language "firearm carry permit".

SECTION 18. Tennessee Code Annotated, Section 38-8-116, is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 19. Tennessee Code Annotated, Section 39-16-702(b), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 20. Tennessee Code Annotated, Section 39-17-1309(e)(8)(B), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 21. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 22. Tennessee Code Annotated, Section 39-17-1321(c)(2), is amended by deleting the language "handgun permit" and substituting instead the language "firearm carry permit".

SECTION 23. Tennessee Code Annotated, Section 39-17-1350(g), is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 24. Tennessee Code Annotated, Section 39-17-1352, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 25. Tennessee Code Annotated, Section 39-17-1359(g)(1), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 26. Tennessee Code Annotated, Section 40-32-101, is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 27. Tennessee Code Annotated, Section 40-32-105(i)(5), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 28. Tennessee Code Annotated, Section 49-6-816, is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 29. Tennessee Code Annotated, Section 49-7-161(b)(2), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 30. Tennessee Code Annotated, Section 49-50-803(b)(2), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 31. Tennessee Code Annotated, Section 50-3-201(d), is amended by deleting the language "handgun permits to carry a handgun" and substituting instead the language "firearm carry permits to carry a firearm".

SECTION 32. Tennessee Code Annotated, Section 50-1-312(a)(1), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 33. Tennessee Code Annotated, Section 70-2-104(g)(3)(B), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 34. Tennessee Code Annotated, Section 70-4-117(d), is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 35. Tennessee Code Annotated, Section 70-5-101(c), is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 36. Tennessee Code Annotated, Section 8-21-401(f)(1), is amended by deleting the language "handgun permits" and substituting instead the language "firearm carry permits".

SECTION 37. Tennessee Code Annotated, Section 39-17-1351(b), is amended by deleting the subsection and substituting instead:

(b) Except as provided in subsection (r), a resident of Tennessee who is a United States citizen or lawful permanent resident, as defined by § 55-50-102, may apply to the department of safety for an enhanced firearm carry permit. If the applicant is at least eighteen (18) years of age and is not prohibited from possessing a firearm in this state pursuant to § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, and the applicant otherwise meets all of the requirements of this section, then the department shall issue a permit to the applicant.

SECTION 38. Tennessee Code Annotated, Section 39-17-1351(x)(1), is amended by deleting the language "twenty-one (21) years of age" and substituting instead the language "eighteen (18) years of age".

SECTION 39. Tennessee Code Annotated, Section 39-17-1325, is amended by adding the following as a new subsection:

(c) A person or entity who is authorized to prohibit the possession of firearms on the person's or entity's property pursuant to § 39-17-1359 and who elects, pursuant to that authority, to prohibit the possession of firearms by a person lawfully carrying a firearm is not immune from civil liability with respect to a claim based on the person's or

entity's adoption of a policy that prohibits weapons on the property by posting pursuant to § 39-17-1359.

SECTION 40. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following as a new subsection:

()

(1) It is an offense for a minor to carry, with the intent to go armed, a firearm.

(2)

(A) A violation of subdivision () (1) is a delinquent act and, in addition to any other disposition authorized by law, the juvenile may be required to perform not more than one hundred (100) hours of community service work to be specified by the judge, and the juvenile's driving privileges shall be suspended for a period of one (1) year in accordance with the procedure set out in title 55, chapter 10, part 7.

(B) A second or subsequent violation of subdivision () (1) is a delinquent act and, in addition to any other disposition authorized by law, the juvenile may be required to perform not less than one hundred (100) nor more than two hundred (200) hours of community service work to be specified by the judge, and the juvenile's driving privileges shall be suspended for a period of two (2) years in accordance with the procedure set out in title 55, chapter 10, part 7.

(3) A firearm carried with the intent to go armed in violation of this subsection () must be confiscated and disposed of in accordance with § 39-17-1317.

(4) It is an exception to the application of subdivision () (1) if the juvenile is:

(A) In attendance at a hunter safety course or a firearm safety course;

(B) Engaging in practice in the use of a firearm or target shooting at an established range or club authorized by the governing body of the jurisdiction in which the range or club is located or any other area where the discharge of a firearm is not prohibited;

(C) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group which is exempt from federal income taxation under § 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)), as amended, and which uses firearms as part of the performance;

(D) Hunting or trapping pursuant to a valid license issued to the juvenile pursuant to title 70;

(E) Engaging in the lawful protection of livestock from predatory animals;

(F) Accompanied by the juvenile's parent or guardian and is being instructed by the adult or guardian in the use of the firearm carried by the juvenile;

(G) On real property which is under the control of an adult and has the permission of that adult and the juvenile's parent or legal guardian to carry, with the intent to go armed, a firearm;

(H) Traveling to or from an activity described in this subdivision () (4) with an unloaded firearm; or

(I) At the juvenile's residence and, with permission of the juvenile's parent or legal guardian, is justified in using physical force or deadly force.

(5) As used in this subsection ():

(A) "Juvenile" means a person less than eighteen (18) years of age; and

(B) "Unloaded" means:

(i) The firearm does not have ammunition in the chamber, cylinder, clip, or magazine; and

(ii) The firearm, and the ammunition for the firearm, are not carried on the person of a juvenile or are not in such close proximity to the juvenile that the juvenile could readily gain access to the firearm and the ammunition and load the firearm.

SECTION 41. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 42. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1498

House Bill No. 1158*

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

SECTION 1. Tennessee Code Annotated, Section 39-17-1307(g)(1), is amended by deleting the subdivision and substituting instead the following:

(1) The person is at least eighteen (18) years of age;

SECTION 2. Tennessee Code Annotated, Section 39-17-1351(b), is amended by deleting the subsection and substituting instead:

(b) Except as provided in subsection (r), any resident of Tennessee who is a United States citizen or lawful permanent resident, as defined by § 55-50-102, may apply to the department of safety for an enhanced handgun carry permit. If the applicant is at least eighteen (18) years of age and is not prohibited from possessing a firearm in this state pursuant to § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, and the applicant otherwise meets all of the requirements of this section, then the department shall issue a permit to the applicant.

SECTION 3. Tennessee Code Annotated, Section 39-17-1351(x)(1), is amended by deleting the language "twenty-one (21) years of age" and substituting instead the language "eighteen (18) years of age".

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.



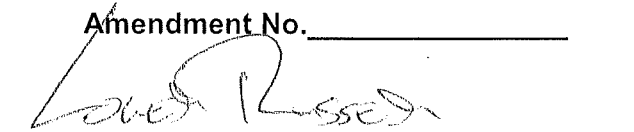
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Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Amendment No. _____



Signature of Sponsor

AMEND Senate Bill No. 1498

House Bill No. 1158*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (a).

SECTION 2. Tennessee Code Annotated, Section 39-17-1307(b)(1), is amended by deleting "unlawfully".

SECTION 3. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (e).

SECTION 4. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (g).

SECTION 5. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting "lawfully carries a handgun pursuant to § 39-17-1307(g)" and substituting "is not prohibited from possessing a firearm".

SECTION 7. Tennessee Code Annotated, Section 39-17-1364, is amended by deleting "§ 39-17-1307, or".

SECTION 8. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "handguns" wherever it appears and substituting instead the language "firearms".



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SECTION 9. Tennessee Code Annotated, Section 39-17-1351(r)(1), is amended by deleting the subdivision and substituting instead:

(1) A facially valid handgun permit, firearms permit, weapons permit, or license issued by another state shall be valid in this state according to its terms and shall be treated as if it is a firearm carry permit issued by this state.

SECTION 10. Tennessee Code Annotated, Section 39-17-1365, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 11. Tennessee Code Annotated, Section 39-17-1366, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "handguns" wherever it appears and substituting instead the language "firearms".

SECTION 12. Tennessee Code Annotated, Section 39-16-702(b), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 13. Tennessee Code Annotated, Section 39-17-1309(e)(8)(B), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 14. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 15. Tennessee Code Annotated, Section 39-17-1321(c)(2), is amended by deleting the language "handgun permit" and substituting instead the language "firearm carry permit".

SECTION 16. Tennessee Code Annotated, Section 39-17-1350(g), is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 17. Tennessee Code Annotated, Section 39-17-1352(e), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 18. Tennessee Code Annotated, Section 39-17-1359(g)(1), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 19. Tennessee Code Annotated, Section 39-17-1351(b), is amended by deleting the subsection and substituting instead:

(b) Except as provided in subsection (r), a resident of Tennessee who is a United States citizen or lawful permanent resident, as defined by § 55-50-102, may apply to the department of safety for an enhanced firearm carry permit. If the applicant is at least eighteen (18) years of age and is not prohibited from possessing a firearm in this state pursuant to § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, and the applicant otherwise meets all of the requirements of this section, then the department shall issue a permit to the applicant.

SECTION 20. Tennessee Code Annotated, Section 39-17-1351(x)(1), is amended by deleting the language "twenty-one (21) years of age" and substituting instead the language "eighteen (18) years of age".

SECTION 21. Tennessee Code Annotated, Section 39-17-1325, is amended by adding the following as a new subsection:

(c) A person or entity who is authorized to prohibit the possession of firearms on the person's or entity's property pursuant to § 39-17-1359 and who elects, pursuant to that authority, to prohibit the possession of firearms by a person lawfully carrying a firearm is not immune from civil liability with respect to a claim based on the person's or entity's adoption of a policy that prohibits weapons on the property by posting pursuant to § 39-17-1359.

SECTION 22. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____
Signature of Sponsor _____

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

AMEND Senate Bill No. 1498

House Bill No. 1158*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (a).

SECTION 2. Tennessee Code Annotated, Section 39-17-1307(b)(1), is amended by deleting "unlawfully".

SECTION 3. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (e).

SECTION 4. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subsection (g).

SECTION 5. Tennessee Code Annotated, Section 39-17-1308, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting "lawfully carries a handgun pursuant to § 39-17-1307(g)" and substituting "is not prohibited from possessing or carrying a firearm".

SECTION 7. Tennessee Code Annotated, Section 39-17-1364, is amended by deleting "§ 39-17-1307, or".

SECTION 8. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "handguns" wherever it appears and substituting instead the language "firearms".



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SECTION 9. Tennessee Code Annotated, Section 39-17-1351(r)(1), is amended by deleting the subdivision and substituting instead:

(1) A facially valid handgun permit, firearms permit, weapons permit, or license issued by another state shall be valid in this state according to its terms and shall be treated as if it is a firearm carry permit issued by this state.

SECTION 10. Tennessee Code Annotated, Section 39-17-1365, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 11. Tennessee Code Annotated, Section 39-17-1366, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm" and by deleting the language "handguns" wherever it appears and substituting instead the language "firearms".

SECTION 12. Tennessee Code Annotated, Section 39-16-702(b), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 13. Tennessee Code Annotated, Section 39-17-1309(e)(8)(B), is amended by deleting the language "handgun carry permit" and substituting instead the language "firearm carry permit".

SECTION 14. Tennessee Code Annotated, Section 39-17-1313(a), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 15. Tennessee Code Annotated, Section 39-17-1321(c)(2), is amended by deleting the language "handgun permit" and substituting instead the language "firearm carry permit".

SECTION 16. Tennessee Code Annotated, Section 39-17-1350(g), is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 17. Tennessee Code Annotated, Section 39-17-1352, is amended by deleting the language "handgun" wherever it appears and substituting instead the language "firearm".

SECTION 18. Tennessee Code Annotated, Section 39-17-1359(g)(1), is amended by deleting the language "handgun carry permit" wherever it appears and substituting instead the language "firearm carry permit".

SECTION 19. Tennessee Code Annotated, Section 39-17-1351(b), is amended by deleting the subsection and substituting instead:

(b) Except as provided in subsection (r), a resident of Tennessee who is a United States citizen or lawful permanent resident, as defined by § 55-50-102, may apply to the department of safety for an enhanced firearm carry permit. If the applicant is at least eighteen (18) years of age and is not prohibited from possessing a firearm in this state pursuant to § 39-17-1307(b), 18 U.S.C. § 922(g), or any other state or federal law, and the applicant otherwise meets all of the requirements of this section, then the department shall issue a permit to the applicant.

SECTION 20. Tennessee Code Annotated, Section 39-17-1351(x)(1), is amended by deleting the language "twenty-one (21) years of age" and substituting instead the language "eighteen (18) years of age".

SECTION 21. Tennessee Code Annotated, Section 39-17-1325, is amended by adding the following as a new subsection:

(c) A person or entity who is authorized to prohibit the possession of firearms on the person's or entity's property pursuant to § 39-17-1359 and who elects, pursuant to that authority, to prohibit the possession of firearms by a person lawfully carrying a firearm is not immune from civil liability with respect to a claim based on the person's or entity's adoption of a policy that prohibits weapons on the property by posting pursuant to § 39-17-1359.

SECTION 22. Tennessee Code Annotated, Section 39-17-1307, is amended by adding the following as a new subsection:

()

(1) It is an offense for a juvenile to carry, with the intent to go armed, a firearm.

(2)

(A) A violation of subdivision () (1) is a delinquent act and, in addition to any other disposition authorized by law, the juvenile may be required to perform not more than one hundred (100) hours of community service work to be specified by the judge, and the juvenile's driving privileges shall be suspended for a period of one (1) year in accordance with the procedure set out in title 55, chapter 10, part 7.

(B) A second or subsequent violation of subdivision () (1) is a delinquent act and, in addition to any other disposition authorized by law, the juvenile may be required to perform not less than one hundred (100) nor more than two hundred (200) hours of community service work to be specified by the judge, and the juvenile's driving privileges shall be suspended for a period of two (2) years in accordance with the procedure set out in title 55, chapter 10, part 7.

(3) A firearm carried with the intent to go armed in violation of this subsection () must be confiscated and disposed of in accordance with § 39-17-1317.

(4) It is an exception to the application of subdivision () (1) if the juvenile is:

(A) In attendance at a hunter safety course or a firearm safety course;

(B) Engaging in practice in the use of a firearm or target shooting at an established range or club authorized by the governing body of the

jurisdiction in which the range or club is located or any other area where the discharge of a firearm is not prohibited;

(C) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group which is exempt from federal income taxation under § 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)), as amended, and which uses firearms as part of the performance;

(D) Hunting or trapping pursuant to a valid license issued to the juvenile pursuant to title 70;

(E) Engaging in the lawful protection of livestock from predatory animals;

(F) Accompanied by the juvenile's parent or guardian and is being instructed by the adult or guardian in the use of the firearm carried by the juvenile;

(G) On real property which is under the control of an adult and has the permission of that adult and the juvenile's parent or legal guardian to carry, with the intent to go armed, a firearm;

(H) Traveling to or from an activity described in this subdivision () (4) with an unloaded firearm; or

(I) Transporting or storing an unloaded firearm in a motor vehicle while on or utilizing a public or private parking area if:

(i) The juvenile is licensed to drive a motor vehicle pursuant to title 55, chapter 50, part 3;

(ii) The juvenile's motor vehicle is parked in a location where the motor vehicle is permitted to be; and

(iii) The firearm being transported or stored in the motor vehicle:

(a) Is kept from ordinary observation if the juvenile is in the motor vehicle; or

(b) Is kept from ordinary observation and locked within the trunk, glove box, or interior of the juvenile's motor vehicle or a container securely affixed to the motor vehicle if the juvenile is not in the motor vehicle.

(5) As used in this subsection ():

(A) "Juvenile" means a person less than eighteen (18) years of age; and

(B) "Unloaded" means:

(i) The firearm does not have ammunition in the chamber, cylinder, clip, or magazine; and

(ii) The firearm, and the ammunition for the firearm, are not carried on the person of a juvenile or are not in such close proximity to the juvenile that the juvenile could readily gain access to the firearm and the ammunition and load the firearm.

SECTION 23. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 24. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Reed Brueker
Signature of Sponsor

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

AMEND Senate Bill No. 1121

House Bill No. 578*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subsection (p) in its entirety.

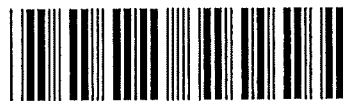
SECTION 2. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (q)(1) and substituting:

(1) Prior to the expiration of a permit, a permit holder may apply to the department for the renewal of the permit by submitting, under oath, a renewal application. The renewal application must be on a standard form developed by the department of safety and must require the applicant to disclose, under oath, the information concerning the applicant as set forth in subsection (c), and shall require the applicant to certify that the applicant still satisfies all the eligibility requirements of this section for the issuance of a permit. In the event the permit expires prior to the department's approval or issuance of notice of denial regarding the renewal application, the permit holder shall be entitled to continue to use the expired permit; provided, however, that the permit holder shall also be required to prove that the renewal application was delivered to the department prior to the expiration date of the permit. The department is authorized to contract with a local government agency for the provision of any service related to the renewal of enhanced handgun carry permits, subject to applicable contracting statutes and regulations.

SECTION 3. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (x)(2) in its entirety.



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SECTION 4. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (x)(5) in its entirety.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it. This act is repealed July 1, 2026, the public welfare requiring it.

Amendment No. _____

Rush Bucken
Signature of Sponsor

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

AMEND Senate Bill No. 1121

House Bill No. 578*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subsection (p) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (q)(1) and substituting:

(1) Prior to the expiration of a permit, a permit holder may apply to the department for the renewal of the permit by submitting, under oath, a renewal application. The renewal application must be on a standard form developed by the department of safety and must require the applicant to disclose, under oath, the information concerning the applicant as set forth in subsection (c), and shall require the applicant to certify that the applicant still satisfies all the eligibility requirements of this section for the issuance of a permit. In the event the permit expires prior to the department's approval or issuance of notice of denial regarding the renewal application, the permit holder shall be entitled to continue to use the expired permit; provided, however, that the permit holder shall also be required to prove that the renewal application was delivered to the department prior to the expiration date of the permit. The department is authorized to contract with a local government agency for the provision of any service related to the renewal of enhanced handgun carry permits, subject to applicable contracting statutes and regulations.

SECTION 3. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (x)(2) in its entirety.



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SECTION 4. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subdivision (x)(5) in its entirety.

SECTION 5. This act takes effect January 1, 2024, the public welfare requiring it. This act is repealed January 1, 2027, the public welfare requiring it.

Amendment No. _____

Rush Bricker

Signature of Sponsor

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

AMEND Senate Bill No. 1121

House Bill No. 578*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351, is amended by deleting subsection (p) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 39-17-1351(x)(2), is amended by deleting the first sentence and substituting:

The department shall charge an application and processing fee for a lifetime enhanced handgun carry permit of two hundred dollars (\$200). A permit holder who is applying for the renewal of an enhanced handgun carry permit under subsection (q) may instead obtain a lifetime enhanced handgun carry permit by submitting to the department a fee of two hundred dollars (\$200).

SECTION 3. This act takes effect January 1, 2024, the public welfare requiring it. This act is repealed January 1, 2027, the public welfare requiring it.



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House Criminal Justice Subcommittee Am. # 1

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 256

House Bill No. 75*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 63-1-156(b), is amended by deleting the language "This immunity from being arrested, charged, or prosecuted shall apply to the person experiencing a drug overdose only on the person's first such drug overdose." and substituting instead "This immunity from being arrested, charged, or prosecuted shall apply to the person experiencing a drug overdose on the person's first such drug overdose. This immunity from being arrested, charged, or prosecuted may be applied if the person experiences subsequent drug overdoses at the discretion of the responding law enforcement officer or the district attorney general's office."

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 1215

House Bill No. 281*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 16-18-302(a), is amended by adding the following as a new subdivision:

(3)

(A) A municipal court has jurisdiction over the expunction of a conviction for a violation of a municipal ordinance from a person's public record in the municipal court upon the person's petition requesting removal of a public record of a violation of a municipal ordinance.

(B) The court may grant the petition if:

(i) The petition satisfactorily demonstrates to the court that the petitioner merits such relief;

(ii) At the time of the filing of the petition, at least thirty (30) days have elapsed since the completion of the penalty imposed for the ordinance violation; and

(iii) The person has fulfilled all requirements of the judgment imposed by the court for the conviction, including payment of all fines, court costs, and other assessments.

(C) As used in this subdivision (a)(3), "public record" has the same meaning as in § 40-32-101(b).



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(D) The municipal court clerk may charge a fee for the expunction of public records pursuant to this subdivision (a)(3). The fee for expunction of a public record in municipal court must be set by municipal law or ordinance.

(E) A municipal court's jurisdiction under this subdivision (a)(3):

(i) Is limited to the records in that municipal court; and

(ii) Does not include records of the department of safety relating to driver records or the driver improvement program established in § 55-50-505.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 1215

House Bill No. 281*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 16-18-302(a), is amended by adding the following as a new subdivision:

(3)

(A) A municipal court has jurisdiction over the expunction of a conviction for a violation of a municipal ordinance from a person's public record in the municipal court upon the person's petition requesting removal of a public record of a violation of a municipal ordinance.

(B) The court may grant the petition if:

(i) The petition satisfactorily demonstrates to the court that the petitioner merits such relief;

(ii) At the time of the filing of the petition, at least one hundred eighty (180) days have elapsed since the completion of the penalty imposed for the ordinance violation; and

(iii) The person has fulfilled all requirements of the judgment imposed by the court for the conviction, including payment of all fines, court costs, and other assessments.

(C) As used in this subdivision (a)(3), "public record" has the same meaning as in § 40-32-101(b).



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(D) The municipal court clerk may charge a fee for the expunction of public records pursuant to this subdivision (a)(3). The fee for expunction of a public record in municipal court must be set by municipal law or ordinance.

(E) A municipal court's jurisdiction under this subdivision (a)(3):

(i) Is limited to the records in that municipal court; and

(ii) Does not include records of the department of safety relating to driver records or the driver improvement program established in § 55-50-505.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1236

House Bill No. 1031*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 41-21-236, is amended by deleting subdivision (a)(2)(A) and substituting:

(A)

(i) Each inmate who exhibits good institutional behavior or who exhibits satisfactory performance within a program may be awarded time credits toward the sentence imposed.

(ii) The credits awarded may vary between one (1) day and sixteen (16) days for each month served, with not more than eight (8) days for each month served for good institutional behavior and not more than eight (8) days for each month served for satisfactory program performance.

(iii) Credits for good institutional behavior or for satisfactory program performance may be awarded by the warden based on criteria established by the department; however, the credits are subject to review and removal by the inmate disciplinary oversight board.

SECTION 2. Tennessee Code Annotated, Section 41-21-236(a)(3), is amended by designating the existing language as subdivision (a)(3)(A) and adding the following new subdivision (a)(3)(B):

(B) Sentence credits awarded pursuant to subdivision (a)(3)(A) are subject to review and removal by the inmate disciplinary oversight board.



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SECTION 3. Tennessee Code Annotated, Section 41-21-236(a)(5), is amended by redesignating the current language as subdivision (a)(5)(A) and adding the following new subdivision (a)(5)(B):

(B) Sentence credits removed pursuant to subdivision (a)(5)(A) are subject to review by the inmate disciplinary oversight board.

SECTION 4. Tennessee Code Annotated, Section 41-21-236(a)(6), is amended by redesignating the current language as subdivision (a)(6)(A) and adding the following new subdivision (a)(6)(B):

(B) Sentence credits removed pursuant to subdivision (a)(6)(A) are subject to review by the inmate disciplinary oversight board.

SECTION 5. Tennessee Code Annotated, Section 41-21-236(e), is amended by adding the following new subdivision (4):

(4) Sentence credits awarded pursuant to this subsection (e) are subject to review by the inmate disciplinary oversight board.

SECTION 6. Tennessee Code Annotated, Section 41-21-236(j), is amended by deleting the last sentence and substituting:

This section is applicable notwithstanding the powers granted pursuant to this title to reduce prison overcrowding.

SECTION 7. Tennessee Code Annotated, Title 41, Chapter 21, is amended by adding the following as a new part:

41-21-1001.

As used in this part:

- (1) "Board" means the inmate disciplinary oversight board;
- (2) "Commissioner" means the commissioner of correction;
- (3) "Department" means the department of correction;
- (4) "Executive director" means the officer employed by the board as the chief administrative officer of the agency; and

(5) "Sentence credits" means any credit, whether called that or not, that results in a reduction of the amount of time an inmate must serve on the original sentence or sentences.

41-21-1002.

(a) There is created a full-time, autonomous inmate disciplinary oversight board. The purpose of the board is to review the grant, denial, and removal of inmate sentence credits by a warden for good institutional behavior and to determine whether sentence credits previously awarded should be removed for commission of a major infraction designated by the department as a Class A disciplinary offense or for an inmate's refusal to participate in an assignment.

(b)

(1) The board is composed of nine (9) members who shall be appointed by the governor, the speaker of the senate, and the speaker of the house of representatives as follows:

(A) Three (3) members of the board shall be appointed by the governor;

(B) Three (3) members of the board shall be appointed by the speaker of the senate; and

(C) Three (3) members of the board shall be appointed by the speaker of the house of representatives.

(2) The appointing authorities in subdivision (b)(1) shall appoint one (1) member from each grand division of the state.

(c) The board is autonomous in structure and has the authority to perform all administrative functions necessary to carry out its duties, including the submission of budget requests to the commissioner of finance and administration and the submission of personnel actions to the commissioner of human resources.

(d) In all respects, the board is separate functionally and administratively from any other agency. In performing the administrative and financial functions necessary to its operations, the board and its employees are subject to the budgetary, accounting, personnel, purchasing, and audit requirements, as well as other administrative requirements, applicable to all state departments and agencies pursuant to title 4, chapters 3 and 4.

(e) In making the initial appointments made under this section, the speaker of the senate shall appoint one (1) member to a term expiring on January 1, 2028; one (1) member to a term expiring on January 1, 2027; and one (1) member to a term expiring on January 1, 2026. The speaker of the house of representatives shall appoint one (1) member to a term expiring on January 1, 2028; one (1) member to a term expiring on January 1, 2027; and one (1) member to a term expiring on January 1, 2026. The governor shall appoint one (1) member to a term expiring on January 1, 2028; one (1) member to a term expiring on January 1, 2027; and one (1) member to a term expiring on January 1, 2026. Thereafter, all members shall serve six-year terms and are eligible for reappointment.

(f) In considering persons for appointment, the appointing authority shall give preference to candidates with training, education, or experience in the criminal justice system, law, corrections, behavioral science, or mental health. A member of the board shall not hold any other salaried public office, whether elective or appointive, and a member of the board shall not engage for pay in any other business or profession.

(g)

(1) Vacancies occurring in an office of a member of the board before the expiration of a term by reason of death, resignation, removal, or any other reason must be filled in the same manner as the regular appointment for the remainder of the unexpired term.

(2) An appointed member of the board serves in such capacity until the expiration of the term to which the member was appointed and until the member's successor is duly appointed and qualified.

(h) The governor, the speaker of the senate, the speaker of the house of representatives, or the attorney general and reporter may seek the removal of a member of the board for knowing or willful misconduct in office or for knowing or willful neglect or failure to perform a duty enjoined upon a member of the board by a law of this state or for the conviction of a crime that constitutes a felony under the laws of this state. The removal must be accomplished through the removal procedure provided in title 8, chapter 47.

(i) The members of the board shall elect one (1) member of the board to serve as its chair for a term of two (2) years beginning January 1 of the appropriate year. The chair shall direct the operation of the board and shall fulfill the functions established by statute, unless duties and responsibilities are otherwise assigned under this part. The board may designate one (1) of its members to act as chair during the absence or incapacity of the chair, and when so acting, the member so designated has and performs all the powers and duties of the chair of the board.

41-21-1003.

(a) The board has those powers and duties necessary and proper to enable the board to fully and effectively carry out this part, including, but not limited to:

(1) The authority to select and recommend to the appropriate state officials the employment or transfer of all personnel required for the operation of the board; except the initial transfer of a preferred service employee shall not result in impairment, interruption, or diminution of employee rights, salary, benefits, leave accumulation, or employment. The commissioner of human resources is authorized to determine if there has been any impairment of rights, salary, benefits, leave accumulation, or employment as a result of a transfer. A

preferred service employee may seek redress of a determination through a request for a declaratory order by the commissioner of human resources pursuant to § 4-5-223;

(2) The authority to promulgate reasonable substantive and procedural rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

(3) The authority to develop and implement guidelines for reviewing the grant, denial, and removal of good institutional behavior credits. The board shall review and reevaluate the guidelines at least annually and provide copies of the guidelines to the governor, the speaker of the senate, the speaker of the house of representatives, the commissioner of correction, and the appropriate standing committees of the senate and the house of representatives;

(4) The authority to prescribe all forms to be used by the board in the transaction of the board's business;

(5) The authority to adopt an official seal by which the board's acts and proceedings are authenticated, and of which a court or other officials concerned with the actions of the board shall take judicial notice. The certificate of the chair of the board, under seal and attested to by the executive director, must be accepted in any judicial or administrative proceeding as adequate and sufficient proof of the acts and proceedings of the board as described in the certificate;

(6) The authority to employ other employees and to incur such other expenses, within the limits of appropriations, as necessary for the proper discharge of the board's duties;

(7) The authority to work with the department of correction in developing criteria for the award of sentence credits for good institutional behavior;

(8) The duty to keep appropriate records of all of the board's official actions and to make them accessible in accordance with law and the regulations of the board;

(9) The duty to adopt written long-range goals and objectives. The goals and objectives must be reaffirmed or changed, as appropriate, by the board at least once each year;

(10) The duty to adopt written policies and procedures to govern the board's internal operations. It is the legislative intent that the board has the authority to freely adopt policies and procedures to meet the board's particular needs. Prior to final board adoption of the policies and procedures and prior to change, the board shall submit a draft to the attorney general and reporter for review and comment; and

(11) The authority to employ staff attorneys who are licensed to practice law in this state and to employ others as the board deems necessary.

(b) As soon as is convenient after appointment, the members of the board shall meet and organize. The members shall appoint an executive director who shall be the chief administrative officer of the board and whose duties include:

(1) Supervising the scheduling of board meetings;

(2) Assisting the board in the formulation, development, and implementation of procedures and policies;

(3) Assisting in the preparation of the necessary forms and maintaining the records required for decisions of the board;

(4) Conducting conferences and managing correspondence with interested persons;

(5) Supervising all employees of the board; and

(6) Developing and maintaining communication and cooperation between the board and other state agencies.

41-21-1004.

(a) The permanent office of the board is in Nashville.

(b) The board shall meet at least monthly at a time and place prescribed by the board. The board must take all votes by public ballot or public roll call. Secret ballots or secret roll calls are not permitted.

(c) The salary of each member of the board is one hundred twenty thousand dollars (\$120,000) annually with a cost of living adjustment every two (2) years. The salaries of employees of the board are set by the board. The requirements of § 40-28-103(a) regarding personnel procedures apply to all actions under this subsection (c).

(d) A majority of members of the board constitutes a quorum for official administrative business.

(e) When appropriate, the members of the board and the board's employees shall be reimbursed for reasonable and necessary travel expenses in accordance with the state comprehensive travel regulations.

41-21-1005.

The warden of each prison and all officers and employees of each prison and all other public officials shall at all times cooperate with the board and shall furnish to the board, its officers, and employees information as may be necessary to enable the board to perform its functions, and the wardens and other employees shall at all times give the members of the board, its officers, and employees free access to all prisoners confined in the prisons, workhouses, and jails of this state.

41-21-1006.

Notwithstanding another law to the contrary, the department of correction is responsible for calculating the sentence expiration date and the earliest release date of a felony offender sentenced to the department of correction and a felony offender sentenced to confinement in a county jail or workhouse for one (1) or more years.

SECTION 8. Tennessee Code Annotated, Section 4-29-247(a), is amended by inserting the following as a new subdivision:

() Inmate disciplinary oversight board, created by § 41-21-1001;

SECTION 9. Sections 1 through 6 of this act take effect January 1, 2024, the public welfare requiring it. For purposes of appointing members and organization, Section 7 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, Section 7 of this act takes effect January 1, 2024, the public welfare requiring it. Section 8 of this act takes effect January 1, 2024, the public welfare requiring it.

Amendment No. 003707

Dennis Powers
Signature of Sponsor

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

AMEND Senate Bill No. 1152

House Bill No. 1245*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-23-114, is amended by adding the following as a new subsection:

(f) Notwithstanding subsections (a) and (e), a person who commits an offense or has committed an offense for which the person is sentenced to the punishment of death may elect to be executed by firing squad by signing a written waiver waiving the right to be executed by lethal injection or electrocution.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



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003707

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 467*

House Bill No. 482

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-14-411, is amended by deleting subsection (a) and substituting:

(a) A person commits the offense of critical infrastructure vandalism who knowingly:

- (1) Interrupts or interferes with critical infrastructure or its operation;
- (2) Destroys or injures critical infrastructure; or
- (3) Destroys or injures a farm.

SECTION 2. Tennessee Code Annotated, Section 39-14-411, is amended by deleting subsection (d) and substituting:

(d)

(1) A violation of subdivision (a)(1) or (a)(2) shall be punished as theft under § 39-14-103, and graded in accordance with § 39-14-105. However, if:

(A) The actual damages caused by the violation are in an amount less than one thousand dollars (\$1,000), then the punishment for a violation of subdivision (a)(1) or (a)(2) must be no less than a Class E felony; and

(B) The actual damages caused by the violation are in an amount of at least one thousand dollars (\$1,000), then the punishment for a violation of subdivision (a)(1) or (a)(2) must be no less than a Class C felony.



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(2) A violation of subdivision (a)(3) shall be punished as theft under § 39-14-103, and graded in accordance with § 39-14-105. However, in no event shall punishment for a violation of subdivision (a)(3) be less than a Class E felony.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 419*

House Bill No. 557

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subsection (a) and substituting:

Notwithstanding this part to the contrary, a video recording of a child by a forensic interviewer containing a statement made by the child under eighteen (18) years of age describing an act of sexual, abusive, or violent contact performed with or on the child by a person or describing an act of sexual, abusive, or violent contact performed by a person with or on another and witnessed by the child is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of a criminal proceeding of the person arising from the sexual, abusive, or violent contact if the requirements of this section are met.

SECTION 2. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subdivision (b)(3)(C) and substituting:

(C)

(i) Had experience equivalent to three (3) years of full-time professional work in one (1) or a combination of the following areas:

- (a) Child protective services;
- (b) Criminal justice;
- (c) Clinical evaluation;
- (d) Counseling; or



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(e) Forensic interviewing or other comparable work with children;

or

(ii) Had been supervised by an experienced forensic interviewer for a minimum of twenty (20) forensic interviews, in addition to the requirement of subdivision (b)(3)(E);

SECTION 3. Tennessee Code Annotated, Section 24-7-123, is amended by adding the following as a new subsection:

It is the legislative intent that forensic interviews be used in proceedings if the forensic interview is conducted in accordance with this section and other applicable law.

SECTION 4. Tennessee Code Annotated, Section 37-1-127 is amended by adding the following new subsection:

()

(1) A video recording of a child by a forensic interviewer containing a statement made by the child under eighteen (18) years of age describing an act of sexual, abusive, or violent contact performed with or on the child by a person or describing an act of sexual, abusive, or violent contact performed by a person with or on another and witnessed by the child is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of proceedings in an action under this title, if the court finds that:

(A) The interview was conducted by a forensic interviewer who meets the qualifications outlined in § 24-7-123(b)(3);

(B) The recording is both visual and oral and is recorded on film, videotape, or other similar audiovisual means;

(C) The video recording accurately reflects the interview of the child; and

(D) The circumstances of the video recording indicate trustworthiness to the court.

(2) If a video recording is offered into evidence pursuant to subdivision () (1), then the court shall:

(A) Make specific findings of fact on the record as to the basis for the court's ruling regarding the admission or denial of admission of the video recording; and

(B) Enter a protective order to restrict the video recording from further disclosure or dissemination.

(3) A video recording offered into evidence pursuant to this subsection () is not a public record. The court shall order the video recording to be sealed and preserved following the conclusion of any proceeding.

(4) It is the legislative intent that forensic interviews be used in proceedings if the video recording meets the requirements of this subsection ().

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____
Mary Littlejohn
Signature of Sponsor

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

AMEND Senate Bill No. 419*

House Bill No. 557

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subsection (a) and substituting:

Notwithstanding this part to the contrary, a video recording of a child by a forensic interviewer containing a statement made by the child under eighteen (18) years of age describing an act of sexual or physically violent contact performed with or on the child by a person or describing an act of sexual or physically violent contact performed by a person with or on another and witnessed by the child is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of a criminal proceeding of the person arising from the sexual or physically violent contact if the requirements of this section are met.

SECTION 2. Tennessee Code Annotated, Section 24-7-123, is amended by deleting subdivision (b)(3)(C) and substituting:

(C)

(i) Had experience equivalent to three (3) years of full-time professional work in one (1) or a combination of the following areas:

- (a) Child protective services;
- (b) Criminal justice;
- (c) Clinical evaluation;
- (d) Counseling; or



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(e) Forensic interviewing or other comparable work with children;

or

(ii) Had been supervised by an experienced forensic interviewer for a minimum of twenty (20) forensic interviews, in addition to the requirement of subdivision (b)(3)(E);

SECTION 3. Tennessee Code Annotated, Section 24-7-123, is amended by adding the following as a new subsection:

It is the legislative intent that forensic interviews be used in proceedings if the forensic interview is conducted in accordance with this section and other applicable law.

SECTION 4. Tennessee Code Annotated, Section 37-1-127 is amended by adding the following new subsection:

()

(1) A video recording of a child by a forensic interviewer containing a statement made by the child under eighteen (18) years of age describing an act of sexual or physically violent contact performed with or on the child by a person or describing an act of sexual or physically violent contact performed by a person with or on another and witnessed by the child is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of proceedings in an action under this title, if the court finds that:

(A) The interview was conducted by a forensic interviewer who meets the qualifications outlined in § 24-7-123(b)(3);

(B) The recording is both visual and oral and is recorded on film, videotape, or other similar audiovisual means;

(C) The video recording accurately reflects the interview of the child; and

(D) The circumstances of the video recording indicate trustworthiness to the court.

(2) If a video recording is offered into evidence pursuant to subdivision () (1), then the court shall:

(A) Make specific findings of fact on the record as to the basis for the court's ruling regarding the admission or denial of admission of the video recording; and

(B) Enter a protective order to restrict the video recording from further disclosure or dissemination.

(3) A video recording offered into evidence pursuant to this subsection () is not a public record. The court shall order the video recording to be sealed and preserved following the conclusion of any proceeding.

(4) It is the legislative intent that forensic interviews be used in proceedings if the video recording meets the requirements of this subsection ().

SECTION 5 This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 509*

House Bill No. 720

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 37-1-113, is amended by adding the following as a new subsection:

(c) When a child is taken into custody due to suspicion that the child has committed a delinquent act or unruly conduct that places the child in jeopardy of being removed from the home pursuant to § 37-1-132(b), the child shall immediately be informed of the rights listed in this subsection (c). The following rights must be posted where the child may read them, and such rights must be read to the child:

(1) The right to be informed of the reason the child was taken into custody;

(2) The right to be released to a parent, guardian, or other custodian within a reasonable time or delivered to a detention facility, shelter facility, or medical facility, pursuant to § 37-1-115;

(3) The right to legal counsel during all stages of any proceedings including any interview or interrogation, pursuant to § 37-1-126; and

(4) The right to have the child's legal counsel, parent, guardian, or custodian present during any interview or interrogation concerning any violation of state or federal law, which cannot be waived.

SECTION 2. Tennessee Code Annotated, Section 37-1-126(a)(1), is amended by deleting the subdivision and substituting instead the following:



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(1) A child is entitled to representation by legal counsel at all stages of any delinquency proceedings or proceedings alleging unruly conduct that place the child in jeopardy of being removed from the home pursuant to § 37-1-132(b), including any interview or interrogation, and is entitled to a guardian ad litem for proceedings alleging a child to be dependent and neglected or abused.

SECTION 3. Tennessee Code Annotated, Section 37-1-126, is amended by adding the following as a new subsection:

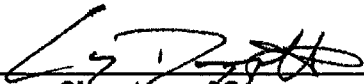
(d)

(1) Except as provided in subdivision (d)(2), when a child has been taken into custody due to suspicion that the child committed a delinquent act or unruly conduct that places the child in jeopardy of being removed from the home pursuant to § 37-1-132(b), a person shall not interview or interrogate the child concerning any violation of state or federal law by the child unless in the presence of the child's legal counsel, parent, guardian, or custodian. A child cannot waive the requirements of this subdivision (d)(1).

(2) It is an exception to the requirement in subdivision (d)(1) that exigent circumstances existed at the time of the interview or interrogation that prevented the presence of the child's legal counsel, parent, guardian, or custodian.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it, and applies to acts committed on or after that date.

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 193*

House Bill No. 702

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-17-417(c)(1), is amended by deleting the subdivision and substituting:

(1) Cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, or thiafentanil is a Class B felony if the amount involved is point five (0.5) grams or more of any substance containing cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, or thiafentanil and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); and

SECTION 2. Tennessee Code Annotated, Section 39-17-417(c)(2)(A), is amended by deleting the subdivision and substituting:

(A) Any other Schedule II controlled substance, including cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, or thiafentanil in an amount of less than point five (0.5) grams, is a Class C felony and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); provided, that if the offense involves less than point five (0.5) grams of a controlled substance containing cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, or thiafentanil, but the defendant carried or employed a deadly weapon as defined in § 39-11-106, during commission of the offense or the offense resulted in death or bodily injury to another person, then the offense is a Class B felony.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to offenses committed on or after that date.



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Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 1212

House Bill No. 115*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 1, is amended by adding the following as a new part:

38-1-801. Tennessee Businesses Against Trafficking.

(a) The secretary of state shall establish and implement a program designated as the Tennessee Businesses Against Trafficking program to engage participating corporations and other private entities in voluntary efforts to identify, prevent, and combat human trafficking.

(b) The secretary of state shall present a certificate of recognition to a participating corporation or private entity to recognize the corporation's or entity's contributions to the efforts of federal, state, and local officials engaged in combatting human trafficking and prosecuting human trafficking crimes.

(c) A corporation or other private entity that participates in the program shall:

- (1) Adopt a zero-tolerance policy toward human trafficking;
- (2) Take measures to ensure that the corporation's or entity's employees comply with rules promulgated by the secretary of state's office related to the program;
- (3) Participate in training and public awareness and education campaigns;
- (4) Enhance awareness of and encourage participation in the program;

and



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(5) Share with the secretary of state best practices that are effective in combatting human trafficking.

(d) The secretary of state shall work collaboratively with other state agencies and advisory councils to promote the program.

38-1-802. Rules.

The secretary of state may promulgate rules as necessary to implement this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

John Tillipie

Signature of Sponsor

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

AMEND Senate Bill No. 18

House Bill No. 5*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-13-305(b), is amended by adding the following new subdivision:

(3) Notwithstanding title 40, chapter 35, a person convicted of a violation of this section shall be punished as a Range II offender; however, the sentence imposed upon such person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 2. Tennessee Code Annotated, Section 39-13-502(b), is amended by redesignating the subsection as subdivision (b)(1) and adding the following new subdivision:

(2) Notwithstanding title 40, chapter 35, a person convicted of a violation of this section shall be punished as a Range II offender; however, the sentence imposed upon such person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 3. Tennessee Code Annotated, Section 39-13-503(b), is amended by redesignating the subsection as subdivision (b)(1) and adding the following new subdivision:

(2) Notwithstanding title 40, chapter 35, a person convicted of a violation of this section shall be punished as a Range II offender; however, the sentence imposed upon such person may, if appropriate, be within Range III but in no case shall it be lower than Range II.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 875

House Bill No. 546*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-24-101, is amended by adding the following as a new subsection (b) and redesignating the current subsection (b) accordingly:

(b) The court shall not require an individual to pay any outstanding court-assessed fines, fees, taxes, or costs arising from a criminal proceeding during the ninety-day period following the individual's release from a term of imprisonment for a felony offense. This subsection (b) does not apply to restitution owed to a victim.

SECTION 2. This act takes effect January 1, 2024, the public welfare requiring it.



Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 1455

House Bill No. 1364*

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

SECTION 1. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section and substituting instead the following:

(a) A student in any of the grades kindergarten through three (K-3) may be retained if the student is not proficient in reading, as determined by the LEA or public charter school in which the student is enrolled.

(b) An LEA or public charter school may base its decision to retain a student in any of the grades kindergarten through three (K-3) who is not proficient in reading on:

(1) The student's academic performance;

(2) Evaluations of the student's reading proficiency made by the student's reading or English language arts (ELA) teacher after having observed and documented the student's reading skills;

(3) The student's performance on standardized tests administered to the student to measure the student's reading proficiency, such as the Tennessee universal reading screener, a universal reading screener approved by the state board of education, the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test, or other assessments administered to the student to evaluate the student's reading proficiency; and

(4) Other measures of performance or growth selected by the LEA or public charter school to evaluate and assess a student's reading proficiency.

(c)



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(1) Each LEA and public charter school shall provide intensive reading instruction and intervention to a student who may not be proficient in and who may be retained by the LEA or public charter school. The intensive reading instruction and intervention required in this subsection (c) must be:

(A) Scientifically based;

(B) Provided in small groups with a reduced student-teacher ratio, and include frequent progress monitoring and tutoring, as necessary; and

(C) Provided to the student:

(i) For no less than ninety (90) minutes per school day;

and

(ii) Until the student's LEA or public charter school determines, based on one (1) or more of the measures identified in subsection (b) or pursuant to subdivision (f)(1), that the student is proficient in reading.

(2) An LEA or public charter school providing intensive reading instruction and intervention to a student pursuant to this subsection (c) shall provide frequent progress reports to the student's parent or legal guardian. A progress report must be provided to a student's parent or legal guardian, at a minimum, after the LEA or public charter school receives or calculates the student's score on an assessment administered to the student to evaluate the student's reading proficiency and at the end of each grading period.

(3) This subsection (c) does not prohibit an LEA or public charter school from retaining a student who is not proficient in reading.

(d) Notwithstanding subsection (a), a third grade student shall not be retained if:

(1) The student achieves a performance level rating on the ELA portion of the student's most recent TCAP test showing that the student meets or exceeds expectations in ELA based on the Tennessee academic standards;

(2) The student's score on the Tennessee universal reading screener, or on a universal reading screener approved by the state board, administered to the student in the third grade shows that the student is proficient in reading based on the student's achieving the grade-level target for reading;

(3) The student is an English language learner and has received less than two (2) years of ELA instruction;

(4) The student has an individualized education program (IEP) pursuant to the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) that requires the student to be administered the TCAP's alternative assessment;

(5) The student tests proficient on an alternative standardized reading assessment developed by the student's LEA or public charter school that has been approved by the state board;

(6) The student demonstrates, through a student portfolio model approved by the state board, that the student is reading on grade level;

(7) The student has an IEP pursuant to the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), is administered the TCAP's standard assessment, and demonstrates progress in reading or ELA in accordance with the literacy goal outlines for the student in the student's IEP;

(8) The student has a Section 504 plan under the Rehabilitation Act (29 U.S.C. § 701 et seq.) that requires the student to be provided accommodations to support the student's reading skills and literacy development;

(9) The student was previously retained in any of the grades kindergarten through three (K-3); or

(10) The student reading proficiency team, established at the LEA or public charter school pursuant to subsection (e), determines that the student is prepared for the next grade level and should be promoted.

(e)

(1) Each LEA and public charter school shall establish a student reading proficiency team for the LEA or public charter school that is composed of the LEA's or public charter school's administrators, third grade teachers, fourth grade teachers, and parents of the LEA's or public charter school's enrolled students. Each LEA and public charter school shall determine the number and process of selecting individuals to serve on the student reading proficiency team.

(2) The student reading proficiency team shall use multiple measures to evaluate student reading proficiency that include the measures identified in subsection (b) and pursuant to subdivision (f)(1), to determine whether a third grade student who may not be proficient in reading should be promoted.

(3) If a third grade student is not proficient in reading and the student reading proficiency team unanimously recommends that the student be promoted to the fourth grade, then the administrators and teachers serving on the student reading proficiency team shall develop a promotion plan for the student that requires intensive reading instruction and intervention, as described in subsection (c), for the student until the student's LEA or public charter school determines, based on one (1) or more of the measures identified in subsection (b) or pursuant to subdivision (f)(1), that the student is proficient in reading. The promotion plan must require frequent progress reports to the student's parent or legal guardian in the same manner as required in subsection (c).

(f) Each LEA and public charter school shall adopt and implement a policy to effectuate this section. The policy must, at a minimum:

(1) Identify the measures of performance or growth that the LEA or public charter school may use to evaluate and assess a student's reading proficiency;

(2) Describe the reading instruction and interventions that the LEA or public charter school will provide students who, based on one (1) or more of the

measures identified in subsection (b) or pursuant to subdivision (f)(1), may not be proficient in reading and who may be retained; and

(3) Require written notification to a student's parent or legal guardian if the LEA or public charter school identifies the student, based on one (1) or more of the measures identified in subsection (b) or pursuant to subdivision (f)(1), as a student who may not be proficient in reading and who may be retained. The written notification must advise the student's parent or legal guardian of the reading instruction and interventions that will be provided to the student and when progress reports will be provided pursuant to subsection (c).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____
Scott Egan
Signature of Sponsor

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

AMEND Senate Bill No. 190*

House Bill No. 340

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-3401, is amended by deleting subdivision (g)(2) and substituting:

(2) Notwithstanding this section or another law to the contrary, a student has committed a zero tolerance offense if the student:

(A) Brings to school or is in unauthorized possession on school property of a firearm, as defined in 18 U.S.C. § 921;

(B) Commits aggravated assault as defined in § 39-13-102 or commits an assault that results in bodily injury as defined in § 39-13-101(a)(1) upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer;

(C) Is in unlawful possession of any drug, including any controlled substance, as defined in §§ 39-17-402 — 39-17-415, controlled substance analogue, as defined by § 39-17-454, or legend drug, as defined by § 53-10-101, on school grounds or at a school-sponsored event; or

(D) Threatens mass violence on school property or at a school-related activity pursuant to § 39-16-517.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Jim Hicks
Signature of Sponsor

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

AMEND Senate Bill No. 134

House Bill No. 117*

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 11, Part 1, is amended by adding the following as a new section:

- (a) This section is known and may be cited as the "Career Development Success Pilot Program."
- (b) As used in this section:
 - (1) "Qualified advance placement course" means an advanced placement computer science course;
 - (2) "Qualified apprenticeship program" means a state-certified pre-apprenticeship and apprenticeship program on the eligible training provider list maintained by the department of labor and workforce development; and
 - (3) "Qualified industry-credential programs" means a recognized or preferred credentialing program promoted by the department of education.
- (c) The department of education shall develop and implement the career development success pilot program to provide financial incentives for participating LEAs and participating charter schools to encourage students in grades six through twelve (6-12) to enroll in, and successfully complete, a qualified industry-credential program, qualified apprenticeship program, or qualified advance placement course. Beginning in the 2023-2024 fiscal year, each participating LEA and participating charter school may receive up to one thousand dollars (\$1,000) for each student who earned a qualified industry certificate by successfully completing a qualified industry-credential program,



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qualified apprenticeship program, or qualified advanced placement course in the immediately preceding school year.

(d)

(1) Participation in the career development success pilot program is voluntary for LEAs and charter schools. Each LEA and charter school may annually choose whether to participate in the program.

(2) Each participating LEA and each nonparticipating LEA that authorizes a participating charter school shall report to the department the number of students enrolled in the participating LEA or participating charter school that earned a qualified industry certificate by successfully completing a qualified industry-credential program, qualified apprenticeship program, or qualified advanced placement course in the immediately preceding school year. If a participating LEA authorizes a participating charter school, then the LEA shall separately report the information required in this subdivision (d)(2) for the LEA and for each participating charter school authorized by the LEA.

(e)

(1) Beginning in the 2023-2024 fiscal year, the department shall distribute funds appropriated by the general assembly for purposes of this section to participating LEAs and to nonparticipating LEAs that authorize a participating charter school, as provided this section.

(2) For each fiscal year, the department shall distribute to each participating LEA, and to each nonparticipating LEA that authorizes a participating charter school, an amount equal to one thousand dollars (\$1,000) multiplied by the number of students reported by the LEA as having earned a qualified industry certificate by successfully completing a qualified industry-credential program, qualified apprenticeship program, or qualified advanced placement course in the immediately preceding school year.

(3) Notwithstanding subdivision (e)(2), if the amount appropriated by the general assembly for purposes of the career development success pilot program is insufficient to fully fund each of the distributions required under subdivision (e)(2), then the department shall reduce the distribution amount for each LEA by the same percentage that the deficit bears to the amount required to fully fund each of the distributions required under subdivision (e)(2).

(4) Each LEA that receives a distribution from the department pursuant to this subsection (e) for a participating charter school authorized by the LEA shall allocate to the participating charter school the amount of the distribution received by the LEA that reflects the number of students enrolled in the participating charter school that earned a qualified industry certificate in the immediately preceding school year, as reported by the LEA pursuant to subdivision (d)(2).

(f) Each participating LEA and participating charter school shall regularly communicate to students enrolled in any of the grades six through twelve (6-12) the availability of qualified industry-credential programs, qualified apprenticeship programs, and qualified advance placement courses and the benefits that the students may receive as a result of successfully completing one (1) or more of the programs or courses. The participating LEA and participating charter school shall design student communications with the goal of increasing participation in each of the programs and courses.

(g) The department shall provide, at least annually, to each LEA and charter school that chooses not to participate in the career development success pilot program, information explaining the program, including, but not limited to, the credentials and advanced placement courses for which a participating LEA or participating charter school may receive a distribution, the amounts of distributions provided pursuant to this section, and the requirements and procedures for participating in the program.

(h) By December 1, 2026, the department shall provide a report to the education committee of the senate and the education administration committee of the house of

representatives that describes the outcomes achieved by the career development success pilot program. At a minimum, the report must include the following:

(1) The number of LEAs and charter schools that have participated in the program;

(2) The number of students, in each year of the program, reported by a participating LEA, or a nonparticipating LEA on behalf of a participating charter school, as having earned a qualified industry certificate by successfully completing a qualified industry-credential program, a qualified apprenticeship program, or a qualified advanced placement course. The department shall report the total number of students, and the total number disaggregated by student demographics, including economically disadvantaged students;

(3) The specific industry certificates earned by students enrolled in participating LEAs and participating charter schools;

(4) The total amount appropriated for the program and the total amounts distributed to each participating LEA and participating charter school;

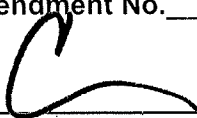
(5) Whether the department was required to make a pro rata reduction to the amounts distributed pursuant to subsection (e) in any year of the program;

(6) To the extent the information is available, the number of students enrolled in an LEA or charter school who earned a qualified industry certificate before the program was implemented, as compared to the number of students who earned a qualified industry certificate by successfully completing a qualified industry-credential program, a qualified apprenticeship program, or a qualified advanced placement course after the program was implemented, and whether increased funding for the program could reasonably be expected to increase the number of students earning a qualified industry certificate; and

(7) Whether the students who generated a distribution pursuant to subsection (e) for the LEA or charter school in which the student was enrolled graduated from high school and enrolled in a postsecondary institution.

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

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 508

House Bill No. 426*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-1-211, is amended by adding the following as a new subsection:

(c) The commissioner shall report the percentage of students scoring at each performance level at each school within an LEA and at each public charter school in each subject tested on the most recently administered TCAP test along with the median household income of each zip code within the geographic boundaries of the respective school zone to the education committee of the senate and the education administration committee of the house of representatives no later than December 1 of each year. The department of economic and community development shall provide the department of education with the median household income of each zip code in this state. The information reported pursuant to this subsection (c) must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g); § 10-7-504; the Data Accessibility, Transparency, and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

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



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Amendment No. 1


Signature of Sponsor

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

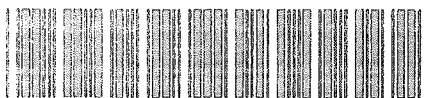
AMEND Senate Bill No. 744

House Bill No. 529*

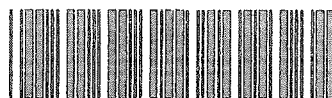
by deleting Section 5 and substituting:

SECTION 5. Tennessee Code Annotated, Section 49-5-417(a), is amended by adding the following as a new subdivision:

(4) Receiving verification of the identity of the educator together with a certified copy of a court order, settlement agreement, or plea agreement in a criminal, civil, or administrative action requiring the educator to surrender the educator's Tennessee license. Unless otherwise stated in the court order, settlement agreement, or plea agreement, the educator's license must be revoked for a period of no less than five (5) years after which the educator may apply for restoration of the educator's license in accordance with state law and state board rules.

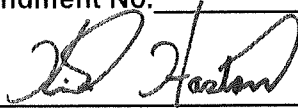


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Amendment No. _____



Signature of Sponsor

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Date _____

Time _____

Clerk _____

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AMEND Senate Bill No. 198*

House Bill No. 250

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-6001(b)(4), is amended by deleting subdivision (A) and substituting instead the following:

(A) As a strategy for assessing and certifying students' career readiness and providing students with more choices in identifying career pathways, LEAs and public charter schools shall provide each high school senior the opportunity to take nationally recognized assessments; provided, that the assessments:

(i) Are standardized, criterion-referenced tests designed to measure a broad range of foundational workplace skills;

(ii) Adhere to the Standards for Educational and Psychological Testing developed by the American Educational Research Association, American Psychological Association, and National Council on Measurement in Education;

(iii) Assess and confirm readiness for a variety of jobs;

(iv) Measures foundational employability and soft skills that are in demand by employers, including, but not limited to:

(a) Professionalism;

(b) Effective communication;

(c) Problem solving;

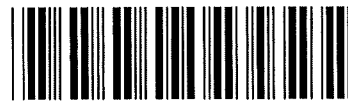
(d) Collaboration;

(e) Digital literacy; and

(f) Work-ready mathematics, reading, and data analysis;



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(v) Align with the research-based skill requirements for specific industries and occupations;

(vi) Lead to nationally recognized work-readiness certificates or credentials for individuals who meet the minimum proficiency requirements on the component assessments;

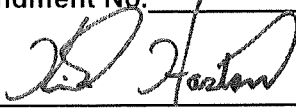
(vii) Are available in paper and computer-based formats;

(viii) Are aligned with a self-paced, online skills curriculum that allows for pre-testing skill development and post-testing remediation; and

(ix) Is competitively procured by the department of education.

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

Amendment No. _____



Signature of Sponsor

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 999

House Bill No. 849*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

- (a) This section is known and may be cited as the "Rural Schools Innovation Act."
- (b) As used in this section:
 - (1) "Department" means the department of education;
 - (2) "Rural area" means a geographic area that is not an urban area;
 - (3) "Rural district" means an LEA in a rural area that serves students in any of the grades nine through twelve (9-12);
 - (4) "Rural pathway partnership" or "partnership" means a cooperative between at least two (2) rural districts, at least one (1) institution of higher education partner; and at least one (1) workforce-focused entity; and
 - (5) "Urban area" means a geographic area delineated as an urban area by the United States census bureau following the 2020 decennial census.
- (c) The department shall create and implement a two-year pilot program that awards grants to rural pathway partnerships to expand access to high-quality college and career pathways for students in grades nine through twelve (9-12). The department shall begin accepting grant applications for the pilot program no later than September 1, 2023, and shall distribute grants to partnerships no later than December 1, 2023.
- (d) To be eligible to receive a grant pursuant to this section, a partnership must:



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(1) Be evidenced by a memorandum of understanding that must, at a minimum:

(A) Be an agreement between:

(i) At least two (2) rural districts, but not more than three (3) rural districts;

(ii) At least one (1) institution of higher education partner; and

(iii) At least one (1) workforce-focused entity;

(B) Specify the roles and responsibilities of each signatory;

(C) Include the rural pathway partnership's goals that include, at a minimum:

(i) Ambitious and measurable performance goals for students enrolled in the partnership's rural districts in grades nine through twelve (9-12) that are aligned with college and career readiness measures and longitudinal postsecondary participation and employment outcomes; and

(ii) Expanding access for the students enrolled in the partnership's rural districts in grades nine through twelve (9-12) to high-quality, robust college and career pathways that are aligned with regional labor market projections for high-wage, high-demand careers, and that are supported by partnerships with regional higher education and workforce organizations to align systems, smooth transitions, and facilitate early college credit and work-based learning opportunities for students; and

(D) Include the resources each signatory agrees to contribute in the interest of achieving the goals identified in the rural pathway partnership's agreement;

(2) Explain how grant funds will be used to achieve the goals specified in the memorandum of understanding;

(3) Identify the nonprofit organization that will provide technical assistance to the partnership for the design and launch of the partnership;

(4) Explain how the college and career pathways the partnership plans to implement are aligned with the regional labor market projections for high-wage, high-demand careers; and

(5) Identify the LEA that will serve as the fiscal agent for the partnership for purposes of the grant.

(e) Subject to appropriations, the total amount of grants provided to partnerships pursuant to this section is three million dollars (\$3,000,000). The department shall award a grant pursuant to this section to one (1) partnership from each grand division that meets the requirements of subsection (d). If multiple partnerships from one (1) grand division apply and qualify for a grant pursuant to this section, then the department shall award the grant to the partnership that has submitted the strongest partnership agreement, as determined by the department, that is best aligned with regional workforce needs, and has presented evidence of the partnership's preparedness to meet the needs of the students enrolled in the partnership's rural districts. For purposes of this subsection (e), a partnership's location is determined by the domicile of the partnership's fiscal agent identified pursuant to subdivision (d)(5).

(f) If a partnership receives a grant pursuant to this section, then the partnership shall:

(1) Be governed by a coordinating intermediary organization that:

(A) Is constituted as a legal entity authorized to contract and employ staff in this state;

(B) Establishes a governing body that is made up of members representing kindergarten through grade twelve (K-12) education, higher

education, and workforce leaders in this state to encourage collaboration across systems;

(C) Employs at least one (1) person with knowledge and skills necessary to lead the development and implementation of a rural pathway partnership;

(D) Operationalizes the partnership;

(E) Creates college and career pathways for the students enrolled in grades nine through twelve (9-12) in a rural district of the partnership; and

(F) Establishes the budget for the partnership;

(2) Not use more than seventy percent (70%) of the grant funds it receives to implement its partnership agreement;

(3) Ensure that the partnership's coordinating intermediary organization receives a sufficient portion of the seventy percent (70%) allocation to enable it to effectively fulfill its responsibilities, as provided in subdivision (f)(1); and

(4) Use at least thirty percent (30%) of the grant funds it receives to contract with a nonprofit organization with the ability to provide the technical assistance necessary to enable the design and launch of an effective partnership that includes, but that is not limited to, project management, support in convening stakeholders, planning and facilitating key meetings, analyzing local labor market conditions, and increasing capacity to ensure teams are aligned and focused on a vision for the partnership. Technical assistance must be provided by a nonprofit experienced with similar programs in other states.

(g) The department shall:

(1) Study and evaluate the effectiveness of the pilot program; and

(2) Submit a report, by December 1, 2025, to the chairs of the education committee of the senate, the education administration committee of the house of

representatives, and the education instruction committee of the house of representatives on the department's evaluation of the pilot program.

(h) This section is repealed on December 1, 2025.

SECTION 2. This act is not an appropriation of funds, and funds must not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 713

House Bill No. 599*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 58, Chapter 2, Part 5, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Agency" means the Tennessee emergency management agency;

and

(2) "Mesonet" means a network of weather monitoring stations.

(b) The agency shall establish a mesonet consisting of at least one (1) weather monitoring station in each county. The agency may enter into agreements with public and private institutions for the location, installation, operation, and maintenance of the weather stations that comprise the mesonet. The agency shall establish a central hub to receive and process data from the mesonet. The agency may convey weather data to the National Weather Service and United States Geological Survey in addition to supplementing warnings to emergency service agencies, media, and the public.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

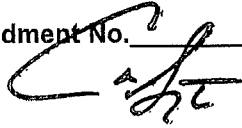


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Amendment No. _____



Signature of Sponsor

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AMEND Senate Bill No. 1392

House Bill No. 1213*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-7-602, is amended by adding the following appropriately designated subdivisions:

() "Emergency medical service" means the service used in responding to the perceived individual need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury;

() "Healthcare service":

(A) Means a service for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease;

(B) Includes a prescription drug or device; and

(C) Does not include an emergency medical service;

SECTION 2. Tennessee Code Annotated, Section 56-7-604(b)(2), is amended by deleting the language "not to exceed one (1) year" and substituting instead the language "not to exceed thirty (30) days".

SECTION 3. Tennessee Code Annotated, Section 56-7-610, is amended by deleting the section and substituting instead:

(a) An enrollee may choose to pay for a healthcare service out-of-pocket from an out-of-network provider. If an enrollee negotiates for a lower cost from an out-of-network provider than the average allowed amount paid by the carrier to a network provider for a comparable healthcare service, and the enrollee pays for the healthcare service out-of-



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pocket, then the enrollee may send documentation, which may be sent electronically, to the carrier, that provides the following:

(1) The healthcare service the enrollee or patient received and the healthcare provider's name and contact information;

(2) The order from the healthcare provider given to the enrollee or patient pursuant to § 56-7-605 and the final bill or statement for the healthcare service;

(3) The average payments made by the carrier to network entities or providers for comparable healthcare services if this information is made available to the enrollee pursuant to this part;

(4) The negotiated cost of the healthcare service that the enrollee received; and

(5) A statement that:

(A) The enrollee paid out-of-pocket for the healthcare services received; and

(B) The healthcare entity is not making a claim against the carrier for payment for the healthcare service provided to the enrollee or patient.

(b) A carrier that receives the documentation described in subsection (a) shall count the full amount that the enrollee paid out-of-pocket toward the enrollee's deductible, coinsurance, copayment, or other cost-sharing amount:

(1) If the healthcare service is included under the enrollee's health plan; and

(2) The enrollee negotiated for a lower cost for the healthcare service than the average allowed amount paid by the carrier to network providers for that comparable healthcare service.

(c) The amount counted toward an enrollee's out-of-pocket deductible, coinsurance, copayment, or other cost-sharing amount must not exceed the total amount that the covered person is required to pay out-of-pocket during a contractually agreed

upon period of time for healthcare services that are included under the covered person's insurance plan, and does not carry over once a new contract or agreement period for the insurance plan begins.

SECTION 4. Tennessee Code Annotated, Section 56-7-609, is amended by designating the existing language as subdivision (a)(1) and adding the following new subdivision (a)(2):

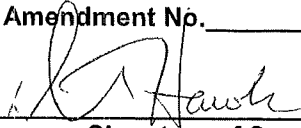
The monetary limit on incentives described in subdivision (a)(1) does not apply to § 56-7-610.

SECTION 5. Tennessee Code Annotated, Section 56-7-603(a)(1), is amended by deleting "Beginning on January 1, 2021, a carrier may provide incentives" and substituting "In addition to the requirements of § 56-7-610, beginning on January 1, 2021, a carrier may provide incentives".

SECTION 6. Tennessee Code Annotated, Section 56-7-603(a)(2), is amended by deleting "Incentives, effective January 1, 2021, may" and substituting "In addition to the requirements of § 56-7-610, incentives, effective January 1, 2021, may".

SECTION 7. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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AMEND Senate Bill No. 1297

House Bill No. 887*

by deleting from subdivision (c)(2) of the second new section in SECTION 1 the language "Have a policy in place that satisfies the following criteria:" and substituting "Implement and adhere to a policy that contains the following criteria:".

AND FURTHER AMEND by deleting subdivision (c)(2)(A) of the second new section in SECTION 1 and substituting:

(A) If the insurer becomes aware that the insured's email address at which the insured has consented to receive notices or documents is no longer valid, the insurer shall send physical notices or documents to the insured at the insured's mailing address on file with the insurer;



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Amendment No. _____

Rebecca Alexander

Signature of Sponsor

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AMEND Senate Bill No. 365

House Bill No. 355*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-7-2502(a), is amended by inserting the following as a new subdivision:

() "Cost sharing requirement" means a deductible, coinsurance, copayment, or a maximum limitation on the application of a deductible, coinsurance, copayment, or other out-of-pocket expense;

SECTION 2. Tennessee Code Annotated, Section 56-7-2502(c), is amended by deleting the subsection and substituting:

(c)

(1) Except as provided in subdivision (c)(2), a health benefit plan that provides coverage for a screening mammogram must provide coverage for diagnostic imaging and supplemental breast screening without imposing a cost sharing requirement on the patient.

(2) If compliance with subdivision (c)(1) would result in a high deductible health benefit plan with a health savings account becoming ineligible under § 223 of the Internal Revenue Code (26 U.S.C. § 223), subdivision (c)(1) applies to such plans only after the plan enrollee has satisfied the minimum deductible required under § 223 of the Internal Revenue Code, except with respect to items or services that are deemed preventive care pursuant to § 223(c)(2)(C) of the Internal Revenue Code.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

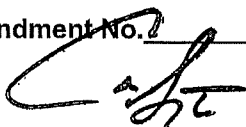


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Amendment No. 2



Signature of Sponsor

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AMEND Senate Bill No. 650*

House Bill No. 1342

by deleting all language after the caption and substituting:

WHEREAS, Tennessee, as part of its economic development policy, has the right to set terms and conditions in connection with the awarding of economic development incentives; and

WHEREAS, Tennessee, as part of its economic development policy, seeks to play an integral role in the formulation of economic opportunities, conditions of grants, and general management of compliance with such awards for monies; and

WHEREAS, Tennessee will oftentimes, as part of awarding economic development incentives, oversee compliance with land use regulations, including management of the subdivision of property; offer and provide water and wastewater services; require fire protection systems and mechanical systems for buildings and structures; approve capital grants; and ensure such monies are approved by the State Building Commission; and

WHEREAS, Tennessee will oftentimes, as part of awarding economic development incentives, also require a private business to hire a certain number of new full-time employees, require a specific amount of company investment, and ensure workers obtain certain skills and knowledge; and

WHEREAS, Tennessee, as part of its economic development policy, has a vested interest in seeking to advance and preserve its own interest in projects receiving economic development incentives as a financier of projects contributing to the State's overall economic health; and

WHEREAS, it is the intent of the General Assembly, as part of its economic development policy, that whenever State funds or benefits are sought by a private business,



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that such benefits are conditioned on the private business agreeing not to waive its employees' right to a secret ballot election when recognizing a labor organization as a bargaining unit or requiring subcontractors to waive their employees' right to a secret ballot election; and

WHEREAS, it is the intent of the General Assembly that whenever State funds or benefits are provided or awarded to a private business, the private business, or subcontractors working on a project receiving State funds or benefits, shall not voluntarily disclose employee personal contact information to a labor organization without an employee's prior consent; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is amended by adding the following as a new section:

4-3-739.

(a) This section is known and may be cited as the "Employee Free Choice and Privacy Act."

(b) As used in this section:

(1) "Economic development incentive" means a FastTrack job training grant and economic development grant authorized under this part or capital grant authorized under chapter 15 of this title for economic development purposes provided to an employer to attract or retain the employer's physical presence in this state;

(2) "Employee" means an individual who performs services for an employer for wages that are subject to withholding requirements under 26 U.S.C. § 3402;

(3) "Employer" means a business entity that voluntarily pursues economic development incentives authorized under this title or enters into an agreement with this state for the purpose of receiving those incentives;

(4) "Labor organization" has the same meaning as defined in 29 U.S.C. § 152;

(5) "Personal contact information" means an employee's home address, home or personal cell phone number, or personal email address;

(6) "Secret ballot election" means a process conducted by the national labor relations board (NLRB) in which an employee casts a secret ballot for or against labor organization representation; and

(7) "Subcontractor" means an individual or entity that has contracted with the employer to perform work or provide services.

(c)

(1) In order to be eligible for an economic development incentive, an employer shall not:

(A) Grant recognition rights for the employer's employees solely and exclusively on the basis of signed union authorization cards if the selection of a bargaining representative may instead be conducted through a secret ballot election conducted by the national labor relations board (NLRB);

(B) Voluntarily disclose the employer's employee's personal contact information to a labor organization, or third party acting on behalf of a labor organization, without the employee's prior written consent, unless otherwise required by state or federal law; or

(C) Require a subcontractor performing work for or providing services to the employer to engage in activities prohibited in subdivision (c)(1)(A) or (c)(1)(B).

(2) The prohibitions set out in subdivisions (c)(1)(A) and (c)(1)(B) apply to any work or service for the employer on the project for which the economic incentive is to be given.

(d) A person or entity may report, based upon a reasonable belief, a suspected violation of subdivision (c)(1) to the department of labor and workforce development. Upon receiving a report pursuant to this subsection (d), the department of labor and workforce development shall investigate whether a violation has occurred. If, upon conclusion of the investigation, the department of labor and workforce development finds that an employer has violated subdivision (c)(1), then the department shall provide written notice to the department of economic and community development.

(e) If the department of economic and community development receives written notice pursuant to subsection (d), then the department of economic and community development shall deliver written notice to the employer informing the employer of the results of the investigation and to the office of the attorney general and reporter to initiate proceedings to recover any funds pursuant to § 4-3-731(f).

(f) This section applies prospectively and excludes any agreement between this state and an employer executed prior to the effective date of this act.

SECTION 2. Tennessee Code Annotated, Section 4-3-731, is amended by adding the following as a new subsection:

(f) Notwithstanding another law to the contrary, prior to contracting to award an economic development incentive, as defined in § 4-3-739(b), the department of economic and community development must execute a separate agreement with the recipient of the incentive that reserves the right of the department to recover the amount of money, grants, funds, or other incentives disbursed by the department, in whole or in part, if the recipient benefitting from such money, grants, funds, or other incentives fails to comply with § 4-3-739(c).

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

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Signature of Sponsor

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AMEND Senate Bill No. 214*

House Bill No. 1452

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 68-122-102(e), is amended by inserting the following as new subdivisions:

() "Autoclave" means a device that:

(A) Sterilizes reusable medical or dental equipment used by an individual or entity licensed under this title or title 63;

(B) Consists of an unfired pressure vessel with or without an integrated miniature boiler; and

(C) Is regulated by the United States food and drug administration;

() "Miniature boiler" means a boiler designed and constructed not to exceed the following:

(A) Sixteen inches (16") inside diameter of shell;

(B) If a non-electric boiler, twenty (20) square feet of heating surface;

(C) Five (5) cubic feet of gross volume, exclusive of the casing and insulation; and

(D) One hundred pounds (100 lbs.) per square inch gauge maximum allowable working pressure;

SECTION 2. Tennessee Code Annotated, Section 68-122-105(a), is amended by deleting subdivisions (6) and (7) and substituting:

(6) Unfired pressure vessels designed for working pressure not exceeding fifteen pounds (15 lbs.) per square inch gauge;



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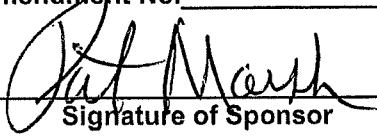
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- (7) Unfired pressure vessels containing liquefied petroleum gases;
- (8) Unfired pressure vessels contained within an autoclave; or
- (9) Miniature boilers that are integrated as components of medical devices regulated by the United States food and drug administration.

SECTION 3. Tennessee Code Annotated, Section 68-122-105, is amended by deleting subsection (d).

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

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Amendment No. _____


 Signature of Sponsor

AMEND Senate Bill No. 1289

House Bill No. 392*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 62-32-303, is amended by inserting the following as a new subdivision:

() "Battery-charged security fence":

(A) Means an alarm system, and ancillary components or equipment attached to such system, that:

(i) Interfaces with a monitored alarm system in a manner that enables the alarm system to transmit a signal intended to notify the entity responsible for monitoring the alarm system or summon law enforcement in response to an intrusion or burglary;

(ii) Is located on property that is not designated by a municipality or county exclusively for residential use;

(iii) Has an energizer that:

(a) Is powered by a commercial storage battery that is not more than twelve (12) volts of direct current; and

(b) Meets the standards set forth by the most recent version of the International Electrotechnical Commission Standard 60335-2-76, or its successor standard;

(iv) Is completely surrounded by a non-electric perimeter fence or wall that is not less than five feet (5') in height;



(v) Does not exceed ten feet (10') in height, or two feet (2') higher than the non-electric perimeter fence or wall described in subdivision () (A)(iv), whichever is higher; and

(vi) Is marked with conspicuous warning signs that are located on the battery-charged fence at intervals of no more than thirty feet (30') and that read: "WARNING - ELECTRIC FENCE"; and

(B) Includes, but is not limited to, a fence, a battery-operated energizer intended to periodically deliver voltage impulses to the connected fence, and a battery-charging device used exclusively to charge the battery for the energizer;

SECTION 2. Tennessee Code Annotated, Section 62-32-321, is amended by adding the following as a new subsection:

(i) Notwithstanding another law, a municipality or county shall not adopt or enforce an ordinance, order, or regulation that:

(1) Requires a permit or fee for the installation or use of a battery-charged security fence that is in addition to an alarm system permit issued by the municipality or county;

(2) Imposes installation or operational requirements for a battery-charged security fence that are inconsistent with the requirements provided in § 62-32-303; or

(3) Prohibits the installation or use of a battery-charged security fence.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

House Business & Utilities Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 868

House Bill No. 805*

by deleting "a location within this state that" in subdivision (A) in SECTION 1 and substituting
"this state or elsewhere that".

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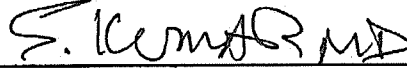


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Amendment No. _____



Signature of Sponsor

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AMEND Senate Bill No. 661

House Bill No. 1306*

by deleting subsection (a) in SECTION 1 and substituting:

(a) As used in this section, "on-site" means on the entity's property where the parking services are provided.

AND FURTHER AMEND by deleting "from a consumer for the services that the entity provides" in subsection (b) in SECTION 1 and substituting "from a consumer for the parking of a motor vehicle on the entity's property".



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Amendment No. _____

Signature of Sponsor

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AMEND Senate Bill No. 238

House Bill No. 54*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 48-1-102(12), is amended by adding the following language after the first sentence of the subdivision:

"Investment adviser" includes a financial planner or other person who, as an integral component of other financially related services, provides investment advice to others for compensation as part of a business or who holds oneself out as providing investment advice to others for compensation.

SECTION 2. Tennessee Code Annotated, Section 48-1-102(13)(A), is amended by adding the following as a new subdivision:

() Provides investment advice or holds oneself out as providing investment advice;

SECTION 3. Tennessee Code Annotated, Section 48-1-102, is amended by adding the following as a new subdivision:

() "Department" means the department of commerce and insurance;

SECTION 4. Tennessee Code Annotated, Section 48-1-103(a)(13)(A)(ii), is amended by deleting the language "one million dollars (\$1,000,000)" and substituting "five million dollars (\$5,000,000)".

SECTION 5. Tennessee Code Annotated, Section 48-1-103(a)(13)(A)(ii), is amended by deleting "offer" and substituting "offer. The commissioner may, by rule, require a sales report in a designated format".



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SECTION 6. Tennessee Code Annotated, Section 48-1-103(a)(13)(A), is amended by adding the language ", trust company," after "bank" wherever it appears.

SECTION 7. Tennessee Code Annotated, Section 48-1-103(b)(9)(A)(iii)(c), is amended by deleting the subdivision.

SECTION 8. Tennessee Code Annotated, Section 48-1-110(a)(3), is amended by deleting the subdivision and substituting:

(3)

(A) The commissioner shall require, at the applicant's expense, an agent or investment adviser representative applicant to submit a complete and legible set of fingerprints, in a format prescribed by the commissioner, to the commissioner or to the Tennessee bureau of investigation, for the purpose of obtaining a fingerprint-based criminal history check from the Tennessee bureau of investigation and the federal bureau of investigation.

(B) The commissioner shall conduct a fingerprint-based criminal history check of each applicant described in subdivision (a)(3)(A) by using information that is:

(i) Provided by the applicant under this subsection (a); and

(ii) Made available to the commissioner by the Tennessee bureau of investigation, the federal bureau of investigation, or another law enforcement agency.

(C) The commissioner shall:

(i) Enter into an agreement with the Tennessee bureau of investigation to administer a fingerprint-based criminal history check authorized under this subdivision (a)(3); and

(ii) Authorize the Tennessee bureau of investigation to collect from the applicant the costs incurred by the department in conducting the fingerprint-based criminal history check.

SECTION 9. Tennessee Code Annotated, Section 48-1-110(f), is amended by deleting subdivision (4) and substituting:

(4) To determine eligibility for registration, the commissioner may require by rule:

(A) Evidence of the qualifications and business history of the applicant and, if appropriate, the qualifications and business history of an affiliate, partner, officer, director, or other person occupying a similar status or performing similar functions for the applicant;

(B) Evidence of the applicant's injunctions, administrative orders, or misdemeanor convictions involving a security or an aspect of the securities business, if any, and the applicant's felony convictions, if any; and

(C) Evidence of the applicant's financial condition and history.

(5) Registration as an issuer-dealer becomes effective at twelve o'clock (12:00) noon, central time, of the thirtieth day after the department receives the completed application and the appropriate fee, if any, unless the department institutes a denial proceeding or grants an earlier effective date by order of the commissioner. The department may deny, revoke, or suspend the registration if the action is in the public interest and if the applicant or an affiliate, partner, officer, director, or other person occupying a similar status or performing similar functions:

(A) Has filed a registration application that included an untrue or misleading statement of a material fact;

(B) Has been convicted within the past ten (10) years of a misdemeanor involving an aspect of the securities business or an investment-related business, or a felony;

(C) Is permanently or temporarily enjoined by a court of competent jurisdiction from engaging in or continuing a conduct or practice involving an aspect of the securities business or an investment-related business; or

(D) Is the subject of an order entered within the past ten (10) years by an agency having regulatory authority with respect to the securities business or investment-related business, denying, revoking, or suspending a registration as a broker-dealer, agent, investment adviser, investment adviser representative, issuer-dealer, or the substantial equivalent of those terms as defined or described in this part, or ordering the person to cease and desist from continuing a conduct or practice involving an investment-related transaction based on fraud, deceit, or misrepresentation, or applicable law similar to § 48-1-121(a) and (b).

SECTION 10. Tennessee Code Annotated, Section 48-1-111(d), is amended by adding the following as a new subdivision:

(4) All working papers, recorded information, documents, and required records and copies of working papers, recorded information, documents, and required records produced by, obtained by, or disclosed to the commissioner or another person in the course of an examination made under this chapter are confidential and must not be made public by the commissioner or another person. This subdivision (d)(4) does not prohibit the commissioner from disclosing the content of an examination as provided in this subdivision (d)(4).

SECTION 11. Tennessee Code Annotated, Section 48-1-112, is amended by adding the following as a new subsection:

() The commissioner may bar or censure a registrant or an officer, director, partner, or other person occupying a similar status or performing similar functions for a registrant, or restrict, condition, or limit a registrant as to a function or activity of the business for which registration is required in this state.

SECTION 12. Tennessee Code Annotated, Section 48-1-116(e), is amended by adding the following as a new subdivision:

() The commissioner may, after notice and opportunity for a hearing pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, enter an order

of restitution, disgorgement, including interest and legal interest, or rescission directed to a person who has violated this chapter, a rule authorized by this chapter, or an order issued pursuant to this chapter. Restitution, disgorgement, or rescission is in addition to any other remedy or penalty provided for under this chapter.

SECTION 13. Tennessee Code Annotated, Section 48-1-125(a)(1)(D), is amended by deleting the language "§ 18(b)(4)(E)" and substituting "§ 18(b)(4)(F)".

SECTION 14. Tennessee Code Annotated, Section 48-1-125, is amended by adding the following new subsection:

() The following are subject to a late filing fee as established by the commissioner by rule:

- (1) An initial notice filing received more than thirty (30) days after the date of first sale;
- (2) An initial notice filing received more than one (1) year from the date of the first sale; or
- (3) A late filed renewal notice.

SECTION 15. Tennessee Code Annotated, Title 48, Chapter 1, Part 1, is amended by adding the following as a new section:

48-1-128. Broker-dealers and agents seeking expungement of customer dispute information from the Central Registration Depository (CRD) system.

(a) Prior to initiating a proceeding described in subdivision (a)(1)(A) or (a)(1)(B), a broker-dealer or an agent with a principal place of business, branch office, or other business location in this state, must:

- (1) Provide the department written notice at least sixty (60) days prior to:
 - (A) Filing to vacate, modify, or confirm an arbitration award relating to expungement of customer dispute information from the Central Registration Depository (CRD) system; or

(B) Filing an action in a court of competent jurisdiction to obtain expungement of customer dispute information from the CRD system;
and

(2) Name the department as a party to a proceeding described in subdivision (a)(1)(A) or (a)(1)(B).

(b) Notwithstanding subdivision (a)(2), upon receiving the written notice required by subdivision (a)(1), the commissioner may, in the commissioner's discretion, waive the obligation of a broker-dealer or an agent with a principal place of business, branch office, or other business location in this state to name the department as a party to a proceeding described in subdivision (a)(1)(A) or (a)(1)(B).

SECTION 16. Tennessee Code Annotated, Section 56-6-120(h), is amended by deleting "receiving a complaint, or the entry of an inquisitorial order, whichever comes first" and substituting "the entry of an inquisitorial order".

SECTION 17. Tennessee Code Annotated, Section 56-6-120(h), is amended by deleting the last sentence of the subsection.

SECTION 18. Tennessee Code Annotated, Section 48-1-118(b)(2), is amended by deleting the language "of commerce and insurance".

SECTION 19. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 20. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act. The Tennessee Code Commission is further requested to amend the heading to Tennessee Code Annotated, Section 48-1-110, by deleting the existing heading and substituting "**Registration as**

**a broker-dealer, agent, investment adviser, or investment adviser representative;
requirements and procedures."**

SECTION 21. Section 8 of this act takes effect on January 1, 2024, the public welfare
requiring it. All other sections of this act take effect upon becoming law, the public welfare
requiring it.

House Business & Utilities Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 456

House Bill No. 487*

by adding ", regardless of the provider of the internet access services" after "including streaming video content" and before the semicolon in subdivision (3)(B) in SECTION 1.

AND FURTHER AMEND by deleting "including streaming content" and substituting "including streaming video content, regardless of the provider of the internet access services" in subdivision (19)(B)(iii) in SECTION 2.

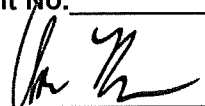


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Amendment No. _____



Signature of Sponsor

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Comm. Amdt. _____

AMEND Senate Bill No. 263

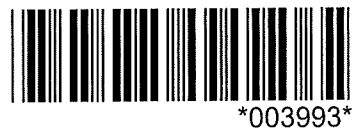
House Bill No. 82*

by deleting the amendatory language of SECTION 1 and substituting:

(d)

(1) If an employee receives a settlement, judgment, or decree under this chapter that includes the payment of medical expenses, and the employer or workers' compensation carrier unreasonably fails to reimburse the employee for any medical expenses actually paid by the employee within sixty (60) days of the settlement, judgment, or decree, or unreasonably fails to provide reasonable and necessary medical expenses and treatment, including failure to reimburse the employee for reasonable and necessary medical expenses, after receiving actual notice of the obligation to provide the medical treatment and a reasonable opportunity to obtain the information and documentation necessary to pay medical expenses or provide medical treatment, then the employer or workers' compensation carrier is liable, in the court's discretion, to pay the employee a sum not exceeding twenty-five percent (25%) of the expenses, in addition to the amount due for medical expenses paid. The court may exercise this discretion only if the court finds that the refusal to pay the claim inflicted additional expense, loss, or injury upon the employee.

(2) An employer or workers' compensation carrier is not liable under subdivision (d)(1) if payment of the subject medical expense is issued, or reasonable and necessary medical treatment is authorized, within sixty (60) days of the employer's or workers' compensation carrier's receipt of information and documentation reasonably necessary



to issue payment of the subject medical expense or to determine liability for reasonable and necessary medical treatment.

AND FURTHER AMEND by deleting the amendatory language of SECTION 2 and substituting:

(1) The reasonableness of attorney fees for services to employees under this chapter is subject to the approval of the workers' compensation judge before whom the matter is pending; provided, that attorney fees must not exceed twenty percent (20%) of the amount of the recovery or award to the injured worker, or in cases governed by § 50-6-207(4), twenty percent (20%) of the first four hundred fifty (450) weeks of the award; provided, further, that such fees must be paid by the party employing the attorney. All attorney fees for attorneys representing employers are subject to review for reasonableness of the fee and are subject to approval by a workers' compensation judge when the fee exceeds ten thousand dollars (\$10,000).

AND FURTHER AMEND by deleting SECTION 10 and substituting:

SECTION 10. Tennessee Code Annotated, Section 50-6-226(d)(1)(B), is amended by deleting the subdivision and substituting:

(B) Unreasonably denies a claim or unreasonably fails to timely initiate any of the benefits to which the employee or dependent is entitled under this chapter, including medical benefits under § 50-6-204, temporary or permanent disability benefits under § 50-6-207, or death benefits under § 50-6-210 if the workers' compensation judge makes a finding that the benefits were owed at an expedited hearing or compensation hearing.

SECTION 11. Tennessee Code Annotated, Section 50-6-226(d)(2)(B), is amended by deleting "June 30, 2023" and substituting "June 30, 2025".

SECTION 12. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it; except that SECTION 11 takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Willie L. Miller

Signature of Sponsor

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

AMEND Senate Bill No. 263

House Bill No. 82*

by deleting the amendatory language of SECTION 1 and substituting:

(d)

(1) If an employee receives a settlement, judgment, or decree under this chapter that includes the payment of medical expenses, and the employer or workers' compensation carrier wrongfully fails to reimburse the employee for any medical expenses actually paid by the employee within sixty (60) days of the settlement, judgment, or decree, or wrongfully fails to provide reasonable and necessary medical expenses and treatment, including failure to reimburse the employee for reasonable and necessary medical expenses, then after receiving actual notice of the obligation to provide the medical treatment and a reasonable opportunity to obtain the information and documentation necessary to pay medical expenses or provide medical treatment, the employer or workers' compensation carrier is liable, in the court's discretion, to pay the employee a sum not exceeding twenty-five percent (25%) of the expenses, in addition to the amount due for medical expenses paid. The court may exercise this discretion only if the court finds that the refusal to pay the claim inflicted additional expense, loss, or injury upon the employee. For purposes of this subsection (d), "wrongfully" means erroneously, incorrectly, or in a manner otherwise inconsistent with the law or facts.

(2) An employer or workers' compensation carrier is not liable under subdivision (d)(1) if payment of the subject medical expense is issued, or



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reasonable and necessary medical treatment is authorized, within sixty (60) days of the employer's or workers' compensation carriers' receipt of information and documentation reasonably necessary to issue payment of the subject medical expense or determine liability for reasonable and necessary medical treatment.

AND FURTHER AMEND by deleting the amendatory language of SECTION 2 and substituting:

(1) The reasonableness of attorney's fees for services to employees under this chapter is subject to the approval of the workers' compensation judge before whom the matter is pending; provided, that attorney's fees must not exceed twenty percent (20%) of the amount of the recovery or award to the injured worker, or in cases governed by § 50-6-207(4), twenty percent (20%) of the first four hundred fifty (450) weeks of the award; provided, further, that such fees must be paid by the party employing the attorney. All attorney's fees for attorneys representing employers are subject to review for reasonableness of the fee and are subject to approval by a workers' compensation judge when the fee exceeds ten thousand dollars (\$10,000).

Amendment No. _____



Signature of Sponsor

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Date _____
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Comm. Amdt. _____

AMEND Senate Bill No. 672*

House Bill No. 1051

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 33-6-407, is amended by deleting the section and substituting:

(a) As used in this section, "qualified advanced practice provider" means an individual working under the supervision of a licensed physician, and who is a:

(1) Licensed advanced practice nurse with a current certification from a national certifying organization as a psychiatric-mental health advanced practice nurse; or

(2) Physician assistant with a current certification from a national certifying organization as having additional qualifications in psychiatry.

(b) A hospital or treatment resource that receives a person transported under § 33-6-406 must have a licensed physician or a qualified advanced practice provider examine the person to determine whether the person is subject to admission under § 33-6-403.

(c) If the person is subject to admission under § 33-6-403, then the physician or qualified advanced practice provider must complete a certificate of need for the emergency diagnosis, evaluation, and treatment showing the factual foundation for the conclusions on each item of § 33-6-403, and the person who took the service recipient to the hospital or treatment resource may then apply for the admission for the purpose of emergency diagnosis, evaluation, and treatment.



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(d) If the person is not subject to admission and the sheriff or transportation agent is under a duty to remain at the hospital or treatment resource under § 33-6-406, then the sheriff or transportation agent shall return the person to the county.

(e) If the person is not subject to admission and the sheriff or transportation agent is not under a duty to remain at the hospital or treatment resource under § 33-6-406, then the hospital or treatment resource shall return the person to the county.

(f) A hospital, treatment resource, or healthcare provider is immune from any civil liability and has an affirmative defense to any criminal liability arising either from a determination relative to admission of a person to a facility or treatment resource or from the transportation of a person to and from the hospital or treatment resource.

SECTION 2. Tennessee Code Annotated, Section 33-6-426, is amended by deleting the section and substituting:

(a) If a person who is not a licensed physician executes the first certificate of need in support of hospitalization under this part, then only a licensed physician may execute the second certificate of need in support of hospitalization under this part.

(b) If a person who is a licensed physician and board certified as a psychiatrist by the American Board of Psychiatry and Neurology executes the first certificate of need in support of hospitalization under this part, then the patient may be subject to admission under § 33-6-403 without the execution of a second certificate of need in support of hospitalization under this part. This subsection (b) does not apply to a state-owned or -operated hospital or treatment resource.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 925*

House Bill No. 1429

by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as "Quinnlee's Law."

SECTION 2. Tennessee Code Annotated, Section 68-11-226(a), is amended by deleting the language "The board shall establish by rule that a provider of home medical equipment services that has a principal place of business outside this state shall maintain an office or place of business within this state."

SECTION 3. Tennessee Code Annotated, Section 68-11-226(a), is amended by designating the existing language as subdivision (a)(1) and adding the following as subdivision (a)(2):

(2) The board shall establish by rule that a provider of home medical equipment services that has a principal place of business outside this state shall identify a contact person who shall provide the state survey agency and its surveyors access to all survey-related material stored in either physical or electronic format upon demand. Such survey items may include, but are not limited to, personnel files, patient medical records, policies and procedures, data, background checks, abuse registry checks, facility reported incidents, litigation and bankruptcy history, current licensure status, copies of investigations, discipline records in any other state in which the provider is licensed, and video records or files if available.

SECTION 4. The Board for Licensing Health Care Facilities is authorized to promulgate rules to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.



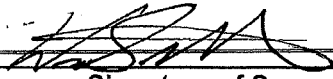
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SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 523*

House Bill No. 495

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, is amended by adding the following as a new part:

68-11-2201. This part is known and may be cited as the "Topical Medical Waste Reduction Act of 2023."

68-11-2202. The general assembly finds that this part is necessary for the immediate preservation of the public welfare, health, and safety.

68-11-2203. As used in this part:

(1) "Facility" means a hospital operating room, hospital emergency room department, or ambulatory surgical treatment center;

(2) "Facility-provided medication" means a topical antibiotic, anti-inflammatory, dilation, or glaucoma drop or ointment that a facility employee has on standby or that is retrieved from a dispensing system for a specified patient for use during a procedure or visit; and

(3) "Prescriber" means an individual authorized by law to prescribe drugs.

68-11-2204. If a facility-provided medication is ordered at least twenty-four (24) hours in advance for surgical procedures and is administered to a patient at the facility, then an unused portion of the facility-provided medication may be offered to the patient upon discharge when it is required for continuing treatment.



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68-11-2205. A facility-provided medication must be labeled consistent with labeling requirements under the Tennessee Pharmacy Practice Act of 1996, compiled in title 63, chapter 10, parts 2-5.

68-11-2206. If a facility-provided medication is used in an operating room or emergency department setting, then the prescriber shall counsel the patient on its proper use and administration and the requirement of pharmacist counseling is waived.

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

Amendment No. _____
Caleb Kemner
Signature of Sponsor

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

AMEND Senate Bill No. 392*

House Bill No. 575

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION 2. Tennessee Code Annotated, Section 63-9-107(a), is amended by designating the existing language as subdivision (a)(1) and adding the following new subdivision (a)(2):

(2)

(A) In establishing continuing medical educational requirements pursuant to subdivision (a)(1), the board of osteopathic examination shall consider including a course in maternal mental health, which must address the following:

(i) Best practices in screening for maternal mental health disorders, including cultural competency and unintended bias as a means to build trust with mothers;

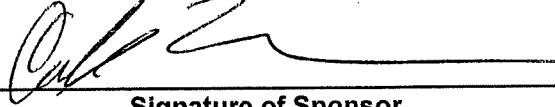
(ii) The range of maternal mental health disorders;

(iii) The range of evidence-based treatment options, including the importance of allowing a mother to be involved in developing the treatment plan; and

(iv) When an obstetrician or a primary care doctor should consult with a psychiatrist versus making a referral.

(B) The board shall periodically update any curriculum developed pursuant to this subdivision (a)(2) to account for new research.



Amendment No. _____

Signature of Sponsor

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Date _____
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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 392* House Bill No. 575

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

SECTION 1. Tennessee Code Annotated, Section 63-6-233, is amended by adding the following as a new subsection:

- (c)
 - (1) In establishing continuing medical educational requirements pursuant to subsection (b), the board of medical examiners shall consider including a course in maternal mental health, which may address the following:
 - (A) Best practices in screening for maternal mental health disorders, including cultural competency and unintended bias as a means to build trust with mothers;
 - (B) The range of maternal mental health disorders;
 - (C) The range of evidence-based treatment options, including the importance of allowing a mother to be involved in developing the treatment plan; and
 - (D) When an obstetrician or a primary care doctor should consult with a psychiatrist versus making a referral.
 - (2) The board shall periodically update any curriculum developed pursuant to this subsection (c) to account for new research.

SECTION 2. Tennessee Code Annotated, Section 63-9-107(a), is amended by designating the existing language as subdivision (a)(1) and adding the following new subdivision (a)(2):



(2)

(A) In establishing continuing medical educational requirements pursuant to subdivision (a)(1), the board of osteopathic examination shall consider including a course in maternal mental health, which may address the following:

(i) Best practices in screening for maternal mental health disorders, including cultural competency and unintended bias as a means to build trust with mothers;

(ii) The range of maternal mental health disorders;


(iii) The range of evidence-based treatment options, including the importance of allowing a mother to be involved in developing the treatment plan; and

(iv) When an obstetrician or a primary care doctor should consult with a psychiatrist versus making a referral.

(B) The board shall periodically update any curriculum developed pursuant to this subdivision (a)(2) to account for new research.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 878

House Bill No. 691*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-1-312(c), is amended by designating subdivision (2) as subdivision (3) and adding the following as a new subdivision:

(2) Beginning with the next adoption of academic standards in mathematics, the standards recommendation committee shall include academic standards for a course in data science for students in any of the grades nine through twelve (9-12) in the committee's final recommendations to the state board pursuant to subdivision (c)(1). As used in this subdivision (c)(2), "data science" means the use of mathematics, machine learning, computer science, statistical research, data processing, and domain knowledge to extract meaningful insights from data.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 12, is amended by adding the following as a new section:

An LEA that serves students in any of the grades nine through twelve (9-12) may offer a data science course to the students enrolled in the LEA that is aligned to the academic standards adopted by the state board of education pursuant to § 49-1-312.

SECTION 3. Tennessee Code Annotated, Section 49-6-6001(a), is amended by adding the following at the end of the subsection:

Beginning in the school year in which the academic standards adopted pursuant to § 49-1-312(c)(2) are available for implementation, the state board shall allow one (1) credit of data science to satisfy one (1) of the mathematics credits required for graduation.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____



Signature of Sponsor

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AMEND Senate Bill No. 1339

House Bill No. 1215*

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding another law to the contrary, a managed care organization (MCO) that contracts with the bureau of TennCare to provide medical assistance pursuant to this part shall not provide reimbursement or coverage for a medical procedure if the performance or administration of the procedure is for the purpose of:

(1) Enabling a person to identify with, or live as, a purported identity inconsistent with the person's sex; or

(2) Treating purported discomfort or distress from a discordance between a person's sex and asserted identity.

(b)

(1) The bureau of TennCare shall not contract with any MCO to provide medical assistance pursuant to this part if the MCO provides reimbursement or coverage for medical procedures prohibited under subsection (a) through:

(A) A contract with the bureau of TennCare;

(B) A private health insurance program regulated by this state;

(C) A state or local insurance program in this state or another state; or

(D) Any other program for insurance or medical assistance regulated or administered by another state.



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(2) For purposes of subdivision (b)(1) and application of the prohibition in subsection (a), "MCO's coverage or reimbursement" includes coverage or reimbursement by:

(A) An entity using the same or similar name or trademark to provide healthcare coverage via a license or other means, regardless of whether the entity is an independently owned entity from the MCO contracting with TennCare or operating in a designated service area other than this state;

(B) An entity that is a member or licensee of the same parent association or federation as the MCO contracting with TennCare, regardless of whether the entity is operating in a designated service area other than this state; or

(C) An entity that is a subsidiary of the same parent company as the MCO contracting with TennCare, regardless of whether the entity is operating in a designated service area other than this state.

(c) Within thirty (30) days of the effective date of this act, the bureau of TennCare shall appropriately revise or amend the contract between a managed care organization (MCO) and the bureau of TennCare to comply with this section.

(d) An MCO that is in violation of this section and is contracting with the bureau of TennCare to provide medical assistance pursuant to this part on the effective date of this act shall come into compliance with this section, and provide documentation to the bureau of the MCO's compliance, no later than one hundred and twenty (120) days after the effective date of this act.

(e) The department of commerce and insurance is authorized to periodically review each MCO, pursuant to its authority under title 56, chapter 2, part 9, to ensure compliance with this section. If the department of commerce and insurance finds that an MCO is operating in violation this section, the department of commerce and insurance

shall provide notice to the MCO and the bureau of TennCare of the violation. The bureau shall immediately provide notice of the finding to the MCO. If the MCO fails to remedy a violation within ninety (90) days after receiving notice, then the MCO may contest the finding and request a contested case hearing in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. Any MCO found to be in violation pursuant of this section shall be prohibited from providing medical assistance pursuant to this part.

(f) As used in this section:

(1) "Hormone" means an androgen or estrogen;

(2) "Managed care organization" or "MCO" means a health maintenance organization, behavioral health organization, or managed health insurance issuer that participates in the TennCare program;

(3) "Medical procedure" means:

(A) Surgically removing, modifying, altering, or entering into tissues, cavities, or organs of a human being; or

(B) Prescribing, administering, or dispensing any puberty blocker or hormone to a human being;

(4) "Puberty blocker" means a drug or device that suppresses the production of hormones in a minor's body to stop, delay, or suppress pubertal development; and

(5) "Sex" means a person's immutable characteristics of the reproductive system that define the individual as male or female, as determined by anatomy and genetics existing at the time of birth.

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

Amendment No. _____


Signature of Sponsor

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 856*

House Bill No. 976

by deleting subdivision (b)(2) in Section 1 and substituting instead:

(2) "Fire department":

(A) Means a department of a municipality, county, or political subdivision, or an organization, agency, or entity that offers its services, for or without pay, for the purpose of suppressing fires, performing rescue services, or for other emergency response purposes; and

(B) Does not include law enforcement agencies, emergency medical agencies licensed by the Tennessee emergency medical services board, and rescue squads that do not provide fire protection;

AND FURTHER AMEND by deleting subdivision (a)(1) in Section 2 and substituting instead:

(1) "Department" means the department of labor and workforce development;

AND FURTHER AMEND by deleting subdivision (a)(3) in Section 2 and substituting instead:

(3) "Fire department":

(A) Means a department of a municipality, county, or political subdivision, or an organization, agency, or entity that offers its services, for or without pay, for the purpose of suppressing fires, performing rescue services, or for other emergency response purposes; and

(B) Does not include law enforcement agencies, emergency medical agencies licensed by the Tennessee emergency medical services board, and rescue squads that do not provide fire protection;

AND FURTHER AMEND by deleting subsection (d) in Section 2 and substituting instead:


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(d) The department shall administer the program pursuant to rules promulgated by the department. The rules must provide for the awarding of grants to employers, or to the workers compensation benefits provider of employers, who apply for a grant and meet the requirements described in subdivision (e)(1), which must be verified by the state fire marshal's office.

AND FURTHER AMEND by deleting subsection (e) in Section 2 and substituting instead:

(e)

(1) The department may award an employer a grant if the employer provides mental health awareness training for its personnel, which must include:

(A) Understanding the signs and symptoms of stress, depression, anxiety, psychological trauma, complex trauma, and addiction;

(B) Understanding, navigating, and reducing mental health stigma;

(C) Utilizing appropriate de-escalation strategies; and

(D) Managing stress, using self-care techniques, developing coping skills, and promoting resiliency.

(2) An employer may develop the mental health awareness training described in subdivision (e)(1), or may use a training program developed by another entity that satisfies the criteria set forth in subdivision (e)(1).

AND FURTHER AMEND by deleting subsection (f) in Section 2 and substituting instead:

(f) The employer shall grant a firefighter who receives mental health awareness training in accordance with subsection (e) appropriate continuing education credits.

AND FURTHER AMEND by adding the following as new subsections in Section 2:

(g) The department shall annually provide a report, on or before February 1 each year, to the chairs of the state and local government committee of the senate and the local government committee of the house of representatives. The report must include an analysis of the number of claims brought under Section 1, the portion of those claims

that resulted in a settlement or award of benefits, the effect of this section on costs to this state and its political subdivisions, and the balance of funds available for future claims.

(h) This section is repealed December 31, 2028.

Amendment No. _____

Ben A. ...
Signature of Sponsor

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

AMEND Senate Bill No. 452

House Bill No. 405*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 2-2-116, is amended by adding the following new language on the permanent registration record when a person registers to vote:

13. Statewide Political Party or Recognized Minor Party Affiliation _____

Notice: A voter choosing not to select a statewide political party or recognized minor party affiliation is deemed to be an independent and is not eligible to vote in a primary election.

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 7, is amended by adding the following language as a new section:

2-7-144.

(a) By December 31, 2023, the county election commission shall determine, for each registered voter in the county, the most recent primary in which the voter has participated and then designate on the voter's permanent registration record the statewide political party or recognized minor party with which the voter is affiliated based on the prior primary participation. If a voter has not participated in a primary, then the county election commission shall designate such voter as independent on the voter's permanent registration record.

(b) A registered voter affiliated with a political party who chooses to declare a different statewide political party or recognized minor party affiliation or a registered voter designated as independent who chooses to declare a statewide political party or



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recognized minor party affiliation prior to a primary election may only do so more than thirty (30) days prior to the election.

SECTION 3. Tennessee Code Annotated, Section 2-7-115, is amended by deleting subsection (b) and substituting instead the following:

(b) A registered voter may vote in a primary election for offices for which the voter is qualified to vote at the polling place where the voter is registered if the voter is registered as being affiliated with that political party.

SECTION 4. Tennessee Code Annotated, Section 2-2-112(b), is amended by adding the following new subdivision (3) and by redesignating the existing subdivision (3) as subdivision (4):

(3) Affiliate with, or change a registered voter's affiliation with, a statewide political party or recognized minor party. Affiliation with, or a change in affiliation with, a statewide political party or recognized minor party may only be accepted and processed more than thirty (30) days before the next primary election in the jurisdiction in which the voter resides; and

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Elaine Davis

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 551

House Bill No. 448*

by adding the following new subsection (d) to SECTION 1:

(d) This section does not apply to:

(1) A meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or

(2) A meeting for which there are no actionable items on the agenda.



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Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 1248

House Bill No. 1100*

by deleting all language after the caption and substituting:

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

SECTION 1. Tennessee Code Annotated, Section 38-8-107, is amended by adding the following language as a new subsection (f):

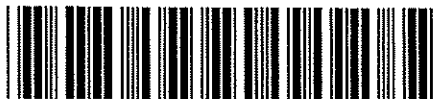
(f) The commission shall develop a continuing education training curriculum concerning diversity, race relations, and cultural awareness, and shall provide the curriculum to all law enforcement agencies throughout the state. The commission shall issue a certificate of compliance to any law enforcement officer who satisfactorily completes the training program. In order to remain in compliance with this section, a law enforcement officer employed before July 1, 2023, must satisfactorily complete the diversity training program curriculum and receive a certificate of compliance from the commission by July 1, 2024.

SECTION 2. Tennessee Code Annotated, Section 38-8-107, is amended by deleting subsection (a) and substituting instead the following:

(a) The commission shall issue a certificate of compliance to any person who meets the qualifications for employment and satisfactorily completes an approved recruit training program. All officers employed on and after July 1, 2023, must:

(1) Enroll in an approved recruit training program within six (6) months of their date of employment;

(2) Successfully complete an approved recruit training program as required by this part;



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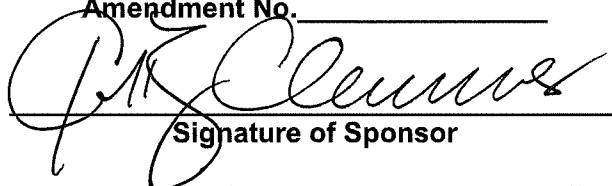


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(3) Successfully complete an annual in-service training session appropriate for their rank and responsibilities; and

(4) Successfully complete a diversity training program developed by the commission as required by subsection (f).

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 1019*

House Bill No. 1492

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Drone" has the same meaning as defined in § 39-13-609; and

(2) "Law enforcement agency" has the same meaning as defined in § 39-13-609.

(b) By January 1, 2024, each law enforcement agency shall develop and enforce a policy that prohibits an officer from using a drone or other substantially similar device as a weapon under any circumstances while in the exercise of the officer's official duties.

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



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Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 1463

House Bill No. 562*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 58-1-109, is amended by designating the existing language as subsection (a) and adding the following new subsection (b):

(b) The compensation for members of the national guard under this section must accrue upon being ordered to active state service. The payment of compensation to the members must use this state's established weekly pay cycle as needed to effectuate compensation.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



Amendment No. _____

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

Signature of Sponsor

AMEND Senate Bill No. 552

House Bill No. 353*

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

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) This section is known and may be cited as "Sergeant Chris Jenkins Law."

(b) It is an offense for a person to operate a motor vehicle upon a public roadway while transporting a ladder on the motor vehicle or in an open bed or trailer that is not firmly secured by adequate means to prevent the ladder from falling onto the roadway. A ladder being transported as described in this subsection (b) must be secured with lateral straps affixed at each end of the ladder.

(c) This section does not alter or amend any requirements in § 65-15-111 pertaining to additional requirements for commercial motor vehicles.

(d) A violation of this section is a Class C misdemeanor; except, that if an improperly secured ladder causes or contributes to a motor vehicle accident, then a violation of this section is a Class A misdemeanor.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 976

House Bill No. 825*

by deleting SECTION 13 and substituting instead:

SECTION 13. Tennessee Code Annotated, Section 55-50-102(22)(F), is amended by deleting the subdivision and substituting instead:

(F) CLASS M.

(i) The Class M license is valid for all motorcycles, including all motorscooters. This license classification may be added to a license valid for another class, or it may be issued as the only classification on a license if the applicant is not licensed for another classification.

(ii) A Class M-limited license may also be issued and is valid for all motorscooters, including mopeds, but not for larger motorcycles. The department may develop knowledge and skills tests that are suitable for the Class M-limited license and for the operation of motorscooters.

AND FURTHER AMEND by deleting SECTION 19 and substituting instead:

SECTION 19. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 210

House Bill No. 180*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 55-7-203(b)(9)(A), is amended by deleting the language "operated by an engine fueled primarily by natural gas" and substituting instead the language "operated by an engine fueled primarily by natural gas or powered primarily by means of electric battery power".

SECTION 2. Tennessee Code Annotated, Section 55-7-203(b)(9)(A)(i), is amended by deleting the subdivision and substituting instead the following:

- (i) The weight of the vehicle attributable to:
 - (a) The electric batteries used to power the vehicle; or
 - (b) The natural gas tank and fueling system carried by that vehicle; and

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Mary L. Little
Signature of Sponsor

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

AMEND Senate Bill No. 244

House Bill No. 62*

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

SECTION 1. Tennessee Code Annotated, Section 37-5-119, is amended by deleting subsection (d) and substituting instead the following:

(d)

(1) Each teacher in the special school district must receive an annual compensation rate at the start of the teacher's employment in the special school district that is no less than the average annual compensation rate for teachers in the county in which the respective youth development center is located.

(2) Each teacher in the special school district who has completed an annual performance review cycle on or before July 1, 2023, is eligible for merit pay, salary increases, bonuses, and other benefits implemented after July 1, 2023, in the same manner as other preferred service employees.

(3) Teachers in the special school district are eligible for longevity pay consistent with title 8, chapter 23, part 2.

(4) This subsection (d) shall not be construed to reduce the compensation currently paid to a teacher in the special school district.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



House Children & Family Affairs Subcommittee Am. #1

Amendment No. _____

Mary Little

Signature of Sponsor

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

AMEND Senate Bill No. 332

House Bill No. 91*

by deleting all language after the enacting clause and substituting:

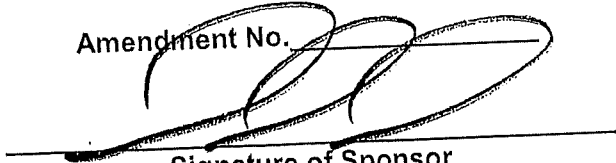
SECTION 1. Tennessee Code Annotated, Section 37-5-107(b), is amended by adding the following as a new subdivision:

(3) The department may disclose information about a case to the public if all parties involved in the case, including the child, are deceased and all identifying personal information of the parties is redacted. As used in this subdivision (b)(3), "identifying personal information" includes, but is not limited to, date of birth, address, and social security number, but does not include a party's name.

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



Amendment No.


Signature of Sponsor

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

AMEND Senate Bill No. 391

House Bill No. 249*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 27-5-108, is amended by deleting subsection (d) and substituting:

(d)

(1) Except as provided in subdivision (d)(2), if no appeal is taken within the time provided, then execution may issue.

(2) For a writ of possession, if no appeal is taken within the time provided, then execution shall issue by operation of law.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



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House Public Service Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 159*

House Bill No. 184

by deleting the language "political action committee" in Section 2(c) and substituting instead the language "political campaign committee".



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Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 158*

House Bill No. 182

by deleting Sections 1 and 2 and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 2-10-125, is amended by deleting subsections (b) and (e) and substituting:

(b) The disclosure must be on a form designed by the Tennessee ethics commission, be made under oath, and contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form must be filed within five (5) days of entering into a contract for consulting services or campaign services. If services continue to be provided under the contract for a period exceeding twelve (12) months, the disclosure form must be updated annually within five (5) days of the initial contract date in each subsequent year in which the contract is in effect.

(e) If a person or entity contracts to pay a member of the general assembly or a staff person or employee of the general assembly a fee, commission, or other form of compensation, for the provision of campaign services to a candidate for state office or to a political campaign committee attempting to influence the result of a state election, the person or entity shall make the disclosures required under subdivisions (a)(1)-(5) with respect to the campaign services provided.

SECTION 2. Tennessee Code Annotated, Section 2-10-126, is amended by deleting subsections (c) and (e) and substituting instead:

(c) The disclosure must be on a form designed by the Tennessee ethics commission, be made under oath, and contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form must be filed within five (5)



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days of entering any contract for consulting services or campaign services. If services continue to be provided under the contract for a period exceeding twelve (12) months, the disclosure form must be updated annually within five (5) days of the initial contract date in each subsequent year in which the contract is in effect.

(e) If a member of the general assembly or a staff person or employee of the general assembly contracts to receive a fee, commission, or other form of compensation, for the provision of campaign services to a person or political campaign committee attempting to influence the result of a state election, the member, staff person, or employee shall make the disclosures required under § 2-10-125(a)(1)-(5) with respect to the campaign services provided.

AND FURTHER AMEND by deleting the language "§§ 2-10-224 – 2-10-232" in Section 4(a) and substituting instead the language "§§ 2-10-122 – 2-10-130".

House Public Service Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 1119

House Bill No. 1153*

by deleting the second WHEREAS clause and substituting the following:

WHEREAS, Major General Haston served with honor and distinction as Tennessee's
75th Adjutant General from 2010 to 2019; and



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Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 562

House Bill No. 452*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 2, is amended by adding the following as a new section:

(a) Except as provided in subsection (c), beginning January 1, 2024, a prisoner of a county workhouse or jail who is released from custody on work release or otherwise allowed to leave the grounds of the county workhouse or jail for employment or to perform work in the community, whether the work is paid or unpaid, must use an electronic monitoring device at all times when the prisoner is not on the grounds of the county workhouse or jail.

(b) The entity employing the prisoner or utilizing the prisoner for work shall pay the costs of the electronic monitoring device required pursuant to subsection (a).

(c) This section does not apply if the prisoner, at all times while not on the grounds of the county workhouse or jail:

(1) Is supervised by an armed law enforcement or corrections officer; and

(2) Remains in the direct eyesight of an armed law enforcement or corrections officer.

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



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Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 126

House Bill No. 111*

by deleting SECTION 1 and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 68-211-835(g)(4), is amended by deleting the following language:

according to the 1990 federal census or any subsequent federal census,

and substituting the following language:

according to the 1990 federal census or any subsequent federal census, or any county having a population of not less than sixteen thousand two hundred (16,200) nor more than sixteen thousand three hundred (16,300), according to the 2020 federal census or any subsequent federal census,



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Amendment No. _____



Signature of Sponsor

FILED
Date _____
Time _____
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Comm. Amdt. _____

AMEND Senate Bill No. 514*

House Bill No. 724

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 8-10-102(b), is amended by deleting subdivision (b)(1) and substituting:

(1)

(A) Except as provided in subdivision (b)(2), a person seeking the office of constable shall file with the county election commission, along with the nominating petition:

(i) An affidavit signed by the candidate affirming that the candidate meets the requirements of this section. In the event that the candidate seeks election to the office of constable by the county legislative body to fill a vacancy in office, the same affidavit must be filed with the county clerk prior to the election; and

(ii) A letter from a psychologist licensed in this state who has conducted a cognitive and psychological test on the candidate stating that the candidate is mentally and cognitively fit to perform the duties of a constable. In the event that the candidate seeks election to the office of constable by the county legislative body to fill a vacancy in office, the same letter must be filed with the county clerk prior to the election.

(B) A constable in office on and elected prior to July 1, 2023, or a constable who complied with subdivision (b)(1)(A)(ii) and is seeking reelection on or after July 1, 2023, is not required to resubmit the letter or obtain a new letter pursuant to subdivision (b)(1)(A)(ii).



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(C) Candidates for the office of constable to which subdivision (b)(1)(A)(ii) applies are responsible for covering the costs of cognitive and psychological testing.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 1355

House Bill No. 1421*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-51-108(a), is amended by deleting subdivision (2) and substituting:

(2) The sales price of tickets or shares and the manner of sale; provided, that all sales must be for cash only and that payment by checks, credit cards, charge cards, electronic benefit transfer cards, or any form of deferred payment is prohibited. For the purposes of this subdivision (a)(2), "cash" means coins and notes, and includes cash-equivalent payments such as debit cards, money orders, and prepaid gift cards. Nothing in this part requires the use of cash-equivalent payments or prohibits or restricts the direct sale of lottery tickets or shares by the corporation through any form of payment and in any amount;

SECTION 2. Tennessee Code Annotated, Section 4-51-123, is amended by deleting subsection (g) and substituting:

(g) No lottery game utilizing an electronic or mechanical machine may use a machine that:

- (1) Dispenses coins or currency; or
- (2) Allows payment via credit cards.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Curt Johnson

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1465

House Bill No. 1524*

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

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 4, Part 1, is amended by adding the following as a new section:

(a) The agency shall redesignate waterfowl hunt locations designated as Tier 2 locations in 2021 as Tier 1 locations.

(b) The random drawing for Tier 1 designated waterfowl hunt locations:

(1) Must be held in-person in the vicinities or locations utilized prior to September 1, 2018;

(2) Must not utilize a priority point system; and

(3) Is open only to residents of this state who hold all required state and federal licenses and permits for hunting waterfowl at the time of entry, except that an individual is not required to have a valid migratory bird hunting and conservation stamp as described in 16 U.S.C. § 718 et seq. at the time of entry for a drawing.

(c) The agency may install a blind or blinds in new locations within existing wildlife management areas, to be designated as a Tier 2 waterfowl hunt location. If a blind is installed pursuant to this subsection (c), then the agency shall promulgate rules to establish a random drawing for that location. The drawing may be a random computerized drawing.

(d)



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(1) The owner of a private blind on wildlife management area property shall extend ownership of the blind to a person of the owner's choice and the person to whom ownership is extended retains ownership until their death.

(2)

(A) The agency shall auction the use of private blinds that have reverted back to this state since January 1, 2017, to commercial outfitters and guides. Each private blind auctioned in accordance with this subsection (d) must be auctioned for a full waterfowl hunting season or multiple seasons.

(B) The agency shall promulgate rules to effectuate subdivision (d)(2)(A). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(3) To be eligible for the auction under subdivision (d)(2), a commercial outfitter or commercial guide must:

(A) Have the appropriate outfitter or guide license; and

(B) Carry an appropriate policy for guide or outfitter general liability insurance.

(4) Proceeds collected from auctions held pursuant to this subsection (d) must be deposited into the wildlife resources fund established in § 70-1-401.

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

Amendment No. _____



Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND <SB>

House Joint Resolution No. 120*

by deleting the last resolving clause and substituting:

BE IT FURTHER RESOLVED, that we request the Tennessee Wildlife Resources Agency to erect a marker at Maness Swamp Refuge in Weakley County in remembrance of the lives of these two outstanding young sportsmen, Zackery Groom and Chance Black.



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Amendment No. _____

John D Raga

Signature of Sponsor

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

AMEND Senate Bill No. 1203

House Bill No. 1387*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 3-17-102(6)(A), is amended by adding the following as a new subdivision:

() Is a foundation, connected to a chamber of commerce that has been in continuous and active existence in this state for at least ten (10) successive years in the county in which the foundation applies to hold an annual event;

SECTION 2. Tennessee Code Annotated, Section 3-17-103(a)(1)(A), is amended by deleting subdivisions (ii)-(vii) and adding the following language as a new, appropriately designated subdivision:

(ii) In addition to the submission deadline described in subdivision (a)(1)(A)(i), a nonprofit organization seeking to operate an annual event for the benefit of that organization located in this state may submit an annual event application to the secretary within five (5) calendar days after this act becomes law, for the annual event period beginning July 1, 2023, and ending June 30, 2024.

SECTION 3. Tennessee Code Annotated, Section 3-17-103(a)(1)(B), is amended by deleting the language "subdivisions (a)(1)(A)(ii)-(vii)" and substituting instead the language "subdivision (a)(1)(A)(ii)".

SECTION 4. Tennessee Code Annotated, Section 3-17-103(b), is amended by deleting subdivisions (2)-(7) and adding the following language as a new, appropriately designated subdivision:




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(2) In addition to the omnibus listing transferred to the clerk of the senate and the clerk of the house of representatives pursuant to subdivision (b)(1), the secretary shall transfer an additional omnibus listing of any organizations approved pursuant to subdivision (a)(1)(A)(ii) for the annual event period beginning July 1, 2023, and ending June 30, 2024. The list must be transferred in a manner consistent with subdivision (b)(1) by twelve o'clock (12:00) noon central daylight time (CDT) within ten (10) calendar days after this act becomes law.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it, and SECTION 1 of this act terminates on July 1, 2026.

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 160*

House Bill No. 183

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 2-10-105, is amended by adding the following language at the end of subsections (a) and (b):

The statement of expenditures by a political campaign committee must consist of all amounts paid by the political campaign committee from received contributions.

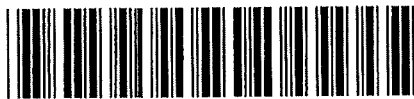
SECTION 2. Tennessee Code Annotated, Section 2-10-106(b)(1), is amended by deleting the subdivision and substituting:

(1) A candidate who complies with § 2-10-105(a) and (b), as applicable, and § 2-10-131(a), shall ensure that:

(A) All funds in a campaign account remain separate and segregated at all times from other funds, including from personal funds and the funds of a political campaign committee controlled, either directly or constructively, by the candidate; and

(B) All credit transactions incurred on behalf of the candidate's campaign activities or officeholder activities are separate and segregated at all times from other credit transactions incurred on behalf of the candidate personally; the candidate's business, if any; the candidate's non-campaign or non-officeholder related activity; or the activity of a political campaign committee controlled, either directly or constructively, by the candidate.

SECTION 3. Tennessee Code Annotated, Section 2-10-106(b)(3), is amended by deleting the subdivision and substituting:



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(3) A candidate found to be in violation of subdivision (b)(1) commits a Class 2 offense.

SECTION 4. Tennessee Code Annotated, Section 2-10-108, is amended by deleting subsections (b) and (c) and substituting:

(b)

(1) All sworn complaints on a report of a candidate for state public office, a political campaign committee contributing to a candidate for state public office, or a political campaign committee registered with the registry of election finance must be filed in the office of the registry of election finance. The registry shall conduct a preliminary review to determine if the complaint is factually and legally sufficient. If the complaint is not factually and legally sufficient, then the registry shall dismiss the complaint and notify the complainant. If the registry determines the complaint is factually and legally sufficient, then the registry may refer the complaint to the office of the attorney general and reporter, who shall conduct a preliminary investigation and report the findings of the investigation in writing to the registry. Alternatively, if the registry determines that the complaint is factually and legally sufficient and that the circumstances are appropriate, then the registry may order the registry's staff to conduct an investigative audit of the alleged violator's campaign finance disclosure reports. In such instances, the alleged violator is obligated to produce all documentation required to be maintained by § 2-10-105(f) and to comply in good faith and with total candor with all requests for documentation or clarification properly requested by the registry's auditor or counsel.

(2) Once either the attorney general's investigation or the audit is complete, the registry shall set the complaint for a show cause hearing to determine if the registry should take action regarding the complaint, including, but not limited to, assessing civil penalties pursuant to § 2-10-110. Both the alleged

violator and the complainant are entitled, upon request, to present evidence before the registry at or prior to the show cause hearing. The registry must have notice that evidence will be presented to the registry personally served upon, sent by return receipt requested mail, or sent by electronic mail to the alleged violator and the complainant.

(3) The registry may determine the appropriate procedure for the presentation of evidence. After the conclusion of the show cause hearing, the registry shall reduce its decision to writing and provide a written statement of the registry's decision to all parties.

(c) All sworn complaints on a report of a candidate for local public office, a political campaign committee contributing to a candidate for local public office, or a political campaign committee registered with a local election commission must be filed in the office of the district attorney general who represents the judicial district in which the voter resides.

SECTION 5. Tennessee Code Annotated, Section 2-10-109(b), is amended by deleting the subsection and substituting:

(b)

(1) A district attorney shall:

(A) Investigate a sworn complaint filed in accordance with § 2-10-108(c); and

(B) Upon review and the completion of the investigation of a complaint, refer its investigative report containing findings of potential violations, if any, to the registry for consideration of the assessment of civil penalties pursuant to § 2-10-110.

(2) The registry may, upon review of an investigative report received from a district attorney general under subdivision (b)(1)(B), dismiss the complaint if the complaint is not factually and legally sufficient. The registry shall notify the

complainant of the dismissal. If the registry determines the complaint is factually and legally sufficient, then the registry may set the complaint for a show cause hearing to determine if the registry should take action regarding the complaint, including, but not limited to, assessing civil penalties pursuant to § 2-10-110.

(3) Both the alleged violator and the complainant may, upon request, present evidence before the registry at or prior to the show cause hearing. The registry shall notify the alleged violator and the complainant that evidence will be presented to the registry if requested. The registry may determine the appropriate procedure for presenting evidence. After the conclusion of the show cause hearing, the registry shall reduce its decision to writing and provide a written statement of the registry's decision to all parties.

SECTION 6. Tennessee Code Annotated, Section 2-10-110(a)(2)(B), is amended by adding the following language to the end of the subdivision:

In a contested case proceeding, the candidate or political campaign committee bears the burden of proof to establish that the candidate or committee's conduct, or submitted reports, complied with this part.

SECTION 7. Tennessee Code Annotated, Section 2-10-114, is amended by inserting the following language as a new subsection:

(g)

(1) Transfers of funds or assets from a candidate's campaign account or a political campaign committee controlled by a candidate for a federal election to a candidate's campaign account or a political campaign committee controlled by the candidate for such candidate in an election for a state or local public office in this state are prohibited.

(2) Transfers of excess funds or assets from a candidate's political campaign committee or campaign account for election to a local public office to a

political campaign committee or campaign account of or for such candidate in an election to the general assembly or governor in this state are prohibited.

SECTION 8. Tennessee Code Annotated, Title 2, Chapter 10, is amended by deleting §§ 2-10-119 and 2-10-310(c) in their entirety.

SECTION 9. Tennessee Code Annotated, Section 2-10-206(a)(6), is amended by deleting the language "January 15" and substituting instead "July 1".

SECTION 10. Tennessee Code Annotated, Section 2-10-302, is amended by adding the following new subsections:

(e)

(1) A candidate for state or local public office, or an elected state or local public office holder, shall not accept a contribution with respect to an election in excess of the loans and obligations outstanding from such election after the close of the reporting period following the date of the election, not including the reporting period in which the election occurs. A successful candidate for state or local public office who reports no outstanding loans or obligations may continue to accept contributions for the purpose of defraying officeholder expenses until the close of the reporting period following the date of the election, not including the reporting period in which the election occurs.

(2) Beginning with the reporting period following the date of the election, not including the reporting period in which the election occurs, a candidate for state or local public office reporting an unexpended balance or an outstanding loan or obligation who has not affirmatively created a new campaign account for the next election shall, in addition to the reporting requirements established by §§ 2-10-105 and 2-10-107, file a complete copy of the candidate's campaign account banking statements corresponding to the full term of the reporting period with the registry or local election commission, as applicable. Such banking statements must continue to be filed by the candidate for each required reporting

period until such time as the candidate no longer possesses an unexpended balance of funds or an outstanding loan or obligation, or until such time as the candidate transfers such funds, loans, or obligations to another campaign fund for a subsequent election pursuant to § 2-10-114(a)(1), whichever occurs earlier. A failure to file the required banking statements is a Class 2 offense as defined by § 2-10-110(a)(2).

(3) This subsection (e) does not:

(A) Prevent a candidate who is a candidate in the general election from paying primary election loans and obligations with funds that represent contributions made with respect to the general election; or

(B) Prevent a candidate who is a candidate in a run-off election from paying loans and obligations with respect to the previous election with funds that represent contributions made with respect to the runoff election.

(f)

(1) Contributions received by a candidate must be attributed to the appropriate election, and reported accordingly, in accordance with the following criteria:

(A) In the case of a contribution designated in writing by the contributor for a particular election, the election so designated; and

(B) In the case of a contribution not designated in writing by the contributor for a particular election, the next election after the contribution is made.

(2) A contribution designated in writing for a particular election, but made after that election, must be made only to the extent that the contribution does not exceed the contribution limits from such election. To the extent that such contribution exceeds the contribution limits from such election, the candidate

shall either return the contribution to the contributor or obtain written authorization from the contributor to redesignate the contribution to another election within sixty (60) calendar days of the receipt of the contribution.

(g)

(1) A contribution made by more than one (1) person, except for a contribution made by a partnership, must include the signature of each contributor on the check, money order, or other negotiable instrument or in a separate writing. If a contribution made by more than one (1) person does not indicate the amount to be attributed to each contributor, the contribution is deemed to be attributed equally to each contributor.

(2) The limitations on contributions in this section apply separately to contributions made by spouses, even if only one (1) spouse has income; provided, that each spouse signs the check, money order, or other negotiable instrument or the separate contributions are designated in writing by the contributing spouses as being independent contributions. Contributions made from an account shared by spouses, regardless of the type of account, must be presumed to be made by the individual authorizing the contribution alone, absent the written designation of independent contributions.

(h) The limitations of this section apply separately with respect to each election. An election in which a candidate is unopposed is a separate election for the purposes of the limitations on contributions in this section.

SECTION 11. Tennessee Code Annotated, Section 2-10-308, is amended by deleting subsections (c) and (e) and substituting instead:

(c) To request a waiver, reduction, or to contest a penalty imposed by the registry of election finance pursuant to this part, a person or political campaign committee shall file a petition with the registry of election finance. Such petition may be considered as a contested case proceeding under the Uniform Administrative

Procedures Act, compiled in title 4, chapter 5. In any such contested case proceeding, the person or political campaign committee bears the burden of proof to establish that the person or committee's conduct complied with this part.

(e) If a civil penalty lawfully assessed and all lawfully assessed costs attendant to the penalty against a political campaign committee are not paid within thirty (30) calendar days after the assessment becomes final:

(1) The political campaign committee owing the civil penalty shall not receive contributions; make expenditures to support or oppose candidates; or make expenditures to other political campaign committees. The treasurer and officers of such delinquent political campaign committee shall not create another political campaign committee or serve as a treasurer or an officer for another political campaign committee until such penalty and all costs attendant to the penalty are paid in full; and

(2) The treasurer and the officers of the political campaign committee listed on the forms on file with the registry pursuant to § 2-10-105(e) at the time the conduct that gave rise to the civil penalty occurred are ineligible to qualify for election to a state or local public office until the penalty is paid.

SECTION 12. Tennessee Code Annotated, Section 2-10-121, is amended by deleting the section in its entirety.

SECTION 13.

(a) For purposes of promulgating rules and carrying out administrative duties necessary to effectuate this act, Sections 1, 9, and 10 take effect upon becoming a law, the public welfare requiring it. Sections 1, 9, and 10 take effect on January 1, 2024, for all other purposes, the public welfare requiring it.

(b) Sections 2-8, 11, and 12 take effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

By [Signature]
Signature of Sponsor

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

AMEND Senate Bill No. 580

House Bill No. 118*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 1, is amended by adding the following as a new section:

(a) Each county election commission shall include on the November 2024 election ballot the following question for the voters of the county and for the voters of each municipality within the county, respectively:

Should members of the legislative body for (name of local government) be term limited after sixteen (16) years in office? YES or NO

(b) Residents of a municipality within a county may vote on the question posed under subsection (a) for members of the county legislative body. Residents of the unincorporated area of a county shall not vote on the question posed under subsection (a) for the members of the legislative body of a municipality within the county.

(c) If the majority of the electorate of a local government:

(1) Does not vote in the affirmative on the question posed under subsection (a), the question may be placed on the November ballot in a next subsequent even-numbered year by:

(A) Submitting a petition in support of sixteen-year term limits to the governing body of the local government containing the signatures of ten percent (10%) or more of the votes cast in the jurisdiction for governor at the last preceding gubernatorial election; or



(B) The adoption of a resolution by a two-thirds (2/3) majority vote of the local legislative body calling for the question to be placed on the ballot; and

(2) Votes in the affirmative on the question posed under subsection (a), the question of whether to remove sixteen-year term limits from local legislative bodies may be placed on the November ballot in a next subsequent even-numbered year in the same manner that a question may be placed on such a ballot in accordance with subdivision (c)(1).

(d) If a local government, by majority vote, votes in the affirmative to impose term limits on members of the local legislative body, then beginning with the next general November election in the next subsequent even-numbered year, each member of the legislative body of the local government is subject to a term limit of sixteen (16) years, regardless of whether terms are served consecutively. If a member of a local legislative body is in office when term limits go into effect, and the member will have served more than sixteen (16) years by the end of the member's current term of office, the member may serve out the remainder of the member's term.

(e) As used in this section, "local government" means an incorporated city or town, including a home rule city; a county, including a charter county; and a metropolitan government.

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

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 1158

House Bill No. 871*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 2-6-601(a), is amended by deleting the language:

The county election commission may begin the voting at the nursing homes twenty-nine (29) days before an election.

and substituting instead:

The county election commission may begin the voting at the nursing homes twenty-seven (27) days before an election.

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

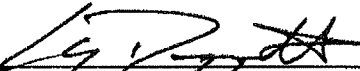


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Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 841

House Bill No. 30*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 7-51-1102, is amended by adding the following new subdivisions:

() "Adult cabaret entertainment":

(A) Means adult-oriented performances that are harmful to minors, as that term is defined in § 39-17-901, and that feature topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers; and

(B) Includes a single performance or multiple performances by an entertainer;

() "Compensation" means a salary, wage, fee, payment, reimbursement, or other valuable consideration;

SECTION 2. Tennessee Code Annotated, Section 7-51-1102(2), is amended by deleting the second sentence and substituting instead the following:

"Adult cabaret" includes a commercial establishment that features adult cabaret entertainment as a principal use of its business;

SECTION 3. Tennessee Code Annotated, Section 7-51-1102(10), is amended by deleting the subdivision and substituting instead the following:

() "Entertainer" means a person who provides:

(A) Entertainment within an adult-oriented establishment, regardless of whether a fee is charged or accepted for entertainment and regardless of



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whether entertainment is provided as an employee, escort, or an independent contractor; or

(B) A performance of actual or simulated specified sexual activities, including removal of articles of clothing or appearing unclothed, regardless of whether a fee is charged or accepted for the performance and regardless of whether the performance is provided as an employee or an independent contractor;

SECTION 4. Tennessee Code Annotated, Section 7-51-1115, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

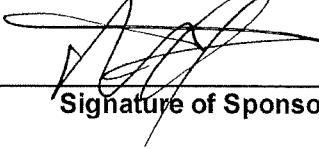
(b) A person shall not provide adult cabaret entertainment for compensation without a valid permit issued by the board pursuant to this part.

SECTION 5. Tennessee Code Annotated, Section 7-51-1114, is amended by adding the following as a new subsection:

(h) A public, private, or commercial establishment shall not allow a person younger than eighteen (18) years of age to attend a performance featuring adult cabaret entertainment.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 328

House Bill No. 144*

by inserting the following new section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 55-10-402(d), is amended by adding the following as a new subdivision:

(3) Notwithstanding this part to the contrary, a person violating § 55-10-401, upon conviction for a third or subsequent offense, shall pay all costs associated with an ignition interlock device, transdermal monitoring device, global positioning monitoring system, or any other monitoring device and is not eligible for electronic monitoring indigency fund assistance under this part, regardless of whether the person is indigent.



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House Health Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 614*

House Bill No. 1313

by deleting all language after the enacting clause and substituting:

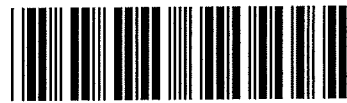
SECTION 1. Tennessee Code Annotated, Section 68-1-1903, is amended by deleting subsection (b) and substituting:

(b) Comprehensive stroke centers, primary stroke centers, and hospitals that have a certification from a department-approved, nationally recognized certifying body recognizing the hospital as capable of providing neuroendovascular treatment shall, and all other hospitals are encouraged to, report data quarterly consistent with the national recognized stroke consensus measures on the treatment of individuals with confirmed stroke to the East Tennessee State University College of Public Health.

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

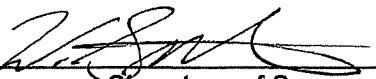


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Amendment No. _____



Signature of Sponsor

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 953

House Bill No. 690*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 63-11-208(d)(1)(A), is amended by deleting "of no less than one thousand nine hundred (1,900) hours in psychology".

SECTION 2. Tennessee Code Annotated, Section 63-11-208, is amended by adding the following as a new subsection:

(f)

(1) Notwithstanding subsection (d), the board may designate as a health service provider, a person who has held a valid license or certificate in another state to practice psychology for at least ten (10) years within the last fifteen (15) years preceding the date of application and whose previous license or certification:

(A) Required training that is generally equivalent to the following licensing standards in this chapter:

(i) A doctoral degree in psychology;

(ii) One (1) year of internship in an organized integrated training program at a site delivering health services; and

(iii) One (1) year of postdoctoral training delivering health services;

(B) Has never been the subject of disciplinary action; and

(C) Allowed the licensee to engage in practice as a health service provider in psychology in the other state.



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(2) In order to effectuate the purposes of subdivision (f)(1), the board is authorized to promulgate emergency rules pursuant to § 4-5-208(a)(5). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2024, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

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

AMEND Senate Bill No. 745*

House Bill No. 883

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-201, is amended by deleting the section and substituting instead:

(a) For purposes of this part:

(1) "Abortion" means the use or attempted use of an instrument, medicine, drug, other substance, or device with intent to terminate the intrauterine pregnancy of a woman known to be pregnant;

(2) "Criminal abortion":

(A) Means an abortion performed with intent other than to increase the probability of a live birth, to preserve the life or health of a child after live birth, or to remove a dead fetus; and

(B) Does not include a termination of a pregnancy of a woman known to be pregnant that is performed by a physician to:

(i) Remove a medically futile pregnancy;

(ii) Remove an ectopic or molar pregnancy;

(iii) Dispose of an unimplanted fertilized egg;

(iv) Address a lethal fetal anomaly; or

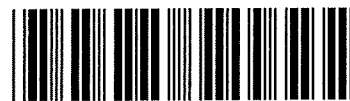
(v)

(a) Prevent or treat a medical emergency; and

(b)



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(1) If the gestational age of the unborn child is less than twenty (20) weeks, provide the best opportunity for an unborn child to survive, unless in the physician's good faith medical judgment, compliance with this subdivision (a)(2)(B)(v)(b)(1) would pose a greater risk of the death of the pregnant woman or serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman; or

(2) If the gestational age of the unborn child is twenty (20) weeks or more, provide the best opportunity for the unborn child to survive by attempting to deliver the unborn child, unless in the physician's good faith medical judgment, compliance with this subdivision (a)(2)(B)(v)(b)(2) would cause the death of the pregnant woman or pose a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman;

(3) "Fertilization" means that point in time when a male human sperm penetrates the zona pellucida of a female human ovum;

(4) "Gestational age" or "gestation" means the age of an unborn child as calculated from the first day of the last menstrual period of a pregnant woman;

(5) "Lethal fetal anomaly" means a fetal condition diagnosed before birth that, in the physician's good faith medical judgment, is incompatible with life outside the womb and for which medical intervention would be futile;

(6) "Medical emergency" means a medical condition that, in the physician's good faith medical judgment, is such that the failure to perform an abortion would result in the death of the pregnant woman, create a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman, or result in serious dysfunction of a bodily organ or part of the pregnant woman;

(7) "Medically futile pregnancy" means a pregnancy that, in the physician's good faith medical judgment, despite medical intervention will not develop further and involves an unborn child who will not survive outside the womb;

(8) "Physician," "the attending physician," or "the referring physician" means a person who is licensed to practice medicine or osteopathy in this state, including a physician qualified pursuant to § 63-6-207(d) or § 63-9-104(d);

(9) "Pregnant" means the human female reproductive condition of having a living unborn child within her body throughout the entire embryonic and fetal stages of the unborn child from fertilization until birth;

(10) "Serious risk of the substantial and irreversible impairment of a major bodily function" means a medically diagnosed condition that, in the physician's good faith medical judgment, so complicates the pregnancy of a woman as to directly or indirectly cause the substantial and irreversible impairment of a major bodily function; such medically diagnosed conditions may include previsible preeclampsia, previsible placenta accrete spectrum, cesarean scar ectopic pregnancy, inevitable abortion, or previsible premature rupture of the membranes, but does not include any condition that:

(A) Is based on a claim or diagnosis that the woman will engage in conduct that would result in her death or the substantial and irreversible impairment of a major bodily function; or

(B) Relates primarily to the pregnant woman's mental health; and

(11) "Unborn child" means an individual living member of the species, homo sapiens, throughout the entire embryonic and fetal stages of the unborn child, from the point in time when a male human sperm penetrates the zona pellucida of a female human ovum until birth, but does not include the creation or destruction of fertilized embryos outside the body of a woman.

(b)

(1) It is an offense to perform or attempt to perform a criminal abortion.

(2) It is an offense to compel, coerce, or unlawfully force another person in order to obtain or procure a criminal abortion.

(3)

(A) A violation of subdivision (b)(1) is a Class C felony.

(B) A violation of subdivision (b)(2) is a Class A misdemeanor.

(c) This section does not subject the pregnant woman upon whom an abortion is performed or attempted to criminal liability.

(d)

(1) This section does not apply to medical treatment provided by a physician to a pregnant woman that results in the accidental death of, or unintentional injury to, an unborn child. This subdivision (d)(1) includes dispensing and administering medications that can be used to induce an abortion but are being used in good faith for the primary purpose of treating other medical conditions and without intent to terminate the pregnancy of a woman known to be pregnant.

(2) A person authorized to provide healthcare services pursuant to title 63 or 68 who participates in performing or attempting to perform an abortion lawfully performed pursuant to subdivision (a)(2)(B) does not commit the offense of criminal abortion.

(3) A pharmacist or prescriber acting in good faith in the provision of abortifacient medications with multiple indications does not commit the offense of criminal abortion if the pharmacist or prescriber either:

(A) Does not intend to terminate the pregnancy of a woman known to be pregnant; or

(B) Confirms with the woman's physician before providing the medications to the physician that, in the physician's good faith medical judgment, the medications are prescribed to perform a lawful abortion pursuant to subdivision (a)(2)(B).

SECTION 2. Tennessee Code Annotated, Section 39-15-202, is amended by deleting the section and substituting instead:

(a) Except in a medical emergency that prevents compliance with this subsection (a), an abortion shall not be performed or induced upon a pregnant woman unless the woman has provided her informed written consent, given freely and without coercion. Consent given by a woman pursuant to this subsection (a) is confidential pursuant to 45 CFR Part 160 and Subparts A and E of Part 164.

(b) In order to ensure that consent for an abortion is truly informed consent, except in a medical emergency that prevents compliance with this subsection (b) or any of the requirements of subdivisions (b)(1)-(4), an abortion shall not be performed or induced upon a pregnant woman unless the woman has first been informed orally and in person by the attending physician who is to perform the abortion, or by the referring physician, of the following facts and has signed a consent form acknowledging that she has been informed as follows:

(1) That according to the good faith medical judgment of her attending or referring physician she is pregnant;

(2) The probable gestational age of the unborn child at the time the abortion is to be performed, based upon the information provided by her as to the

date of her last menstrual period or after a history, physical examination, and appropriate laboratory tests;

(3) That if a child is prematurely born alive in the course of an abortion, then the physician performing the abortion has a legal obligation to take steps to preserve the life and health of the child; and

(4) That the physician determined, in the physician's good faith medical judgment, that the abortion is medically necessary pursuant to § 39-15-201(a)(2)(B) and the reason for the medical necessity.

(c) Except in a medical emergency that prevents compliance with this subsection (c), at the same time the attending physician or referring physician provides the information required by subsection (b), that physician shall inform the pregnant woman of the particular risks associated with her pregnancy and continuing the pregnancy to term, based upon the information known to the physician, as well as the risks of undergoing an abortion, along with a general description of the method of abortion to be used and the medical instructions to be followed subsequent to the abortion.

(d) When a medical emergency compels the performance or inducement of an abortion, the physician shall inform the woman, prior to the abortion or inducement of an abortion if possible, of the medical reasons supporting the physician's judgment that an abortion or inducement of an abortion is medically necessary pursuant to § 39-15-201(a)(2)(B).

(e) In any case in which a physician has determined that a medical emergency exists that excuses compliance with subsection (a), (b), (c), or (d), the physician shall state in the pregnant woman's medical records the basis for such determination.

(f) Except in a medical emergency that prevents compliance with subsection (b), the physician performing or inducing the abortion shall provide the pregnant woman with a duplicate copy of the consent form signed by the pregnant woman.

SECTION 3. Tennessee Code Annotated, Section 39-15-203, is amended by adding the following new subsection:

(e) A record filed pursuant to this part may be admissible in a court proceeding but must not be used by any state or local agency for the purpose of initiating a law enforcement investigation into a violation of this part without additional supporting evidence that a violation of this part may have occurred.

SECTION 4. Tennessee Code Annotated, Section 39-15-206, is amended by deleting the section and substituting instead:

(a) The rights to medical treatment of an infant prematurely born alive in the course of an abortion or criminal abortion are the same as the rights of any other infant. A person who performs or induces an abortion shall exercise that degree of professional skill, care, and diligence in accordance with good medical practice necessary to preserve the life and health of an infant prematurely born alive in the course of an abortion.

(b) A cause of action for wrongful death shall not be brought that arises out of the death of a fetus or infant during the course of a lawful abortion, whether the fetus or infant is quick or not, so long as the abortion is performed in accordance with this part; however, once an infant is born alive, any person in attendance is civilly responsible for providing all care that is reasonable and necessary under the circumstances and in the general vicinity in which the person in attendance practices.

(c) A person who violates subsection (a) commits a Class E felony.

SECTION 5. Tennessee Code Annotated, Section 39-15-207, is amended by deleting the language "a voluntary abortion" and substituting instead the language "a criminal abortion".

SECTION 6. Tennessee Code Annotated, Section 39-15-208(c), is amended by deleting the subsection.

SECTION 7. Tennessee Code Annotated, Section 39-15-210(b), is amended by deleting the subsection and substituting instead:

When a physician has reasonable cause to report the sexual abuse of a minor pursuant to § 37-1-605 because the physician has been requested to perform an abortion on a minor, the physician shall, at the time of the report, also notify the official to whom the report is made of the date and time of the scheduled abortion and that a sample of the embryonic or fetal tissue extracted during the abortion will be preserved and available to be turned over to the appropriate law enforcement officer conducting the investigation into the rape of the minor.

SECTION 8. Tennessee Code Annotated, Section 39-15-211, is amended by deleting the section and substituting instead:

(a) A physician accused of an offense under § 39-15-201 may seek a hearing before the state medical board that licenses the physician on whether the physician's conduct constitutes criminal abortion. The medical board's findings pursuant to this section are admissible at any trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial to permit the hearing to take place.

(b) This section does not impede or limit a physician's rights under the United States Constitution or in any way adversely affect the burden of proof required in a criminal trial of an accused physician.

SECTION 9. Tennessee Code Annotated, Sections 39-15-212 through 39-15-218, are amended by deleting the sections.

SECTION 10. Tennessee Code Annotated, Section 39-15-219, is amended by deleting subdivisions (a)(6) and (a)(7).

SECTION 11. Tennessee Code Annotated, Section 29-34-212(c), is amended by deleting the language "§ 39-15-213" and substituting instead the language "§ 39-15-201".

SECTION 12. Tennessee Code Annotated, Section 37-10-307(b), is amended by deleting the subsection.

SECTION 13. Tennessee Code Annotated, Section 37-10-302(1), is amended by deleting the subdivision and substituting instead:

(1) "Abortion" has the same meaning as defined in § 39-15-201(a)(1);

SECTION 14. Tennessee Code Annotated, Section 40-32-101(g)(1)(B)(xiv), is amended by deleting the language "(b)(3)" and substituting instead the language "(b)(2)".

SECTION 15. Tennessee Code Annotated, Section 56-26-134, is amended by deleting the last sentence and substituting instead:

For purposes of this section, "abortion" has the same meaning as "criminal abortion" as defined in § 39-15-201.

SECTION 16. Tennessee Code Annotated, Section 71-5-157, is amended by deleting the section.

SECTION 17. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Cotton, Heaton - Haynes

Signature of Sponsor

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

AMEND Senate Bill No. 745*

House Bill No. 883

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-201, is amended by deleting the section and substituting instead:

(a) For purposes of this part:

(1) "Abortion" means the use or attempted use of an instrument, medicine, drug, other substance, or device with intent to terminate the intrauterine pregnancy of a woman known to be pregnant;

(2) "Criminal abortion":

(A) Means an abortion performed with intent other than to increase the probability of a live birth, to preserve the life or health of a child after live birth, or to remove a dead fetus; and

(B) Does not include a termination of a pregnancy of a woman known to be pregnant that is performed by a physician at a licensed hospital or ambulatory surgical treatment center, as those terms are defined in § 68-11-201, to:

- (i) Remove a medically futile pregnancy;
- (ii) Remove an ectopic or molar pregnancy;
- (iii) Dispose of an unimplanted fertilized egg;
- (iv) Address a lethal fetal anomaly; or
- (v)

(a) Prevent a medical emergency; and



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(b) If the child is deemed to be viable or can reach viability, the physician provides the best opportunity for the child to survive, unless in the physician's reasonable medical judgement compliance with this subdivision (a)(2)(B)(v)(b) would cause the death of the pregnant woman or create a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman;

(3) "Fertilization" means that point in time when a male human sperm penetrates the zona pellucida of a female human ovum;

(4) "Gestational age" or "gestation" means the age of an unborn child as calculated from the first day of the last menstrual period of a pregnant woman;

(5) "Lethal fetal anomaly" means a fetal condition diagnosed before birth that, in the physician's reasonable medical judgment, is incompatible with life outside the womb and for which medical intervention would be futile;

(6) "Medical emergency" means an acute or impending medical condition that, in the physician's reasonable medical judgment, is such that the failure to perform a termination of a pregnancy of a woman known to be pregnant would result in the death of the pregnant woman or create a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman;

(7) "Medically futile pregnancy" means a pregnancy that, in the physician's reasonable medical judgment, will not develop further without medical intervention and involves an unborn child who will not survive outside the womb despite any medical intervention;

(8) "Physician," "the attending physician," or "the referring physician" means a person who is licensed to practice medicine or osteopathy in this state, including a physician qualified pursuant to § 63-6-207(d) or § 63-9-104(d);

(9) "Pregnant" means the human female reproductive condition of having a living unborn child within her body throughout the entire embryonic and fetal stages of the unborn child from fertilization until birth;

(10) "Serious risk of the substantial and irreversible impairment of a major bodily function" means a medically diagnosed condition that, in the physician's reasonable medical judgment, so complicates the pregnancy of a woman as to directly or indirectly cause the substantial and irreversible impairment of a major bodily function; such medically diagnosed conditions may include previsible preeclampsia, previsible placenta accrete spectrum, cesarean scar ectopic pregnancy, inevitable abortion, or previsible premature rupture of the membranes, but does not include any condition that:

(A) Is based on a claim or diagnosis that the woman will engage in conduct that would result in her death or the substantial and irreversible impairment of a major bodily function; or

(B) Relates primarily to the pregnant woman's mental health;

(11) "Unborn child" means an individual living member of the species, homo sapiens, throughout the entire embryonic and fetal stages of the unborn child, from the point in time when a male human sperm penetrates the zona pellucida of a female human ovum until birth, but does not include the creation or destruction of fertilized embryos outside the body of a woman; and

(12) "Viable" and "viability" mean that stage of fetal development when the unborn child is capable of sustained survival outside of the womb, with or without medical assistance.

(b)

(1) It is an offense to perform or attempt to perform a criminal abortion.

(2) It is an offense to compel, coerce, or unlawfully force another person in order to obtain or procure a criminal abortion.

(3)

(A) A violation of subdivision (b)(1) is a Class C felony.

(B) A violation of subdivision (b)(2) is a Class A misdemeanor.

(c) This section does not subject the pregnant woman upon whom an abortion is performed or attempted to criminal liability.

(d)

(1) This section does not apply to medical treatment provided by a physician to a pregnant woman that results in the accidental death of, or unintentional injury to, an unborn child. This subdivision (d)(1) includes dispensing and administering medications that can be used to induce an abortion but are being used in a reasonable manner for the primary purpose of treating other medical conditions and without intent to terminate the pregnancy of a woman known to be pregnant.

(2) A person authorized to provide healthcare services pursuant to title 63 or 68 who participates in performing or attempting to perform an abortion lawfully performed pursuant to subdivision (a)(2)(B) does not commit the offense of criminal abortion.

(3) A pharmacist or prescriber acting in a reasonable manner in the provision of abortifacient medications with multiple indications does not commit the offense of criminal abortion if the pharmacist or prescriber either:

(A) Does not intend to terminate the pregnancy of a woman known to be pregnant; or

(B) Confirms with the woman's physician before providing the medications to the pregnant woman that, in the physician's reasonable medical judgment, the medications are prescribed to perform a lawful abortion pursuant to subdivision (a)(2)(B).

SECTION 2. Tennessee Code Annotated, Section 39-15-202, is amended by deleting the section and substituting instead:

(a) Except in a medical emergency that prevents compliance with this subsection (a), an abortion shall not be performed or induced upon a pregnant woman unless the woman has provided her informed written consent, given freely and without coercion. Consent given by a woman pursuant to this subsection (a) is confidential pursuant to 45 CFR Part 160 and Subparts A and E of Part 164.

(b) In order to ensure that consent for an abortion is truly informed consent, except in a medical emergency that prevents compliance with this subsection (b) or any of the requirements of subdivisions (b)(1)-(4), an abortion shall not be performed or induced upon a pregnant woman unless the woman has first been informed orally and in person by the attending physician who is to perform the abortion, or by the referring physician, of the following facts and has signed a consent form acknowledging that she has been informed as follows:

(1) That according to the reasonable medical judgment of her attending or referring physician she is pregnant;

(2) The probable gestational age of the unborn child at the time the abortion is to be performed, based upon the information provided by her as to the date of her last menstrual period or after a history, physical examination, and appropriate laboratory tests;

(3) That if a child is prematurely born alive in the course of an abortion, then the physician performing the abortion has a legal obligation to take steps to preserve the life and health of the child; and

(4) That the physician determined, in the physician's reasonable medical judgment, that the abortion is medically necessary pursuant to § 39-15-201(a)(2)(B) and the reason for the medical necessity.

(c) Except in a medical emergency that prevents compliance with this subsection (c), at the same time the attending physician or referring physician provides the information required by subsection (b), that physician shall inform the pregnant woman of the particular risks associated with her pregnancy and continuing the pregnancy to term, based upon the information known to the physician, as well as the risks of undergoing an abortion, along with a general description of the method of abortion to be used and the medical instructions to be followed subsequent to the abortion.

(d) When a medical emergency compels the performance or inducement of an abortion, the physician shall inform the woman, prior to the abortion or inducement of an abortion if possible, of the medical reasons supporting the physician's judgment that an abortion or inducement of an abortion is medically necessary pursuant to § 39-15-201(a)(2)(B).

(e) In any case in which a physician has determined that a medical emergency exists that excuses compliance with subsection (a), (b), (c), or (d), the physician shall state in the pregnant woman's medical records the basis for such determination.

(f) Except in a medical emergency that prevents compliance with subsection (b), the physician performing or inducing the abortion shall provide the pregnant woman with a duplicate copy of the consent form signed by the pregnant woman.

SECTION 3. Tennessee Code Annotated, Section 39-15-203, is amended by adding the following new subsection:

(e)

(1) A record filed pursuant to this part may be admissible in a court proceeding but must not be used by any state or local agency for the purpose of initiating a law enforcement investigation into a violation of this part without additional supporting evidence that a violation of this part may have occurred.

(2)

(A) The department of health shall collect the records and reports submitted pursuant to this section and report quarterly the number of abortions performed in this state to the governor, the speaker of the senate, the speaker of the house of representatives, and the chairs of the health and welfare committee of the senate and the health committee of the house of representatives no later than January 1, April 1, July 1, and October 1 of each year.

(B) Any cost associated with implementing this subdivision (e)(2) must be provided from within existing resources of the department of health.

SECTION 4. Tennessee Code Annotated, Section 39-15-206, is amended by deleting the section and substituting instead:

(a) The rights to medical treatment of an infant prematurely born alive in the course of an abortion or criminal abortion are the same as the rights of any other infant. A person who performs or induces an abortion shall exercise that degree of professional skill, care, and diligence in accordance with good medical practice necessary to preserve the life and health of an infant prematurely born alive in the course of an abortion.

(b) A cause of action for wrongful death must not be brought that arises out of the death of a fetus or infant during the course of a lawful abortion, whether the fetus or infant is quick or not, so long as the abortion is performed in accordance with this part; however, once an infant is born alive, any person in attendance is civilly responsible for providing all care that is reasonable and necessary under the circumstances and in the general vicinity in which the person in attendance practices.

(c) A person who violates subsection (a) commits a Class E felony.

SECTION 5. Tennessee Code Annotated, Section 39-15-207, is amended by deleting the language "a voluntary abortion" and substituting instead the language "a criminal abortion".

SECTION 6. Tennessee Code Annotated, Section 39-15-208(c), is amended by deleting the subsection.

SECTION 7. Tennessee Code Annotated, Section 39-15-210(b), is amended by deleting the subsection and substituting instead:

(b) When a physician has reasonable cause to report the sexual abuse of a minor pursuant to § 37-1-605 because the physician has been requested to perform an abortion on a minor otherwise permitted by § 39-15-201(a)(2)(B), the physician shall, at the time of the report, also notify the official to whom the report is made of the date and time of the scheduled abortion and that a sample of the embryonic or fetal tissue extracted during the abortion will be preserved and available to be turned over to the appropriate law enforcement officer conducting the investigation into the rape of the minor.

SECTION 8. Tennessee Code Annotated, Section 39-15-211, is amended by deleting the section and substituting instead:

(a) A physician indicted of an offense under § 39-15-201 may seek a declaratory order before the state medical board that licenses the physician on whether the physician's conduct constitutes criminal abortion. The medical board's findings pursuant to this section are admissible at any trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial to permit the hearing to take place.

(b) This section does not impede or limit a physician's rights under the United States Constitution or in any way adversely affect the burden of proof required in a criminal trial of an accused physician.

SECTION 9. Tennessee Code Annotated, Sections 39-15-212 through 39-15-218, are amended by deleting the sections.

SECTION 10. Tennessee Code Annotated, Section 39-15-219, is amended by deleting subdivisions (a)(6) and (a)(7).

SECTION 11. Tennessee Code Annotated, Section 29-34-212(c), is amended by deleting the language "§ 39-15-213" and substituting instead the language "§ 39-15-201".

SECTION 12. Tennessee Code Annotated, Section 37-10-307(b), is amended by deleting the subsection.

SECTION 13. Tennessee Code Annotated, Section 37-10-302(1), is amended by deleting the subdivision and substituting instead:

(1) "Abortion" has the same meaning as defined in § 39-15-201(a)(1);

SECTION 14. Tennessee Code Annotated, Section 40-32-101(g)(1)(B)(xiv), is amended by deleting the language "(b)(3)" and substituting instead the language "(b)(2)".

SECTION 15. Tennessee Code Annotated, Section 56-26-134, is amended by deleting the last sentence and substituting instead:

For purposes of this section, "abortion" has the same meaning as "criminal abortion" as defined in § 39-15-201.

SECTION 16. Tennessee Code Annotated, Section 71-5-157(c), is amended by deleting the subsection and substituting instead:

(c) For purposes of this section, "criminal abortion" has the same meaning as defined in § 39-15-201.

SECTION 17. Tennessee Code Annotated, Section 71-5-157, is amended by deleting the word "elective" wherever it may appear and substituting instead the word "criminal".

SECTION 18. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____



Signature of Sponsor

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

AMEND Senate Bill No. 122

House Bill No. 40*

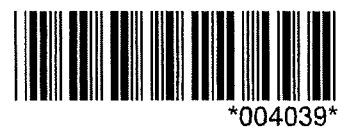
by deleting 66-2-302(a) in SECTION 3 and substituting the following:

(1) A nonresident alien, foreign business, or foreign government, or an agent, trustee, or fiduciary thereof, shall not purchase or otherwise acquire real property in this state if the country where the nonresident alien resides, the foreign business is located, or the official foreign government representing the country, or agents, trustees, or fiduciaries thereof, is on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list.

(2) This part applies to the extent that the purchase of real property is not prohibited under subdivision (a)(1).

AND FURTHER AMEND by deleting 66-2-302(c) in SECTION 3 and substituting the following:

Notwithstanding subdivision (a)(2), a nonresident alien, foreign business, or foreign government, or an agent, trustee, or fiduciary thereof, who holds real property in this state on July 1, 2023, may continue to own or hold the real property, but shall not purchase or otherwise acquire additional real property in this state on or after July 1, 2023.



Amendment No. _____


Signature of Sponsor

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

AMEND Senate Bill No. 122

House Bill No. 40*

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

SECTION 1. Tennessee Code Annotated, Section 66-2-101, is amended by deleting the section and substituting the following:

Except as provided in part 3 of this chapter, an alien, resident, or nonresident of the United States, may take and hold property, real or personal, in this state and dispose of or transmit the same as a native citizen.

SECTION 2. Tennessee Code Annotated, Section 66-2-102, is amended by deleting the section and substituting the following:

Except as provided in part 3 of this chapter, the heir or heirs, or devisee or devisees, of an alien, resident, or nonresident of the United States, may take lands, held by descent or otherwise, as if a citizen or citizens of the United States.

SECTION 3. Tennessee Code Annotated, Title 66, Chapter 2, is amended by adding the following as a new part:

66-2-301.

As used in this part:

(1) "Sanctioned foreign business" means:

(A) A corporation incorporated under the laws of a foreign country of a sanctioned foreign government;

(B) A business entity whether or not incorporated, in which a majority interest is owned directly or indirectly by sanctioned nonresident aliens. As used in this subdivision (1)(B), the



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determination of "owned," in terms of ownership or control of a foreign business, is not affected by legal entities, including, but not limited to, trusts, holding companies, multiple corporations, and other business arrangements; or

(C) A corporation or business entity, whether or not incorporated, which is identified on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list;

(2) "Sanctioned foreign government" means a government other than the government of the United States, its states, its territories, or its possessions, which is identified by the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list;

(3) "Sanctioned nonresident alien" means an individual who is not any of the following:

(A) A citizen of the United States; or

(B) A person lawfully admitted into the United States for permanent residence by the United States immigration and naturalization service, even if such status is conditional; and

(C) Either:

(i) A citizen of a sanctioned foreign government; or

(ii) A person identified on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list; and

(4) "Real property" means one (1) or more defined parcels or tracts of land or interests, benefits, and rights inherent in the ownership of real estate,

including easements, water rights, agricultural land, or any other interest in real property.

66-2-302.

(a)

(1) A sanctioned nonresident alien, foreign business, or foreign government, or an agent, trustee, or fiduciary thereof, shall not purchase or otherwise acquire real property in this state if the country where the nonresident alien resides, the foreign business is located, or the official foreign government representing the country, or agents, trustees, or fiduciaries thereof, is on the office of foreign assets control of the U.S. department of the treasury's sanctions programs and country information list.

(2) This part applies to the extent that the purchase of real property is not prohibited under subdivision (a)(1).

(b) The restriction in subsection (a) does not apply to:

(1) Real property acquired by devise or descent;

(2) A bona fide encumbrance on real property taken for purposes of security; and

(3) Real property acquired by a process of law in the collection of debts; by a deed in lieu of foreclosure, pursuant to a forfeiture of a contract for deed; or by a procedure for the enforcement of a lien or claim on the real property, whether created by mortgage or otherwise. However, real property so acquired must be sold or otherwise disposed of within two (2) years after title is transferred. Pending the sale or disposition, the real property must not be used for a purpose other than what it was used for immediately prior to the time the property was put up for sale, and the property must not be used except under lease to an individual, trust, corporation, partnership, or other business entity not subject to the restriction imposed by subsection (a).

(c) Notwithstanding subdivision (a)(2), a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, who holds real property in this state on July 1, 2023, may continue to own or hold the real property, but shall not purchase or otherwise acquire additional real property in this state on or after July 1, 2023.

(d) A sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, shall not transfer title to, or an interest in, real property to a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, except by devise or descent.

66-2-303.

(a) A sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, who acquires real property or an interest in real property, by devise or descent after July 1, 2023, shall divest itself of all right, title, and interest in the real property within two (2) years from the date of acquiring the real property or interest.

(b) This section does not require divestment of real property or an interest in real property, acquired by devise or descent from a nonresident alien, if the real property or an interest in the real property was acquired by a nonresident alien prior to July 1, 2023.

66-2-304.

A person, business, or other entity who purchases or otherwise acquires real property in this state except by devise or descent, after July 1, 2023, and whose status changes so that it becomes a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, subject to this part, shall divest itself of all right, title, and interest in the real property within two (2) years from the date that its status changed.

66-2-305.

A sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, or an agent, trustee, or fiduciary thereof, who owns an interest in real property in this state on or after July 1, 2023, shall register the real property with the secretary of state. The registration must be made within sixty (60) days after July 1, 2023, or within sixty (60) days after acquiring the real property or the interest in real property, whichever time is the later. The registration must be in the form and manner prescribed by the secretary of state and contain the name of the owner and the location and number of acres of the real property by municipality and county. If the owner of the real property or owner of the interest in real property is an agent, trustee, or fiduciary of a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government, then the registration must also include the name of any principal for whom that real property, or interest in real property was purchased as agent, trustee, or fiduciary.

66-2-306.

(a) If the secretary of state finds that a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or an agent, trustee, or other fiduciary thereof, has acquired or holds title to or interest in real property in this state in violation of this part, the secretary of state shall report the violation to the attorney general and reporter.

(b) Upon receipt of a report from the secretary of state under subsection (a), the attorney general and reporter shall initiate an action in the circuit court of any county in which the real property is located.

(c) The attorney general and reporter shall file a notice of the pendency of an action initiated under subsection (b) with the recorder of deeds of each county in which any of the real property is located.

(d)

(1) In an action initiated under subsection (b), if the court finds that the real property in question has been acquired or held in violation of this part, then the court shall enter an order so declaring and shall file a copy of the order with the recorder of deeds of each county in which any portion of the real property is located.

(2) If the court finds that the real property in question has been acquired in violation of this part, then the court shall declare the real property escheated to the state and order the sale of the real property in the manner provided by law for the foreclosure of a mortgage on real estate for default of payment. The proceeds of the sale must be used to pay court costs, and the remaining funds, if any, must be paid to the person divested of the real property.

(e)

(1) If the secretary of state finds that a sanctioned nonresident alien, sanctioned foreign business, sanctioned foreign government, or an agent, trustee, or other fiduciary thereof, violated this part by failing to timely register as required under § 66-2-305, the secretary of state shall assess a civil penalty not to exceed two thousand dollars (\$2,000) for each violation.

(2) Subdivision (e)(1) does not apply to agents, trustees, and other fiduciaries of sanctioned nonresident aliens, sanctioned foreign businesses, and sanctioned foreign governments, including persons licensed under title 62, chapter 13, who serve as agents in the sale of property to a sanctioned nonresident alien, sanctioned foreign business, or sanctioned foreign government in violation of this part.

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are severable.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it.