

COMPILATION OF ABSTRACTS AND SELECTED SUMMARIES OF  
LEGISLATION PASSED BY THE  
ONE HUNDRED ELEVENTH GENERAL ASSEMBLY

2020

PREPARED BY:  
THE OFFICE OF LEGAL SERVICES  
CORDELL HULL BUILDING  
NASHVILLE, TENNESSEE 37243



**General Assembly of Tennessee  
OFFICE OF LEGAL SERVICES  
Cordell Hull Building  
Nashville, Tennessee 37243**

August 30, 2020

MEMORANDUM

TO: Members of the One Hundred Eleventh General Assembly

FROM: Karen Garrett and Anastasia P. Campbell, Directors

SUBJECT: Compilation of Abstracts and Selected Summaries of 2020 Legislation

Attached for your information and use are abstracts of the 2020 Public Chapters. This abstract document is available on the Legislative Intranet under "Legal Services" "Documents and Reports" "Abstracts" "2020" and on the General Assembly's website under "Legislation" "Publications."

Please keep in mind that the abstracts and summaries included herein are an overview of the legislation passed during the 2020 legislative session. These abstracts and summaries are not meant as a substitute for reading the actual text of the public chapters.

Please also note the Appendices containing summaries of selected legislation.

KG/APC/lb

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ABSTRACTS OF PUBLIC CHAPTERS PASSED BY THE 111<sup>th</sup> GENERAL ASSEMBLY IN 2020

- 514** Adoption - As enacted, prohibits, to the extent allowed by federal law, a private licensed child-placing agency from being required to perform, assist, consent to, refer, or participate in any child placement for foster care or adoption that would violate the agency's written religious or moral convictions. - Amends TCA Title 36, Chapter 1, Part 1. (HB836/SB1304) [See Appendix "A"]
- 515** Insurance Companies, Agents, Brokers, Policies - As enacted, revises various provisions governing insurance and bona fide associations. - Amends TCA Title 56. (HB874/SB645)
- 516** State Symbols - As enacted, designates "The Volunteer State" as the official nickname of this state. - Amends TCA Title 4, Chapter 1, Part 3. (SB1552/HB1562) [See Appendix "I"]
- 517** Secretary of State - As enacted, extends from March 1 until March 8 each year, the date by which the secretary of state must transmit to the house of representatives the omnibus list of qualifying applicants to conduct a charitable gaming event in this state; permits rather than requires the secretary of state to develop application and other forms required to obtain approval to conduct a charitable gaming event in this state; revises other provisions of the Tennessee Nonprofit Gaming Law. - Amends TCA Title 3, Chapter 17. (SB1596/HB1677)
- 518** Statutes and Codification - As enacted, codifies the Acts of the 2019 regular session. (SB1586/HB1693)
- 519** Driver Licenses - As enacted, adds documentation a veteran may submit to the department of safety to have military service indicated on a driver license to allow an honorably discharged veteran to submit a certified copy of the veteran's AGO Form 53-55 or NAVPERS 553 showing the dates of service. - Amends TCA Title 55, Chapter 50, Part 3. (SB1613/HB1620)
- 520** Child Custody and Support - As enacted, allows the court to approve agreements pertaining to custody and residential parenting schedules without making further inquiry and an independent determination that the modification is in the best interest of the child, if the parties announce an agreement to the court on the record or execute a permanent parenting plan approved through entry of an agreed order. - Amends TCA Title 36, Chapter 4 and Title 36, Chapter 6. (SB1618/HB1647)
- 521** Taxes, Real Property - As enacted, makes various revisions to the property tax appeal process. - Amends TCA Title 67, Chapter 5. (SB1625/HB1813)
- 522** Criminal Offenses - As enacted, repeals the County Bounty Act. - Amends TCA Title 38, Chapter 11, Part 2. (SB1629/HB1636)
- 523** Education, Higher - As enacted, prohibits a public institution of higher education from requiring a student to submit a high school transcript or GED certificate as part of the institution's admission process if the student has completed an associate degree at a regionally accredited institution. - Amends TCA Title 49, Chapter 7. (SB1641/HB1561)

- 524** Professions and Occupations - As enacted, allows written waivers, exculpatory agreements, or releases executed by whitewater rafting professionals to be kept in electronic format. - Amends TCA Title 70, Chapter 7, Part 2. (SB1763/HB1569)
- 525** Adoption - As enacted, clarifies the role of a guardian ad litem in a contract for post adoption contact; makes various changes to adoption, including clarifying the meaning of certain terms. - Amends TCA Title 36, Chapter 1, Part 1 and Title 37, Chapter 2, Part 4. (SB1769/HB1676)
- 526** Public Health - As enacted, adds representatives of the Tennessee commission on aging and disability, the Tennessee Nurses Association, and the department of mental health and substance abuse services as members of the state Alzheimer's disease and related dementia advisory council. - Amends TCA Title 71, Chapter 2, Part 1. (SB1959/HB1836)
- 527** Education - As enacted, authorizes a local education agency (LEA) to: provide career-based experiences to the LEA's high school students; allow the students to participate in any available career-based experiences; and establish partnerships with industry and local businesses to provide career-based experiences to such students. - Amends TCA Title 49, Chapter 6. (HB736/SB1260)
- 528** Landlord and Tenant - As enacted, revises provisions governing the notice required for termination of a residential tenancy in certain situations involving an unauthorized subtenant or other unauthorized occupant. - Amends TCA Title 66. (HB1606/SB1615)
- 529** Tobacco, Tobacco Products - As enacted, authorizes local governments to prohibit, by local resolution or ordinance adopted by two-thirds vote, smoking on the grounds of any playground owned or operated by the local government. - Amends TCA Title 39, Chapter 17. (SB9/HB9) [**See Appendix "H"**]
- 530** Judicial Districts - As enacted, divides the current 21st judicial district into a new 21st district consisting of Williamson County and a new 32nd judicial district consisting of Hickman, Lewis, and Perry counties. - Amends TCA Title 8, Chapter 14; Title 8, Chapter 7; Title 16; Title 17; Title 18, Chapter 4 and Title 18, Chapter 5. (SB561/HB1156) [**See Appendix "I"**]
- 531** Veterans Services, Dept. of - As enacted, requires the department to provide training in suicide prevention to the employees of the department who directly interact with veterans. - Amends TCA Title 58, Chapter 3. (SB673/HB787) [**See Appendix "B"**]
- 532** Education, Dept. of - As enacted, requires the commissioner to develop formative assessment question banks that are aligned to state-mandated summative assessments measuring the academic progress of students; requires the department to make the formative assessment question banks available for use by LEAs. - Amends TCA Title 49. (SB1946/HB1826)
- 533** Tennessee Student Assistance Corporation - As enacted, requires TSAC to promulgate rules designating pregnancy as an approved medical leave of absence for purposes of the Tennessee HOPE scholarship. - Amends TCA Title 49, Chapter 4. (SB823/ HB379)
- 534** Traffic Safety - As enacted, authorizes Sumner County and municipalities within the county to establish special speed limits in school zones. - Amends TCA Section 55-8-152. (SB1561/HB1574)

- 535** Human Services, Dept. of - As enacted, requires that the actual costs of providing services in child and spousal support cases and the clerks of court reimbursement rates be set according to the Study of Actual Costs of Activities by Clerks of Court for Child and Spousal Support Cases and Determination of Actual Costs for Reimbursement by the department of human services - revised report of study dated November 18, 1998; deletes the present law provisions that require the comptroller to conduct a study of the costs and issue a biennial report. - Amends TCA Title 36, Chapter 5, Part 1. (SB1627/HB1634)
- 536** County Officers - As enacted, authorizes county legislative body to pass a resolution to pay county commissioners a salary plus an amount for attendance at meetings of the body and other ad hoc committee meetings; prohibits increases in county commissioner compensation taking effect during the term in which the increase was adopted. - Amends TCA Section 5-5-107. (SB1632/HB1597)
- 537** Sunset Laws - As enacted, extends the advisory council for the education of students with disabilities to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 10. (SB1647/HB1725)
- 538** Sunset Laws - As enacted, extends the board for licensing healthcare facilities to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11, Part 2. (SB1651/HB1729)
- 539** Sunset Laws - As enacted, extends the board of examiners for architects and engineers to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2. (SB1652/HB1730)
- 540** Sunset Laws - As enacted, extends the board of law examiners to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 23, Chapter 1. (SB1653/HB1731)
- 541** Sunset Laws - As enacted, extends the board of medical examiners to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6, Part 1. (SB1654/HB1732)
- 542** Sunset Laws - As enacted, extends the Civil Defense and Disaster Compact to June 30, 2025. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4. (SB1658/HB1736)
- 543** Sunset Laws - As enacted, extends the department of finance and administration to June 30, 2024; requires the department to appear before the government operations committee by June 30, 2020, to update the committee on the department's progress in addressing audit report findings relating to records disposition authorizations. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1662/HB1740)
- 544** Sunset Laws - As enacted, extends the dyslexia advisory council to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 1, Part 2. (SB1670/HB1748)
- 545** Sunset Laws - As enacted, extends the Emergency Management Assistance Compact to June 30, 2025. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 4. (SB1671/HB1749)

- 546** Sunset Laws - As enacted, extends the integrated criminal justice steering committee to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 16, Chapter 3, Part 8. (SB1673/HB1751)
- 547** Sunset Laws - As enacted, extends the Interstate Earthquake Compact of 1988 to June 30, 2025. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 7. (SB1674/HB1752)
- 548** Sunset Laws - As enacted, extends the Interstate Nurse Licensure Compact to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 4. (SB1675/HB1753)
- 549** Sunset Laws - As enacted, extends the local government insurance committee to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27, Part 7. (SB1677/HB1755)
- 550** Sunset Laws - As enacted, extends the office of business enterprise to June 30, 2026. - Amends TCA Title 4, Chapter 26 and Title 4, Chapter 29. (SB1679/HB1757)
- 551** Sunset Laws - As enacted, extends the physical therapy licensure compact to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 13, Part 4. (SB1681/HB1759)
- 552** Sunset Laws - As enacted, extends the rail service authorities to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 7, Chapter 56, Part 2. (SB1683/HB1761)
- 553** Sunset Laws - As enacted, extends the real estate commission to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 13, Part 2. (SB1684/HB1762)
- 554** Sunset Laws - As enacted, extends the South Central Tennessee railroad authority to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2, Part 2. (SB1688/HB1766)
- 555** Sunset Laws - As enacted, extends the Southern Regional Education Compact to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 12. (SB1689/HB1767)
- 556** Sunset Laws - As enacted, extends the state board for licensing contractors to June 30, 2026; revises minimum attendance requirement for board members and requires removal of members who do not meet the requirement. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 6, Part 1. (SB1691/HB1769)
- 557** Sunset Laws - As enacted, extends the state board of accountancy to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 1. (SB1692/HB1770)
- 558** Sunset Laws - As enacted, extends the state building commission to June 30, 2026. - Amends TCA Title 4, Chapter 15 and Title 4, Chapter 29. (SB1693/HB1771)
- 559** Sunset Laws - As enacted, extends the state energy policy council to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 204. (SB1695/HB1773)
- 560** Sunset Laws - As enacted, extends the state insurance committee to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27, Part 2. (SB1696/HB1774)

- 561** Sunset Laws - As enacted, extends the state palliative care and quality of life council to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2, Part 1. (SB1697/HB1775)
- 562** Sunset Laws - As enacted, extends the state protest committee to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 56. (SB1699/HB1777)
- 563** Sunset Laws - As enacted, extends the Tennessee commission on aging and disability to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2, Part 1. (SB1702/HB1780)
- 564** Sunset Laws - As enacted, extends the Tennessee corrections institute, board of control to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 41, Chapter 7. (SB1703/HB1781)
- 565** Sunset Laws - As enacted, extends the Tennessee council for the deaf, deaf-blind, and hard of hearing to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 4, Part 21. (SB1704/HB1782)
- 566** Sunset Laws - As enacted, extends the Tennessee emergency management agency to June 30, 2025. - Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2, Part 1. (SB1706/HB1784)
- 567** Sunset Laws - As enacted, extends the Tennessee motor vehicle commission to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 55, Chapter 17. (SB1707/HB1785)
- 568** Sunset Laws - As enacted, extends the Tri-county railroad authority to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 2, Part 3. (SB1709/HB1787)
- 569** Sunset Laws - As enacted, extends the utility management review board to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 7, Chapter 82, Part 7. (SB1711/HB1789)
- 570** Animal Cruelty and Abuse - As enacted, provides for restrictions or a ban on ownership of a companion animal by certain person convicted of certain offenses against animals. - Amends TCA Title 39, Chapter 14, Part 2 and Title 40, Chapter 39, Part 1. (SB1747/ HB1643) [**See Appendix "C"**]
- 571** Motor Vehicles, Titling and Registration - As enacted, authorizes issuance of special purpose boat dealer plates to manufacturers and dealers who hire operators of boat trailers to transport boats to customers. - Amends TCA Title 55, Chapter 4. (SB1749/HB1614)
- 572** Utilities, Utility Districts - As enacted, requires utility districts, water systems, and wastewater facilities to submit annual reports to the utility management review board or the water and wastewater financing board, as applicable; authorizes the boards to impose sanctions on utility districts, water systems, and wastewater facilities that fail to submit the reports on time. - Amends TCA Title 7, Chapter 82, Part 3 and Title 68, Chapter 221, Part 10. (SB1792/ HB1709)
- 573** Health Care - As enacted, adds nonopioid medicinal drugs or drug products, occupational therapy, and interventional procedures or treatments to the alternative treatments that must be disclosed and explained by a healthcare practitioner to a patient or the patient's legal

representative as a prerequisite to obtaining informed consent to treatment with an opioid. - Amends TCA Section 63-1-164. (SB1912/HB1917)

- 574** Hospitals and Health Care Facilities - As enacted, extends to a rural health clinic the same authorization that a federally qualified health center has to employ a physician if the employment relationship is evidenced by a written contract, job description, or documentation containing language that does not restrict the physician from exercising independent medical judgment in diagnosing and treating patients. - Amends TCA Title 63, Chapter 6. (SB1955/HB2090)
- 575** Emergency Communications Districts - As enacted, requires training curriculum for 911 operators and public safety dispatchers to include guidelines for T-CPR; provides immunity from civil liability for emergency communication districts, the state, counties, and municipalities for employees who provide assistance or instruction on T-CPR to a caller or bystander on an emergency call. - Amends TCA Title 7, Chapter 86; Title 29, Chapter 20 and Title 68. (SB1958/HB1933)[See Appendix "D"]
- 576** Budget Procedures - As enacted, requires a county legislative body to make revenue estimates and determine the level of revenue necessary to establish a budget for the operation of county schools that is at least equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP; requires the director of schools and the chair of the local board of education to prepare a budget according to the revenue estimates and revenue determinations made by the county legislative body. - Amends TCA Title 49, Chapter 2. (SB1962/HB2001)
- 577** Victims' Rights - As enacted, adds Tennessee residency as a requirement for participation in the crime victim address confidentiality program; creates a cancellation exception for a program participant if the secretary of state determines the participant is residing at a shelter; decreases from 60 days to 20 days the period of time a program participant must be found to be unreachable prior to the cancellation of a program participant's certification; makes other revisions to the program. - Amends TCA Title 40, Chapter 38, Part 6. (SB1980/HB1663)
- 578** Mental Health & Substance Abuse Services, Dept. of - As enacted, authorizes the department to contract with any licensed community mental health agency for the provision of services under the behavioral health safety net, as long as the community mental health agency can provide to individuals who will be served under the behavioral health safety net all of the behavioral health services that are included within adult behavioral health services for the seriously and persistently mentally ill, as defined in the Medical Assistance Act of 1968. - Amends TCA Section 33-6-103. (SB2007/HB1998)
- 579** Professions and Occupations - As enacted, changes the requirements for persons who have an ownership interest in an appraisal management company in order for the company to be registered; removes the current exception to an appraisal management company otherwise being prohibited from removing an appraiser from its appraiser panel or refusing to assign requests for real estate appraisal services to an appraiser without meeting certain requirements. - Amends TCA Title 62, Chapter 39, Part 4. (SB2144/HB2213)
- 580** Private Protective Services - As enacted, changes the fingerprint requirement for contract security company licensee applicants and security guard/officer applicants from three sets of

- classifiable fingerprints to one set of classifiable electronic fingerprints; reduces from three to one the number of photographs a security guard/officer applicant must submit; and makes certain other changes to the Private Protective Services Licensing and Regulatory Act. - Amends TCA Section 40-35-114 and Title 62, Chapter 35. (SB2146/HB2215)
- 581** Banks and Financial Institutions - As enacted, removes requirement that all individuals who control a private trust company must be family members; authorizes commissioner of financial institutions to publicly disclose any written agreement jointly issued to a bank by the commissioner, FDIC, and federal reserve board or board's designee. - Amends TCA Section 45-2-1603 and Section 45-2-2001. (SB2165/HB2234)
- 582** Health Care - As enacted, extends the CoverKids program from June 30, 2020, to June 30, 2025. - Amends TCA Section 71-3-1113. (SB2183/HB2250)
- 583** Insurance, Health, Accident - As enacted, extends the Access Tennessee health insurance program from June 30, 2020, to June 30, 2025. - Amends TCA Section 56-7-2916. (SB2184/HB2251)
- 584** Criminal Offenses - As enacted, requires a court to order a person who commits evading arrest and, in doing so, damages government property to pay restitution to the appropriate government agency for the damaged property. - Amends TCA Section 39-14-408 and Title 39, Chapter 16, Part 6. (SB1635/HB1618)
- 585** Highways, Roads and Bridges - As enacted, authorizes county legislative bodies to adopt alternative procedures for the opening and changing of public roads in the county, in addition to the closing of such roads; authorizes formation of a committee of the county legislative body to perform certain functions for the opening, changing, or closing of such roads if no regional planning commission exists. - Amends TCA Title 54, Chapter 10, Part 2. (SB1734/HB1682)
- 586** Charitable Solicitations - As enacted, revises the annual filing fee payable to the secretary of state by certain qualified charitable organizations seeking to solicit contributions in this state. - Amends TCA Title 48, Chapter 101, Part 5. (SB1777/HB1828)
- 587** Education, Dept. of - As enacted, permits the commissioner to grant an LEA a waiver of average class size limits to assist the LEA with funding a grow your own program. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6. (SB1790/HB1835)
- 588** Sexual Offenses - As enacted, increases the maximum age for a victim of aggravated rape of a child from three years of age to eight years of age. - Amends TCA Title 39, Chapter 13, Part 5. (SB1800/HB1718) [**See Appendix "G"**]
- 589** Environment and Conservation, Department of - As enacted, requires the commissioner to issue a general aquatic resources alterations permit for the watershed activities conducted in accordance with a site-specific design developed through full application of the Natural Resource Conservation Service (NRCS) Conservation Practice Standard 580 (Tennessee) and NRCS Engineering Field Handbook, Chapter 16 Streambank and Shoreline Protection, and

- subject to NRCS oversight as a federal action. - Amends TCA Title 68 and Title 69.  
(SB1911/HB1965)
- 590** Utilities, Utility Districts - As enacted, deletes restrictions regarding the compensation for members of the utility district board of commissioners in Blount County. - Amends TCA Title 7, Chapter 82, Part 3. (SB1929/HB1724)
- 591** Utilities, Utility Districts - As enacted, prohibits political subdivisions from prohibiting by ordinance, resolution, regulation, code, or any other requirement, the connection or reconnection of a utility service based on the type or source of energy to be delivered to an individual customer. - Amends TCA Title 5; Title 6; Title 7; Title 65 and Title 68.(  
SB1934/HB1838)
- 592** Food and Food Products - As enacted, corrects a cross-reference in regard to the standards that apply to certain donations of food; changes the level of carelessness that gives rise to liability for damage caused by certain food donors from negligence to gross negligence; makes other changes concerning food donations. - Amends TCA Title 53, Chapter 13.  
(SB2154/HB2223)
- 593** Environment and Conservation, Department of - As enacted, changes due dates and content requirements for reports that the department makes concerning permitting efficiency, the Tire Environmental Act, solid waste disposal, and hazardous waste management. - Amends TCA Section 4-3-506; Section 68-211-305; Section 68-212-118 and Section 68-212-212.(SB2155/HB2224)
- 594** Professions and Occupations - As enacted, changes references to summary suspension of a license to include other licensure restriction or action within the context of a contested case hearing; expands references for disciplinary proceedings against health-related licensees to include all boards, councils, committees, agencies, or regulatory programs. - Amends TCA Section 4-5-320; Section 63-1-120 and Section 63-1-139. (SB2169/HB2238)
- 595** Tennessee Bureau of Investigation - As enacted, enacts the "Holly Bobo Act," which expands the bureau's endangered child and young adult alert program to include endangered persons under 21 years of age. - Amends TCA Title 38, Chapter 6, Part 1. (SB2464/HB2308) [**See Appendix "I"**]
- 596** Statutes of Limitations and Repose - As enacted, specifies that there is no time within which a judgment or decree in a domestic relations matter issued by a court with domestic relations jurisdiction must be acted upon, unless otherwise specifically provided for under law governing domestic relations. - Amends TCA Title 28 and Title 36. (SB2651/HB2854)
- 597** Motor Vehicles, Titling and Registration - As enacted, authorizes issuance of emergency plates to emergency medical responders. - Amends TCA Title 55, Chapter 4.  
(SB2766/HB2537)
- 598** Traffic Safety - As enacted, extends the "Slow Poke Law," which prohibits the operation of vehicles in the left lane, except for passing and other purposes, to interstates and multilane divided highways with two or more lanes. - Amends TCA Title 55, Chapter 8, Part 2.  
(SB1497/HB618) [**See Appendix "I"**]

- 599** Firearms and Ammunition - As enacted, requires the secretary of state to issue state identification cards, which serve as proof that the holder is authorized to carry a firearm as law enforcement, to inmate relations coordinators and correctional officers who have completed the appropriate probationary period established by the department of correction, rather than only to those who are vested. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17, Part 13. (SB1571/HB2023)
- 600** Transportation, Dept. of - As enacted, enacts the "Tennessee Accessible Transportation and Mobility Act of 2020." - Amends TCA Title 4, Chapter 3, Part 23; Title 54 and Title 55. (SB1612/HB1596)
- 601** Education - As enacted, permits a student whose IEP or section 504 plan allows for testing accommodations to use the same testing accommodations while taking an assessment under the Tennessee comprehensive assessment program (TCAP) or an end-of-course assessment, as long as the accommodation does not invalidate the assessment. - Amends TCA Title 49. (SB1637/HB2407)
- 602** Alcoholic Beverage Commission - As enacted, adds a representative of the alcoholic beverage commission to the human trafficking advisory council. - Amends TCA Title 4, Chapter 3, Part 30 and Title 57, Chapter 1. (SB1731/HB1829)
- 603** Local Education Agencies - As enacted, revises provisions governing the assigning of a student to an alternative school or alternative program. - Amends TCA Title 49. (SB1755/HB1671)
- 604** Securities - As enacted, exempts from certain requirements under the Tennessee Securities Act of 1980 securities that meet requirements for federal exemption for intrastate offerings under Rule 147A, which allows offers to be accessible to certain out-of-state residents and companies incorporated or organized out of state. - Amends TCA Title 48. (SB1990/HB1886)
- 605** Banks and Financial Institutions - As enacted, makes various changes to the operation and management of banking institutions. - Amends TCA Title 45 and Chapter 264 of the Public Acts of 2017. (SB2112/HB2175)
- 606** Taxes, Exemption and Credits - As enacted, authorizes tax credits for privilege and excise taxes equal to 75 percent of the purchase price of brownfield property purchased in a tier 3 or tier 4 enhancement county for the purpose of a qualified development project; makes other revisions regarding tax credits for brownfield properties. - Amends TCA Section 67-4-2009. (SB2158/HB2227)
- 607** Criminal Procedure - As enacted, adds the offenses of promoting the prostitution of a minor and patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability as sexual offenses for which a person may not qualify for judicial diversion. - Amends TCA Title 37; Title 39 and Title 40. (SB2746/HB2069) [**See Appendix "G"**]
- 608** Insurance Companies, Agents, Brokers, Policies - As enacted, prohibits a person from preparing or issuing a certificate of property or casualty insurance coverage that contains false

- or misleading information regarding the underlying insurance policy and limits the uses of certificates of insurance. - Amends TCA Title 8 and Title 56. (SB2849/HB2161)
- 609** Housing - As enacted, specifies that a housing authority may assist in the development of projects that promote affordable rental housing, including mixed-income rental housing developed primarily for persons of low and moderate income as part of its authority to further the goals and local objectives established in redevelopment and urban renewal plans; authorizes the exercise of such powers in the same manner as mixed finance projects for persons of low income. - Amends TCA Title 13, Chapter 20. (SB1607/HB1654)
- 610** Interstate Compacts - As enacted, enacts the "Interstate Driver License Compact." - Amends TCA Title 4 and Title 55, Chapter 50. (SB1643/HB1660)
- 611** Sunset Laws - As enacted, extends the board of social work licensure to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 23. (SB1655/HB1733)
- 612** Sunset Laws - As enacted, extends the department of intellectual and developmental disabilities to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1664/HB1742)
- 613** Sunset Laws - As enacted, extends the Doe Mountain recreation authority to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 11, Chapter 25. (SB1668/HB1746)
- 614** Sunset Laws - As enacted, extends the Douglas Henry state museum commission to June 30, 2025. - Amends TCA Title 4, Chapter 29 and Title 40, Chapter 20, Part 3. (SB1669/HB1747)
- 615** Sunset Laws - As enacted, extends the local education insurance committee to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27, Part 3. (SB1676/HB1754)
- 616** Sunset Laws - As enacted, extends the local government planning advisory committee to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3, Part 7. (SB1678/HB1756)
- 617** Sunset Laws - As enacted, extends the Tellico Reservoir development agency to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1701/HB1779)
- 618** Local Education Agencies - As enacted, authorizes an LEA's local board of education to locate the board's administrative offices within a building owned by the United States government, or an agency or instrumentality of the United States government, pursuant to a lease or easement authorized by the United States government. - Amends TCA Title 49, Chapter 2. (SB1886/HB1935)
- 619** Hospitals and Health Care Facilities - As enacted, changes the determination of indigence income for the definition of charity care, and the amount of debt that may be deemed charity care and uncollectable, for purposes of a hospital reporting on the joint annual reports to the department of health, center for health statistics. - Amends TCA Title 68, Chapter 1, Part 1. (SB1888/HB1875)

- 620** Criminal Offenses - As enacted, revises the offense of organized retail crime. - Amends TCA Section 39-14-113. (SB1943/HB2046)
- 621** Pest Control - As enacted, repeals requirement that aerial applicators of pesticides notify the department of agriculture prior to making aerial applications of pesticides via an online reporting system. - Amends TCA Section 43-8-302 and Section 43-8-312. (SB2139/HB2208)
- 622** Lottery, Corporation - As enacted, lowers amount of prize winnings from \$5,000 to \$3,500 for when the Tennessee education lottery corporation is to provide the department of human services information on an individual collecting such prize. - Amends TCA Section 4-51-133. (SB2173/HB2242)
- 623** Mental Health & Substance Abuse Services, Dept. of - As enacted, reclassifies from preferred service position to executive service position an employee of the department who is a psychiatric hospital assistant superintendent, psychiatric hospital administrator, or psychiatric hospital nurse executive. - Amends TCA Section 33-6-407 and Section 33-6-426. (SB2176/HB2245)
- 624** Privacy, Confidentiality - As enacted, clarifies that certain provisions related to the confidentiality of private records held by public utilities only apply to those records and not to all confidential records. - Amends TCA Title 10, Chapter 7, Part 5. (SB2247/HB2463)
- 625** Funeral Directors and Embalmers - As enacted, authorizes qualified aliens enumerated in federal law to apply for a funeral director's license or an apprentice registration; deletes an obsolete provision in the code concerning licensees from 1951. - Amends TCA Title 62, Chapter 5. (SB2538/HB2784)
- 626** Finance and Administration, Dept. of - As enacted, adds the bureau of TennCare to the list of designated state agencies required to submit annual reports to the department regarding federal receipts. - Amends TCA Section 9-1-111. (HB1582/SB1592)
- 627** Utilities, Utility Districts - As enacted, clarifies definition of utility district commissioner for purposes of continuing education requirements; revises other related provisions. - Amends TCA Section 7-82-308; Section 7-82-709; Section 68-221-1305; Section 68-221-605; Section 68-221-1009 and Section 68-221-1206. (HB1630/SB1798)
- 628** Education, Dept. of - As enacted, requires the department, in consultation with the department of health, to develop a standardized form that students can use to report allergies; requires each public school to use the form developed by the department to maintain a record of the school's students with allergies. - Amends TCA Title 49, Chapter 1, Part 2. (HB1683/SB1759)
- 629** Education, State Board of - As enacted, adds offenses to the list of offenses for which, upon conviction, the state board of education automatically revokes a teacher's or administrator's license. - Amends TCA Section 49-5-417. (HB1975/SB2262)
- 630** Board of Regents - As enacted, allows the governing board of a public institution of higher education to employ a law enforcement officer in the same manner as a public institution of higher education governed by the board. - Amends TCA Title 49, Chapter 7. (HB2062/SB2340)

- 631** Cooperatives - As enacted, clarifies that the Rural Electric and Community Services Cooperative Act does not affect, abrogate, or eliminate any obligation of a cooperative's third-party contractors that are permitted by law to operate within the cooperative's service area to comply with applicable permitting requirements that the cooperative is subject to with respect to property that is held or controlled by a railroad company. - Amends TCA Section 65-25-105. (HB2739/SB2723)
- 632** Education, Higher - As enacted, authorizes the executive director of the student assistance corporation to temporarily suspend, modify, or waive deadlines or other non-academic eligibility requirements for student financial aid programs, if the governor has declared a state of emergency. - Amends TCA Title 49. (HB2472/SB1973)
- 633** Sunset Laws - As enacted, extends the department of general services to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (HB1741/SB1663)
- 634** Sunset Laws - As enacted, extends the department of safety to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (HB1744/SB1666)
- 635** Election Laws - As enacted, revises provisions governing certain election-related offenses. - Amends TCA Title 2. (HB2364/SB2299)
- 636** Sexual Offenders - As enacted, allows a person who commits a sexual offense or a violent sexual offense against a child under 12 years of age to reside, conduct an overnight visit, or be alone with a minor who is the offender's child so long as: the offender's parental rights are not being terminated; the sexual offender's victim was not the offender's child; and a circuit court exercising civil jurisdiction has not found by clear and convincing evidence that the offender presents a danger of substantial harm to the minor. - Amends TCA Title 40, Chapter 39. (SB1568/HB1583) **[See Appendix "G"]**
- 637** Sunset Laws - As enacted, extends the advisory council on workers' compensation to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6, Part 1. (SB1649/HB1727)
- 638** Sunset Laws - As enacted, extends the committee for clinical perfusionists to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 28. (SB1660/HB1738)
- 639** Sunset Laws - As enacted, extends the department of correction to June 30, 2024; requires the department to appear back before the government operations committee no later than December 31, 2021, to update the committee on its progress in addressing the findings contained in the January 2020 performance audit report. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1661/HB1739)
- 640** Pest Control - As enacted, converts the pest control board into an advisory board and transfers the board's powers and duties concerning licensure and regulation of pest control operators to the commissioner of agriculture; makes other related changes. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 21, Part 1. (SB1680/HB1758)

- 641** Sunset Laws - As enacted, terminates the soil scientist advisory commission with no wind down period. - Amends TCA Title 4, Chapter 29; Title 11, Chapter 5 and Title 62, Chapter 18, Part 2. (SB1687/HB1765)
- 642** TennCare - As enacted, enacts the "Annual Coverage Assessment Act of 2020." - Amends TCA Title 71, Chapter 5 and Chapter 434 of the Public Acts of 2019. (SB2022/HB2170)
- 643** TennCare - As enacted, requires ambulance providers to submit an annual cost and utilization report to the bureau; authorizes the bureau, instead of the comptroller, to assess certain penalties for failure of providers to submit reports; extends the termination date of the ground ambulance provider assessment from "June 30, 2020," to "June 30, 2021." - Amends TCA Title 71, Chapter 5, Part 15. (SB2078/HB2184)
- 644** TennCare - As enacted, extends the nursing home annual assessment fee to June 30, 2021. - Amends TCA Title 68 and Title 71. (SB2123/HB2138)
- 645** Public Health - As enacted, creates the Tennessee rare disease advisory council. - Amends TCA Title 4; Title 62; Title 63; Title 68 and Title 71. (SB2124/HB2505)
- 646** Taxes, Sales - As enacted, requires marketplace facilitators to remit sales tax. - Amends TCA Title 67, Chapter 6. (SB2182/HB2249)
- 647** Clerks, Court - As enacted, clarifies the requirements for a clerk of court to assess a fee for electronic filing, including authorization by local rule and compliance with technological standards promulgated by the supreme court. - Amends TCA Title 8, Chapter 21, Part 4. (SB2630/HB2772)
- 648** Election Laws - As enacted, requires a chair of the nominating body of a statewide political party or recognized minor party to certify the party's nominees for president and vice president to the coordinator of elections by the first business day in September. - Amends TCA Title 2, Chapter 13. (SB2758/HB2565)
- 649** Bond Issues - As enacted, authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell general obligations bonds of the state in amounts not to exceed \$124 million. (HB2820/SB2469)
- 650** Budget Procedures - As enacted, authorizes the index of appropriations from state tax revenues for 2019-2020 fiscal year to exceed the index of estimated growth in the state's economy by \$629 million or 3.6 percent. (HB2819/SB2468)
- 651** Appropriations - As enacted, makes appropriations for the fiscal years beginning July 1, 2019, and July 1, 2020. (HB2821/SB2466)
- 652** Education - As enacted, authorizes the state board of education to promulgate emergency rules as necessary to address any issues created by school closures due to the outbreak of COVID-19 during the 2019-2020 school year; requires the commissioner of education to waive certain requirements; establishes other related requirements. - Amends TCA Title 49. (HB2818/SB2672)

- 653** Administrative Procedure (UAPA) - As enacted, continues permanent rules filed with the secretary of state after January 1, 2019; schedules rules filed by the department of intellectual and developmental disabilities regarding public records and the board for professional counselors, marital and family therapists, and clinical pastoral therapists regarding continuing education and professional ethics to expire on the effective date of the act. - Title 4, Chapter 5. (HB2378/SB2287)
- 654** Election Laws - As enacted, revises various provisions governing elections, including provisions regarding supplemental voter registration drives. - Amends TCA Title 2. (HB2363/SB2298)
- 655** Election Laws - As enacted, revises various provisions governing elections, including provisions regarding ballot stubs and persons serving as election officials. - Amends TCA Title 2 and Title 40. (HB2362/SB2297)
- 656** Sunset Laws - As enacted, extends the state procurement commission to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 56. (HB1776/SB1698)
- 657** Sunset Laws - As enacted, extends the commission on children and youth to June 30, 2024; requires the commission to appear before the senate government operations committee no later than April 30, 2021, to update the committee on the commission's progress in addressing the findings set forth in the comptroller's June 2019 performance audit report. - Amends TCA Title 4, Chapter 29 and Title 37, Chapter 3, Part 1. (HB1737/SB1659)
- 658** TennCare - As enacted, requires the bureau of TennCare to reimburse an ambulance service provider that provides a covered service to a TennCare recipient at a rate not less than 67.5 percent of the federal medicare program's allowable charge for participating providers; requires the bureau to seek an intergovernmental transfer of funds for the sole purpose of increasing the rate of reimbursement to ambulance service providers that provide covered services to TennCare recipients at a rate greater than 67.5 percent of the federal medicare program's allowable charge for participating providers. - Amends TCA Title 4; Title 33; Title 56; Title 63; Title 68 and Title 71. (HB1175/SB1469)
- 659** Highways, Roads and Bridges - As enacted, provides for the naming of certain roads and bridges in honor of certain persons. - Amends TCA Title 54. (SB1590/HB1604)
- 660** Special License Plates - As enacted, authorizes various new special license plates and grants additional time for certain plates to meet the minimum order requirement. - Amends TCA Title 55. (SB1591/HB1605)
- 661** Sunset Laws - As enacted, extends the Beech River watershed development authority, board of directors to June 30, 2028; authorizes certain board members to designate a person to serve in their place; revises other provisions regarding the development authority. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1650/HB1728)
- 662** Sunset Laws - As enacted, extends the Carroll County watershed authority to June 30, 2028; adds attendance requirement for board members; revises other provisions related to the authority. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1656/HB1734)

- 663** Sunset Laws - As enacted, extends the Chickasaw basin authority to June 30, 2025; adds an attendance requirement for board members. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1657/HB1735)
- 664** Sunset Laws - As enacted, extends the Sequatchie Valley planning and development agency to June 30, 2026; renames the agency as the Sequatchie Valley educational development agency and limits the scope of the agency's work to the field of education; revises other related provisions. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1686/HB1764)
- 665** Sunset Laws - As enacted, extends the Tennessee Duck River development agency to June 30, 2028; adds an attendance requirement for board members; revises other provisions regarding the agency. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1705/HB1783)
- 666** Sunset Laws - As enacted, extends the West Fork Drakes Creek dam and reservoir interstate authority to June 30, 2022; adds an attendance requirement for board members; revises other provisions regarding the authority. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1712/HB1790)
- 667** Sunset Laws - As enacted, extends the West Tennessee River basin authority to June 30, 2028; adds an attendance requirement for board members; revises other provisions regarding the authority. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. (SB1713/HB1791)
- 668** Public Funds and Financing - As enacted, clarifies that fees paid by a defendant requesting pretrial diversion are to be deposited in the general fund; specifies the remittance and allowed uses of certain fees under the sexual offender registry provisions; makes other statutory revisions necessary to implementation of the annual appropriations act. - Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71. (HB2822/SB2467)
- 669** Naming and Designating - As enacted, renames the CSM Bobby G. Davis and BG Carl E. Levi National Guard Armory as the BG Carl E. Levi and CSM Bobby G. Davis National Guard Armory. - Amends Chapter 358 of the Public Acts of 2019. (HB1579/SB1553)
- 670** Naming and Designating - As enacted, names the entry driveway at the Bradley County Tennessee State Veterans Home the John Simmons Parkway. (HB1652/SB1562)
- 671** Sunset Laws - As enacted, extends the advisory council on state procurement to June 30, 2024; adds an attendance requirement for council members. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 56. (HB1726/SB1648)
- 672** Sunset Laws - As enacted, extends the department of labor and workforce development to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1665/HB1743)

- 673** Lottery, Charitable - As enacted, authorizes qualified nonprofit organizations to file an application to operate an annual event in the July 1, 2020, to June 30, 2021, fiscal year. - Amends TCA Title 3. (SB2667/HB2842)
- 674** Personal Property - As enacted, revises provisions governing notice for lien enforcement under the Tennessee Self-Service Storage Facility Act; authorizes an online sale to enforce a lien on personal property located at a self-service storage facility, authorizes self-storage facility owners to contact county clerks to determine the owner and any lienholder for a motor vehicle left in a self-storage unit. - Amends TCA Title 66, Chapter 31. (SB543/HB1073)
- 675** Motor Vehicles, Titling and Registration - As enacted, authorizes, upon request, the department of revenue to issue salvage certificates to an insurance company, automotive dismantler and recycler, or salvage pool operator under certain circumstances. - Amends TCA Title 55. (SB1597/HB1684)
- 676** Public Records - As enacted, revises various provisions regarding public records. - Amends TCA Title 10, Chapter 7, Part 5. (SB1626/HB1632)
- 677** Alcoholic Beverages - As enacted, designates The Register in Davidson County as a club for purposes of consuming alcoholic beverages on the premises. - Amends TCA Title 57. (SB1638/HB1678)
- 678** Sunset Laws - As enacted, extends the department of transportation to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1667/HB1745)
- 679** Women - As enacted, increases, from biennially to annually, the reporting required by the Tennessee maternal mortality review and prevention team to the governor and the general assembly concerning the team's activities and its recommendations for changes to any law, rule, or policy that would promote the safety and well-being of women and prevention of maternal deaths. - Amends TCA Title 68, Chapter 3, Part 6. (SB1733/HB1820)
- 680** Aircraft and Airports - As enacted, declares that regional and municipal airport authorities are public and governmental bodies and the property and revenues of the authorities are exempt from all taxation. - Amends TCA Title 42. (SB1923/HB1992)
- 681** Firearms and Ammunition - As enacted, allows an elected official of any county or municipality in the actual discharge of official duties who has a valid handgun carry permit to carry inside a building in which judicial proceedings are in progress, but not in the room in which judicial proceedings are in progress; allows the county attorney in the actual discharge of official duties who has a valid handgun carry permit to carry inside a building in which judicial proceedings are in progress, but not in the room in which judicial proceedings are in progress. - Amends TCA Title 39, Chapter 17, Part 13. (SB2066/HB2590)
- 682** Workers Compensation - As enacted, excludes construction services providers performing work in this state from certain provisions of the workers' compensation law, requires construction services providers to maintain workers' compensation insurance coverage while working in this state, and imposes liability on a successor in interest of a penalized construction services provider. - Amends TCA Title 50, Chapter 6. (SB2189/HB2256)

- 683** Tort Liability and Reform - As enacted, extends immunity from liability to include property damage caused by inherent risks of agritourism activities under certain circumstances. - Amends TCA Title 43, Chapter 39. (SB2423/HB2371)
- 684** Children - As enacted, increases the timeframe within which the mother of a newborn may surrender custody of the child to an approved medical facility without criminal liability from within 72 hours of birth to within two weeks. - Amends TCA Title 36 and Section 68-11-255. (SB2629/HB2357)
- 685** Traffic Safety - As enacted, establishes requirements for the operation of personal delivery devices; specifies that a personal delivery device may be operated in pedestrian areas up to 10 miles per hour and is not considered a motor vehicle. - Amends TCA Title 55, Chapter 1; Title 55, Chapter 10; Title 55, Chapter 12 and Title 55, Chapter 8. (SB2836/HB2365)
- 686** Pensions and Retirement Benefits - As enacted, makes a person ineligible for a political subdivision's former retirement plan in the TCRS if the person is hired after the political subdivision changes to any other plan offered by the retirement system; requires that any person wishing to establish service credit in the retirement system must establish such service under the terms of the retirement system plan that existed at the time the service was established and not at the time the service was rendered. - Amends TCA Section 8-35-253 and Section 8-37-214. (SB1575/HB1641)
- 687** Education - As enacted, allows, instead of requires, the investment of the chairs of excellence endowment trust funds in accordance with TCRS policies and guidelines. - Amends TCA Section 49-7-501. (SB1881/HB1999)
- 688** County Officers - As enacted, prohibits a constable from exercising law enforcement powers and authority if the constable fails to complete currently required in-service education; creates a Class C misdemeanor, subject to fine of \$50, for a constable violating this prohibition; stipulates that each day of a violation constitutes a separate offense. - Amends TCA Title 1; Title 2; Title 6; Title 7; Title 8; Title 12; Title 16; Title 25; Title 26; Title 29; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 47; Title 49; Title 53; Title 55; Title 57; Title 62; Title 65; Title 66; Title 67; Title 70 and Title 71. (SB2072/HB2292)
- 689** Finance and Administration, Dept. of - As enacted, authorizes the department to require its employees and contractors who have elevated and privileged access to data and personal information to submit to a background check to be performed by the TBI as a condition of employment. - Amends TCA Title 4, Chapter 3. (SB2161/HB2230)
- 690** Finance and Administration, Dept. of - As enacted, renames the office of information resources in the department of finance and administration as the division of strategic technology solutions; makes other revisions related to the department. - Amends TCA Section 2-10-211; Title 3, Chapter 6; Title 4, Chapter 3, Part 10; Section 71-5-192 and Section 71-5-2517. (SB2162/HB2231)
- 691** Board of Regents - As enacted, revises a provision relating to the level and intended recipients of occupational training and technical education provided by state colleges of applied technology; deletes provisions relating to the creation of certain staff positions for vocational-technical education. - Amends TCA Title 49, Chapter 11, Part 4. (SB2344/HB2105)

- 692** Education, Higher - As enacted, allows, under certain conditions, the advisory boards of the University of Tennessee institutions and state university boards to meet electronically or by other means of communication without a physical quorum present at the location of the meeting given in the meeting notice; changes from April 15 to May 31 the date by which the faculty member and the student member must be appointed to a University of Tennessee institution advisory board. - Amends TCA Section 8-44-108; Section 49-9-501 and Section 49-7-151. (SB2719/HB2496)
- 693** Child Custody and Support - As enacted, requires a court to find that limitation of a parent's residential parenting time is in the best interest of the minor child before limiting such time because the parent has engaged in willful abandonment or abuse of the parent, child, or another person living with the child. - Amends TCA Title 36, Chapter 6. (SB2733/HB2657)
- 694** State Employees - As enacted, permits the state, through the attorney general, to seek an injunction against a person who commits harassment against a state employee. - Amends TCA Title 50. (SB2739/HB1707)
- 695** Sunset Laws - As enacted, extends the University of Tennessee, board of trustees to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 9. (HB1788/SB1710)
- 696** Taxes, Alcoholic Beverages - As enacted, makes the current manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions permanent. - Amends TCA Title 57, Chapter 4, Part 3. (HB2832/SB2523)
- 697** County Government - As enacted, authorizes a county mayor to appoint a committee to approve amendments to the budget after the budget has been adopted under the Local Option Budgeting Law of 1993. - Amends TCA Title 5, Chapter 12, Part 2. (HB1571/SB1630)
- 698** Consumer Protection - As enacted, redefines "travel promoter" and "travel services" for the purposes of the Tennessee Consumer Protection Act of 1977. - Amends TCA Title 47, Chapter 18 and Title 62. (HB1685/SB1594)
- 699** Boards and Commissions - As enacted, transfers responsibility for administration of the Tennessee sports hall of fame from the commissioner of tourist development to the hall's board of directors and makes other changes concerning the sports hall of fame. - Amends TCA Title 4, Chapter 3, Part 22 and Title 4, Chapter 3, Part 54. (HB2254/SB2187)
- 700** Alcoholic Beverages - As enacted, designates the Tennessee State Fairgrounds in Nashville as an urban park center; authorizes the granting of a franchise for the provision of food or beverage, including alcoholic beverages, on its premises; specifies that the holder of such franchise is also considered an urban park center; requires certain reporting. - Amends TCA Title 57, Chapter 4. (HB1642/SB2485)
- 701** Taxes, Hotel Motel - As enacted, authorizes the City of Tracy City to levy a privilege tax of up to 5 percent upon the privilege of occupancy by a two-thirds vote of its governing body. - Amends TCA Section 67-4-1425. (HB1708/SB1782)

- 702** Sunset Laws - As enacted, extends the human rights commission to June 30, 2025. - Amends TCA Title 4, Chapter 21, Part 2 and Title 4, Chapter 29. (HB1750/SB1672)
- 703** Real Property - As enacted, restricts the width of a private easement or right-of-way to 25 feet; authorizes the court to award attorney fees to the defending landowner in an action for an easement or right-of-way brought by a private person owning land obstructed entirely from a public road by the intervening land of another person; makes various other changes regarding private easements. - Amends TCA Title 29, Chapter 16 and Title 54, Chapter 14. (HB1914/SB1896)
- 704** Beer - As enacted, authorizes beer retailers to sell beer, from their own inventory, online for curbside pickup at the beer retailer's location; requires that the employee bringing beer to a vehicle for curbside pickup verify that the recipient of the beer is 21 years of age or older. - Amends TCA Section 57-5-103. (HB2028/SB2487)
- 705** Correctional Programs - As enacted, authorizes TRICOR to enter contractual agreements with counties and cities to provide work training programs for prisoners incarcerated in county and city jails. - Amends TCA Title 41, Chapter 22, Part 4. (HB2120/SB1809)
- 706** Advertising - As enacted, revises various provisions governing outdoor advertising; renames the Billboard Regulation and Control Act to be the Outdoor Advertising Control Act of 2020. - Amends TCA Title 54, Chapter 17 and Title 54, Chapter 21. (HB2255/SB2188)
- 707** Holidays and Days of Special Observance - As enacted, removes the duty of the governor to proclaim days of special observance, such as Mother's Day, Harriet Tubman Day, and Volunteer Firefighters week; removes the governor's duty to invite the people of the state to observe certain days of special observance such as Andrew Jackson Day. - Amends TCA Title 15, Chapter 2. (HB2266/SB2199) [**See Appendix "I"**]
- 708** Child Abuse - As enacted, creates a procedure for school teachers, school officials, and other school personnel to follow in regard to reporting suspected child abuse or child sexual abuse. - Amends TCA Title 37 and Title 49, Chapter 6. (HB2461/SB2088)
- 709** Holidays and Days of Special Observance - As enacted, designates "Women's Suffrage Day" as a day of special observance. - Amends TCA Title 15, Chapter 2. (HB2586/SB2635)
- 710** Child Custody and Support - As enacted, requires that the parent educational seminar include at least one 30-minute video on adverse childhood experiences created by the department of children's services in conjunction with the commission on children and youth or as part of the Building Strong Brains Tennessee public awareness campaign; adds to that the requirement of attendance by parents at the parent educational seminar may be waived upon motion by either party and the agreement of the court upon the showing of good cause. - Amends TCA Title 36, Chapter 6. (HB2588/SB2032)
- 711** General Assembly - As enacted, deletes an obsolete reporting requirement for the department of human resources regarding the job performance evaluation system; revises and deletes various other reporting requirements concerning reports to legislative committees. - Amends TCA Title 2; Title 4; Title 7; Title 8; Title 38; Title 40; Title 41; Title 57; Title 64 and Title 67. (SB1887/HB2200)

- 712** Water Pollution - As enacted, specifies that soil is not a discarded material constituting waste for purposes of the Tennessee Solid Waste Disposal Act and the Tennessee Hazardous Waste Management Act as long as the soil is intend for use or reuse as soil. - Amends TCA Title 68 and Title 69. (SB811/HB845)
- 713** Election Laws - As enacted, provides that if an incumbent member of the general assembly who has filed a petition for reelection is disqualified by the political party executive committee, then the incumbent member of the general assembly may file a new petition for the same office as a candidate for another political party or as an independent candidate. - Amends TCA Title 1; Title 2; Title 3; Title 4; Title 8 and Title 10. (SB1009/HB1278)
- 714** Milk, Dairy Products - As enacted, adds requirements for farmers to participate in herdshare programs. - Amends TCA Title 4; Title 39; Title 43; Title 44; Title 53; Title 67 and Title 68. (SB1123/HB1129)
- 715** Parks, Natural Areas Preservation - As enacted, designates three river segments located in Rhea County as Class I natural river areas. - Amends TCA Title 11, Chapter 13. (SB1357/HB325)
- 716** Regional Authorities and Special Districts - As enacted, authorizes senators and representatives to decline appointment or appoint a designee to the board of the management corporation for a central business improvement district or inner-city redevelopment district and establishes requirement for person designated in place of the member; prohibits subsequent creation of a district for a period of one year if a petition fails to receive the requisite number of signatures. - Amends TCA Title 7, Chapter 84, Part 5 and Title 7, Chapter 84, Part 6. (SB1559/HB1845)
- 717** Teachers, Principals and School Personnel - As enacted, revises the period of time after a local board of education or director of schools makes an initial offer of employment to a person for a teaching position that the person has to accept or reject the offer of employment, if the offer is made between June 1 and April 1. - Amends TCA Section 49-5-406. (SB1616/HB1617)
- 718** Unclaimed Property - As enacted, increases from “eight months to a year” to “32 to 36 months” the time within which the treasurer must sell a security after receiving it; extends from “eight months” to “32 months” the minimum time period during which the treasurer is required to hold a security prior to selling it and paying the sale proceeds to the owner, upon the owner's request. - Amends TCA Section 66-29-142 and Section 66-29-154. (SB1634/HB1851)
- 719** Secretary of State - As enacted, makes various changes concerning filings submitted by different entities to the secretary of state. - Amends TCA Title 43, Chapter 38, Part 11; Title 48, Chapter 101; Title 48, Chapter 11; Title 48, Chapter 228; Title 48, Chapter 247; Title 48, Chapter 249; Title 48, Chapter 26; Title 48, Chapter 51; Title 48, Chapter 66; Title 61, Chapter 1; Title 61, Chapter 2 and Title 61, Chapter 3. (SB1754/HB1811)
- 720** Water Authorities - As enacted, revises the process by which a city, metropolitan, or county government may create a new water or wastewater treatment authority. - Amends TCA

Section 7-34-106; Section 7-35-432; Section 68-221-604; Title 68, Chapter 221, Part 10 and Section 68-221-1304. (SB1766/HB1841)

- 721** County Government - As enacted, authorizes a county, upon two-thirds vote of the county legislative body, to dispose of real property at a nominal cost by private negotiation and sale to a 501(c)(3) nonprofit corporation, incorporated under the laws of this state, whose purpose includes educational services to youth in areas including health, science, agriculture, and civic engagement through in-school and after-school programs and school and community clubs and camps. - Amends TCA Title 5. (SB1862/HB1857)
- 722** Industrial Development - As enacted, creates an exception to the prohibition on an industrial development corporation purchasing a hotel, motel, or apartment building, if the project is a tourism attraction involving an aggregate investment of public and private funds in excess of \$75 million. - Amends TCA Title 7, Chapter 53. (SB1956/HB2041)
- 723** Carter County - As enacted, increases the number of paid meetings the Carter County Parks and Recreation Board may hold, from eight per year to 12 per year. - Amends TCA Section 11-24-104. (SB1967/HB2047)
- 724** Dentists and Dentistry - As enacted, permits a dentist to supervise up to 10 dental hygienists when providing dental services on a volunteer basis through a nonprofit provider of free mobile clinics. - Amends TCA Title 63, Chapter 5. (SB2017/HB2283)
- 725** Food and Food Products - As enacted, establishes standards for proper branding of meat and poultry as "Tennessee-raised" for purposes of the Tennessee Food, Drug and Cosmetic Act. - Amends TCA Title 44 and Title 53. (SB2049/HB2338)
- 726** Environment and Conservation, Department of - As enacted, requires the department to grant or deny an application for a subsurface sewage disposal system within 45 days or receiving all information necessary to make such a determination; requires the department, if it cannot make a determination within 45 days, to refund the application fee; requires that a denial include a clear, written explanation for the denial with citations to relevant legal authority for the denial. - Amends TCA Title 4; Title 7; Title 11; Section 39-14-306; Section 57-4-102; Title 59; Title 62; Title 66; Title 68; Title 69 and Title 70. (SB2119/HB2892)
- 727** Food and Food Products - As enacted, repeals the Tennessee Egg Law, which establishes a licensure system for certain persons who buy, sell, trade, traffic, or process eggs in Tennessee. - Amends TCA Section 43-1-701; Title 53, Chapter 1, Part 2 and Title 53, Chapter 2. (SB2140/HB2209)
- 728** Weights and Measures - As enacted, replaces the statutory list of standard of weights and measures for agricultural products with a requirement that the commissioner of agriculture establish weights and measures by rule. - Amends TCA Section 47-26-101. (SB2141/HB2210)
- 729** Parks, Natural Areas Preservation - As enacted, designates Sherwood Forest in Franklin County and Walnut Knob in Smith County as Class II natural areas. - Amends TCA Section 11-14-108. (SB2153/HB2222)

- 730** Financial Institutions, Dept. of - As enacted, allows the commissioner to require applicants for money transmitter licensure to consent to a criminal history records check and to submit a fingerprint sample; revises other provisions regarding money transmitters. - Amends TCA Title 45, Chapter 7, Part 2. (SB2166/HB2235)
- 731** Workers Compensation - As enacted, extends the deadline for an injured employee to file a claim for increased benefits with the bureau of workers' compensation; lengthens the period of time following an injury an employee has to provide notice to the bureau of workers' compensation of an injury and the failure of an employer to secure payment of compensation. - Amends TCA Title 50, Chapter 6. (SB2190/HB2257)
- 732** Tobacco, Tobacco Products - As enacted, makes various changes to state law to reflect the change in federal law that raised the minimum age to purchase tobacco products from 18 years of age to 21 years of age. - Amends TCA Section 1-3-113; Title 39, Chapter 15 and Title 39, Chapter 17. (SB2202/HB2269) [See Appendix "H"]
- 733** Education, State Board of - As enacted, gives the state board of education administrative subpoena power in connection with investigations related to licensure disciplinary actions. - Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 5. (SB2260/HB1976)
- 734** Education, State Board of - As enacted, permits the state board of education to assess reasonable costs against a teacher or administrator when a final order is issued following a contested case hearing in which a teacher or administrator is issued a formal reprimand or the teacher's or administrator's license is denied, non-renewed, suspended, or revoked; requires the state board to promulgate rules for such assessments. - Amends TCA Title 49, Chapter 5, Part 4 and Title 49, Chapter 1, Part 3. (SB2261/HB1974)
- 735** Public Records - As enacted, permits a political subdivision to release the name or photograph of a minor victim of a criminal offense for the purpose of memorializing the victim in a memorial garden, if the custodial parent or legal guardian of the victim has consented to the release. - Amends TCA Title 10, Chapter 7. (SB2268/HB2383)
- 736** Education, Curriculum - As enacted, requires that the family life curriculum adopted by the state board of education or an LEA include information on the prevention of dating violence. - Amends TCA Title 49, Chapter 6, Part 13. (SB2269/HB2477)
- 737** Game and Fish Laws - As enacted, specifies that a sportsman's license is not required in order to assist a person with a disability who is fishing or hunting pursuant to a discounted license or an exemption from licensure, if certain requirements are met, including executing a form and compliance with certain laws by the assistant. - Amends TCA Title 70. (SB2300/HB2494)
- 738** Public Records - As enacted, prohibits a governmental entity from authorizing the destruction of public records subject to disclosure if the governmental entity knows the records are subject to a pending public record request submitted to the governmental entity. - Amends amend TCA Title 8, Chapter 4, Part 6 and Title 10, Chapter 7. (SB2313/HB2578)

- 739** Health Care - As enacted, expands the Health Care Empowerment Act to allow all licensed medical professionals to use direct medical care agreements without regulation by the insurance laws of this state. - Amends TCA Title 63. (SB2317/HB1867)
- 740** Regional Authorities and Special Districts - As enacted, repeals the Bledsoe Regional Water Authority. - Amends TCA Title 64, Chapter 1, Part 12. (SB2320/HB2561)
- 741** Criminal Procedure - As enacted, makes a defendant charged with continuous sexual abuse of a child ineligible for judicial diversion. - Amends TCA Section 40-35-313. (SB2332/HB2770)
- 742** Local Government, General - As enacted, prohibits local governing bodies from adopting or continuing in effect any ordinance, resolution, rule, or regulation regarding the exhibition of livestock; specifies that the prohibition does not apply when such enactment is otherwise authorized by state law or is related to reasonable restrictions regarding time, place, and manner consistent with other similar events or the protection of public health, safety, or welfare. - Amends TCA Title 5; Title 6; Title 7 and Title 44. (SB2378/HB2366)
- 743** Local Education Agencies - As enacted, requires a public school to excuse a student from school to attend a released time course if requested by the student's parent or legal guardian even if the local board of education has not adopted a policy on released time courses; authorizes local boards of education to transport students attending a released time course to and from the place of instruction if the entity providing the instruction reimburses the LEA for the services. - Amends TCA Title 49. (SB2473/HB2542)
- 744** Education, Higher - As enacted, requires public institutions of higher education to provide each student with a detailed and completed current-year federal college financing plan; imposes other requirements for such institutions to provide certain information when a student is finalizing acceptance of a financial aid package. - Amends TCA Title 49. (SB2503/HB2601)
- 745** Employees, Employers - As enacted, enacts the "Tennessee Pregnant Workers Fairness Act." - Amends TCA Title 50. (SB2520/HB2708) [**See Appendix "E"**]
- 746** Game and Fish Laws - As enacted, extends the exemption from licensure to hunt and fish on farmlands owned by a spouse, parent, or grandparent, to include spouses of children of landowners. - Amends TCA Title 70. (SB2533/HB2414)
- 747** Health Care - As enacted, requires, by no later than January 1, 2021, the departments of health and mental health and substance abuse services, and the bureau of TennCare to collaborate to develop educational materials for providers and facilities where medication assisted treatment including treatment involving controlled substances is prescribed or provided; requires that the materials be made available to prescribers of such treatment for substance abuse disorder. - Amends TCA Title 33; Title 36; Title 37; Title 39; Title 40; Title 53; Title 68 and Title 71. (SB2552/HB2625)
- 748** Local Education Agencies - As enacted, authorizes a director of schools, or the director's designee, to report truant student absences to the appropriate judge if any tier of a progressive truancy intervention plan is unsuccessful, and before subsequent tiers are implemented, if the

- school can document that the student's parent or guardian is unwilling to cooperate in the truancy intervention plan. - Amends TCA Title 49, Chapter 6. (SB2620/HB2841)
- 749** Contractors - As enacted, revises various provisions governing contractors. - Amends TCA Title 28 and Title 66. (SB2681/HB2706)
- 750** TennCare - As enacted, requires an administrative judge or hearing officer to grant a nursing facility's motion to intervene in the appeal of a resident or former resident's eligibility, absent certain showings. - Amends TCA Title 71. (SB2775/HB2502)
- 751** Tourism - As enacted, adds provisions governing the apportionment and distribution of incremental increases in sales and use taxes due to a public use facility. - Amends TCA Title 7, Chapter 88 and Title 67, Chapter 4, Part 30. (SB2821/HB2106)
- 752** Tourism - As enacted, revises provisions and specifies application of the Local Tourism Development Zone Business Tax Act. - Amends TCA Title 7, Chapter 88, Part 1 and Title 67, Chapter 4, Part 30. (SB2826/HB2111)
- 753** Consumer Protection - As enacted, revises provisions regarding statements that must be included in health club agreement. - Amends TCA Title 47, Chapter 18, Part 3. (SB2843/HB2859)
- 754** Firefighters - As enacted, conditions a firefighter's use of the presumption that certain conditions arose out of the firefighter's employment on the firefighter obtaining a physical medical examination that confirms the firefighter to be cancer-free. - Amends TCA Section 7-51-201. (SB2863/HB1819)
- 755** Public Funds and Financing - As enacted, authorizes the state treasurer to enter into agreements with any federal reserve bank, instead of a federal reserve member bank or trust company located in Tennessee, for the purpose of transferring public funds and funds of the Tennessee consolidated retirement system through the facilities of the federal reserve banking system. - Amends TCA Section 9-4-308. (SB2880/HB2088)
- 756** Domestic Violence - As enacted, requires a sentencing court to impose a fine of at least \$100 for a person convicted of assault against a domestic abuse victim, subject to the defendant's ability to pay. - Amends TCA Title 39, Chapter 13, Part 1. (SB2330/HB1982)
- 757** Public Defenders - As enacted, reinstates service credits and salary increases that were suspended during 2009-2010 for district public defender investigators. - Amends TCA Title 1 and Title 8, Chapter 14. (SB2511/HB2192)
- 758** Bond Issues - As enacted, authorizes the state, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes. (SB2935/HB2930)
- 759** Budget Procedures - As enacted, makes revisions to general law necessary to implement the annual appropriations act; requires dealers with physical presence in this state to register with department of revenue to collect and remit sales tax. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 12; Title 13; Title 16; Title 17; Title 18; Title

- 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71. (SB2932/HB2924)
- 760** Appropriations - As enacted, makes appropriations for the fiscal years beginning July 1, 2019, and July 1, 2020. (SB2931/HB2922)
- 761** Drugs, Prescription - As enacted, authorizes nonphysician healthcare providers who are otherwise permitted to prescribe Schedule II or III drugs to also prescribe a buprenorphine product for the treatment of opioid use disorder if certain requirements met. - Amends TCA Title 33; Title 53; Title 63 and Title 68. (HB656/SB1060)
- 762** Prisons and Reformatory Institutions - As enacted, requires a physician to provide prenatal and postpartum medical care to pregnant prisoners and detainees; requires correctional institutions to provide pregnant prisoners nutritionally appropriate meals and supplemental provisions. - Amends TCA Title 41, Chapter 21, Part 2. (HB1651/SB1839)
- 763** Knox County - As enacted and subject to local approval, authorizes Knox County to collect the privilege tax on occupancy from transients in owner-occupied single family residences, in apartments or condominiums where less than 25 percent of the total units are rented to transients, and in single-family homes where each single-family dwelling unit occupies a separate lot. - Amends Chapter 847 of the Public Acts of 1982, as amended by Chapter 628 of the Public Acts of 1996. (HB2907/SB2915)
- 764** Abortion - As enacted, creates the Class C felony of performing or inducing, or attempting to perform or induce, an abortion upon a pregnant woman whose unborn child has a fetal heartbeat; creates other criminal offenses related to the performance of an abortion; requires that certain information regarding reversing chemical abortions be provided; revises and enacts other abortion-related provisions. - Amends TCA Section 37-10-304 and Title 39, Chapter 15, Part 2. (HB2263/SB2196) [**See Appendix "F"**]
- 765** Sentencing - As enacted, revises and clarifies release eligibility for certain persons sentenced to life imprisonment for first degree murder. - Amends TCA Title 4; Title 37; Title 38; Title 39; Title 40 and Title 41. (HB394/SB453)
- 766** Tennessee Housing Development Agency - As enacted, increases, from \$2.93 billion to \$4 billion, the maximum aggregate principal amount for which the agency may issue bonds and notes at any one time. - Amends TCA Section 13-23-121. (HB1622/SB1576)
- 767** Sunset Laws - As enacted, extends the regional transportation authority of Middle Tennessee to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 8, Part 1. (HB1763/SB1685)
- 768** Sunset Laws - As enacted, extends the state capitol commission to June 30, 2026; adds two citizen members to the commission, with one to be appointed by the speaker of the senate and one to be appointed by the speaker of the house. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8. (HB1772/SB1694)

- 769** Sunset Laws - As enacted, extends the state textbook and instructional materials quality commission to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 6. (HB 1778/SB1700)
- 770** Textbooks - As enacted, revises various provisions regarding textbooks and instructional materials and the state textbook and instructional materials quality commission. - Amends TCA Title 49, Chapter 6, Part 22. (HB1827/SB2342)
- 771** Drugs, Prescription - As enacted, creates provisions related to prescribing buprenorphine. - Amends TCA Title 53, Chapter 11. (HB1980/SB1938)
- 772** Economic and Community Development, Dept. of - As enacted, requires the department to report to the fiscal review committee, at least annually, regarding any new clawback rights being executed by the department during the current year, as well as any clawback rights from previous years that are still being collected by the department during the current year. - Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12. (HB2156/SB2111)
- 773** Motor Vehicles - As enacted, authorizes operation of Class I and Class II off-highway vehicles on three segments of state routes located in Hickman County, if such vehicles are registered, insured, and equipped with safety equipment, - Amends TCA Section 55-8-185. (HB2278/SB2454)
- 774** Alcoholic Beverages - As enacted, allows a manufacturer to sell product transferred between different sites owned by the same manufacturer upon certain conditions. - Amends TCA Section 57-3-202. (HB2355/SB2115)
- 775** TennCare - As enacted, enacts "Cooper's Law," which requires a participating provider to strive to process hospital presumptive eligibility applications within the first 24 hours of the date of admission, when practicable. - Amends TCA Title 4; Title 9; Title 68 and Title 71. (HB2830/SB2585)
- 776** Insurance, Health, Accident - As enacted, extends compensation for death of emergency responders to emergency medical technicians and paramedics; authorizes local governments to continue to provide health insurance to the surviving spouse and children of an emergency medical technician or paramedic killed in the line of duty. - Amends TCA Title 7, Chapter 51, Part 2 and Title 8, Chapter 27. (SB29/HB384)
- 777** Education, Dept. of - As enacted, requires the commissioner to develop a transition plan for the purpose of planning the return, no earlier than the 2024-2025 school year, of schools in the ASD to the LEAs from which the schools were removed; requires the commissioner to submit the plan to the education committees of the senate and house by January 1, 2021; clarifies that a school that has been placed in the ASD must remain in the ASD until the school is authorized to return to its LEA according to the transition plan. - Amends TCA Title 49. (SB1247/HB1008)
- 778** Alcoholic Beverages - As enacted, authorizes the sale of alcoholic beverages and beer for consumption on the premises of the Memphis Zoo during the zoo's regular operating hours. - Amends TCA Section 57-4-101. (SB1560/HB1723)

- 779** Correction, Dept. of - As enacted, enacts the "Debra Johnson Act," which authorizes the department to contribute state funds toward the funeral and burial expenses of a correctional employee killed in the line of duty; - Amends TCA Title 4, Chapter 3, Part 6. (SB1578/HB1615)
- 780** Highways, Roads and Bridges - As enacted, revises provisions governing the maximum length of a truck-tractor and semitrailer or trailer on highways in this state. - Amends TCA Title 55. (SB1608/HB1594)
- 781** Criminal Procedure - As enacted, authorizes the issuance of electronic citations, and not just written citations on paper, for certain misdemeanor criminal offenses in lieu of arrest. - Amends TCA Title 40 and Title 55. (SB1622/HB1611)
- 782** Disabled Persons - As enacted, makes changes to the law concerning governmental entities, supported in whole or in part by the general assembly, purchasing services or commodities from the central nonprofit agency that works to provide individuals with severe disabilities competitive integrated employment opportunities. - Amends TCA Title 4, Chapter 21; Title 12; Title 50 and Title 71, Chapter 4, Part 7. (SB1642/HB2075)
- 783** Public Funds and Financing - As enacted, revises various provisions of the Public Employee Defined Benefit Financial Security Act of 2014. - Amends TCA Title 9, Chapter 3, Part 5. (SB1727/HB1806)
- 784** Pensions and Retirement Benefits - As enacted, makes state correctional officers who are members of the state retirement system eligible for service retirement after completing 25 years of creditable service; extends eligibility for early retirement to certain emergency medical services personnel. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. (SB1752/HB1801)
- 785** Special License Plates - As enacted, authorizes issuance of a Linemen Power Tennessee new specialty earmarked license plate to operators of vehicles that are used for passenger transport, owned by an entity that is subject to the Rural Electric and Community Services Cooperative Act, and that have a maximum gross weight less than 9,000 pounds. - Amends TCA Title 55. (SB1756/HB1640)
- 786** Mobile Homes and Manufactured Buildings - As enacted, revises various provisions governing the transport of mobile homes. - Amends TCA Title 55; Title 67 and Title 68. (SB1775/HB2201)
- 787** Real Property - As enacted, requires short-term rental unit marketplaces to collect and remit local occupancy taxes for short-term rental units secured through the marketplace beginning January 1, 2021; enacts provisions governing classification of certain residential property used as a short-term rental; revises and enacts other related provisions. - Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68. (SB1778/HB1830)
- 788** Employees, Employers - As enacted, prohibits marketplace platforms from keeping tips intended for marketplace contractors. - Amends TCA Title 50; Title 56 and Title 62. (SB1796/HB1862)

- 789** Motor Vehicles - As enacted, authorizes off-highway vehicles to be operated on a certain segment of a state highway in Johnson County. - Amends TCA Title 11, Chapter 25; Title 54 and Title 55. (SB1872/HB1887)
- 790** Therapists, Physical and Occupational - As enacted, makes various changes concerning the practice of physical therapy. - Amends TCA Title 63, Chapter 13. (SB1960/HB2050)
- 791** Utilities, Utility Districts - As enacted, requires a municipal utility board or the municipal governing body, and the comptroller, to establish procedures and guidelines for a natural gas utility system to devote revenues derived from the system to fund chambers of commerce or economic and community organizations; requires certain financial reporting by entities receiving such funds. - Amends TCA Section 7-34-115. (SB1961/HB1633)
- 792** Education - As enacted, creates a nine-member Tennessee commission on education recovery and innovation to examine the short and long-term systemic effects that the COVID-19 pandemic and natural disasters of 2020 have had on the state's educational systems. - Amends TCA Title 4 and Title 49. (SB1974/HB2470)
- 793** Cooperatives - As enacted, requires the state treasurer to remit certain funds to telephone cooperatives. - Amends TCA Title 65 and Title 66. (SB2019/HB2053)
- 794** Scholarships and Financial Aid - As enacted, enacts the "Financial Aid Simplification for Tennesseans (FAST) Act." - Amends TCA Title 12, Chapter 3; Title 49, Chapter 1 and Title 49, Chapter 4. (SB2097/HB2157)
- 795** Conservation - As enacted, requires the commissioner of general services instead of the commissioner of finance and administration to certify by January 1 of each year to the comptroller of the treasury information necessary to identify property rendered tax exempt by acquisition by the state during the prior fiscal year for conservation and preservation. - Amends TCA Section 11-14-406 and Section 11-7-109. (SB2167/HB2236)
- 796** Motor Vehicles - As enacted, establishes requirements for peer-to-peer car sharing programs, and subjects such programs to certain existing laws. - Amends TCA Title 4; Title 6; Title 7; Title 12; Title 42; Title 47, Chapter 18; Title 54; Title 55; Title 56; Title 65 and Title 67. (SB2207/HB1593)
- 797** Alcoholic Beverages - As enacted, designates Bristol Motor Speedway as a sports authority facility for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Title 57, Chapter 4. (SB2243/HB2330)
- 798** Public Records - As enacted, removes discretion for the registers, or other public officers whose duty it may be to keep an index of public records, to maintain separate indices for records maintained in the office of the county register; authorizes registers and such officers to maintain all indices by electronic means. - Amends TCA Title 10, Chapter 7, Part 2. (SB2244/HB2329)
- 799** Search & Seizure - As enacted, specifies that the authority of wildlife resources officers to conduct certain searches does not permit search or inspection of the interior of an automobile

- without a search warrant. - Amends TCA Title 20; Title 29; Title 38; Title 39; Title 40 and Title 70. (SB2292/HB2492)
- 800** Museums - As enacted, designates the Tennessee state museum located at 1000 Rosa L. Parks Boulevard as the "Bill Haslam Center." - Amends TCA Title 4 and Title 12. (SB2301/HB2131)
- 801** Public Employees - As enacted, clarifies that the current prohibition against traffic offense citation quotas is applicable to public officials or public employees; creates a Class B misdemeanor offense, subject to fine only, for officials and employees violating that prohibition. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 38; Title 39 and Title 40. (SB2458/HB2702)
- 802** Alcoholic Beverages - As enacted, designates various locations as premier type tourist resorts, sports authority facilities, and community theaters for purposes of the sale of alcoholic beverages; enacts other related provisions. - Amends TCA Title 57. (SB2492/HB1930)
- 803** Sentencing - As enacted, revises provisions governing drug-free school zones and school safety zones and sentences related to violations. - Amends TCA Title 16, Chapter 2; Title 39, Chapter 17, Part 4 and Section 49-2-116. (SB2734/HB2517)
- 804** Handgun Permits - As enacted, waives the lifetime handgun carry permit fees for retired law enforcement officers who served for at least 10 years, rather than former law enforcement officers who served for at least 10 years. - Amends TCA Section 39-17-1351. (SB2737/HB2333)
- 805** Courts - As enacted, allows a court to temporarily hold court proceedings in a courthouse or other room located outside the county seat under specific circumstances. - Amends TCA Section 16-1-105. (SB2741/HB2768)
- 806** Juvenile Offenders - As enacted, requires juvenile court petitions and orders to be open to public inspection if the delinquent act would constitute an act of terrorism or an attempt to commit terrorism if committed by an adult; prohibits expunction of a juvenile's record relating to a delinquent act that would constitute an act of terrorism or an attempt to commit terrorism if committed by an adult. - Amends TCA Title 37. (SB2747/HB1846)
- 807** Game and Fish Laws - As enacted, deletes one of two similar options for the purchase of a lifetime sportsman license for senior citizens, the fee for which cannot be automatically adjusted to reflect the same percentage increase as the annual sportsman license. - Amends TCA Title 70, Chapter 2. (SB2771/HB2479)
- 808** Agriculture, Dept. of - As enacted, establishes the Tennessee equine health advisory commission. - Amends TCA Title 4 and Title 43. (SB2874/HB2639)
- 809** Taxes, Sales - As enacted, revises provisions governing allocation of sales and use tax revenue to certain commercial development districts in economically distressed counties; adds a county bordering three such distressed counties for purposes of the allocation. - Amends TCA Title 67, Chapter 6. (SB2878/HB2734)

**810** Criminal Offenses - As enacted, classifies knowingly damaging farm equipment by means of fire or explosion as arson, a Class C felony. - Amends TCA Title 39, Chapter 14, Part 3. (SB2884/HB2303)

ABSTRACTS OF PUBLIC CHAPTERS PASSED BY THE SECOND EXTRAORDINARY  
SESSION OF THE 111<sup>th</sup> GENERAL ASSEMBLY IN 2020

- 1** Tort Liability and Reform - As enacted, enacts "Tennessee COVID-19 Recovery Act." - Amends TCA Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20 and Title 49, Chapter 7, Part 1. (SB2/HB1)[**See Appendix "J"**]
  
- 2** Local Government, General - As enacted, prohibits a governmental entity from intentionally preventing or prohibiting law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration; declares a governmental entity may be held liable for injury proximately caused by the governmental entity intentionally preventing or prohibiting law enforcement or fire and rescue services from accessing a specifically bounded area during a public demonstration. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 29 and Title 38. (SB1/HB6)
  
- 3** Criminal Offenses - As enacted, revises certain criminal laws concerning vandalism, assault, disorderly conduct, rioting, obstructing traffic, camping on state property, and other offenses; authorizes the TBI to investigate certain offenses; requires the district attorneys general conference to make a report to the general assembly. (SB5/HB5)[**See Appendix "K"**]
  
- 4** Insurance, Health, Accident - As enacted, makes various changes to the law concerning the electronic delivery of health care and its coverage under certain insurance policies and TennCare. - Amends TCA Title 56 and Section 63-1-155. (HB2/SB3)[**See Appendix "L"**]
  
- 5** Appropriations - As enacted, makes appropriations sufficient to provide the first year's funding for any act which receives final passage during the second extraordinary session of the 111<sup>th</sup> General Assembly. (HB3/SB12)

## **APPENDIX "A"**

### **PUBLIC CHAPTER 514**

To the extent allowed by federal law, Public Chapter 514 prohibits:

(1) Any person from requiring a private licensed child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in any child placement for foster care or adoption that would violate the agency's written religious or moral convictions or policies;

(2) The department of children's services from denying an application for an initial license or renewal of a license or revoking the license of a private child-placing agency because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies;

(3) A state or local government entity from denying to a private licensed child-placing agency any grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies; and

(4) Basing a civil action for either damages or injunctive relief on the refusal of a private licensed child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates the agency's written religious or moral convictions or policies.

Public Chapter 514 took effect on January 24, 2020.

## **APPENDIX "B"**

### **PUBLIC CHAPTER 531**

Public Chapter 531 addresses the prevention of suicide among military veterans by requiring the department of veterans services to provide training in suicide prevention to the employees of the department who directly interact with veterans. The training must equip employees with the ability to recognize the warning signs of a potential suicide. Public Chapter 531 authorizes the department to utilize resources from nonprofit organizations to provide the training.

Public Chapter 531 takes effect on January 1, 2021.

## APPENDIX "C"

### PUBLIC CHAPTER 570

Public Chapter 570 prohibits individuals convicted of certain offenses against animals from owning companion animals for at least two years from the date of conviction.

Under current law, it is a Class E felony for any person to:

(1) Own, possess, use, or train any bull, bear, dog, or other animal for the purpose of fighting, baiting, or injuring another such animal, for amusement, sport, or gain;

(2) Cause, for amusement, sport, or gain, the animals referenced in (1) to fight, bait, or injure another animal, or each other;

(3) Permit any acts stated in (1) or (2) to be done on any premises under the person's charge or control, or aid or abet those acts;

(4) With aggravated cruelty and with no justifiable purpose, intentionally kill or intentionally cause serious physical injury to a companion animal. The current law gives the court discretion to prohibit an offender under this item from having custody of a companion animal for a period of time the court determines to be reasonable; or

(5) Knowingly engage in; cause, aid, or abet another to engage in; permit to be conducted on premises under the person's control; organize for commercial or recreational purpose; or photograph or film, for purposes of sexual gratification, sexual activity with an animal.

Public Chapter 570 requires courts to prohibit a person convicted of a first offense of a crime described in (1)-(5) from having custody of any companion animal for a period of not less than two years and up to the remainder of the person's lifetime. For a second or subsequent offense, Public Chapter 570 requires the sentencing court to prohibit the person from having custody of a companion animal for the remainder of the person's lifetime. The prohibition on having custody of a companion animal is in addition to any other penalty imposed, such as incarceration and a fine.

The current law defines "companion animal" as a pet normally maintained in or near the household or households of its owner or owners, other domesticated animal, previously captured wildlife, an exotic animal, or any other pet, including, but not limited to, pet rabbits, a pet chick, duck, or pot bellied pig that is not classified as "livestock."

Public Chapter 570 took effect on July 1, 2020.

## APPENDIX "D"

### PUBLIC CHAPTER 575

Presently, each emergency call taker or public safety dispatcher who receives an initial or transferred 911 call from the public is subject to the training and course of study requirements established by the emergency communications board (the "board").

Public Chapter 575 requires the board to include emergency cardiovascular care guidelines for telecommunicator cardiopulmonary resuscitation ("T-CPR") in its training and course of study requirements. At a minimum, the training and course of study requirements must incorporate recognition protocols for out-of-hospital cardiac arrest, compression-only CPR instructions for callers or bystanders, and continuous education as appropriate. Public Chapter 575 defines T-CPR to mean the dispatcher-assisted delivery of CPR instruction by trained emergency call takers or public safety dispatchers to callers or bystanders for events requiring CPR.

Public Chapter 575 requires emergency call takers and public safety dispatchers who provide dispatch for emergency conditions to offer T-CPR to a caller or bystander, when deemed necessary. Public Chapter 575 also requires the board to promulgate a rule to establish a procedure for monitoring emergency call taker and public safety dispatcher adherence to T-CPR training requirements and conduct ongoing quality assurance. Public Chapter 575 authorizes the board to adjust grants or shared revenue amounts based on failure to comply with the T-CPR training requirements.

Public Chapter 575 extends immunity from civil liability for an emergency call taker or public safety dispatcher who assists or instructs a caller or bystander on T-CPR for damages arising out of the assistance and instruction provided to the caller or bystander, except in cases of gross negligence or willful misconduct. Public Chapter 575 also extends civil immunity to an emergency communication district, state, county, and municipality for employees who answer 911 emergency calls and employees who are recently hired, except in cases of gross negligence or willful misconduct.

Public Chapter 575 specifies that a caller or bystander may decline to receive T-CPR and, if a declination is made, the emergency call taker or public safety dispatcher has no obligation to provide T-CPR instruction.

Public Chapter 575 took effect March 19, 2020, for rulemaking purposes and takes effect on January 1, 2021, for all other purposes.

## APPENDIX "E"

### PUBLIC CHAPTER 745

Effective October 1, 2020, Public Chapter 745 enacted the "Tennessee Pregnant Workers Fairness Act" to prohibit employers who employ 15 or more employees from taking certain action with regard to a job applicant's or employee's pregnancy, giving birth, or a related medical condition.

Under Public Chapter 745, it is an unlawful employment practice, for which a person who is adversely affected may bring an action within one year of the act or omission, for an employer to:

(1) Fail or refuse to make reasonable accommodations for medical needs arising from pregnancy, childbirth, or related medical conditions of an applicant for employment or an employee, unless the employer demonstrates that the accommodation would impose an undue hardship on the operation of the business of the employer;

(2) Require an employee to take leave under a leave law or policy adopted by the employer if another reasonable accommodation can be provided to the known limitations for medical needs arising from the employee's pregnancy, childbirth, or related medical conditions; or

(3) Take adverse action against an employee in the terms, conditions, or privileges of employment for requesting or using a reasonable accommodation to the known limitations for medical needs arising from the employee's pregnancy, childbirth, or related medical conditions.

Public Chapter 745 specifies that an employer is not required to do the following unless the employer does or would do so for another employee or a class of employees that need a reasonable accommodation:

(1) Hire new employees that the employer would not have otherwise hired;

(2) Discharge an employee, transfer another employee with more seniority, or promote another employee who is not qualified to perform the new job;

(3) Create a new position, including a light duty position for the employee;

(4) Compensate an employee for more frequent or longer break periods, unless the employee uses a break period that would otherwise be compensated; or

(5) Construct a permanent, dedicated space for expressing milk.

The commissioner of labor and workforce development is required to enforce the Tennessee Pregnant Workers Fairness Act.

Effective June 22, 2020, Public Chapter 745 temporarily authorizes the commissioner of labor and workforce development to suspend certain provisions of the unemployment compensation laws pursuant to the federal Families First Coronavirus Response Act. The provisions of Public Chapter

745 that authorize the commissioner to suspend unemployment compensation law will expire on January 1, 2021.

Under current law, one of the conditions of eligibility for unemployment benefits is that the claimant has been unemployed for a waiting period of one week. Public Chapter 745 authorizes the commissioner of labor and workforce development to suspend the one-week waiting period.

Current law generally requires that unemployment benefits paid to a claimant are charged to the account of the claimant's employer. The amount of benefits charged against an employer's account is used to determine an employer's reserve ratio, which affects the amount of the employer's premiums. Public Chapter 745 authorizes the commissioner of labor and workforce development to authorize a non-charge to the account of a contributory employer that is in the claimant's base period for any unemployment benefits paid to a claimant as a result of the COVID-19 pandemic and its effects.

## APPENDIX "F"

### PUBLIC CHAPTER 764

Public Chapter 764 does the following with regard to abortion law:

(1) Creates the Class C felony of performing or inducing, or attempting to perform or induce, an abortion upon a pregnant woman whose unborn child has a fetal heartbeat. Public Chapter 764 creates additional Class C felonies for performing or inducing, or attempting to perform or induce, an abortion on a pregnant woman at various stages of pregnancy, ranging from six weeks gestational age to 24 weeks gestational age. Public Chapter 764 specifies that a person will not be convicted of more than one such violation for any one abortion that person performed, induced, or attempted to perform or induce;

(2) Creates the Class C felony of performing or inducing, or attempting to perform or induce, an abortion upon a pregnant woman if the person knows the woman is seeking the abortion because of:

(A) The sex of the unborn child;

(B) The race of the unborn child; or

(C) A prenatal diagnosis, test, or screening indicating Down syndrome or the potential for Down syndrome in the unborn child;

(3) Creates the Class C felony of performing or inducing, or attempting to perform or induce, an abortion in violation of any of the requirements imposed on the physician performing or inducing, or attempting to perform or induce, an abortion, which include the following:

(A) Determining the gestational age of the unborn child and informing the pregnant woman of the gestational age;

(B) Performing, or have performed, an obstetric ultrasound, display the images so that the pregnant woman may view them, and provide a detailed explanation of what the ultrasound is depicting;

(C) Auscultating the fetal heartbeat of the unborn child, if any, so that the pregnant woman may hear the heartbeat if it is audible; and

(D) Recording in the pregnant woman's medical record the presence or absence of a fetal heartbeat, the method used to test for the fetal heartbeat, the date and time of the test, and the estimated gestational age of the unborn child; and

(E) Obtaining a signed certification from the pregnant woman prior to performing or inducing, or attempting to perform or induce, an abortion, stating that the woman was presented with the information by (A)-(D), that the woman viewed ultrasound images or declined to do so, and that the woman heard the fetal heartbeat, if audible, or declined to do so;

(4) Authorizes the physician to delegate the responsibility to perform the required obstetric ultrasound to a qualified ultrasound technician. The physician may also accept a certification from a referring physician that the referring physician completed the required ultrasound. The physician may rely on the signed certification described in (3)(E) obtained by the referring physician or ultrasound technician unless the physician knows, or in the exercise of reasonable care should know, that an ultrasound was not performed. A violation of these requirements by an ultrasound technician or referring physician whose performance of an ultrasound is relied upon by a physician in performing or inducing, or attempting to perform or induce, will constitute a Class E felony;

(5) Creates an affirmative defense to criminal prosecution for a violation of the provisions described in (1)-(4) that, in the physician's reasonable medical judgment, a medical emergency prevented compliance with the provision. For the affirmative defense to apply, the physician must have complied with each of five conditions (described in the full text of Public Chapter 764), unless the medical emergency also prevented compliance with a condition;

(6) States that a pregnant woman upon whom an abortion is performed or induced, or attempted to be performed or induced, in violation of any provision described in (1)-(4) is not guilty of violating, or attempting to commit or conspiring to commit a violation of those provisions;

(7) Requires a physician criminally charged under any provision described in (1)-(4) to report the charge to the board of medical examiners within seven calendar days of acquiring knowledge of the charge. The report must include the jurisdiction where the charge is pending, if known, and a copy of the charging documents, if available. A district attorney general must notify the board of medical examiners when a physician is charged with any such offense;

(8) Deleted a prior law requirement that the department of children's services assign a court advocate in each judicial district to assist in the coordination of court-appointed counsel, to attend legal proceedings with the minor, and to provide minors with information related to parental consent for abortions and the judicial bypass process;

(9) Requires healthcare facilities (such as physicians' offices or ambulatory surgical treatment centers) in which more than 50 elective abortions were provided in the previous year, to conspicuously post in a manner clearly visible to patients a sign noting the potential ineffectiveness of mifepristone in chemical abortions and the potential to reverse its effects if the second pill required for a chemical abortion has not been taken. A healthcare facility that negligently fails to post the signage will be assessed a civil penalty of \$10,000. Each day on which a nonemergency abortion is performed and the signs are not posted will be considered a separate violation;

(10) Requires that certain information concerning the reversibility of a chemical abortion utilizing mifepristone be provided to a woman at least 48 hours prior to a nonemergency chemical abortion involving the two-drug process of dispensing mifepristone first and then misoprostol;

(11) Requires that, after the first drug involved in the two-drug process is dispensed in a chemical abortion utilizing mifepristone, the physician or the physician's agent must provide to the

pregnant woman written medical discharge instructions that include that same information that is required in the signage required under (9);

(12) Requires that, when a medical emergency compels the performance of any abortion (either surgical or chemical), the physician must inform the woman prior to the abortion, if possible, of the medical indications supporting the physician's professional medical judgment that an abortion is necessary to prevent the woman's death or that a delay of 48 hours will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. This requirement is in addition to the current law requirement (in Tennessee Code Annotated, Section 39-115-202(f)(2), that provides "when a medical emergency compels the performance of an abortion, the physician shall inform the woman, prior to the abortion if possible, of the medical reasons supporting the physician's judgment that an abortion is necessary to avert her death or to avert substantial and irreversible impairment of major bodily function;"

(13) Requires the department of health to publish printed materials designed to inform women of the possibility of reversing the effects of a chemical abortion utilizing mifepristone if a woman changes her mind and information on and assistance with the resources that may be available to help reverse the effects of a chemical abortion. Public Chapter 974 also requires the department to develop and maintain a stable internet website to provide the same information on the internet. The printed materials and website must be in English and in each language that is the primary language of 2 percent or more of this state's population and must be easily understood by the general public;

(14) Creates a Class E felony for a person to knowingly or recklessly perform, induce, or attempt to perform or induce, an abortion in violation of the provisions of Public Chapter 764 concerning signage, disclosure of information, and determinations of medical necessity. A penalty will not be assessed against the woman upon whom the abortion is performed, induced, or attempted to be performed or induced. Further, neither a penalty nor civil liability will be assessed for failure to inform a woman of information on the department's website if the information is not available;

(15) Creates a cause of action for actual or punitive damage against a person who performs an abortion in knowing or reckless violation of the provisions of Public Chapter 764 concerning signage, disclosure of information, and determinations of medical necessity may be brought by:

(A) Any person upon whom an abortion that was not in compliance with such requirements has been performed. A person upon whom an abortion was attempted may bring an action as well;

(B) The father of the unborn child who was the subject of the abortion; or

(C) If the woman was a minor at the time of the chemical abortion or has died as a result of the chemical abortion, the grandparent of the unborn child.

A court may not award damages to a plaintiff in such an action if the pregnancy resulted from the plaintiff's criminal conduct.

The court must award reasonable attorney's fees to a prevailing plaintiff or, if judgment is rendered in favor of the defendant and the court finds that the plaintiff's suit was frivolous and brought in bad faith, the defendant;

(16) In each civil or criminal proceeding brought under the provisions of Public Chapter 764 concerning signage, disclosure of information, and determinations of medical necessity, the court must rule whether the anonymity of any woman upon whom an abortion has been performed or attempted must be preserved from public disclosure if the woman does not give her consent to such disclosure. In the absence of written consent of the woman upon whom an abortion has been performed or attempted, anyone who brings a civil action under the provisions of Public Chapter 764 concerning signage, disclosure of information, and determinations of medical necessity must do so under a pseudonym. Public Chapter 764 specifies that it is not to be construed to conceal the identity of the plaintiff or witnesses from the defendant.

The provisions of Public Chapter 764 concerning signage, disclosure of information, and determinations of medical necessity take effect October 1, 2020. All other provisions of Public Chapter 764 took effect July 13, 2020.

## APPENDIX "G"

### SEXUAL OFFENSES INVOLVING MINORS

In 2020, the One Hundred and Eleventh General Assembly passed several bills concerning sexual offenses. Public Chapter 588 increased the maximum age for a victim of aggravated rape of a child from three years of age to eight years of age. Public Chapter 607 added the offenses of promoting the prostitution of a minor and patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability as sexual offenses for which a person may not qualify for judicial diversion. Public Chapter 636 changed the eligibility requirements for certain sexual offenders to be with their own children.

#### Public Chapter 588

Under prior law, a sexual offender who raped a child aged three years or less could be prosecuted for the Class A felony offense aggravated rape of a child, which carries a mandatory sentence of life imprisonment without possibility of parole. A sexual offender who raped a child more than three years of age but less than 13 years of age could be prosecuted for the Class A felony offense rape of a child, which carries a sentence of 15 to 60 years imprisonment.

Public Chapter 588 made the offense of aggravated rape of a child and its mandatory sentence applicable to a sexual offender who rapes a child aged eight years or less.

Public Chapter 588 took effect on July 1, 2020.

#### Public Chapter 607

Existing law authorizes courts to defer proceedings against a qualified criminal defendant and place the defendant on probation without entering a judgment of guilty and with the defendant's consent. Existing law lists numerous offenses that are not eligible for judicial diversion.

Public Chapter 607 added the offenses of promoting the prostitution of a minor and patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability to the list of offenses that are not eligible for judicial diversion.

Public Chapter 607 took effect on March 20, 2020.

## Public Chapter 636

Existing law generally prohibits registered sex offenders whose victim was a minor twelve years of age or less from knowingly residing or conducting an overnight visit at a residence in which a minor resides or is present even if the offender is the parent of the minor. Public Chapter 636 added an exception whereby a person who commits a sexual offense or a violent sexual offense against a child who is 12 years of age or less may be allowed to reside, conduct an overnight visit, or be alone with a minor who is the offender's child so long as:

- (1) The offender's parental rights are not terminated or in the process of being terminated;
- (2) The sexual offender's victim was not the offender's child; and
- (3) A circuit court exercising civil jurisdiction has not found by clear and convincing evidence that the offender presents a danger of substantial harm to the minor.

Public Chapter 636 authorizes district attorneys general to petition the circuit courts to make a finding that the offender presents a danger of substantial harm to the minor as described in (3) at any time the offender is required to register as a sexual offender or violent sexual offender. The offender must receive due process. The court records associated with a determination under Public Chapter 636 will generally be confidential to persons not involved in the hearing. If the court finds that the offender presents a danger of substantial harm to the minor, the district attorney general must provide the court's finding to the offender's registering agency. The offender may appeal the circuit court's decision to the court of appeals, but the circuit court's order must stay in effect pending the appeal. No sooner than two years after the date of entry of the circuit court's order, an offender may petition the court for reconsideration of the order at a hearing where the offender must show, by clear and convincing evidence, that the offender no longer presents a danger of substantial harm to the minor.

Public Chapter 636 took effect on April 1, 2020.

## APPENDIX "H"

### TOBACCO

The One Hundred and Eleventh General Assembly passed two bills that changed existing laws concerning the use of tobacco products. Public Chapter 529 authorized local governments to regulate smoking on playgrounds. Public Chapter 732 changed state law to reflect the change in federal law that raised the minimum age to purchase tobacco products from 18 years of age to 21 years of age.

#### Public Chapter 529

The current law generally preempts local regulation of the use of tobacco products, subject to the following exceptions:

(1) Local governments are authorized to prohibit smoking on the grounds of a hospital or in the public areas immediately outside of a hospital building and its entrances, including public sidewalks;

(2) Davidson County and municipalities located in Sullivan County are authorized to prohibit smoking on the grounds of a swimming pool owned or operated by such local government or an outdoor amphitheater with a seating capacity of at least 6,000 owned or operated by such local government; and

(3) Municipalities located in Putnam County are authorized to prohibit smoking on the grounds of an urban park center.

Public Chapter 529 added authorization for any local government to prohibit smoking, but not vaping, on the grounds of a playground owned by the local government by adopting a resolution or ordinance approved by a two-thirds vote of the legislative body of the local government.

Public Chapter 529 took effect on April 19, 2020.

#### Public Chapter 732

Public Chapter 732 increases the minimum age to purchase, possess, transport, and consume any tobacco products, smoking hemp, or vapor products from 18 to 21. Persons who are 18 years of

age or older will continue to be permitted to transport, possess, sell, or dispense tobacco, smoking hemp, or vapor products in the course of such persons' employment.

Public Chapter 732 makes corresponding changes to various provisions of present law concerning tobacco, smoking hemp, or vapor products, such as:

(1) Clarifying that law enforcement officials will be authorized to use persons under 21 years of age in "sting" operations involving sales of such products;

(2) Specifying that vapor products are smoking paraphernalia, which may only be provided to persons aged 21 years or more;

(3) Making criminal penalties associated with providing tobacco products, smoking hemp, and vapor products to minors applicable to the provision of such products to persons aged 18-20 years;

(4) Making it a Class C misdemeanor offense for a person who is 18 - 20 years of age to purchase or acquire smoking paraphernalia or present false identification to a person contemplating dissemination of smoking paraphernalia to an individual whom the person believes or has reason to believe may be a minor;

(5) Increasing from 27 to 30 the apparent age of a person below which a retail clerk must request proof of age before selling the person tobacco, smoking hemp, or vapor products;

(6) Changing signage requirements for retailers to reflect the new age requirement;

(7) Extending the department of agriculture's duty to conduct random, unannounced inspections at locations where tobacco or smoking hemp products are sold or distributed to include locations where vapor products are sold;

(8) Adds knowledge of the age limit for purchasing vapor products to the statement that a retail clerk must sign to acknowledge training concerning the legal requirements for sales of tobacco and smoking hemp products;

(9) Adds vapor products to the list of smoking paraphernalia that must be maintained behind the counter of a retail establishment in an area inaccessible to a customer or in a locked display case that makes the products unavailable to a customer without the assistance of an employee; and

(10) Increases from 18 to 21 the minimum age of a person that a retail tobacco store may allow on their premises in order to be exempt from the general prohibition against smoking in enclosed public places.

Public Chapter 732 takes effect January 1, 2021.

## APPENDIX "I"

### MISCELLANEOUS

The One Hundred and Eleventh General Assembly passed numerous bills concerning a variety of subjects of interest to Tennesseans. Among the noteworthy legislation passed in 2020 was the Holly Bobo Act, designation of an official state nickname, creation of a new judicial district, extension of the "slow poke law," and a change in the manner in which days of special observance are promoted.

#### Public Chapter 516

Public Chapter 516 designates "The Volunteer State" as the official nickname of Tennessee.

Public Chapter 516 took effect on February 21, 2020.

#### Public Chapter 530

Under current law, the twenty-first judicial district consists of Hickman, Lewis, Perry, and Williamson counties. There are five trial court judgeships in the twenty-first judicial district. Effective September 1, 2022, Public Chapter 530 creates a new thirty-second judicial district to consist of Hickman, Lewis, and Perry counties. One judgeship for the twenty-first judicial district will be transferred to the thirty-second judicial district, and only the voters of Hickman, Lewis, and Perry counties will elect such judge in the August 2022 election. Also, at the August 2022 election, the voters of Hickman, Lewis, and Perry counties will elect a district attorney general and district public defender for the thirty-second judicial district. The full text of Public Chapter 530 describes the allocation of staff and property for the twenty-first and thirty-second judicial districts beginning September 1, 2022.

Public Chapter 530 took effect on March 10, 2020.

#### Public Chapter 595

Public Chapter 595 enacted the "Holly Bobo Act," which expanded the endangered child and young adult alert program implemented by the Tennessee bureau of investigation to apply to any person who is under 21 years of age and who meets the criteria of being endangered, as determined by the bureau.

Public Chapter 595 took effect on March 20, 2020.

#### Public Chapter 598

Subject to several exceptions for safety concerns, the prior Slow Poke Law makes it a Class C misdemeanor offense, punishable only by a fine of \$50.00, on interstate and multilane divided highways that are three or more lanes in each direction, for a person to operate a vehicle in the passing lane, except when overtaking or passing a vehicle that is in a nonpassing lane.

Public Chapter 598 extended the Slow Poke Law to interstates and multilane divided highways with two or more lanes.

Public Chapter 598 took effect July 1, 2020.

#### Public Chapter 707

Current law designates various days as days of special observance to acknowledge various persons, groups, and events. The days of special observance are not legal holidays. Prior law required the governor to annually issue a proclamation for each day of special observance and, in some cases, to invite the public to participate in the observance.

Public Chapter 707 removed the duty of the governor to proclaim days of special observance and to invite the people of the state to observe certain days of special observance.

Public Chapter 707 took effect on June 22, 2020.

## APPENDIX "J"

### PUBLIC CHAPTER 1 OF THE SECOND EXTRAORDINARY SESSION

Public Chapter 1 of the Second Extraordinary Session of the One Hundred and Eleventh General Assembly ("Public Chapter 1") enacted the Tennessee COVID-19 Recovery Act and made other additions to existing law concerning limiting liability relating to loss, damage, injury, or death from coronavirus.

Tennessee COVID-19 Recovery Act (the "Act")

Under the Act, an individual or legal entity (a "person") is not liable for loss, damage, injury, or death (collectively referred to hereinafter as an "injury") that arises from COVID-19 unless the claimant proves by clear and convincing evidence that the person proximately caused the injury by an act or omission constituting gross negligence or willful misconduct.

The Act requires that a claimant in any action alleging injury arising from COVID-19 must file a verified complaint pleading specific facts with particularity from which a trier could reasonably conclude that the injury was caused by the defendant's gross negligence or willful misconduct. In an action alleging injury based on exposure to or contraction of COVID-19, the Act further requires that the claimant file a certificate of good faith stating that the claimant or claimant's counsel has obtained a signed, written expert medical opinion that the claimant's injury was caused by the alleged act or omission of the defendant. A claimant's failure to comply with the Act's pleading requirements will, upon motion, make the claim subject to dismissal with prejudice.

The Act does not:

- (1) Create a cause of action;
- (2) Eliminate a required element of any existing cause of action;
- (3) Affect workers' compensation claims; or
- (4) Amend, repeal, alter, or affect any immunity or limitation of liability available under current law or contract.

#### Additional Limitations

Public Chapter 1 added to existing law concerning liability claims by adding the following provisions pertaining specifically to COVID-19-related claims:

- (1) Extended immunity, under the Tennessee Governmental Tort Liability Act, for governmental entities in connection with any injury arising from COVID-19, unless the claimant proves by clear and convincing evidence that the injury was proximately caused by an act or omission of the governmental entity or the entity's employees constituting gross negligence;

- (2) Prohibited claims being brought, or judgments entered, under the Tennessee Governmental Tort Liability Act against an employee of a governmental entity for an injury arising

from COVID-19 and proximately caused by an act or omission of the employee within the employee's scope of employment for which the governmental entity is immune, unless the claimant proves by clear and convincing evidence that the injury was caused by an act or omission that was willful, malicious, criminal, or performed for personal financial gain;

(3) Specified that the state does not waive state sovereign immunity for civil liability for any injury arising from COVID-19, unless the claimant proves by clear and convincing evidence that the injury was proximately caused by an act or omission of the state entity, or a state employee or agent, constituting gross negligence; and

(4) Limited a public postsecondary institution's liability for any injury arising from COVID-19 to claims where the claimant proves by clear and convincing evidence that the injury was proximately caused by an act or omission of the institution, or the institution's employee or agent, constituting gross negligence or willful misconduct.

The pleading requirements that a claimant bears under the Tennessee COVID-19 Recovery Act apply to any claim filed under (1)-(4).

#### Effective Date

Public Chapter 1 took effect on August 12, 2020, and applies to all claims arising from COVID-19, except those which, on or before August 3, 2020:

- (1) A complaint or civil warrant was filed;
- (2) A notice of a claim was with the Tennessee claims commission; or
- (3) Notice was satisfied under the laws pertaining to healthcare liability claims.

Public Chapter 1 will be repealed on July 1, 2022, but continues to apply to any injury occurring before that date to which none of the exceptions in (1)-(3) apply.

## APPENDIX "K"

### PUBLIC CHAPTER 3 OF THE SECOND EXTRAORDINARY SESSION

Public Chapter 3 of the Second Extraordinary Session of the One Hundred and Eleventh General Assembly ("Public Chapter 3") made the following changes and additions to criminal law:

(1) Under existing law, a person who commits vandalism by knowingly damaging or destroying government property without consent is subject to punishment in the same manner as theft, based on the value of the property. Generally, a property's value is based on fair market value or replacement cost. Public Chapter 3 added that, for vandalism offenses involving government property, the property's value includes the fair market value of repairing, cleaning, and restoring the property;

(2) Public Chapter 3 created the Class A misdemeanor offense of assault against a first responder who is discharging or attempting to discharge the first responder's official duties. Public Chapter 3 defines "first responder" to include POST-certified law enforcement officers (specifically including state law enforcement officers), firefighters, emergency services personnel, and other persons who respond to 911 calls. A person commits this offense by knowingly causing bodily injury to the first responder or knowingly causing physical contact with the first responder that a reasonable person would regard as extremely offensive or provocative. The punishment for assault against a first responder is a mandatory \$5,000 fine and a mandatory-minimum 30-day jail sentence;

(3) Public Chapter 3 created the Class C felony offense of aggravated assault against a first responder who is discharging or attempting to discharge the first responder's official duties. A person commits this offense by committing assault against a first responder, as described in (2), and the assault results in serious bodily injury or death of the first responder, involved the use or display of a deadly weapon, or involved strangulation. The punishment for aggravated assault of a first responder is a mandatory \$15,000 fine and a mandatory minimum 90-day prison sentence;

(4) Under existing law, the offense of aggravated assault is generally a Class C or Class D felony. The maximum fine for a Class C felony is generally \$10,000 and the maximum fine for a Class D felony is generally \$5,000. Existing law sets the maximum fine amount for an aggravated assault against a first responder, healthcare provider, or employee or contractor of a utility at \$15,000. Public Chapter 3 changed the maximum fine that is generally applicable to aggravated assault to \$15,000 regardless of the victim's occupation;

(5) Public Chapter 3 added entry or remaining on property and recklessly damaging the property, or personal property located thereon, to the types of conduct that constitute the offense of aggravated criminal trespass. Public Chapter 3 increased the penalty for aggravated criminal trespass on state property from a Class B misdemeanor to a Class A misdemeanor. Public Chapter 3 also added that aggravated criminal trespass is a Class E felony when committed on the residential property of a law enforcement officer, active duty member of the military, judge, or elected or appointed official and with intent to harass such person based on their public status;

(6) Public Chapter 3 added to the types of conduct that constitute "damage" for purposes of the offense of vandalism by including the intentional marring, marking upon, or defacing, in a temporary or permanent manner, state or local government property or any entrance or curtilage to or fixture on the property, with the exception of temporary marking of sidewalks. Public Chapter 3 added to the punishment for a person convicted of vandalism against government property or merchandise offered for retail sale by a retail merchant by requiring that the court order restitution for property damage or loss or cleaning or restoration expenses incurred as a result of the offense. Also, in cases of vandalism against government property where the value is less than \$2,500, Public Chapter 3 generally sets the minimum penalty as a Class A misdemeanor, except in cases where the property is designated as a historic landmark or listed on the national register of historic places, in which case the offense will be classified based on the value of the property. In addition, Public Chapter 3 imposes a mandatory \$5,000 fine for a second or subsequent act of vandalism against government property;

(7) Public Chapter 3 changed prior law definitions applicable to the offenses of disorderly conduct and rioting to clarify that a person's mere assembling or presence at the scene of such an event does not constitute an offense;

(8) Under existing law, the offense of participation in a riot is a Class A misdemeanor. Public Chapter 3 imposed a mandatory minimum 30-day jail sentence for participation in a riot and an order of restitution for any property damage or loss incurred as a result of the offense;

(9) Under existing law, the offense of aggravated rioting is a Class E felony. Public Chapter 3 imposed a mandatory minimum 45-day jail sentence for aggravated rioting and an order of restitution for any property damage or loss incurred as a result of the offense;

(10) Under existing law, the offense of inciting a riot is a Class A misdemeanor. Public Chapter 3 added a requirement that the sentencing court order restitution for any property damage or loss incurred as a result of the offense;

(11) Public Chapter 3 increased the penalty for the offense of disrupting a lawful meeting, procession, or gathering from a Class B misdemeanor to a Class A misdemeanor;

(12) Under prior law, the offense of obstruction of a highway or other public was generally a Class C misdemeanor. The offense was enhanced to a Class B misdemeanor, punishable by a fine of \$200 if, at the time of the violation, the person obstructed an emergency vehicle from accessing the highway or street, or highway's or street's right-of-way. Public Chapter 3 increased the penalty for the offense of obstruction of a highway or other public way to a Class A misdemeanor, and enhanced the penalty for such offense to a Class E felony if the obstruction prevents an emergency vehicle from accessing a highway or street, the obstruction prevents a first responder from responding to an emergency, or if the obstruction prevents access to an emergency exit;

(13) Under prior law, the offense of damage or defacement of state or local government property by the painting or other permanent application of graffiti directly onto the property was a Class B misdemeanor for which the offender was required to be punished by at least 25 hours of

community service work. Public Chapter 3 increased the penalty for such offense to a Class A misdemeanor, removed the requirement for mandatory community service, and required the sentencing court to order restitution for any property damage or loss incurred as a result of the offense;

(14) The Equal Access to Public Property Act of 2012 made it a Class A misdemeanor offense for a person to camp on state property that is not specifically designated as a camping area. Prior law provided various examples of what constitutes camping. Public Chapter 3 increased the punishment for illegal camping on state property to a Class E felony with a mandatory order of restitution for any property damage or loss incurred as a result of the offense. Public Chapter 3 specified that camping generally occurs between 10:00 p.m. and 7:00 a.m.; provided, that making or preparing to make a fire, doing any digging or earth breaking, or sleeping or making preparations to sleep constitute camping regardless of the time at which the activity occurs. Public Chapter 3 also revised and expanded the examples of what constitutes camping. Public Chapter 3 added that, in order to commit an offense, a person must have received an official warning not to engage in camping on state property and either continued to camp on state property or returned within 24 hours of the warning to continue to engage in camping. Prior law made items used to illegally camp on state property subject to seizure and forfeiture. Public Chapter 3 instead established a process by which any items used to illegally camp on state property may be taken into state custody and disposed of; provided, notice of the seizing agency's contact information is posted near the scene of the seizure, the property is held for 90 days during which time the owner may reclaim the property after payment of a reasonable storage fee, and the property is not needed for evidence in a criminal proceeding. Public Chapter 3 provided immunity from liability to state government agencies and their agents who are involved in seizing property that is used to illegally camp on state property;

(15) Public Chapter 3 generally prohibits the release of a person arrested for any of the following offenses for 12 hours from the time of the arrest: camping on state property, vandalism of government property, rioting, aggravated rioting, inciting a riot, disrupting a meeting or procession, or obstructing a highway. A magistrate may release the defendant in less than 12 hours, if the magistrate makes written findings that the defendant is unlikely to resume the criminal activity based on the circumstances of the arrest and the defendant's criminal history;

(16) Public Chapter 3 authorizes the TBI to investigate crimes against state employees or contractors, that result in the damage or destruction of state property, or that delay the administration of state government at a significant cost to the state;

(17) Public Chapter 3 requires the district attorneys general conference to file a report by January 1, 2022, with the Speakers of the Senate and House of Representatives and the chairs of the judiciary committees of the Senate and House of Representatives. The report must detail by geographic location within this state the aggregate number of reports of potential violations of criminal offenses that this amendment authorizes the TBI to investigate under (16), the action taken by the appropriate district attorney for each report, and the legal disposition of any case resulting from each report; and

(18) Under existing law, it is a Class A misdemeanor offense for a person to knowingly activate and point a laser pointer or other device utilizing a laser beam at an individual known to be a law enforcement officer, firefighter, emergency medical technician or other emergency service personnel while the individual is in the performance of the individual's official duties, with the intent to place the individual in fear of serious bodily injury or death. Public Chapter 3 imposed a mandatory \$5,000 fine and mandatory minimum 30-day jail sentence if the offender knowingly shined or aimed a light, laser, horn, or other mechanism toward the head of a law enforcement officer, firefighter, emergency medical technician, or other emergency service personnel while the individual was in the performance of the individual's official duties with intent to cause bodily injury.

Public Chapter 3 took effect on August 20, 2020, and applies to offenses committed on or after that date.

## APPENDIX "L"

### PUBLIC CHAPTER 4 OF THE SECOND EXTRAORDINARY SESSION

Public Chapter 4 of the Second Extraordinary Session of the One Hundred and Eleventh General Assembly ("Public Chapter 4") made various changes to laws governing electronic delivery of health care and its coverage under insurance policies.

#### UTILIZATION REVIEW

Under existing law, healthcare services provided through a telehealth encounter must comply with state licensure requirements promulgated by the appropriate medical occupation licensure boards. Telehealth providers are held to the same standard of care as healthcare services providers providing the same healthcare service through in-person encounters. Under existing law, a telehealth provider who seeks to contract with or who has contracted with a health insurance entity to participate in the health insurance entity's network is subject to the same requirements and contractual terms as a healthcare services provider in the health insurance entity's network. A health insurance entity must provide coverage under a policy or contract for covered healthcare services delivered through telehealth.

Public Chapter 4 added that telehealth is subject to utilization review in the same manner as an in-person encounter under the Health Care Service Utilization Review Act and specified that the provisions apply to the basic group health insurance plan for state and local public employees.

#### ORIGINATING SITE

Public Chapter 4 defined "originating site" as the location where a patient is located for telehealth services and that originates telehealth service to another qualified site, such as the office of a healthcare services provider, a hospital, a rural health clinic, or any other location deemed acceptable by the health insurance entity.

#### COVERAGE/REIMBURSEMENT

Public Chapter 4 removed the prior law provision whereby a health insurance entity was not required to pay total reimbursement for a telehealth encounter, including the use of telehealth equipment, in an amount that exceeds the amount that would be paid for the same service provided by a healthcare services provider in an in-person encounter. Public Chapter 4 instead provided that a health insurance entity must reimburse an originating site hosting a patient as part of a telehealth encounter an originating site fee in accordance with the federal centers for Medicare and Medicaid services telehealth services and at an amount established prior to August 20, 2020, by the federal centers for Medicare and Medicaid services. Public Chapter 4 also provided that the telehealth provisions of existing law, as amended by Public Chapter 4, do not require:

(1) A health insurance entity to provide coverage for healthcare services that are not medically necessary unless the terms and conditions of an applicable health insurance policy provide that coverage. Public Chapter 4 set out in detail the meaning of "medically necessary";

(2) A health insurance entity to provide coverage for healthcare services delivered by means of telehealth if the applicable health insurance policy would not provide coverage for the same healthcare services if delivered by in-person means; or

(3) A health insurance entity to reimburse a healthcare services provider for healthcare services delivered by means of telehealth if the applicable health insurance policy would not reimburse that healthcare services provider if the same healthcare services had been delivered by in-person means.

Existing law requires a health insurance entity to provide coverage for healthcare services provided during a telehealth encounter in a manner that is consistent with what the health insurance policy or contract provides for in-person encounters for the same service, and to reimburse for healthcare services provided during a telehealth encounter without distinction or consideration of the geographic location, or any federal, state, or local designation or classification of the geographic area where the patient is located.

Public Chapter 4 added that, notwithstanding the above, a health insurance entity must provide reimbursement for healthcare services provided during a telehealth encounter or a provider-based telemedicine encounter in a manner that is consistent with what the health insurance policy or contract provides for in-person encounters for the same service, and must reimburse for healthcare services provided during such an encounter without distinction or consideration of the geographic location, or any federal, state, or local designation or classification of the geographic area where the patient is located. Such reimbursement will be subject to utilization review. A health insurance entity will not be required to provide reimbursement for healthcare services that are not medically necessary, unless the terms and conditions of an applicable health insurance policy provide that

coverage, and will not be required to seek reimbursement from a health insurance entity for healthcare services provided by telehealth or provider-based telemedicine. For purposes of these provisions, "healthcare services provider" means an individual acting within the scope of a valid license as a healthcare provider or alcohol and drug abuse counselor, or any state-contracted crisis service provider employed by a mental health or substance abuse services facility. The provisions described in this paragraph will be effective until April 1, 2022, at which time they will be repealed.

## PROVIDER-BASED TELEMEDICINE

Public Chapter 4 creates provisions governing provider-based telemedicine. Under Public Chapter 4:

(1) Healthcare services provided through a provider-based telemedicine encounter must comply with state licensure requirements promulgated by the appropriate licensure boards;

(2) Provider-based telemedicine providers will be held to the same standard of care as healthcare services providers providing the same healthcare services through in-person encounters;

(3) A provider-based telemedicine provider who seeks to contract with or who has contracted with a health insurance entity to participate in the health insurance entity's network will be subject to the same requirements and contractual terms as any other healthcare services provider in the health insurance entity's network;

(4) A health insurance entity:

(A) Must provide coverage under a health insurance policy or contract for covered healthcare services delivered through provider-based telemedicine;

(B) Must reimburse a healthcare services provider for a healthcare service covered under an insured patient's health insurance policy or contract that is provided through provider-based telemedicine without any distinction or consideration of the geographic location or any federal, state, or local designation, or classification of the geographic area where the patient is located;

(C) Is prohibited from excluding from coverage a healthcare service solely because it is provided through provider-based telemedicine and is not provided through an in-person encounter between a healthcare services provider and a patient; and

(D) Must reimburse healthcare services providers who are out-of-network for provider-based telemedicine care services under the same reimbursement policies applicable to other out-of-network healthcare services providers; and

(5) A health insurance entity must provide coverage for healthcare services provided during a provider-based telemedicine encounter in a manner that is consistent with what the health insurance policy or contract provides for in-person encounters for the same service, and must reimburse for healthcare services provided during a provider-based telemedicine encounter without distinction or consideration of the geographic location, or any federal, state, or local designation or classification of the geographic area where the patient is located.

Public Chapter 4 specifies that the above-described provider-based telemedicine provisions do not require a health insurance entity to pay total reimbursement for a provider-based telemedicine encounter in an amount that exceeds the amount that would be paid for the same service provided by a healthcare services provider for an in-person encounter, nor do the provisions require:

(1) A health insurance entity to provide coverage for healthcare services that are not medically necessary, unless the terms and conditions of an applicable health insurance policy provide that coverage;

(2) A health insurance entity to provide coverage for healthcare services delivered by means of provider-based telemedicine if the applicable health insurance policy would not provide coverage for the same healthcare services if delivered by in-person means; or

(3) A health insurance entity to reimburse a healthcare services provider for healthcare services delivered by means of provider-based telemedicine if the applicable health insurance policy would not reimburse that healthcare services provider if the same healthcare services had been delivered by in-person means.

Under Public Chapter 4, provider-based telemedicine is subject to utilization review and the provider-based telemedicine provisions do not apply to the same categories of health plans that are exempt under the other telemedicine provisions.

## REMOTE PATIENT MONITORING

Public Chapter 4 authorized a health insurance entity to consider any remote patient monitoring service a covered medical service if the same service is covered by Medicare. The appropriate parties may negotiate the rate for these services in the manner in which is deemed appropriate by the parties. Reimbursement of expenses for covered remote patient monitoring services will be established through negotiations conducted by the health insurance entity with the healthcare services provider, healthcare system, or practice group in the same manner as the health

insurance entity establishes reimbursement of expenses for covered healthcare services that are delivered by in-person means.

Under Public Chapter 4, remote patient monitoring services are subject to utilization review. These remote patient monitoring provisions do not apply to a health incentive program operated by a health insurance entity that utilized an electronic device for physiological monitoring.

#### ESTABLISHMENT OF PROVIDER-PATIENT RELATIONSHIP and STANDARD OF CARE

Public Chapter 4 revised the provisions of law governing the provider-patient relationship and standard of care for purposes of telemedicine to revise the scope of application of the provisions. Under existing law, for purposes of these provisions, "healthcare provider" means:

- (1) Any licensed health care provider who is authorized to diagnose and treat humans; or
- (2) Any state-contracted crisis service provider employed by a facility licensed under the provisions governing mental health and substance abuse services.

Public Chapter 4 specifically added licensed alcohol and drug abuse counselors to the definition of "healthcare provider" for purposes of existing law and specified that the existing law provisions do not apply to the Tennessee Veterinary Practice Act.

Also, from August 20, 2020, until April 1, 2022, Public Chapter 4 provides that the relationship and standard of care provisions apply to any licensed health care provider, including licensed alcohol and drug abuse counselors, not just those "authorized to diagnose and treat humans."

#### EFFECTIVE DATE

Public Chapter 4 took effect on August 20, 2020.