

**Senate Commerce and Labor Committee 1**

**Amendment No. 1 to SB2306**

**Johnson**  
**Signature of Sponsor**

**AMEND Senate Bill No. 2306\***

**House Bill No. 2412**

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

SECTION 1. Tennessee Code Annotated, Section 49-4-210, is amended by deleting the language:

Such rules and regulations shall provide for notice and a hearing to determine the amount of the debt, whether the debt is delinquent or in default on any repayment or service obligation, whether the debtor has entered into a payment plan or service obligation approved by the guarantee agency, is willing to enter into a payment plan or service obligation plan approved by TSAC or the guarantee agency or is eligible for deferment or forbearance. TSAC shall notify the supreme court or the licensing agency if the debtor is delinquent or in default, or if the debtor, without good cause, fails to respond to the notice of intent to file an order seeking the suspension, denial or revocation of the debtor's license, fails to timely request a hearing, or fails to appear at a scheduled hearing.

and substituting instead the language:

Such rules shall provide for notice and a hearing to determine the amount of the debt; whether the debt is delinquent or in default on any repayment or service obligation; and whether the debtor has entered into a payment plan or service obligation approved by the guarantee agency, is willing to enter into a payment plan or service obligation plan approved by TSAC or the guarantee agency, or is eligible for deferment or forbearance. The rules shall also provide for the hearing to determine whether the debtor has experienced a medical hardship that prevented the debtor from working. Except as

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provided in subsection (b), TSAC shall notify the supreme court or the licensing agency if the debtor is delinquent or in default, or if the debtor, without good cause, fails to respond to the notice of intent to file an order seeking the suspension, denial, or revocation of the debtor's license; fails to timely request a hearing; or fails to appear at a scheduled hearing.

SECTION 2. Tennessee Code Annotated, Section 49-4-210, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) TSAC shall, by rule, establish criteria that permits a licensing agency to allow a debtor to retain a license when the debtor's default or delinquency is the result of a medical hardship that prevented the debtor from working in the debtor's licensed field and the medical hardship significantly contributed to the default or delinquency. TSAC shall note on any final determination of delinquency or default to the supreme court or a licensing agency whether a debtor meets the medical hardship criteria.

SECTION 3. Tennessee Code Annotated, Section 3-6-309, is amended by designating the language in subsection (b) as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) Notwithstanding subdivision (b)(1), the commission may elect not to suspend, deny, or revoke the registration of a lobbyist if TSAC or the guarantee agency determines that the lobbyist meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 4. Tennessee Code Annotated, Section 3-6-309, is amended by adding the following as a new subdivision (c)(2)(C)(v):

(v) Whether the debtor meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 5. Tennessee Code Annotated, Section 23-3-111, is amended by adding the following at the end of the section:

The supreme court is further encouraged to establish guidelines that would not suspend, deny, or revoke the license of an attorney if TSAC or the guarantee agency determines that the attorney meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 6. Tennessee Code Annotated, Section 49-5-108, is amended by designating the language in subdivision (d)(2) as subdivision (d)(2)(A) and adding the following as a new subdivision (d)(2)(B):

(B) Notwithstanding subdivision (d)(2)(A), the state board of education may elect not to suspend, deny, or revoke the license or certificate of a teacher if TSAC or the guarantee agency determines that the teacher meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 7. Tennessee Code Annotated, Section 49-7-2125, is amended by designating the language in subsection (b) as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) Notwithstanding subdivision (b)(1), the secretary of state may elect not to suspend, deny, or revoke the registration of an athlete agent or applicant if TSAC or the guarantee agency determines that the athlete agent meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 8. Tennessee Code Annotated, Section 49-7-2125, is amended by adding the following as a new subdivision (c)(2)(C)(v):

(v) Whether the debtor meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 9. Tennessee Code Annotated, Section 56-1-109, is amended by designating the language in subsection (b) as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) Notwithstanding subdivision (b)(1), a licensing authority may elect not to suspend, deny, or revoke the license of a person if TSAC or the guarantee agency determines that the person meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 10. Tennessee Code Annotated, Section 56-1-109, is amended by adding the following as a new subdivision (c)(2)(C)(v):

(v) Whether the debtor meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 11. Tennessee Code Annotated, Section 56-1-312, is amended by designating the language in subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) Notwithstanding subdivision (a)(1), a licensing authority may elect not to suspend, deny, or revoke the license of a person if TSAC or the guarantee agency determines that the person meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 12. Tennessee Code Annotated, Section 56-1-312, is amended by adding the following as a new subdivision (b)(2)(C)(iv):

(iv) Whether the debtor meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 13. Tennessee Code Annotated, Section 63-1-141, is amended by designating the language in subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) Notwithstanding subdivision (a)(1), a licensing authority may elect not to suspend, deny, or revoke the license of a person if TSAC or the guarantee agency determines that the person meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 14. Tennessee Code Annotated, Section 63-1-141, is amended by adding the following as a new subdivision (b)(2)(C)(iv):

(iv) Whether the debtor meets medical hardship criteria established pursuant to § 49-4-210(b).

SECTION 15. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.