

**SENATE**  
**COMMERCE AND LABOR**  
**COMMITTEE CALENDAR**

**WEDNESDAY, MARCH 27, 2013**  
**2:30 PM - LEGISLATIVE PLAZA ROOM 12**

**COMMITTEE MEMBERS:**

**JOHNSON (R) CHAIRMAN**  
**GREEN (R) 1<sup>ST</sup> VICE CHAIRMAN**  
**BURKS (D) 2<sup>ND</sup> VICE CHAIRMAN**

GRESHAM (R)  
SOUTHERLAND (R)  
TATE (D)

TRACY (R)  
WATSON (R)  
YAGER (R)

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**FINAL CALENDAR**

1. [SB 0210](#) by \***Bowling** (HB 0110 by \*Butt)  
Mobile Homes and Manufactured Buildings - As introduced, specifies that licensed installers of manufactured homes are only liable for repairs to foundation or support structure of that manufactured home for one year after the date of installation. - Amends TCA Title 68, Chapter 126, Part 4.
  
2. [SB 0519](#) by \***Burks, Bowling** (HB 0549 by \*Curtiss)  
Workers Compensation - As introduced, allows individuals to be exempt from the workers' compensation requirements if such individual is a member of a recognized religious sect or division and is an adherent of established tenets or teachings of such sect or division by reason of which such individual is conscientiously opposed to acceptance of the benefits provided by the workers' compensation laws. - Amends TCA Title 50, Chapter 6.
  
3. [SB 0490](#) by \***Campfield** (HB 0502 by \*Casada)  
Labor - As introduced, requires certain political activities by labor organizations be funded separately through voluntary donations of members and not through regularly collected dues. - Amends TCA Title 50, Chapter 1.
  
4. [SB 0491](#) by \***Campfield** (HB 0412 by \*Armstrong)  
Cosmetology - As introduced, authorizes manicurists to operate mobile businesses instead of operating out of a brick and mortar shop. - Amends TCA Title 62, Chapter 4, Part 1.

5. [SB 0725](#) by **\*Campfield** (HB 0913 by \*Casada)

Labor - As introduced, authorizes state employees belonging to a public employee organization to pay dues for only collective bargaining, contract administration and grievance procedures; prohibits work stoppages; changes number of state employees who are entitled to attend statewide meeting of an employee organization from 5 percent to 3 percent. - Amends TCA Title 8, Chapter 23 and Title 8, Chapter 50.

6. [SB 0788](#) by **\*Crowe, Ramsey** (HB 0644 by \*Hill M, Holt, Carr D, Van Huss, Swann, Hill T, Hawk)

Tobacco, Tobacco Products - As introduced, redefines "cost of doing business by the retailer" from 8 percent of basic costs of cigarettes to retailer to 15 percent of basic costs of cigarettes to retailer. - Amends TCA Title 47, Chapter 25, Part 3.

7. [SB 1173](#) by **\*Crowe** (HB 0699 by \*Holt)

Insurance, Health, Accident - As introduced, establishes a process for reimbursing physicians for services rendered during the pendency of a credentialing application before a health insurance entity. - Amends TCA Title 56.

8. [SB 0468](#) by **\*Finney L** (HB 0680 by \*Swann)

Economic and Community Development - As introduced, requires the department to allocate 50 percent of its yearly budget to the creation, expansion, preservation and development of small businesses with less than 100 employees beginning July 1, 2014; requires governor to annually recommend such appropriations in the budget document presented to the general assembly beginning in fiscal year 2014-2015. - Amends TCA Title 4, Chapter 14; Title 4, Chapter 26; Title 4, Chapter 28; Title 4, Chapter 3; Title 4, Chapter 31; Title 7, Chapter 53; Title 7, Chapter 55; Title 7, Chapter 88; Title 8, Chapter 4; Title 9, Chapter 20, Part 1; Title 9, Chapter 4, Part 51; Title 11, Chapter 11; Title 12, Chapter 3; Title 13, Chapter 3; Title 13, Chapter 14; Title 13, Chapter 16; Title 13, Chapter 18; Title 50, Chapter 7, Part 4; Title 54, Chapter 18; Title 64, Chapter 8; Title 66, Chapter 9 and Title 67.

9. [SB 0604](#) by **\*Finney L, Kyle, Henry, Burks, Ford** (HB 0290 by \*Fitzhugh, DeBerry L, Powell, Camper, Turner J, Odom, Armstrong, Favors, Parkinson, Hardaway, Mitchell, Miller, Gilmore, Jones, DeBerry J, Stewart, Turner M, Tidwell, Jernigan, Pitts, Shaw, Cooper, Johnson G, Shepard, Love, Towns)

TennCare - As introduced, with respect to the Medicaid program, authorizes the department of finance and administration to implement the Patient Protection and Affordable Care Act to either the extent permitted or required by law. - Amends TCA Title 4 and Title 71.

- 10. [SB 0806](#) by \*Finney L (HB 0718 by \*Powell, Mitchell, Curtiss, Love, Swann, Eldridge, Moody)**  
Business and Commerce - As introduced, enacts the "Made in Tennessee Act" and establishes a program whereby certain producers may use the official Made in Tennessee Label. - Amends TCA Title 4, Chapter 3, Part 7.
- 11. [SB 0484](#) by \*Ford, Ketrion (HB 0923 by \*Gilmore, Camper, Farmer)**  
Insurance, Health, Accident - As introduced, requires health insurance coverage to include reimbursement of providers for telemedicine services; requires department of correction to study costs related to telemedicine. - Amends TCA Title 56; Title 63 and Title 71.
- 12. [SB 0929](#) by \*Ford (HB 1176 by \*Towns)**  
Consumer Protection - As introduced, makes the selling of a consumer item with a radio frequency identification tag (RFID) a violation of the Consumer Protection Act unless such RFID is removed upon purchase of the item. - Amends TCA Title 47, Chapter 18.
- 13. [SB 0931](#) by \*Ford (HB 1175 by \*Towns)**  
Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits an insurer from taking an adverse action against a consumer based primarily on the consumer's insurance score, credit reports or other credit information or based primarily on the fact the consumer does not have a credit account. - Amends TCA Title 47, Chapter 18 and Title 56.
- 14. [SB 1075](#) by \*Ford (HB 1171 by \*Towns)**  
Consumer Protection - As introduced, renames "Tennessee Identity Theft Deterrence Act of 1999" to "Tennessee Identification and Personal Information Protection Act of 2013"; includes unauthorized transfer of personal information under such act. - Amends TCA Title 45; Title 47, Chapter 18 and Title 56.
- 15. [SB 1142](#) by \*Green, Norris (HB 0926 by \*Casada)**  
Insurance, Health, Accident - As introduced, establishes and revises requirements involving utilization review of preauthorizations for health care services. - Amends TCA Title 56.

- 16. [SB 0666](#) by \*Gresham (HB 0476 by \*Dennis, Rich)**  
Insurance, Health, Accident - As introduced, prohibits insurers doing business in this state under insurance law from participating in American Health Benefit Exchanges or any other health insurance exchange operated in this state under the Patient Protection and Affordable Care Act. - Amends TCA Title 56, Chapter 7, Part 10.
- 17. [SB 0885](#) by \*Hensley (HB 0574 by \*Dunn)**  
Insurance Companies, Agents, Brokers, Policies - As introduced, provides that the property tax classification and assessment provisions set forth in title 67, chapter 5, part 12, apply only to insurance companies having issued an outstanding capital stock. - Amends TCA Title 67.
- 18. [SB 1314](#) by \*Hensley (HB 1228 by \*Dennis)**  
TennCare - As introduced, in any county that otherwise lacks a qualified dentist in the county who participates in the TennCare dental program, requires the bureau of TennCare to include within its provider network for that county the services of any qualified dentist who applies to participate in the provider network. - Amends TCA Title 56; Title 63 and Title 71.
- 19. [SB 0145](#) by \*Norris, Johnson, Ketron (HB 0139 by \*McCormick)**  
Insurance Companies, Agents, Brokers, Policies - As introduced, enacts the "Standard Valuation Law." - Amends TCA Title 56, Chapter 1 and Title 56, Chapter 7.
- 20. [SB 0631](#) by \*Johnson (HB 0480 by \*Powers)**  
Contractors - As introduced, requires roofing contractors to have a roofer's contracting license from the board for licensing contractors before bidding upon or beginning roofing work. - Amends TCA Title 62, Chapter 6, Part 1.
- 21. [SB 0783](#) by \*Johnson, Ramsey (HB 0639 by \*Matlock)**  
Unemployment Compensation - As introduced, clarifies that claimants who failed to make a reasonable effort to secure work are disqualified from receiving benefits for a period of not less than eight benefit weeks. - Amends TCA Title 50, Chapter 7.
- 22. [SB 1209](#) by \*Johnson, Ramsey (HB 0850 by \*Marsh)**  
Salaries and Benefits - As introduced, removes certain prevailing wage requirements for the construction industry. - Amends TCA Title 4; Title 7; Title 12; Title 41; Title 50; Title 58 and Title 62.

- 23. [SB 1360](#) by \*Johnson** (HB 1242 by \*Johnson C)  
Consumer Protection - As introduced, authorizes the commissioner of financial institutions to enforce title 47 against any entity regulated by the commissioner. - Amends TCA Title 45 and Title 47.
- 24. [SB 0804](#) by \*Kelsey, Bowling, Tracy, Ketron, Gresham, Bell, Southerland, Niceley, Stevens, Gardenhire, Campfield, Beavers, Summerville, Haile, Johnson** (HB 0937 by \*Durham, Powers, Ragan, Calfee, Rich, Casada, Goins, Rogers, Carr J, Floyd, Matheny, Dennis, White D, Littleton, Evans, Kane, Lamberth, Lynn, Sargent, Faison, Butt, Matlock, Todd, Womick, Spivey, Weaver, Lundberg)  
TennCare - As introduced, prohibits Tennessee from participating in any Medicaid expansion authorized under the federal Patient Protection and Affordable Care Act. - Amends TCA Title 4 and Title 71.
- 25. [SB 1049](#) by \*Kelsey** (HB 0567 by \*McManus)  
Utilities, Utility Districts - As introduced, revises various provisions relative to pole attachment arrangements between utilities and attaching parties. - Amends TCA Title 4 and Title 65, Chapter 21.
- 26. [SB 1388](#) by \*Kelsey** (HB 1310 by \*Sargent)  
Utilities, Utility Districts - As introduced, prohibits certain electric utilities from charging for pole attachments by cable and telecommunications entities in certain agreements at a rate that exceeds two times the rate provided for in the Communications Act of 1934, as amended. - Amends TCA Title 4; Title 7 and Title 65.
- 27. [SB 0286](#) by \*Ketron** (HB 0081 by \*Sargent)  
Consumer Protection - As introduced, expands the requirement for a retailer to reimburse a customer for mailing costs incurred in returning clothing for removal of an anti-theft security tag if the customer resides more than a 30-minute, instead of a 15-minute, commute from the retailer. - Amends TCA Title 47, Chapter 18 and Title 47, Chapter 50.
- 28. [SB 0766](#) by \*Ketron** (HB 0653 by \*White M)  
Business and Commerce - As introduced, increases the amount of days a TNInvestco has to cure any areas of noncompliance after an annual review from 60 to 90 days and increases penalty for failure to cure from \$10,000 to \$15,000 per day. - Amends TCA Title 4, Chapter 28.

- 29. [SB 0224](#) by \*Massey** (HB 0443 by \*Kane, Haynes)  
Credit and Debit Cards - As introduced, allows a person issued a credit card to accept the terms of such credit card by electronic signature or by using such credit card. - Amends TCA Title 47, Chapter 22.
- 30. [SB 0954](#) by \*McNally** (HB 0481 by \*Powers)  
Insurance, Health, Accident - As introduced, prohibits entities that audit prescription drug records from denying reimbursement for claims submitted by pharmacies and health care providers based on clerical errors; permits any willing provider of durable medical equipment to participate in health plans in certain circumstances. - Amends TCA Title 56; Title 63 and Title 68.
- 31. [SB 1284](#) by \*Niceley, Finney L** (HB 1251 by \*Lynn)  
Corporations, For Profit - As introduced, requires nonprofit home owners' association boards to hold open meetings. - Amends TCA Title 48.
- 32. [SB 0554](#) by \*Overbey** (HB 0649 by \*Sargent)  
State Government - As introduced, revises the reporting provisions governing the Tennessee Small Business Investment Company Credit Act (TNInvestco). - Amends TCA Title 4, Chapter 28.
- 33. [SB 0713](#) by \*Stevens** (HB 0873 by \*Rich, Dennis, Shepard, Keisling, Fitzhugh)  
Trusts - As introduced, revises various provisions pertaining to trust. - Amends TCA Title 35.
- 34. [SB 0109](#) by \*Tate** (HB 0039 by \*Parkinson)  
Cosmetology - As introduced, authorizes the Cosmetology Board to create natural hair care schools. - Amends TCA Section 62-4-120.
- 35. [SB 0693](#) by \*Tate** (HB 1065 by \*Powell)  
Professions and Occupations - As introduced, increases the civil penalty that the commissioner of commerce and insurance can assess to persons, partnerships, associations or corporations who engage in or offer to engage in locksmithing services without a license, or otherwise violate the Locksmith Licensing Act of 2006, or any rule promulgated thereto, from \$2,500 to \$3,000. - Amends TCA Title 62.

- 36. [SB 1286](#) by \*Tracy, Massey, Burks, Tate, Yager, Gresham, Kyle, Ketron, Green, Crowe, Ramsey** (HB 1265 by \*Brooks K, Williams R, Keisling, Casada, Shepard, Favors, Johnson C, Ragan, Powers, Pitts, Kane, Hawk, Forgety, Matlock, Durham, Carr D, Fitzhugh, Johnson G, Farmer, Love)  
Insurance, Health, Accident - As introduced, requires health insurance policies to cover screening, diagnosis and treatment of autism spectrum disorders. - Amends TCA Title 56, Chapter 7, Part 23.
- 37. [SB 1292](#) by \*Tracy, Kelsey** (HB 1121 by \*Womick)  
Insurance, Health, Accident - As introduced, requires the state of Tennessee and the bureau of TennCare to accept any qualified supplier of durable medical equipment and related services in any publicly funded state health insurance program. - Amends TCA Title 4; Title 8; Title 56; Title 68 and Title 71.
- 38. [SB 0726](#) by \*Watson, Bowling** (HB 0859 by \*Durham)  
Insurance, Health, Accident - As introduced, prohibits health insurance entities from imposing greater copayment and coinsurance requirements on services to covered persons from chiropractors, physical therapists or occupational therapists than on physicians. - Amends TCA Title 56, Chapter 7.
- 39. [SB 0729](#) by \*Watson** (HB 0233 by \*Carter)  
Mortgages - As introduced, requires that an assignment of mortgage or deed of trust, wherein the collateral is real property located in this state, must be registered with the county register for recordation within a reasonable time, not to exceed 30 days following execution of the document; makes the document unenforceable against subsequent purchasers of the real property if not recorded. - Amends TCA Title 29; Title 45; Title 47 and Title 66.
- 40. [SB 0063](#) by \*Yager, Haile** (HB 0228 by \*Sanderson)  
Pharmacy, Pharmacists - As introduced, establishes monitoring and audit requirements by the department of finance and administration of the pharmacy benefit manager's compliance with state pharmacy benefit contracts. - Amends TCA Title 4 and Title 56, Chapter 7, Part 31.
- 41. [SB 1350](#) by \*Yager** (HB 1247 by \*Keisling)  
Insurance Companies, Agents, Brokers, Policies - As introduced, reduces the time period that commercial lines insurance insurers have to furnish a requesting insured with a loss run history and subjects insurers violating the time-period to certain penalties. - Amends TCA Title 56.

**42. [SB 0512](#) by \*Hensley (HB 0478 by \*Travis, Moody)**

Insurance, Motor Vehicles - As introduced, allows insurance documentation to be displayed in an electronic format. - Amends TCA Title 55 and Title 56.