THE ATTACHED AMENDMENTS ARE TO BILLS THAT WILL BE HEARD ON HOUSE REGULAR CALENDAR TODAY THURSDAY MARCH 12, 2020

House Commerce Committee 1

Amendment No. 1 to HB1073

Hill T
Signature of Sponsor

AMEND Senate Bill No. 543* **House Bill No. 1073**

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

SECTION 1. Tennessee Code Annotated, Section 66-31-105(2)(E), is amended by deleting the subdivision and substituting the following:

(E) Any sale or other disposition of the personal property must be held at the self-service storage facility, online, or at the nearest suitable place to where the personal property is held or stored;

SECTION 2. Tennessee Code Annotated, Section 66-31-105(2)(F), is amended by deleting the following:

After expiration of the time stated in the notice and if the personal property has not otherwise been disposed, the owner shall advertise the sale of the personal property. Such advertisement of sale shall include, but not be limited to, the publishing one (1) time before the date of the sale of the personal property in a newspaper of general circulation which serves the area where the self storage facility is located. The advertisement shall include:

and substituting the following:

After expiration of the time stated in the notice and if the personal property has not otherwise been disposed, the owner shall advertise the sale of the personal property in a commercially reasonable manner. The manner of advertisement is deemed commercially reasonable if not less than three (3) potential bidders participate in the sale at the time and place advertised. The advertisement of sale may include, but not be limited to, the publishing one (1) time before the date of the sale of the personal property

in a newspaper of general circulation that serves the area where the self storage facility is located. An advertisement must include:

SECTION 3. Tennessee Code Annotated, Section 66-31-105(2)(K)(ii), is amended by deleting the following:

The facility owner shall contact the appropriate division in such manner as the division prescribes for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the vehicle, as shown in the records of the division. Within ten (10) days of receipt of such information concerning any lien holder and the owner of such motor vehicle, as shown in the division's records, the owner shall send a written notice to any such lien holder and to the owner, if such owner is not the occupant, by verified mail, stating that:

and substituting the following:

The facility owner shall contact the appropriate division in such manner as the division prescribes for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the vehicle as shown in the division's records. If the vehicle is a motor vehicle, then the facility owner may also contact the county clerk for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the motor vehicle as shown in the county clerk's records. Within ten (10) days of receipt of the information concerning any lien holder and the owner of the motor vehicle, as shown in the division's or county clerk's records, the facility owner shall send a written notice to any lien holder and to the motor vehicle owner, if the motor vehicle owner is not the occupant, by verified mail, stating that:

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.

House Naming, Designating, & Private Acts Committee 1

Amendment No. 1 to HB2586

Windle
Signature of Sponsor

AMEND Senate Bill No. 2635 House Bill No. 2586*

by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following as a new section:

August 18 of each year is to be observed as "Women's Suffrage Day".

House Insurance Committee 1

Amendment No. 1 to HB2161

Smith
Signature of Sponsor

AMEND Senate Bill No. 2849 House Bill No. 2161*

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

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) For purposes of this section:

(1) "Casualty insurance" has the same meaning as defined in § 56-2-201;

(2) "Certificate of insurance":

(A) Means a document or instrument prepared or issued by an insurer or insurance producer as evidence of property or casualty insurance coverage; and

(B) Does not include a policy of insurance, insurance binder, policy endorsement, or automobile insurance identification or information card;

(3) "Governmental entity" means any political subdivision of this state, including, but not limited to, any incorporated city or town, metropolitan government, county, utility district, or school district;

(4) "Insurance producer" means a person licensed to sell, solicit, or negotiate property or casualty insurance under the laws of this state;

(5) "Insurer" means a person duly licensed to transact a property or casualty insurance business in this state;

(6) "Person" means any individual, partnership, corporation, association, or other legal entity, including any governmental entity; and

(7) "Property insurance" has the same meaning as defined in § 56-2-201.

(b) A certificate of insurance is not a policy of insurance and does not amend, extend, or alter the coverage afforded by the policy to which the certificate of insurance refers. A certificate of insurance does not confer any rights beyond what the referenced policy of insurance expressly provides.

(c) A person shall not:

(1) Prepare, issue, request, or require the issuance of a certificate of insurance that contains any false or misleading information concerning the policy of insurance referenced in the certificate of insurance;

(2) Prepare, issue, request, or require the issuance of a certificate of insurance that purports to alter, amend, or extend the coverage provided by the policy of insurance referenced in the certificate of insurance; or

(3) Alter or modify a certificate of insurance after issuance.

(d) A certificate of insurance must not warrant that the policy of insurance referenced in the certificate of insurance complies with the insurance or indemnification requirements of a contract. The inclusion of a contract number or description within a certificate of insurance does not warrant that the policy of insurance referenced in the certificate of insurance complies with the insurance or indemnification requirements of a contract.

(e) An insurer must provide a person with notice of a cancellation, nonrenewal, material change, or any similar notice concerning a policy of insurance only if the person has a right to the notice under the terms of the policy of insurance, an endorsement to the policy, or state law. The policy of insurance, an endorsement to a policy of insurance, and state law govern the terms and conditions of any notice under this subsection (e), including the required timing of the notice.

(f) This section applies to all certificates of insurance issued in connection with property insurance or casualty insurance risks located in this state, regardless of where the policyholder, insurer, insurance producer, or person requesting or requiring the issuance of a certificate of insurance is located.

(g) A certificate of insurance, or any other document or correspondence relative to a certificate of insurance, prepared, issued, requested, or required in violation of this section is void.

(h) The commissioner, in accordance with § 56-6-120, may examine and investigate the activities of any person that the commissioner reasonably believes engaged in, or is currently engaging in, an act or practice prohibited by this section.

(i) If a person intentionally violates this section, then the commissioner may take any of the following actions:

(1) Issue an order requiring the person to cease and desist from the actions constituting the violation; and

(2) Assess a civil penalty of not more than one thousand dollars ($1,000) per violation.

(j) This section does not limit the authority of the commissioner to investigate conduct, enforce compliance, or issue penalties under this title.

(k) The commissioner may promulgate rules pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to carry out this section.

SECTION 2. For the purpose 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 July 1, 2020, the public welfare requiring it, and applies to certificates of insurance executed, amended, or renewed on or after that date.

House Commerce Committee 1

Amendment No. 1 to HB2175

Hill T
Signature of Sponsor

AMEND Senate Bill No. 2112* **House Bill No. 2175**

by deleting SECTION 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 45-2-401(a), is amended by deleting the subsection and substituting the following:

(a)

(1) The affairs of a state bank must be managed by a board of directors, which shall exercise its powers and be responsible for the discharge of its duties.

(2) The charter or bylaws may establish a variable range for the size of the board of directors by fixing a minimum of not less than five (5) members and a maximum of not more than twenty-five (25) members. If a variable range is established, then the number of directors may be fixed or changed from time to time, within the minimum and maximum, by the shareholders or the board of directors; however, unless the charter or bylaws provide otherwise, only the shareholders may change the range for the size of the board or change from a fixed to a variable-range size board or vice versa.

(3) Each bank director must, during each director's whole term of service, be a citizen of the United States.

(4) A majority of the directors must reside in a state in which the bank has a branch location or within one hundred (100) miles of the location of any branch, for at least one (1) year immediately preceding their election and during their term of service as a director. However, the commissioner may waive the residency requirement of this subdivision (a)(4) if the commissioner finds that:

Amendment No. 1 to HB2175

Hill T
Signature of Sponsor

AMEND Senate Bill No. 2112* **House Bill No. 2175**

(A) The business experience and ability of each proposed director is relevant to the bank, its market, and the type of services the bank provides or intends to provide; and

(B) The waiver of the residency requirement will support the safety and soundness of the bank.

(5) The bylaws of the bank may specify other qualifications for directors.

(6) Any director who becomes disqualified shall resign the office, but, upon removal of the disqualification, is eligible for election. The board of directors or the commissioner may remove a director who is disqualified. An action taken by a director prior to resignation or removal is not subject to attack on the ground of the director's disqualification.

AND FURTHER AMEND by deleting SECTION 4 and substituting instead the following:

SECTION 4. Tennessee Code Annotated, Section 45-2-218, is amended by adding the following language as a new subsection:

(g) Notwithstanding any law to the contrary, the name, address, and zip code of each incorporator does not need to be set forth in a restated charter.

House Finance, Ways, and Means Committee 1

Amendment No. 1 to HB1678

Lynn
Signature of Sponsor

AMEND Senate Bill No. 1638 House Bill No. 1678*

by deleting from subdivision (i)(*b*) in Section 1 the language "situated to the east of the Cumberland River and".

Amendment No. 1 to HB2266

Windle
Signature of Sponsor

AMEND Senate Bill No. 2199 House Bill No. 2266*

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

SECTION 1. Tennessee Code Annotated, Section 15-2-101, is amended by deleting the language "it is the duty of the governor of this state to proclaim the following as" and substituting instead the language "the following days are"; and is further amended by deleting the language "governor shall invite the people of this state" and substituting instead the language "people of this state are invited".

SECTION 2. Tennessee Code Annotated, Section 15-2-102, is amended by deleting ""Mothers' Day," to be proclaimed as such by the governor" and substituting instead ""Mothers' Day"".

SECTION 3. Tennessee Code Annotated, Section 15-2-106, is amended by deleting subsections (b) and (c) and substituting instead the following:

(b) The people of this state are invited and urged to observe American Indian Day with suitable ceremony and fellowship.

(c) The department of education shall provide, within the limits of funds available for such purpose, information available to all people of this state regarding American Indian Day.

SECTION 4. Tennessee Code Annotated, Sections 15-2-104, 15-2-105, 15-2-108, 15-2-109, 15-2-110, 15-2-111, 15-2-122, 15-2-128, and 15-2-130, are amended by deleting "to be proclaimed as such by the governor" wherever it appears in each section.

SECTION 5. Tennessee Code Annotated, Sections 15-2-112, 15-2-113, 15-2-114, 15-2-115, 15-2-116, 15-2-117, 15-2-118, 15-2-119, 15-2-120, 15-2-121, 15-2-123, 15-2-124, 15-2-

Amendment No. 1 to HB2266

Windle
Signature of Sponsor

AMEND Senate Bill No. 2199 House Bill No. 2266*

125, 15-2-126, 15-2-127, 15-2-129, 15-2-131, 15-2-132, and 15-2-133, are amended by deleting "to be proclaimed as such by the governor," wherever it appears in each section.

SECTION 6. The Tennessee Code Commission is directed to remove the language "to be proclaimed as such by the governor" or "to be proclaimed as such by the governor," when it appears in an act proclaiming a special day, week, or month as a special time period of observance that was enacted by the 111th General Assembly.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1596

Howell
Signature of Sponsor

AMEND Senate Bill No. 1612 House Bill No. 1596*

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 23, is amended by adding the following as a new section:

(a) This section shall be known and may be cited as the "Tennessee Accessible Transportation and Mobility Act of 2020."

(b) At the direction of the commissioner, the department shall create and administer an office within the department to be known as the office of accessible transportation and mobility.

(c) The purpose of the office is to provide resources and expertise for expanding and improving accessible transportation and mobility across the state at the direction of the commissioner.

(d) All appropriate state and local agencies shall coordinate with the department of transportation toward the goal of expanding and improving accessible transportation and mobility across the state.

(e) The office shall consult with stakeholders, selected by the department, who are consumers of accessible transportation as well as professionals with experience in transportation, disability, and aging to produce the following on or before March 31, 2021:

(1) A detailed statement on the office's mission and scope of responsibilities;

(2) A five-year strategic plan to guide the office's work; and

Amendment No. 1 to HB1596

Howell
Signature of Sponsor

AMEND Senate Bill No. 1612 House Bill No. 1596*

(3) A report to the chairs of the transportation committee of the house of representatives and the transportation and safety committee of the senate and to the public regarding needs for mobility and accessible transportation in the state, which is to be submitted annually thereafter.

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

Amendment No. 1 to HB1671

White
Signature of Sponsor

AMEND Senate Bill No. 1755 House Bill No. 1671*

by deleting subdivision (c)(1) in Section 1 and substituting instead the following:

(1)

(A) Attendance in an alternative school or alternative program is mandatory for students in grades seven through twelve (7-12) who have been suspended for more than ten (10) days or expelled from the regular school program if there is space and staff available.

(B)

(i) Notwithstanding subdivision (c)(1)(A), attendance in an alternative school or alternative program is not mandatory for students in grades seven through twelve (7-12) who have been expelled from the regular school program for committing a zero tolerance offense.

(ii) This subdivision (c)(1)(B) does not prohibit a director of schools, or a director's designee, from assigning a student who has been expelled from the regular school program for committing a zero tolerance offense to an alternative school or alternative program.

(iii) The director of schools, or the director's designee, shall determine whether to assign a student who has been expelled from the regular school program for committing a zero tolerance offense to an alternative school or alternative program on a case-by-case basis.

(C) Attendance in an alternative school or alternative program is voluntary for students in grades one through six (1-6) who have been suspended

Amendment No. 1 to HB1671

White
Signature of Sponsor

AMEND Senate Bill No. 1755 House Bill No. 1671*

or expelled from the regular school program unless the local board of education adopts a policy mandating attendance in either instance.

House Judiciary Committee 1

Amendment No. 1 to HB1557

Curcio
Signature of Sponsor

AMEND Senate Bill No. 1606 House Bill No. 1557*

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

SECTION 1. Tennessee Code Annotated, Section 39-14-503(a), is amended by deleting the subsection and substituting instead the following:

(1) Mitigated criminal littering is littering in an amount less than or equal to five pounds (5 lbs.) in weight or seven and one-half (7.5) cubic feet in volume.

(2) If litter described in subdivision (a)(1) is or includes human waste in a container, the offense is a Class B misdemeanor punishable in accordance with § 39-14-504(c).

SECTION 2. Tennessee Code Annotated, Section 39-14-503(b), is amended by deleting the subsection and substituting instead the following:

(b) Except as provided in subdivision (a)(2), mitigated criminal littering is a Class C misdemeanor punishable by a fine of fifty dollars ($50.00) and as provided in subsections (c) and (d).

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.