OFFICE *of*
LEGAL
SERVICES

USER GUIDE

<u>OUR MISSION</u>:
TO PROVIDE TO THE MEMBERS OF THE GENERAL ASSEMBLY LEGAL ANALYSIS AND ADVICE; AS WELL AS RESEARCH, DRAFTING, LIBRARY, AND CODIFICATION SERVICES; ALL IN A PROFESSIONAL, CONFIDENTIAL, AND NON-PARTISAN MANNER.

This document my be electronically accessed by highlighting either link below, right clicking, and then clicking Open Hyperlink:

On the Legislative Intranet at:
http://intranet/OLS/Olsmain.shtml

or

On the General Assembly Page at
http://www.capitol.tn.gov/joint/staff/legal/User%20Guide.pdf

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OUR PLEDGES:

CONFIDENTIALITY. OLS STAFF STRICTLY OBSERVE AND ENFORCE THE ATTORNEY-CLIENT RELATIONSHIP. CONFIDENTIAL COMMUNICATIONS AND MATERIALS ARE ZEALOUSLY PROTECTED.

MISSION. OLS STAFF HONOR AND RESPECT THE MEMBERS' CONSTITUTIONAL ROLE AS LAWMAKERS AND DO NOT INTERFERE WITH OR USURP THAT ROLE.

PROFESSIONALISM. OLS STAFF NEVER OFFER ANYTHING LESS THAN AN HONEST, FAIR, IMPARTIAL, AND DILIGENT EFFORT WITHIN THE CONSTRAINTS OF TIME THAT ARE BEYOND OUR CONTROL.

IMPROVEMENT. OLS STAFF DILIGENTLY AND CONTINUALLY STRIVE TO IMPROVE COMPETENCY AND PROFESSIONALISM AND STRIVE TO EARN, MAINTAIN, AND DESERVE THE MEMBERS' FULL TRUST AND CONFIDENCE.

ATTITUDE. OLS STAFF PROMOTE A WARM, COURTEOUS, AND RESPECTFUL DEMEANOR AT ALL TIMES.

OFFICE of LEGAL SERVICES

Main Office:
9th Floor Cordell Hull Building
Phone: 615-741-3056
Internal Extension: 13056

E-mail Requests to: legalservicesrequest@capitol.tn.gov

	Extension	Email Address	Suite
DIRECTORS			
Karen Garrett	45057	karen.garrett@capitol.tn.gov	932-B
Doug Himes	45066	doug.himes@capitol.tn.gov	940
CHIEF DEPUTY			
Tom Tigue	45056	tom.tigue@capitol.tn.gov	916
REVISOR OF STATUTES			
Paige Seals	45059	paige.seals@capitol.tn.gov	932-A
ATTORNEYS			
Anastasia Campbell	45072	anastasia.campbell@capitol.tn.gov	900
Doug Garrett	45036	doug.garrett@capitol.tn.gov	922
Jess Hale	45076	jess.hale@capitol.tn.gov	906
Joel Hayes	45040	joel.hayes@capitol.tn.gov	914
Joshua Houston	45034	joshua.houston@capitol.tn.gov	930
Elizabeth Insogna	45062	elizabeth.insogna@capitol.tn.gov	918
Matt King	45078	matthew.king@capitol.tn.gov	920
Sean McMinn	45063	sean.mcminn@capitol.tn.gov	924
Megan Moore	45054	megan.moore@capitol.tn.gov	904
Peter Muller	45074	peter.muller@capitol.tn.gov	902
Matthew Mundy	45060	matthew.mundy@capitol.tn.gov	928
Jamie Shanks	45058	jamie.shanks@capitol.tn.gov	926
Kasey Washburn	45030	kasey.washburn@capitol.tn.gov	908
Bonnie Wood	45065	bonnie.wood@capitol.tn.gov	912
RESEARCHERS			
Laresha Bland	45075	laresha.bland@capitol.tn.gov	956
Jackie Nash	45070	jacqueline.nash@capitol.tn.gov	950
David Sprouse	45073	david.sprouse@captiol.tn.gov	934
Gisele Tolbert	45035	gisele.tolbert@capitol.tn.gov	938
Tiffany Williams	45033	tiffany.williams@capitol.tn.gov	964
LEGISLATIVE LIBRARIAN			
Eddie Weeks	45069	eddie.weeks@capitol.tn.gov	804 (8th floor)
ADMINISTRATIVE STAFF			
Brian Heath	45051	brian.heath@capitol.tn.gov	936
Chris Higgins	45052	chris.higgins@capitol.tn.gov	946
Katie Robertson	45068	katie.robertson@capitol.tn.gov	948
Julie Smith	45061	julie.smith@capitol.tn.gov	932-C
Tracy Vance	45071	tracey.vance@capitol.tn.gov	Lobby (9th floor)
Sandra Whitmore	45053	sandra.whitmore@capitol.tn.gov	944

OLS STAFF ASSIGNMENTS LISTED BY COMMITTEE

HOUSE AGRICULTURE AND NATURAL RESOURCES	*Doug Garrett & Sean McMinn
HOUSE BUSINESS AND UTILITIES	*Jamie Shanks & Tiffany Williams
HOUSE CIVIL JUSTICE	*Elizabeth Insogna , Joel Hayes & Sean McMinn
HOUSE CONSUMER AND HUMAN RESOURCES	*Anastasia Campbell & Jamie Shanks
HOUSE CRIMINAL JUSTICE	*Matt King, Bonnie Wood & Elizabeth Insogna,
HOUSE EDUCATION ADMINISTRATION AND PLANNING	*Kasey Washburn, Bonnie Wood & Jackie Nash
HOUSE EDUCATION INSTRUCTION AND PROGRAMS	*Kasey Washburn, Doug Himes & Jackie Nash
HOUSE FINANCE, WAYS AND MEANS	*Peter Muller, Doug Himes & Laresha Bland
HOUSE GOVERNMENT OPERATIONS	*Doug Garrett & Kasey Washburn
HOUSE HEALTH	*Jess Hale & Peter Muller
HOUSE INSURANCE AND BANKING	*Jamie Shanks & Tiffany Williams
HOUSE LOCAL GOVERNMENT	*Matthew Mundy & Matthew King
HOUSE STATE GOVERNMENT	*Matthew Mundy & Joshua Houston
HOUSE TRANSPORTATION	*Megan Moore & Joel Hayes
SENATE COMMERCE AND LABOR	*Anastasia Campbell & Jess Hale
SENATE EDUCATION	*Bonnie Wood, Kasey Washburn & Jackie Nash
SENATE ENERGY, AGRICULTURE AND NATURAL RESOURCES	*Sean McMinn & Doug Garrett
SENATE FINANCE, WAYS AND MEANS	*Megan Moore, Joshua Houston & Karen Garrett
SENATE GOVERNMENT OPERATIONS	*Doug Garrett & Matt King
SENATE HEALTH AND WELFARE	*Jess Hale & Anastasia Campbell
SENATE JUDICIARY	*Tom Tigue, Joel Hayes & Matt King
SENATE STATE AND LOCAL GOVERNMENT	*Joshua Houston, Matthew Mundy & Matthew King
SENATE TRANSPORTATION AND SAFETY	*Joel Hayes, Megan Moore & David Sprouse

***Indicates primary committee attorney**

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OFFICE OF LEGAL SERVICES ("OLS")

WHAT SERVICES DOES OLS PROVIDE?

Services Provided by OLS	Services NOT Provided by OLS
Researching federal and state case law	**Providing legal services to constituents**
Writing legal opinions	Writing press releases
Drafting general and local bills	Writing speeches
Drafting resolutions and proclamations	Writing talking points
Drafting amendments	Compiling voting records
Drafting Attorney General opinion requests	Providing secretarial services for committees
Providing legal services for committees	Transcribing committee meetings

WHERE ARE OLS OFFICES LOCATED?

OLS occupies the 9th floor of the Cordell Hull Building, and the House and Senate chambers. Listed below are the OLS areas most frequently visited by members and members' staff. You may drop off requests and pick up legislation with our receptionist on the 9th floor.

(1) MAIN OLS OFFICE. The Main OLS Office is located on the **9th Floor**. Office hours out of session are Monday through Friday, 8:00 a.m. until 4:30 p.m. Office hours during session are Monday through Friday, 8:00 a.m. until the last committee meeting ends or the last chamber adjourns for the day. The phone number for the Main OLS Office is **(615) 741-3056** or internal extension **13056**. You are also always welcome to contact the Main OLS Office by e-mail at **legalservicesrequest@capitol.tn.gov**.

(2) HOUSE CHAMBER. The House Amendment Office is located in the first room immediately to your left upon entering the House chamber. The House Amendment Office ("AO") opens approximately thirty minutes prior to the first chamber starting session for the day. The AO is open until both chambers have adjourned, except for periods when both chambers are in recess.

(3) SENATE CHAMBER. OLS is present on the left side of the Senate Chamber, in the press box area. OLS staff occupies this space approximately thirty minutes prior to the start of the Senate's session for the day and remains present until the Senate recesses or adjourns for the day.

OLS STAFF CONTACT INFORMATION

DIRECTORS	Extension	Email Address	Suite
KAREN GARRETT	45057	karen.garrett@capitol.tn.gov	932-B
DOUG HIMES	45066	doug.himes@capitol.tn.gov	940
CHIEF DEPUTY			
TOM TIGUE	45056	tom.tigue@capitol.tn.gov	916
SPEAKER'S COUNSEL			
KAREN GARRETT (SENATE)	45057	karen.garrett@capitol.tn.gov	932-B
DOUG HIMES (HOUSE)	45066	doug.himes@capitol.tn.gov	940
ATTORNEYS			
ANASTASIA CAMPBELL	45072	anastasia.campbell@capitol.tn.gov	900
DOUG GARRETT	45036	doug.garrett@capitol.tn.gov	922
JESS HALE	45076	jess.hale@capitol.tn.gov	906
JOEL HAYES	45040	joel.hayes@capitol.tn.gov	914
JOSHUA HOUSTON	45034	joshua.houston@capitol.tn.gov	930
ELIZABETH INSOGNA	45062	elizabeth.insogna@capitol.tn.gov	918
MATT KING	45078	matthew.king@capitol.tn.gov	920
SEAN MCMINN	45063	sean.mcminn@capitol.tn.gov	924
MEGAN MOORE	45054	megan.moore@capitol.tn.gov	904
PETER MULLER	45074	peter.muller@capitol.tn.gov	902
MATTHEW MUNDY	45060	matthew.mundy@capitol.tn.gov	928
PAIGE SEALS	45059	paige.seals@capitol.tn.gov	932-A
JAMIE SHANKS	45058	jamie.shanks@capitol.tn.gov	926
KASEY WASHBURN	45030	kasey.washburn@capitol.tn.gov	928
BONNIE WOOD	45065	bonnie.wood@capitol.tn.gov	912
CODE COMMISSION REVISOR OF STATUTES			
PAIGE SEALS	45059	paige.seals@capitol.tn.gov	932-A
LEGISLATIVE LIBRARIAN			
EDDIE WEEKS	45069	eddie.weeks@capitol.tn.gov	804 (8th floor)
RESEARCHERS			
LARESHA BLAND	45075	laresha.bland@capitol.tn.gov	956
JACKIE NASH	45070	jacqueline.nash@capitol.tn.gov	950
DAVID SPROUSE	45073	david.sprouse@captiol.tn.gov	934
GISELE TOLBERT	45035	gisele.tolbert@capitol.tn.gov	938
TIFFANY WILLIAMS	45033	tiffany.williams@capitol.tn.gov	964
ADMINISTRATIVE STAFF			
BRIAN HEATH	45051	brian.heath@capitol.tn.gov	936
CHRIS HIGGINS	45052	chris.higgins@capitol.tn.gov	946
KATIE ROBERTSON	45068	katie.robertson@capitol.tn.gov	948
JULIE SMITH	45061	julie.smith@capitol.tn.gov	932-C
TRACY VANCE	45071	tracey.vance@capitol.tn.gov	Lobby (9th floor)
SANDRA WHITMORE	45053	sandra.whitmore@capitol.tn.gov	944

CONFIDENTIALITY

WHAT IS THE OLS CONFIDENTIALITY POLICY?

All communications and requests between a member and OLS staff are statutorily and ethically confidential and privileged communications. The records and work product of OLS are not public records.

All requests are kept confidential, even if two duplicate requests are made by different members. A member may ask that a request not duplicate another bill, and such request will be honored if public records indicate a similar bill has been filed.

Any legislation drafted as a result of a member's request will be delivered to the member's office. No copy will be released until the member has filed it for introduction or otherwise makes it public. If a member wants OLS to release a draft of legislation to any person prior to its introduction, then the member must supply OLS with **written authorization** (e-mail is acceptable).

CAUTION: When a request is made to **Fiscal Review staff** to provide a preliminary fiscal note to a bill or amendment draft prior to filing the bill or amendment, the draft becomes a public record because the draft is distributed by Fiscal Review staff for outside review and input.

HOW DOES THE POLICY AFFECT A MEMBER'S STAFF MAKING A REQUEST?

OLS assumes that staff assigned to a member are authorized to receive materials and make requests on the member's behalf. This assumption applies to permanent administrative staff, research analysts, interns, and any other staff employed by the member's office.

HOW DOES THE POLICY AFFECT A LOBBYIST MAKING A REQUEST?

A member may authorize a lobbyist or other person to make requests on behalf of the member by advising OLS of the arrangement **in writing** (e-mail is acceptable). OLS will notify the member or the member's staff of any requests made in the member's name by anyone other than the member's staff. If the member has not authorized the request, please notify OLS as soon as possible. Completed requests will be delivered directly to the member's office.

CAN A MEMBER AUTHORIZE OLS TO SHARE INFORMATION WITH OTHER MEMBERS?

A member may authorize OLS to share information about a specific request with other members. The member must request a waiver of confidentiality for each, individual request.

WHOM CAN I CONTACT IF I HAVE QUESTIONS OR CONCERNS REGARDING CONFIDENTIALITY?

If a member or member's staff ever has grounds to believe that confidentiality has been violated or if the member or member's staff has questions regarding the confidentiality of services provided by OLS, then the member or the member's staff is urged to contact the Directors of OLS:

Karen Garrett (Suite 932-B)
(615) 741-9549 internal extension 45057
karen.garrett@capitol.tn.gov

and

Doug Himes (Suite 940)
(615)-741-9506 internal extensions 45066
doug.himes@capitol.tn.gov.

LEGISLATIVE LIBRARY

WHAT IS THE LEGISLATIVE LIBRARY?

In January 1854, the 30th General Assembly of Tennessee adopted Joint Resolution Number IV, declaring "that the Secretary of State be and he is hereby instructed to collect all of the books belonging to the State, and have them in his office in the capitol as soon as possible for the use of the Legislature." This collection of books became the first Legislative Library, and would later form the beginning collection of the State Library and Archives.

Today, the State Library and Archives serves the citizens of the state while the members and staff of the Legislature still have their own library, the Legislative Library. Although the Legislative Library no longer has "all of the books belonging to the State," its collection of Journals, Acts, Tennessee history, and reference materials are available to assist the members and the members' staff in their duties.

WHERE IS THE LEGISLATIVE LIBRARY?

The Legislative Library is located on the **8th Floor of Cordell Building.** Office hours are Monday through Friday, 8:00 a.m. until 4:30 p.m. year-round. The Legislative Library is staffed by the Legislative Librarian, Eddie Weeks, who may be contacted in person in **Suite 804**, by phone at **(615) 741-5816** or internal extension **45069**, or by e-mail at **eddie.weeks@capitol.tn.gov**.

WHAT SERVICES DOES THE LEGISLATIVE LIBRARY PROVIDE?

(1) GENERAL RESEARCH. The Legislative Library serves the members and staff of the General Assembly by providing reference and referral services as requested. The Legislative Library is the General Assembly's source for copies of bills, resolutions, laws, and statutes from prior years, and can provide members' offices with copies of other states' laws, bills, and reports. If you have a research request, you may submit the request in person at **Suite 804,** by phone at **(615) 741-5816** or internal extension **45069**, or by e-mail at **eddie.weeks@capitol.tn.gov**.

(2) LIAISON TO OBTAIN INFORMATION ANONYMOUSLY. If you need to obtain information from a state or national agency but the member wishes to remain anonymous, then you may ask the Legislative Librarian to obtain this information on the member's behalf.

(3) UPDATING TENNESSEE CODE ANNOTATED BOOKS. The Legislative Librarian e-mails instructions to members' staff on the manner in which the members' copies of the Tennessee Code Annotated should be updated after the publisher of the Tennessee Code Annotated finishes its annual post session update. However, the actual process of updating the copy of the Tennessee Code Annotated in each member's office is the responsibility of each member's staff. Additionally, updating the copies of the Tennessee Code Annotated located in committee rooms is the responsibility of the Office of Legislative Administration. If a member's office or a committee room is missing any parts of the Tennessee Code Annotated, staff should contact the Office of Legislative Administration in person in the **Suite 802**, by phone at **(615) 741-1919** or internal extension **11919**, or by e-mail at **connie.ridley@capitol.tn.gov**.

(4) GUIDED TOUR. The Legislative Library is here to serve the General Assembly. Members and their staff may contact the Legislative Librarian for a guided tour of the library's materials.

LEGISLATIVE LIBRARY

WHAT ARE EXAMPLES OF AVAILABLE RESOURCES?

Tennessee:
Annual reports for state departments
Attorney General opinions (dating back to 1971)
Blue Books (dating back to 1927)
Biographical entries for all previous members of the General Assembly
House and Senate Journals (dating back to 1855)
House and Senate Rules (dating back to 1933)
Outdated versions of the Tennessee Code (dating back to the 1700's)
Printed bills, amendments and fiscal notes (dating back to 1970)
Public and Private Acts (dating back to 1827)
Rules and Regulations of the State of Tennessee (as updated within the past two years)
Unofficial Index to Legislation (dating back to 1969)
OLS Legislative Drafting Guides

United States and Legal Materials:
Tennessee Jurisprudence
Tennessee Digest
United States Code Annotated
Supreme Court Decisions (U.S. and Tennessee)

Miscellaneous:
The Tennessean (copies retained for two months)
USA Today (copies retained for one month)
Wall Street Journal (copies retained for one month)

RESEARCH REQUESTS

HOW DO I MAKE A GENERAL RESEARCH REQUEST?

If you have a general research request, then you may submit the request to the Legislative Library. Examples of general research requests include finding information on Tennessee government and details on Tennessee legislative matters such as when a bill passed, whether or not a bill on a certain topic has been introduced in the past, the number of votes a bill received, or when a member served. The Legislative Librarian can answer any non-legal question that does not need to be addressed with an attorney. Additionally, if a member is interested in obtaining a Uniform Law or Suggested State Legislation, these publications are available in the Legislative Library. The Legislative Library can also acquire copies of statutes from other states.

Step 1: Submit the request in person at **Suite 804**, by phone at **(615) 741-5816** or internal extension **45069**, or by e-mail at **eddie.weeks@capitol.tn.gov**.

Step 2: Include in the request:

- **Your name and contact information**;
- The **name of the member** for whom you are submitting the request; and
- The **issue to be researched** and any **background information**.

Step 3: The Librarian will notify you when the request is complete.

HOW DO I MAKE A LEGAL RESEARCH REQUEST?

If you have a legal research request, then you may submit the request to the Main OLS Office. Examples of legal research requests include comparing laws in other states, analyzing federal and state case law, and researching current Tennessee law on a subject.

Step 1: Submit the request in person at **9th Floor Reception Area**, by phone at **(615) 741-3056** or internal extension **13056**, or by e-mail at **legalservicesrequest@capitol.tn.gov**.

Step 2: Include in the request:

- **Your name and contact information**;
- The **name of the member** for whom you are submitting the request; and
- The **issue to be researched** and any **background information**.

Step 3: OLS will notify you when the request is complete.

WHY IS THERE A DELAY BETWEEN MAKING THE REQUEST AND COMPLETION?

OLS strives to provide all services in a timely manner while ensuring quality of work product. We can respond to most questions on Tennessee statutory law fairly quickly over the phone. However, in the weeks preceding the general bill filing deadlines ("cut-off"), bill drafting takes priority. Additionally, please be aware that complicated issues and questions involving federal law or laws from other states may require more time.

RESEARCH REQUESTS

WHAT ARE QUESTIONS THAT OLS CANNOT ANSWER?

(1) PERSONAL LEGAL ISSUES. By statute, OLS is only authorized to provide legal services that aid the members in their official duties. Therefore, OLS is unable to give legal advice or representation concerning personal legal issues of any member or member's staff.

(2) CONSTITUENT LEGAL ISSUES. The clients of OLS are the members of the General Assembly. Therefore, OLS is unable to give legal advice or representation concerning **constituent legal issues**. You may wish to direct constituent legal issues to the sources mentioned below.

Chattanooga	Legal Aid of East Tennessee	(423) 756-4013
Gallatin	Legal Aid Society of Middle Tennessee and the Cumberlands	(615) 451-1880
Jackson	West Tennessee Legal Services	(731) 423-0616
Johnson City	Legal Aid of East Tennessee	(423) 928-8311
Knoxville	Legal Aid of East Tennessee	(865) 637-0484
Maryville	Legal Aid Society of Middle Tennessee and the Cumberlands	(865) 981-1818
Memphis	Memphis Area Legal Services	(901) 523-8822
Middle Tennessee	Legal Aid Society of Middle TN and Cumberlands	(800) 238-1443
Morristown	Legal Aid Society of Middle Tennessee and the Cumberlands	(423) 587-4850
Murfreesboro	Legal Aid Society of Middle Tennessee and the Cumberlands	(615) 890-0905
Nashville	Legal Aid Society of Middle Tennessee and the Cumberlands	(615) 244-6610
Tennessee	Tennessee Bar Association's lawyer referral service	(615) 383-7421
Tennessee	aLEGALz	(888) 253-4259

(3) PROCEDURAL QUESTIONS. All questions pertaining to legislative procedure should be directed to the appropriate Chief Clerk or rules committee.

SENATE CHIEF CLERK
State Capitol, 2nd Floor
(615) 741-2730
Ext. 12730

HOUSE CHIEF CLERK
State Capitol, 2nd Floor
(615) 741-2901
Ext. 44941

BILL DRAFTING REQUESTS

HOW DO I MAKE A BILL DRAFTING REQUEST?

Step 1: Submit the request in person to **9th Floor Receptionist**; or
by phone at **(615) 741-3056** or internal extension **13056**, or
by e-mail at **legalservicesrequest@capitol.tn.gov**.

Step 2: Include in the request:

- **Your name and contact information**;
- The **name of the member** for whom you are submitting the request;
- The **issue to be addressed in the bill** and any **background information**; and
- Any **pre-drafted language**.

Step 3: OLS will notify you when the bill has been jacketed and the location for pickup.

WHEN DO I SUBMIT A BILL DRAFTING REQUEST?

Bill drafting requests should be submitted **as soon as possible** so that OLS may give members the best and most expedient service possible. OLS is responsible for providing each member with the bills requested. During the 109th General Assembly, **5,359** bills, **4,547** amendments, **2,383** resolutions, and **3,715** proclamations were drafted and processed by OLS. The weeks leading up to general bill filing deadlines ("cut-off") are the busiest time for OLS, so members are strongly encouraged to send bill requests in advance (one month if possible) of cut-off.

WHY SHOULD I BE CONCERNED ABOUT FILING DEADLINES ("CUT-OFF")?

Sometimes, one or both chambers have a deadline for all general bills to be filed with the Chief Clerk in the annual session, after which date all other filed bills will be placed in a delayed bills committee. If the other chamber's filing deadline has already occurred, it could prevent a member from being able to find a bill sponsor in the other chamber. Therefore, you should inquire with the Chief Clerks in both chambers about filing deadlines.

WHAT IF I HAVE PRE-DRAFTED TEXT?

Submitting pre-drafted text to OLS in electronic form in Microsoft Word format will assist OLS in entering the text into the legislative database and preparing the bill for introduction. Although there is no requirement that OLS draft all bills, **OLS must enter all legislation into the legislative database and review all legislation** for form, and style prior to introduction. The sample bill on the next page is in the standard form for bills in the state of Tennessee.

SAMPLE BILL (WITH LABELED PARTS)

CAPTION DONE BY OLS

AN ACT to amend Tennessee Code Annotated, Title 68, relative to healthcare.

ENACTING CLAUSE

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

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding Sections 2 through 5 as a new chapter.

DIRECTORY LANGUAGE

SHORT TITLE

SECTION 2. This chapter shall be known and may be cited as the "Emergency Medical Services Act."

SECTION 3. As used in this chapter:

DEFINITIONS

(1) "Category 'B' hospital" means a hospital facility within the state of Tennessee assigned to a category B by the board for licensing health care facilities of the department of health; and

(2) "Health care professional" includes a person licensed under the provisions of title 63.

BODY

SECTION 4.

(a) The department shall create and administer a statewide system of emergency medical service area telecommunications through rules.

(b) It is a Class A misdemeanor for health care professionals and category B hospitals to fail to report to the department pursuant to this section.

PENALTIES

SECTION 5. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SEVERABILITY CLAUSE

SECTION 6. 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, 2015, the public welfare requiring it.

EFFECTIVE DATE

0616523456

DRAFTING NUMBER DONE BY OLS

001676

BILL DRAFTING REQUESTS

WHAT IF I DO NOT HAVE PRE-DRAFTED TEXT?

If a member wishes to discuss a request, OLS staff will be glad to visit the member's legislative office, if time permits, or the member is welcome to discuss the request with any of our staff. There will be fewer chances for errors and greater opportunities to clarify instructions if requests are submitted by a member in person.

If a member is uncertain as to the specifics of a bill or is interested in finding information from other states or national organizations, OLS staff will be glad to research, or suggest alternative approaches.

WHY IS THERE A DELAY BETWEEN MAKING THE REQUEST AND PICK UP?

OLS endeavors to complete all bill drafting requests **as soon as reasonably possible, while ensuring quality and accuracy.** To ensure quality and accuracy, each bill must be reviewed according to the Bill Checklist on the following page. **This process requires careful attention to detail and that takes time. Haste frequently results in errors and hampers the overall efficiency and effectiveness of the General Assembly**. OLS policy is to complete requests in the order that they are received, although priority will be given to general bills over local bills closer to cut-off because local bills are not subject to cut-off. If you have a local bill that you need prepared quickly, we urge you to request it at a non-rush time (well in advance of cut-off). If this is not possible, it is important to advise OLS that the local bill is a priority matter. Otherwise, OLS will prepare general bill requests first.

NOTE: We encourage all pre-drafted text to be submitted to OLS in **Microsoft Word** format to expedite the drafting process.

BILL CHECKLIST
Is the **sponsor's name**; the **time and date of the bill request's submission**; and **contact information**, in case of questions, recorded?
Is this a **duplicate request** (is the request in drafting already)?
Is the **objective** of the bill, as proposed by the sponsor, identified?
Is there a **rational and orderly arrangement** for the content?
Are there any **tagging errors** and is the bill **properly tagged**?
Is there a **caption?** Is it in the correct format and free of errors?
Is the **caption complete**? Are all provisions that the bill will amend included? Is there a single subject? Should Title 4 be added?
Is a **preamble** needed? If so, is it in correct form and location? Is there an **enacting clause**? Is it in the correct form and location?
Is the **directory language** complete, accurate, and "reader friendly"?
Is the proper **code and section designation** system used? Are there at least two subsection or subdivision designations for each?
Has the bill been reviewed for **simplicity**? Is short and familiar language used? Has unnecessary language been removed?
Has the bill been reviewed for **clarity**? Does every pronoun have a clear antecedent? Are conjunctions used properly? Are concepts expressed positively? Is parallel sentence structure used? Is active voice used?
Has the bill been reviewed for **facial consistency**? Is correct **spacing** used (two spaces after designations)?
Are all **names for departments** and commissioners correct?
Is correct **capitalization** used? Are **numerals** used correctly?
Have **commonly misused words** been used correctly? Has **archaic and outdated language** been updated?
Are **citations** to federal and state law in the correct form?
Is there a **definitions section**, and if so, is it in the correct form? Is there a **criminal offense**, and if so, is it in the correct form?
Is a **severability** or reverse severability clause needed? Is a **rules** provision needed?
Is there an **effective date** section? Is the selected date **appropriate**?
Does **other legislation** on the same subject conflict with the bill? Have the conflicts been addressed?
Are **internal code and bill section references** accurate?
Is **spelling** correct? Is **grammar** correct? Is **punctuation** correct?
Does the bill ultimately **accomplish its objective**?
Is the **abstract** free of errors? Are **subject codes** added?
Are the **appropriate boxes** on the status sheet checked?

BILL DRAFTING REQUESTS

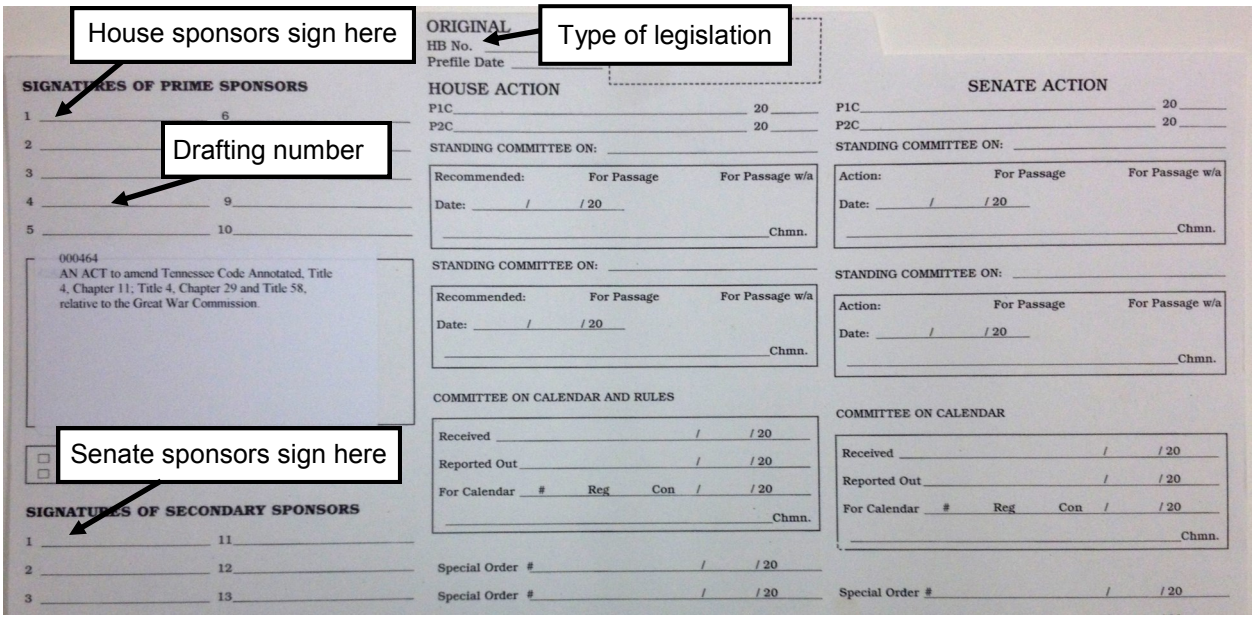
HOW DO I FILE A JACKETED BILL?

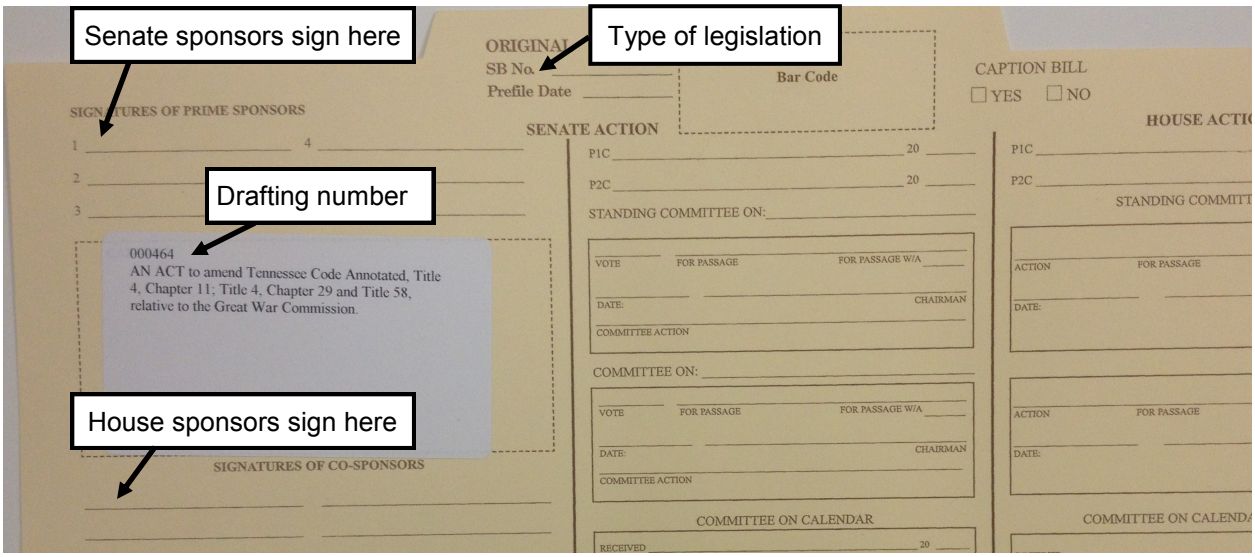
Step 1: Deliver the appropriate bill jacket to the bill co-sponsor in the other chamber (the cream jacket is for the Senate sponsor and the white jacket is for the House sponsor).

Step 2: Ensure that the House and Senate sponsors **SIGN** the outside of the bill jackets.

REMINDER: For local bills, remember that in the case of Davidson, Knox, and Hamilton counties, the signature of **all** Senators from those counties is required.

Step 3: File the copy of the bill attached to the jacket with the appropriate Clerk.

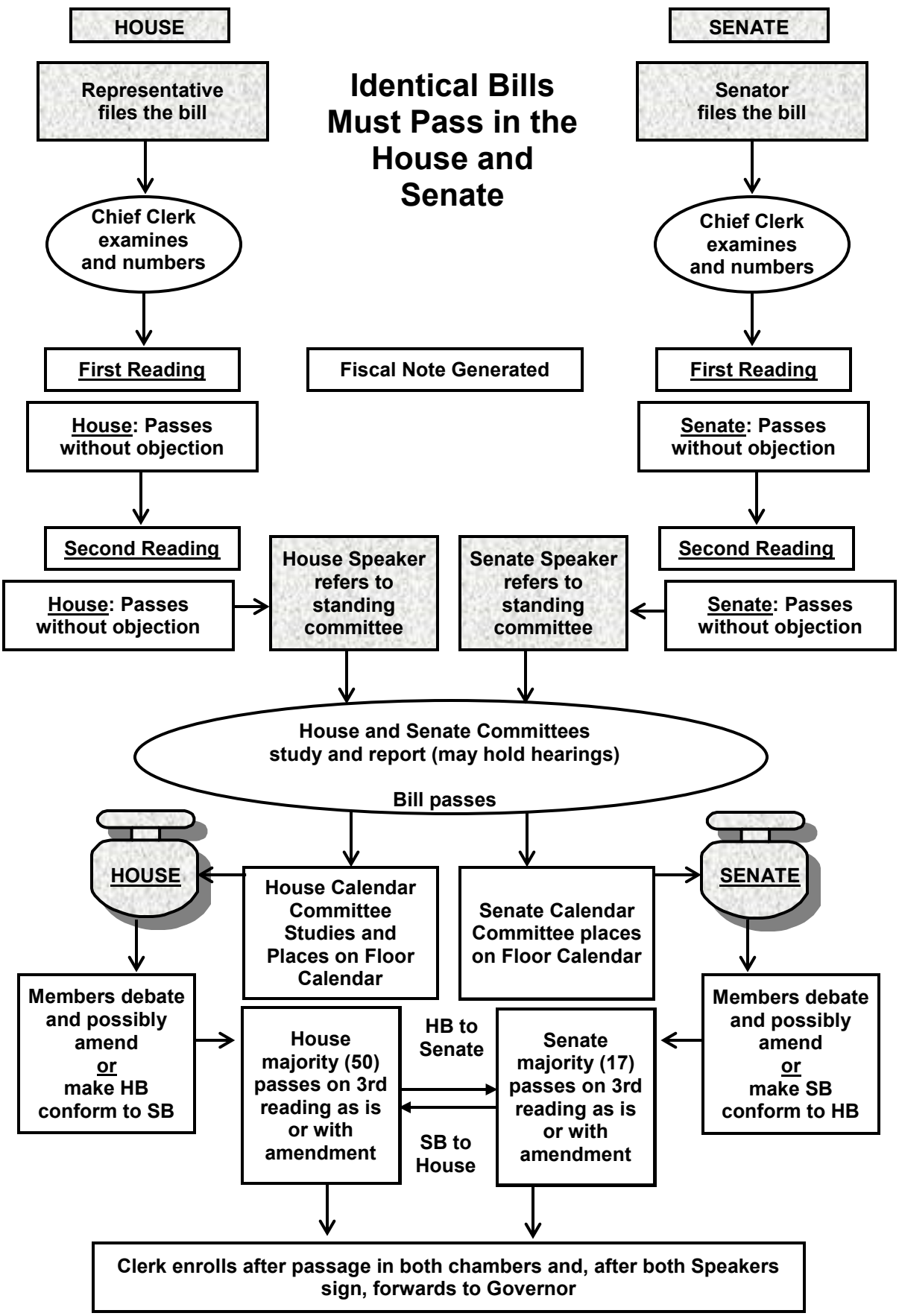




WHAT HAPPENS AFTER THE BILL IS FILED?

The flow chart on the following page illustrates the legislative process after the filing of the bill with the Chief Clerk's office.

HOW A BILL BECOMES A LAW FLOW CHART



RESOLUTION DRAFTING REQUESTS

HOW DO I MAKE A RESOLUTION DRAFTING REQUEST?

Step 1: Complete the Resolution Request Form in its entirety. It is available online on the OLS page of the Legislative Intranet, at **Receptionist on 9th Floor** of Cordell Hull Building, or on page 19 of this guide.

Step 2: Include in the request, along with the completed form:

- **Your name and contact information**;
- The **name of the member** for whom you are submitting the request;
- The **subject of** and **reason for** the resolution;
- Any background and support information.

CAUTION: Any materials submitted to OLS for resolutions, such as newspaper clippings or event programs, are needed for our records. Please do not submit the original of a document if you will need it back.

Step 3: Submit the request in person at **Receptionist on 9th Floor** or by e-mail at **legalservicesrequest@capitol.tn.gov**.

Step 4: OLS will notify you when the resolution has been jacketed and the location for pickup.

WHEN DO I SUBMIT A RESOLUTION REQUEST?

Resolutions are only adopted **during the legislative session** and can include constitutional amendments, legislative appointments, legislative statements, study committees, and directives to state agencies. Resolutions can also be congratulatory or memorializing documents.

Since there are several different purposes for introducing a resolution, the process for passing each resolution is unique. The amount of time that the resolution will need in order to be passed should be considered in order to give OLS ample time to draft the request.

WHAT IS A SUBSTANTIVE AS OPPOSED TO A MEMORIALIZING RESOLUTION?

Substantive resolutions pertain to constitutional amendments, legislative statements, study committees, and directives of state agencies and are normally included on each chamber's regular calendars. These types of resolutions must be read three times in each chamber, pass both bodies, and be signed by the Governor.

Congratulatory or memorializing resolutions acknowledge a Tennessee citizen's anniversary, death, birthday, professional achievement, retirement, sporting event, or other special life event. These types of resolutions are normally placed on the consent calendar of the sponsor's chamber in the case of a resolution, or on both chambers' consent calendars in the case of a joint resolution. Both Senate and House Joint Resolutions must pass both bodies and be signed by the Governor.

CAUTION: Substantive resolutions count towards the fifteen-bill limit in the House. Substantive resolutions do **NOT** include administration resolutions, resolutions approving revisions to rules of procedure promulgated by the Supreme Court and the annual codification act, memorializing or congratulatory resolutions, resolutions confirming appointments, resolutions authorizing charitable events, or resolutions that are procedural and not referred to a standing committee. House Rule 44.

RESOLUTION DRAFTING REQUESTS

WHY IS THERE A DELAY BETWEEN MAKING THE REQUEST AND PICK UP?

OLS endeavors to complete all resolution drafting requests **as soon as reasonably possible, while ensuring quality and accuracy.** To ensure quality and accuracy, each resolution must be reviewed according to the Resolution Checklist on the following page. **This process requires careful attention to detail and that takes time. Haste frequently results in errors and hampers the overall efficiency and effectiveness of the General Assembly.** OLS policy is to complete all requests of any type in the order that they are received, although priority will be given to general bills (over local bills and resolutions) closer to cut-off.

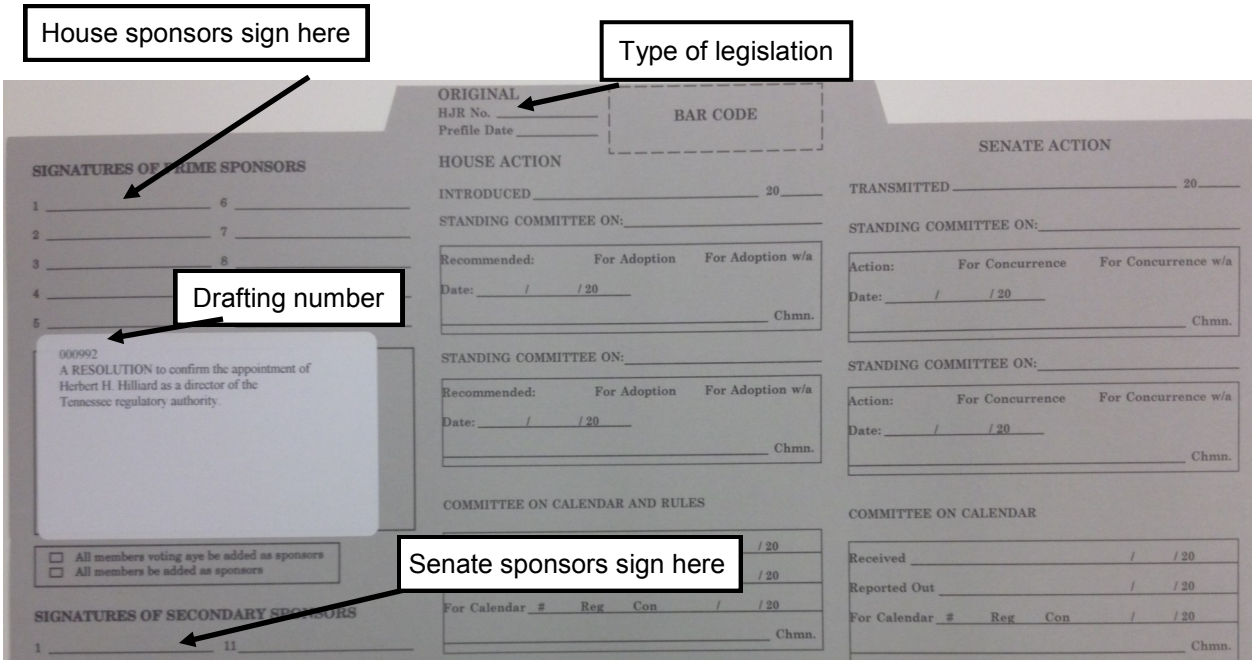
RESOLUTION CHECKLIST
Is the **sponsor's name**; the **time and date of the request's submission**; and **contact information**, in case of questions, recorded?
Is this a **duplicate request** (is the request in drafting already)?
Is the **objective**, as proposed by the sponsor, clearly identified?
Has the sponsor provided sufficient, accurate **backup information**?
Is a **caption** required? If so, is it in the correct format and free of errors?
Are the **preamble clauses** in the correct format and free of errors?
Does each preamble clause begin with the language **"WHEREAS,"**?
Does each preamble clause (except the final one) conclude with the language **"; and"**?
Does the final preamble clause conclude with the language **"; now, therefore,"**?
Is the correct **resolving clause** used? Is it accurate and free of errors? Is it in the correct location?
Is there a **rational and orderly arrangement** for the content?
Has the resolution been reviewed for **simplicity**? Is short and familiar language used? Has unnecessary language been removed?
Has the resolution been reviewed for **clarity**? Does every pronoun have a clear antecedent? Are conjunctions used properly? Are concepts expressed positively? Is active voice used?
Has the resolution been reviewed for **facial consistency**? Is correct **spacing** used?
Is **spelling** correct? Is **grammar** correct? Is **punctuation** correct?
Is correct **capitalization** used? Are **numerals** used correctly?
Have **commonly misused words** been used correctly?
Are **pronouns** used correctly and do they reflect the appropriate gender?
Are all **proper nouns** accurate and correct?
Does the resolution ultimately **accomplish its objective**?
Is an **abstract** required? If so, is it complete and free of errors?
Are the correct **resolution jackets** used?

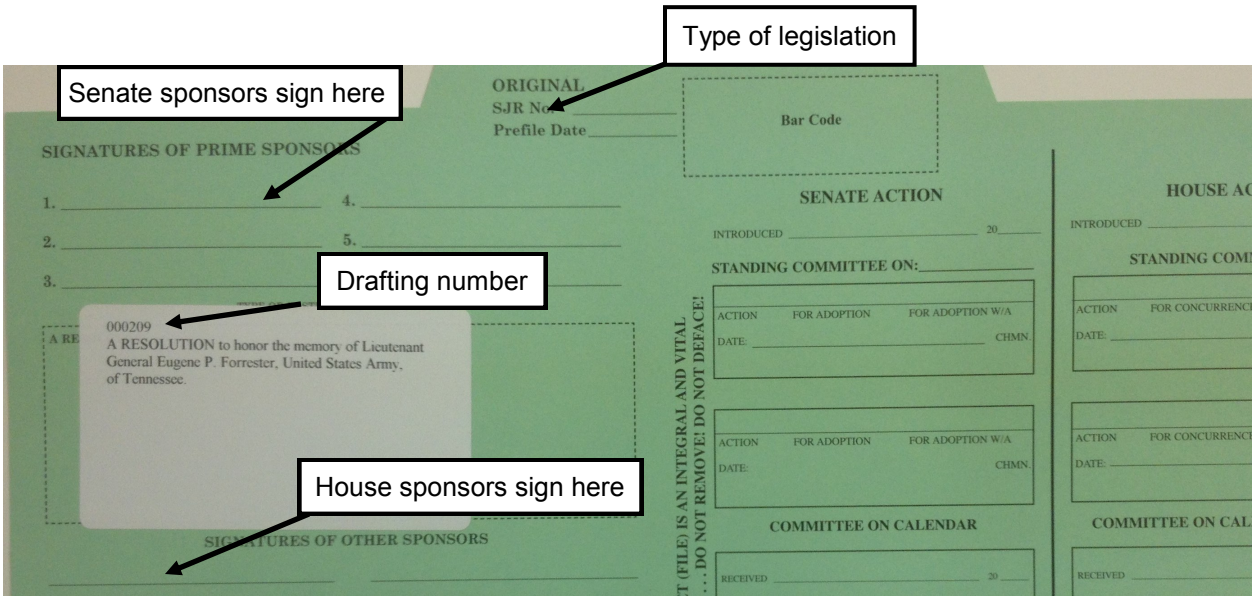
HOW DO I FILE A JACKETED JOINT RESOLUTION?

Step 1: Deliver the appropriate jacket to the resolution's co-sponsor in the other chamber (the green jacket is for the Senate sponsor and the grey jacket is for the House sponsor).

Step 2: Ensure that the House and Senate sponsors **SIGN** the outside of the jackets.

Step 3: File the copy of the resolution attached to the jacket with the appropriate clerk.





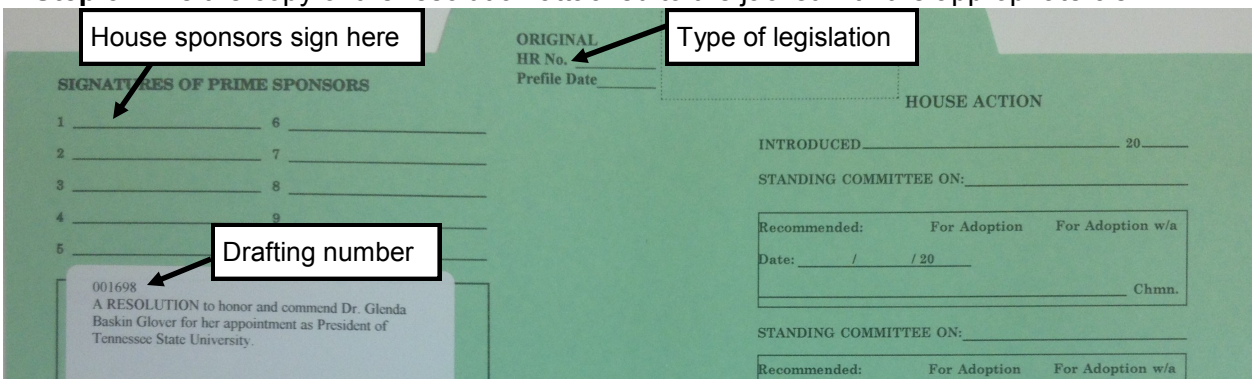
RESOLUTION DRAFTING REQUESTS

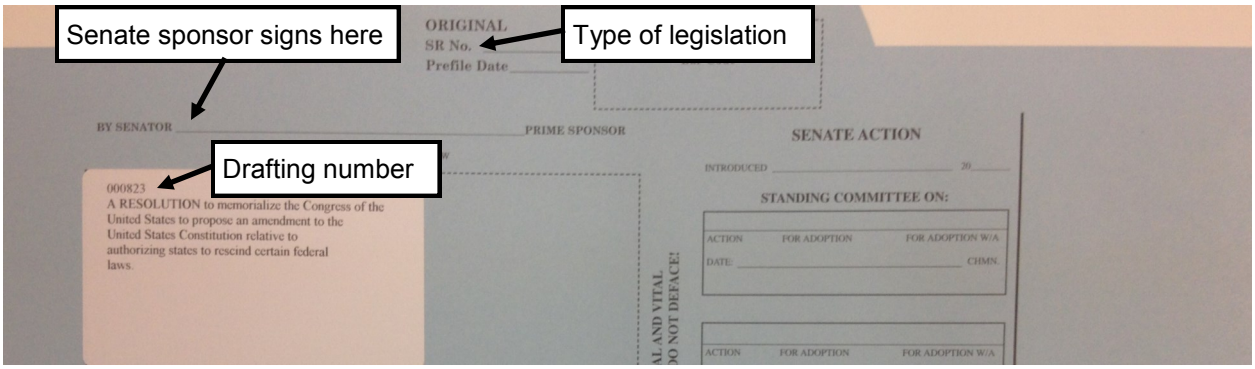
HOW DO I FILE A JACKETED RESOLUTION?

Step 1: Deliver the appropriate jacket to the resolution's sponsor (a blue jacket is for the Senate sponsor and a green jacket is for the House sponsor).

Step 2: Ensure that the sponsor **SIGNS** the outside of the jacket.

Step 3: File the copy of the resolution attached to the jacket with the appropriate clerk.





WHAT HAPPENS AFTER THE RESOLUTION IS FILED?

Resolutions differ from bills in that they do not have the force and effect of law. The type of resolution is determined and can be identified by its resolving clause language. Joint resolutions must pass in both chambers to be adopted, while House Resolutions and Senate Resolutions only need to pass in the respective chamber.

In the **House**, substantive resolutions are generally referred to standing committees while congratulatory and memorializing resolutions are placed on a consent calendar. Joint resolutions calling for a joint convention of both chambers are referred to the House Committee on Delayed Bills (the Speaker, the majority leader, and the minority leader).

In the **Senate**, all congratulatory and memorializing resolutions are referred to the Senate Calendar Committee. All other resolutions, except for joint resolutions proposing joint conventions which are referred to the Committee on Delayed Bills, are referred to standing committees. Senate Rule 21.

No resolution, except one proposing an amendment to the Constitution, is required to be read three times. However, all joint resolutions, except those calling for adjournment of the General Assembly and those proposing specific amendments to the Constitution, must be submitted to the Governor for signature. The Governor may veto a joint resolution but the General Assembly may override the veto by a simple majority vote of those entitled to vote. Tenn. Const. Art. III, § 18.

OFFICE of LEGAL SERVICES

Main Office:
9th Floor Cordell Hull Building
Phone: 615-741-3056
Internal Extension: 13056

RESOLUTION REQUEST FORM

Resolutions are the vehicle document for a number of special items, including, constitutional amendments, joint conventions, legislative procedures such as extended recess and final adjournment, creation of study committees, confirmation of appointments to state boards and commissions, and statements of policy. Resolutions may also be memorializing and congratulatory. Resolutions do not have the force and effect of law, and can only be passed during session.

Please complete all sections of this form.

MEMBER: _____

YOUR NAME: _____

PHONE NUMBER: _____

TODAY'S DATE: _____

TYPE OF REQUEST (please check appropriate box)**:**

- ☐ House Resolution
- ☐ House Joint Resolution
- ☐ Senate Resolution
- ☐ Senate Joint Resolution

SUBJECT OF REQUEST (include name of person or entity to be honored)**:**

_____

_____

REASON FOR REQUEST (please check appropriate box):

- ☐ Anniversary
- ☐ Birthday
- ☐ Death
- ☐ Professional Achievement
- ☐ Retirement
- ☐ Special Event
- ☐ Sporting Achievement
- ☐ Valedictorian or Salutatorian
- ☐ Other: _____

_____

- Please complete a separate form with attachments for each requested resolution.
- Please **staple** forms & attachments together (clips fall off).
- Please do not use this form for bills or amendments.

Deliver form with attachments to: Receptionist on 9th Floor
or
E-mail form with attachments to legalservicesrequest@capitol.tn.gov

COMMITTEE STAFF SERVICES

WHAT COMMITTEE SERVICES DOES OLS PROVIDE?

(1) SERVICES PROVIDED BY OLS. OLS provides, at the request of committee Chairs, at least one attorney to attend meetings of all the standing committees and subcommittees of the General Assembly. The attorney provides services that facilitate the committee in the performance of its duties, such as preparing written or verbal amendments adopted by the committee that have not been prepared in advance of the committee meeting. OLS also provides both legal and research services to special and study committees.

(2) SERVICES NOT PROVIDED BY OLS. OLS does not provide secretarial services for committees. Customarily, the administrative assistant or the intern of the Chair of the committee serves as the secretary for the committee.

WHICH COMMITTEE DOES EACH ATTORNEY STAFF?

Page 21 of this guide lists the committee assignments for each OLS attorney as of the printing of this User Guide. For the most up-to-date list of committee assignments, please check on the OLS page of the Legislative Intranet under **OLS Staff for Standing Committees.**

HOW CAN I GET MORE INFORMATION ON OLS COMMITTEE SERVICES?

If a member is interested in learning more about the services that OLS provides for committees, the member should contact the Directors of OLS:

Karen Garrett (Suite 932-B)
(615) 741-9549 internal extension 45057
karen.garrett@capitol.tn.gov

and

Doug Himes (Suite 940)
(615)-741-9506 internal extensions 45066
doug.himes@capitol.tn.gov.

COMMITTEE ASSIGNMENTS LISTED BY ATTORNEY

Anastasia Campbell:
*Senate Commerce & Labor
*House Consumer & Human Resources
Senate Health and Welfare

Doug Garrett:
*Senate Government Operations
*House Agriculture & Natural Resources
*House Government Operations
Senate Energy, Agriculture & natural Resources

Karen Garrett:
Senate Finance, Ways and Means

Jess Hale:
*House Health
*Senate Health & Welfare
Senate Commerce and Labor

Joel Hayes:
*Senate Transportation
Senate Judiciary
House Transportation
House Civil Justice

Doug Himes:
House Finance, Ways & Means
House Education Instruction and Programs

Joshua Houston:
*Senate State & Local Government
House State
Senate Finance, Ways and Means
House Local Sub

Elizabeth Insogna:
*House Civil Justice
*House Criminal Justice

Matthew (Matt) King:
Senate State and Local Government
House Criminal justice
Senate Government Operations
House Local
Senate Judiciary

Sean McMinn:
*Senate Energy, Ag. & Natural Resources
House Agriculture and Natural Resources

Megan Moore:
*Senate Finance, Ways & Means
*House Transportation
Senate Transportation

Peter Muller:
*House Finance, Ways & Means
House Health

Matthew Mundy:
*House Local
Senate State & Local
*House State

Jamie Shanks:
*House Business & Utilities
*House Insurance & Banking
House Consumer and Human Resources

Tom Tigue:
*Senate Judiciary

Kasey Washburn:
Senate Education
House Education Administration and Planning
House Government Operations
House Education Instruction and Programs

Bonnie Wood:
*Senate Education
House Criminal Justice
House Education Administration & Planning

***Indicates primary committee attorney**

AMENDMENT DRAFTING REQUESTS

HOW DO I MAKE AN AMENDMENT DRAFTING REQUEST?

Step 1: Submit the request in person at **9th Floor Receptionist**; or
by phone at **(615) 741-3056** or internal extension **13056**; or
by e-mail at **legalservicesrequest@capitol.tn.gov**.

Step 2: Include in the request:

- **Your name and contact information**;
- The **name of the member** for whom you are submitting the request;
- The **bill or resolution number** of the bill or resolution to be amended;
- **Details on the desired changes** or **pre-drafted language**;
- The **appropriate contact person** if questions arise; and
- The **day and time when the bill or resolution will be heard**.

Step 3: OLS will notify you when the request is complete and the location for pickup.

WHEN DO I MAKE AN AMENDMENT DRAFTING REQUEST?

Amendment requests should be submitted **as soon as possible** after deciding that an amendment is needed. The substance of an amendment determines the amount of time that is needed to prepare it. It is very difficult to prepare a comprehensive amendment to a bill or resolution if the request is submitted a short period of time before the bill or resolution is considered by a committee or on the House or Senate floor. The preparation of amendments requires the time necessary to draft the amendment and to physically produce the amendment in proper form for filing with committees or the Clerk. OLS endeavors to complete all amendment drafting requests **as soon as reasonably possible, while ensuring quality and accuracy.** To ensure quality and accuracy, each amendment must be reviewed according to the Amendment Checklist on the next page. **This process requires careful attention to detail and that takes time. Haste frequently results in errors and hampers the overall efficiency and effectiveness of the General Assembly.**

When requesting amendments to bills or resolutions, **please provide OLS with the bill or resolution number** and the exact nature of the change. If the changes are extensive, it may be preferable to simply delete all sections of the introduced bill or resolution and rewrite the bill or resolution in the amendment. Please advise OLS if this is the member's preference.

WHAT IF I NEED AN AMENDMENT DRAFTED FOR A COMMITTEE MEETING?

Some committees have amendment filing deadlines. You should speak with the office of the Chair of the respective committee concerning such deadlines.

CAN I SUBMIT AN AMENDMENT DRAFTING REQUEST IN THE AMENDMENT OFFICE?

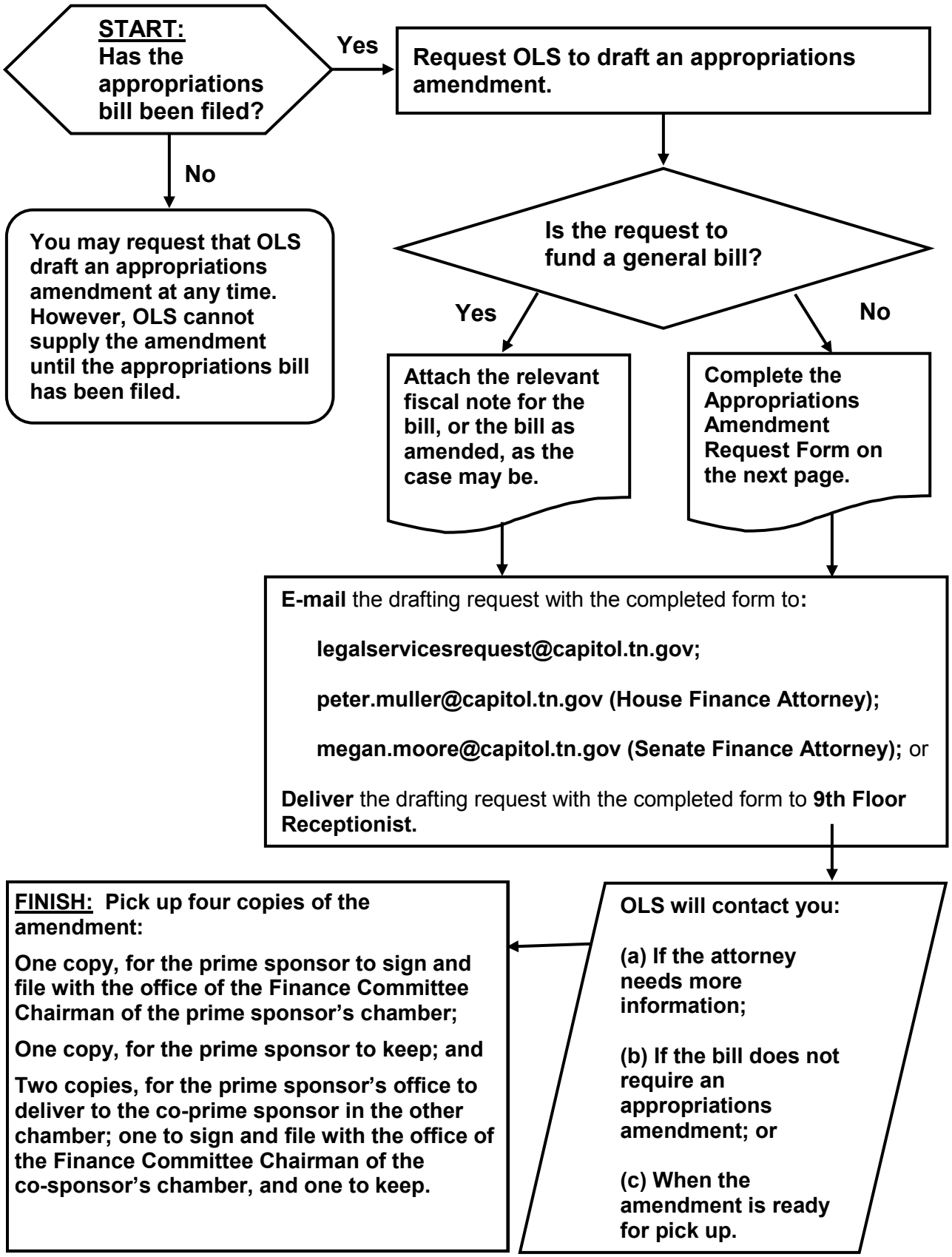
The amendment office is staffed during floor sessions so that members can have amendments drafted for the floor calendar and delivered on the floor. However, amendment requests can still be made to the Main OLS Office, by phone, or e-mail. The Main OLS Office can arrange for delivery of amendments to the floor.

WHAT IF I HAVE AN APPROPRIATIONS ("BUDGET") AMENDMENT DRAFTING REQUEST?

Amendments to the General Appropriations Bill have filing deadlines with the Finance, Ways and Means Committee of each chamber. Please refer to the Appropriations Amendment flow chart immediately following this page for steps on submitting an appropriations amendment drafting request. A copy of the **Appropriations Amendment Request Form** is available on the OLS page of the Legislative Intranet or on page 25 of this guide.

AMENDMENT CHECKLIST
Is the **sponsor's name**; the **time and date of the amendment request's submission**; and **contact information**, in case of questions, recorded?
Is this a **duplicate request** (is the request in drafting already)?
Is the **objective** of the amendment, as proposed by the sponsor, identified?
Is there a **rational and orderly arrangement** for the content?
Does the amendment fall **within the caption** of the bill?
Is a **preamble** needed? If so, is it in correct form and location? Is there an **enacting clause**? Is it in the correct form and location?
Is the **directory language** complete, accurate, and "reader friendly"?
Is the proper **code and section designation** system used? Are there at least two subsection or subdivision designations for each?
Has the amendment been reviewed for **simplicity**? Is short and familiar language used? Has unnecessary language been removed?
Has the amendment been reviewed for **clarity**? Does every pronoun have a clear antecedent? Are conjunctions used properly? Are concepts expressed positively? Is parallel sentence structure & active voice used?
Has the amendment been reviewed for **facial consistency**? Is correct **spacing** used (two spaces after designations)?
Are all **names for departments** and commissioners correct?
Is correct **capitalization** used? Are **numerals** used correctly?
Have **commonly misused words** been used correctly? Has **archaic and outdated language** been updated?
Are **citations** to federal and state law in the correct form?
Is there a **definitions section**, and if so, is it in the correct form? Is there a **criminal offense**, and if so, is it in the correct form?
Is a **severability** or reverse severability clause needed? Is a **rules** provision needed?
Is there an **effective date** section? Is the selected date **appropriate**?
Does **other legislation** conflict with the amendment? Have the conflicts been addressed?
Are **internal code and amendment section references** accurate?
Is **spelling** correct? Is **grammar** correct? Is **punctuation** correct?
Does the amendment ultimately **accomplish its objective**?
Are the **appropriate boxes** on the status sheet checked?

APPROPRIATIONS AMENDMENT FLOW CHART



Questions: **Peter Muller (615) 741-9508 (House)** or **Megan Moore (615) 741-4858 (Senate)**

OFFICE of LEGAL SERVICES

Main Office:
9th Floor Cordell Hull Building
Phone: 615-741-3056
Internal Extension: 13056

APPROPRIATIONS AMENDMENT REQUEST FORM

DATE: _____

MEMBER: _____

YOUR NAME: _____

PHONE NUMBER: _____

AMOUNT: _____

RECIPIENT: _____

RECIPIENT'S LOCATION: _____

CITY: _____

COUNTY: _____

PURPOSE: _____

DISBURSING AGENCY (Finance and Administration unless specified as follows):

_____

SPECIAL INSTRUCTIONS _____

_____

For an appropriation amendment to fund a bill, please **staple** the **most current fiscal note** and any material relevant to the request to this form and deliver it to **9th Floor Receptionist**
or
e-mail it to **legalservicesrequest@capitol.tn.gov**.

ATTORNEY GENERAL OPINION REQUESTS

HOW DO I MAKE AN ATTORNEY GENERAL OPINION REQUEST?

Step 1: Submit the request in person at **9th Floor Receptionist;** or by phone at **(615) 741-3056** or internal extension **13056**, or by e-mail at **legalservicesrequest@capitol.tn.gov**.

Step 2: Include in the request:

- **Your name and contact information**;
- The **name of the member** you are submitting a request for;
- Details on **the issue** that the member wants to ask the Attorney General about; and
- The **appropriate contact person** if questions arise.

Step 3: OLS will notify you when the request is complete and the location for pickup.

WHEN DO I MAKE AN ATTORNEY GENERAL OPINION REQUEST?

An Attorney General opinion request may be made at any time, during and out of session. Normally, a member seeks an Attorney General opinion request when a question arises pertaining to the application of Tennessee statutes or the constitutionality of a bill or resolution being heard in committee or on the floor.

WHY IS THERE A DELAY BETWEEN MAKING THE REQUEST AND PICK UP?

Preparing an Attorney General opinion request letter is an art because careful drafting is required to ensure that the Attorney General will answer the entirety of the member's concerns. Research into the law and the background behind the request will be necessary, as well as proofing.

PROCLAMATION DRAFTING REQUESTS

HOW DO I MAKE A PROCLAMATION REQUEST?

Step 1: Complete the Proclamation Request Form in its entirety. It is available online on the OLS page of the Legislative Intranet, at **9th Floor Receptionist**, or on the next page.

Step 2: Include in the request, along with the completed form:

- **Your name and contact information**;
- The **name of the member** for whom you are submitting the request;
- The **subject of** and **reason for** the proclamation with background information; and
- If adding the signature of a member in the other chamber, a **completed House or Senate Proclamation Approval Form**.

Step 3: Submit the request in person at **9th Floor Receptionist** or by e-mail at: **legalservicesrequest@capitol.tn.gov**.

Step 4: OLS will deliver the proclamation by e-mail to the member and their assistant when it is completed.

HOW DOES A PROCLAMATION DIFFER FROM A RESOLUTION?

Unlike a resolution, which might be substantive, a proclamation is purely a memorializing or congratulatory document. A proclamation **CANNOT** proclaim days, weeks, or months as special holidays or designations. These designations must be adopted by a joint resolution or a general bill. Additionally, proclamations are **NOT** published in the same manner as resolutions.

SINCE PROCLAMATIONS ARE PREPARED FOR MEMBERS UNDER THE AUTHORITY OF EACH SPEAKER, ALL PROCLAMATION REQUESTS AND INFORMATION SUBMITTED WITH SUCH REQUESTS ARE SUBJECT TO DISCLOSURE TO THE RESPECTIVE SPEAKER'S OFFICE

WHEN DO I MAKE A PROCLAMATION REQUEST?

A proclamation may be requested year round, including **out of session**.

WHAT IF MEMBERS OF THE OTHER CHAMBER WANT TO BE ADDED?

A proclamation bears the signature of the respective Speaker and the requesting member. To include additional members of the general assembly on a proclamation, you must submit the **Proclamation Additional Signature Form.** These forms are available on the OLS page of the Legislative Intranet, at the **9th Floor Receptionist's desk**, and on pages 30 and 31 of this guide.

WHY IS THERE A DELAY BETWEEN MAKING THE REQUEST AND PICK UP?

OLS endeavors to complete all proclamation drafting requests **as soon as reasonably possible, while ensuring quality and accuracy.** To ensure quality and accuracy, each proclamation must be reviewed according to the Proclamation Checklist on the following page. **This process requires careful attention to detail and that takes time. Haste frequently results in errors and hampers the overall efficiency and effectiveness of the General Assembly**. OLS policy is to complete all requests of any type in the order that they are received, although priority will be given to general bills (over local bills, resolutions and

PROCLAMATION CHECKLIST
Is the **sponsor's name**; the **time and date of the request's submission**; and **contact information**, in case of questions, recorded?
Is this a **duplicate request** (is the request in drafting already)?
Is the **objective**, as proposed by the sponsor, clearly identified?
Has the sponsor provided sufficient, accurate **backup information**?
Are the **preamble clauses** in the correct format and free of errors?
Does each preamble clause begin with the language **"WHEREAS,"**?
Does each preamble clause (except the final one) conclude with the language **"; and"**?
Does the final preamble clause conclude with the language **"; now, therefore,"**?
Is the correct **proclaiming clause** used? Is it accurate and free of errors? Is it in the correct location?
Is there a **rational and orderly arrangement** for the content?
Has the proclamation been reviewed for **simplicity**? Is short and familiar language used? Has unnecessary language been removed?
Has the proclamation been reviewed for **clarity**? Does every pronoun have a clear antecedent? Are conjunctions used properly? Are concepts expressed positively? Is active voice used?
Has the proclamation been reviewed for **facial consistency**? Is correct **spacing** used?
Is **spelling** correct? Is **grammar** correct? Is **punctuation** correct?
Is correct **capitalization** used? Are **numerals** used correctly?
Have **commonly misused words** been used correctly?
Are **pronouns** used correctly and do they reflect the appropriate gender?
Are all **proper nouns** accurate and correct?
Does the proclamation ultimately **accomplish its objective**?
Are the **proclamation signature lines** accurate and correct?
Has the required **approval** been obtained for additional member signatures?

PROCLAMATION DRAFTING REQUESTS

HOW DO I FILE THE PROCLAMATION?

Step 1: Notify the appropriate Engrossing Clerk to prepare a presentation copy by giving the Engrossing Clerk the drafting number located in the lower right-hand corner.

Step 2: Deliver the drafting number to the appropriate Chief Clerk to get the proclamation printed and then signed by the appropriate Speaker.

Step 3: Have all of the members cited in the proclaiming clause sign the proclamation.

OFFICE of LEGAL SERVICES

Main Office:
9th Floor Cordell Hull Building
Phone: 615-741-3056
Internal Extension: 13056

PROCLAMATION REQUEST FORM

A "Proclamation" is a memorializing or congratulatory document that may be requested year round. There are two types of proclamations: House Proclamations and Senate Proclamations. Neither House nor Senate Proclamations can proclaim days, weeks, or months as special holidays or designations. These designations must be adopted by a joint resolution or a general bill during session. A proclamation bears the signature of the respective Speaker and requesting members. Proclamations are not published in the same manner as resolutions.

SINCE PROCLAMATIONS ARE PREPARED FOR MEMBERS UNDER THE AUTHORITY OF EACH SPEAKER, ALL PROCLAMATION REQUESTS AND INFORMATION SUBMITTED WITH SUCH REQUESTS ARE SUBJECT TO DISCLOSURE TO THE RESPECTIVE SPEAKER'S OFFICE

Please complete all sections of this form.

YOUR NAME & MEMBER'S NAME: _____

YOUR PHONE NUMBER: _____

TODAY'S DATE:

_____

TYPE OF REQUEST (please check appropriate box)**:**

☐ House Proclamation ☐ Senate Proclamation

SUBJECT OF REQUEST (include name of person or entity to be honored)**:**

_____

_____

REASON FOR REQUEST (please check appropriate box):

☐ Anniversary
☐ Birthday
☐ Death
☐ Professional Achievement
☐ Retirement
☐ Special Event
☐ Sporting Achievement
☐ Valedictorian or Salutatorian
☐ Other: _____

_____

- Please complete a separate form with attachments for each requested proclamation.
- Please **staple** forms & attachments together (clips fall off).
- Please do not use this form for bills, resolutions or amendments.

.**Deliver form with attachments to 9th Floor Receptionist**

or

Deliver form with attachments to 9th Floor Receptionist

E-mail form with attachments to legalservicesrequest@capitol.tn.gov

OFFICE of LEGAL SERVICES

Main Office:
9th Floor Cordell Hull Building
Phone: 615-741-3056
Internal Extension: 13056

PROCLAMATION

ADDITIONAL SIGNATURE FORM

To: Office of Legal Services

Date: _____

Subject of Proclamation: _____

REQUESTING MEMBER: _____

STAFF CONTACT & SIGNATURE: _____

The following Senate member(s) and/or House member(s) have granted their approval for inclusion on the above-cited proclamation. Approval must be obtained from the office of each individual member to be included on the proclamation.

MEMBER TO BE ADDED:_____ MEMBER TO BE ADDED:_____

MEMBER TO BE ADDED:_____ MEMBER TO BE ADDED:_____

MEMBER TO BE ADDED:_____ MEMBER TO BE ADDED:_____

MEMBER TO BE ADDED:_____ MEMBER TO BE ADDED:_____

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Deliver this completed form to 9th Floor Receptionist.

TENNESSEE LEGISLATIVE GLOSSARY

ABSTRACT (contrast with **CAPTION**)

An abstract is a brief summary of an introduced bill or resolution (not part of the bill or resolution) that is prepared by OLS. Abstracts are made public in the Bill Tracking Program but do not reflect adopted amendments until final passage.

ACT

An act is a law enacted by the legislature, and either signed by the Governor or allowed to become law after ten days without the Governor's signature.

PRIVATE ACT

A private act applies to a limited area or subdivision of government.

PUBLIC ACT

A public act applies to the entire state or is of a general nature with local application.

ADJOURNMENT

An adjournment is the termination of session for that day after setting the hour and the day of the next meeting.

AMENDMENT

An amendment is the modification of a bill or resolution by adding or deleting language.

APPROPRIATIONS ACT

An appropriations act is an act that appropriates money from the state treasury for a fiscal year to implement the state operating budget. Money may be provided for other items of expenditure, for example local projects.

APPROPRIATIONS BILL

An appropriations bill is a bill that appropriates money from the state treasury for a fiscal year. Money may be provided for other items of expenditure through amendments to this bill but must be in the form specified in Tenn. Code Ann. § 9-4-5106.

BILL

A bill is proposed legislation introduced to enact a new law or to change or to repeal an existing law.

INTRODUCED

The original bill is the bill as introduced and used throughout the legislative process until engrossed.

ENGROSSED

An engrossed bill is a bill as passed by a chamber with corrections or adjustments made through amendments.

ENROLLED

An enrolled bill is a bill as finally passed by both chambers and prepared for signature of the presiding officers of both chambers and transmittal to the Governor for signature or veto.

PREFILED

A bill filed between legislative sessions with the Chief Clerk of either chamber. Prefiled bills are numbered and printed in preparation for the session.

BILL TRACKING PROGRAM ("BILL TRACKING")

The Bill Tracking Program is the program operated by LIS that is only made available to the members and staff of the General Assembly and provides information on filed legislative documents including bill summaries, abstracts, legislative history, and fiscal memos and notes.

BUDGET

The budget is the financial plan of the state for the next fiscal year. The budget document has three parts:

1. A budget message by the Governor and a schedule on tax exemptions;
2. Detailed budget estimates both of expenditures and revenues; performance measures and standards; a statement of the bonded indebtedness of the state government; and
3. Complete drafts of the budget bills, that is, the legislative measures required to give legal sanction to the financial plan when adopted by the General Assembly. Tenn. Code Ann. § 9-4-5106.

BUDGET BILLS

The budget bills include an appropriation bill that authorizes, by spending agencies and by funds, all expenditures of the state government for the next fiscal year. Other bills may be required to provide the revenues necessary to finance the budget. Other bills include a bond bill, and, when necessary, an indexing bill and a budget implementation bill that makes substantive changes to statutes that are needed to implement the appropriations act. Tenn. Const. Art. II § 24.

TENNESSEE LEGISLATIVE GLOSSARY

CALENDAR

The calendar is the list of bills and resolutions to be considered by a chamber or committee.

CONSENT CALENDAR

The consent calendar is the bill calendar used to allow rapid floor consideration for final passage of noncontroversial bills and resolutions.

REGULAR CALENDAR

The regular calendar is the written calendar (list of bills to be considered for third reading) required to be posted in the Senate at least twenty-four hours prior to consideration by the Senate or in the House at least forty-eight hours prior to consideration by the House. Senate rules limit the Senate calendar to fourteen general bills, plus holdovers, while House rules place the maximum at twenty-five, including any bills held over from previous calendars or any bills set by special order and excluding only those bills "bumped" or objected to on a consent calendar.

CAPTION (contrast with ABSTRACT)

The caption is the part of the bill that appears above the enacting clause. The caption details the subject matter and scope of the bill, either by language or by code cites, or by both. A bill's content cannot be any broader than its caption. Tenn. Const. Art. II, §§ 17 and 20.

CATCHLINE

The catchline is the boldface language between the section number and the section material in the Code, providing a brief description of the material in the section. It is prepared by the publisher of the Code and is not part of the statute. Therefore, it can not be amended or deleted in a bill.

CHAMBER AUTOMATION

Chamber Automation is a computer program operated by LIS that tracks actions taken on bills and resolutions during committee meetings and floor sessions. This program is not made available to the public.

CHIEF CLERK

The Chief Clerk is a non-member selected by the Speaker of each chamber to serve as its administrative officer.

COMMITTEE

A committee is a group of legislators of one or both chambers (if both chambers, then it is called a joint committee) that conducts studies or makes recommendations.

CONFERENCE COMMITTEE

A conference committee is a committee composed of members of both chambers created to resolve differences in a bill when one chamber does not concur in amendments made by the opposite chamber which refuses to recede from its action. Members are appointed by the Speaker of each chamber. Most conference committees are appointed at the end of session. A conference committee may not be appointed or may not meet even if appointed.

SELECT (AD HOC OR STUDY) COMMITTEE

A select committee is a committee established temporarily by the Speaker of a chamber composed of members of that chamber for a designated purpose.

STANDING COMMITTEE

Senate and House standing committees function during session and may function between legislative sessions. Depending on a committee's subject matter jurisdiction, as defined by rule, the committee conducts public hearings on proposed legislation, conducts studies, makes reports and recommendations, reviews proposed legislation, and reviews proposed administrative rules.

COMPANION BILL

Tennessee is a "companion bill state," meaning that to become law, identical bills must be introduced, and, if amended, the bills must be passed in the same form in both chambers. After introduction, the two bills go through the committee system in both chambers. After the first chamber passes the bill, it goes to the other chamber where it is held on the desk in the second chamber. When the bill is called up on the second chamber's calendar, the bill in the second chamber is conformed to the bill which passed the first chamber and that bill is substituted for the bill in the second chamber. For example, if the House passes the bill first, then the bill is sent to the Senate. Once the Senate bill arrives for floor action, the bill, as passed by the House, is substituted for the Senate bill. The Senate then acts on the bill as passed by the House.

CONFERENCE COMMITTEE REPORT

When the Senate and House are unable to agree on the final version of a bill, a conference committee consisting of members from each chamber may be appointed. The report that the committee creates will detail the amendments that will be kept, those that will be deleted, and new amendments to be included. OLS drafts the final report and any minority reports.

TENNESSEE LEGISLATIVE GLOSSARY

CONSTITUTIONAL AMENDMENTS
Constitutional amendments are proposed amendments to the Tennessee Constitution. Tenn. Const. Art. XI, § 3.

CUT-OFF
Following the tenth legislative day of an annual session, general bills may not be introduced in either chamber without permission of the Delayed Bills Committee.

DELAYED BILLS COMMITTEE
The Committee on Delayed Bills is a select committee established in both the Senate and the House of Representatives. The committee is composed of the Speaker, the majority floor leader and the minority floor leader, and meets at the call of the Speaker. The committee determines if legislation introduced after the filing deadline will be considered. Senate Rule 76(3) and House Rule 77.

DRAFTING NUMBER
The drafting number is a unique number and barcode that is assigned to each bill that is drafted through OLS. This information appears at the bottom right hand corner of each page of a drafted bill.

EFFECTIVE DATE
The effective date is the exact date that the legislation would go into effect as law with the passage of the bill.

ENACTING CLAUSE
Tenn. Const. Art. II, § 20 requires that the laws of this state include the language: “BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE.”

EXECUTIVE ORDER
An executive order is a written document issued by the Governor to effectuate a purpose over which the Governor has authority.

FISCAL MEMO
A fiscal memo is a document prepared by Fiscal Review that details the fiscal impact of an amendment. The draft code of the affected amendment will be listed on the memo.

FISCAL NOTE
A fiscal note is a document prepared by Fiscal Review that details the fiscal impact of a particular piece of legislation. A fiscal note is issued for each general bill and substantive resolution.

FISCAL REVIEW COMMITTEE ("FISCAL REVIEW")
The Fiscal Review Committee is a statutorily created special continuing oversight committee of the General Assembly. The committee is composed of six senators and nine representatives, elected by members of each chamber respectively. In addition, the Speaker of each chamber and the Chair of the Finance, Ways and Means Committee of each chamber serve as ex officio members. Fiscal Review employs staff that perform various responsibilities, one of which is to prepare fiscal notes and memos for all general bills or resolutions that have a fiscal effect on state or local government. Tenn. Code Ann. Title 3, Chapter 7.

FISCAL YEAR
A fiscal year is the twelve-month period for which appropriations, budgets, and financial reports are generally made. The state's fiscal year commences on July 1 and ends the following June 30.

FLOOR SESSION
A floor session is when members of the House of Representatives and the Senate meet on the floor of the members’ respective chambers.

GENERAL BILL OF LOCAL APPLICATION
A general bill of local application is a regular bill that applies to a limited area or subdivision of government but does not require approval at the local level.

JACKET
A jacket is the cover for a bill or resolution, which differs based on the chamber of introduction and type of document.

JOURNAL
The journal is a daily published record of the proceedings of each chamber.

LEGISLATIVE DAY
A legislative day is any day that the House or Senate has a floor session. Legislative days for the Senate and House are counted independently from those of the other chamber.

TENNESSEE LEGISLATIVE GLOSSARY

Line Item Veto
A line item veto is the power exercised by the Governor to veto specified items (single amounts of money) of an appropriation bill, while signing the remainder of the bill into law.

Local Bill
A local bill is a bill that applies to a limited area or subdivision of government and requires approval at the local level.

Majority
A constitutional majority is seventeen votes in the Senate and fifty votes in the House.

Proclamation
A proclamation is a memorializing or congratulatory document that may be requested year round. There are two types of proclamations: Senate Proclamations and House Proclamations. Neither a House nor a Senate Proclamation can proclaim days, weeks, or months as special holidays or designations. These designations can only be adopted by joint resolution. A proclamation bears the signature of the respective Speaker and requesting member.

Resolution
Although most often memorializing or congratulatory, resolutions are also the vehicle document for a number of special items, including, for example, constitutional amendments, joint conventions, legislative procedures including extended recess and final adjournment, creation of study committees, confirmation of appointments to state boards and commissions, and statements of policy. Resolutions differ from bills in that they do not have the force and effect of law. There are four types of resolutions: House, Senate, House Joint, and Senate Joint. The type of resolution is determined and can be identified by its resolving clause language; joint resolutions must pass both chambers to be adopted, House Resolutions and Senate Resolutions do not.

Roll to the Heel
Roll to the heel is a phrase commonly used in committee or on the floor by a member to ask that the bill or resolution currently being considered be moved to the end of the calendar.

Session
Depending on its usage, "session" may refer to the entire annual meeting of the General Assembly or to the daily meeting of one or both chambers, (i.e. the House is in session). A General Assembly is held over a two-year period with members receiving pay for only ninety legislative days combined. The first year of a General Assembly is officially referred to as the First Regular Session of the (—-)th General Assembly and the second as the Second Regular Session of the (—-)th General Assembly. Tenn. Const. Art. II, § 23.

Organizational Session
Tenn. Const. Art. II, § 8 requires the General Assembly to convene on the second Tuesday of January in an odd-numbered year in organizational session. An organizational session cannot exceed fifteen days. Although bills may be introduced, no legislation can be passed on third and final reading during organizational session. Organizational activities include election of respective House/Senate presiding officials, election of constitutional officers, and usually committee Chair appointments and committee membership assignments. Every four years, inauguration of the Governor occurs during organizational session. Immediately upon adjournment of the organizational session, the General Assembly convenes the regular session and traditionally takes a recess of one or two weeks. There is no organizational session in even-numbered years, which marks the beginning of the second regular session of a General Assembly.

Special Session
A special session may be called by the Governor, Tenn. Const. Art. III, § 9, or by the Speakers, upon petition of two-thirds of the members in each chamber, Tenn. Const. Art II, § 8. It is restricted to matters specifically enumerated in the call. A special session can be called during a regular session, whereby the regular session is recessed until completion of the special session. Members may be paid for only thirty legislative days of a special session. Special sessions are officially referred to as Extraordinary Sessions.

Sine die Adjournment
Sine die adjournment is the final adjournment at the completion of a two-year General Assembly.

Suspension of the Rules
Suspension of the rules is parliamentary procedure whereby actions can be taken that would otherwise be out of order. A two-thirds vote of each body present and voting is required to adopt a motion to suspend the rules.

Yield
A yield is the relinquishing of the floor to another member to speak or ask a question.