

House Banking & Consumer Affairs Subcommittee Am. # 1

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2779

House Bill No. 2114*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following as a new subdivision:

Advertising a home warranty to consumers in this state, or issuing or delivering a home warranty to consumers in this state, without explicitly stating in written detail what items will be covered and fully paid for by the home warranty;

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1832

House Bill No. 1664*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 47-18-104(b)(8), is amended by deleting the subdivision and substituting:

(8) Disparaging the goods, services, or business of another by false or misleading representations of fact, including, but not limited to, posting a review on the internet about a business that is factually false;

SECTION 2. Tennessee Code Annotated, Section 47-18-109(a)(3) and (4), are amended by deleting the subdivisions and substituting:

(3)

(A) Except as provided in subdivision (a)(3)(B), if the court finds that the use or employment of the unfair or deceptive act or practice was a willful or knowing violation of this part, then the court may award three (3) times the actual damages sustained and may provide other relief as the court considers necessary and proper; provided, the court shall not award exemplary or punitive damages for the same unfair or deceptive practice.

(B) If the court finds that the use or employment of the unfair or deceptive act or practice described in § 47-18-104(b)(8) was a willful or knowing violation, then the court shall award three (3) times the actual damages sustained and may provide other relief as the court considers necessary and proper; provided, the court shall not award exemplary or punitive damages for the same unfair or deceptive practice.



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(4) In determining whether treble damages should be awarded pursuant to subdivision (a)(3)(A), the trial court may consider, among other things:

(A) The competence of the consumer or other person;

(B) The nature of the deception or coercion practiced upon the consumer or other person;

(C) The damage to the consumer or other person; and

(D) The good faith of the person found to have violated this part.

SECTION 3. Tennessee Code Annotated, Section 47-18-109(e)(1), is amended by deleting the subdivision and substituting:

(A) Except as provided in subdivision (e)(1)(B), if a court finds that this part has been violated, then the court may award to the person bringing the action reasonable attorney's fees and costs.

(B) If a court finds that § 47-18-104(b)(8) has been violated, then the court shall award to the person bringing the action reasonable attorney's fees and costs.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2042*

House Bill No. 2078

by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Tennessee Integrated and Meaningful Employment Act."

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) An employer shall pay an employee no less than the federal minimum wage under 29 U.S.C. § 206, regardless of the subminimum wage authorized pursuant to 29 U.S.C. § 214(c).

(b) As used in this section:

(1) "Employee" means a person born or naturalized in the United States and subject to the jurisdiction thereof, or a person legally present in this country, either of whom is employed by an employer; and

(2) "Employer" includes an individual, partnership, association, corporation, business trust, legal representative, or organized group of persons, not involved in interstate commerce, acting directly or indirectly in the interest of an employer in relation to an employee.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.



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