

Amendment No. _____

Signature of Sponsor

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AMEND Senate Bill No. 508

House Bill No. 509*

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

SECTION 1. Tennessee Code Annotated, Section 8-44-108(a), is amended by adding the following as a new subdivision:

() "Utility governing body" means a board of directors, board of public utilities or other similar governing body of:

(A) Utility districts created pursuant to title 7, chapter 82, or a public or private act;

(B) Water, wastewater, natural gas, and energy authorities and multi-utility authorities created pursuant to title 68, chapter 221, part 6 or 13; title 7, chapter 36; or a public or private act; and

(C) Boards of public utilities and other similar municipal or county utility system created or operating pursuant to title 7, chapter 52; a public or private act; or a charter provision of a home rule municipality.

SECTION 2. Tennessee Code Annotated, Section 8-44-108, is amended by adding the following as a new subsection:

(1) A utility governing body may meet and conduct business virtually as prescribed in this subsection ().

(2) A utility governing body meeting virtually shall:

(A) Comply with the requirements of subsection (b) and subdivisions (c)(1)-(5) in the same manner and to the same extent as is required of municipal governing bodies under such provisions;



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(B) Ensure that the meeting is open and accessible to the public by providing real-time, live audio or video access to the public;

(C) Make a clear audio or video recording of the meeting to the public as soon as practicable following the meeting but not more than two (2) business days after the meeting;

(D) In the public notice required by § 8-44-103, provide information regarding how the public can obtain real-time, live access to the meeting; and

(E) Ensure that the members of the public are able to ascertain the identity of the person speaking by requiring each member of the utility governing body, staff member, and other persons participating by audio means only to identify themselves before speaking.

(3) Except as provided by this section, the requirements for quorum, meeting notice, voting, or any other requirements under this part are not altered.

(4) This subsection () does not prohibit some members of a utility governing board from participating in a meeting of the utility governing body in the same physical location while another member or members participate in the meeting electronically, so long as the utility governing body otherwise complies with the requirements of this subsection ().

(5) A utility governing body meeting virtually shall maintain any local requirements for public comment during meetings. Compliance with such requirements may be met by allowing timely and appropriately submitted written public comments to be read into the record by a member or staff of the utility governing body during the meeting.

(6) A member of a utility governing body who participates in a meeting virtually may receive any authorized meeting per diem or compensation for attending the meeting.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

House Public Service Subcommittee Am. #1

Amendment No. _____

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AMEND Senate Bill No. 799*

House Bill No. 1050

by deleting Section 2 and substituting instead the following:

SECTION 2. This act takes effect January 11, 2023, the public welfare requiring it.



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AMEND Senate Bill No. 1497*

House Bill No. 1492

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

SECTION 1. Tennessee Code Annotated, Section 38-8-106, is amended by deleting subdivision (8) and substituting instead the following:

(8) Have a good moral character as determined by a thorough investigation conducted by the employing agency. For purposes of this section, a person is not deemed to have good moral character if the person is a member of a gang, hate group, or terrorist organization, as determined by the employing agency. It is not the intent of this subdivision (8) to interfere with the exercise of rights protected by the Constitution of the United States. As used in this subdivision (8), "hate group" means an organization whose primary purpose is to promote animosity, hostility, and malice against a person or persons, or against the property of a person or persons, because of race, religion, disability, ethnicity, or national origin; and

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 3, is amended by adding the following new section:

Past or present membership in a gang, hate group, or terrorist organization, as determined by an employing agency, is sufficient grounds for termination of a law enforcement officer for lack of good moral character. It is not the intent of this section to interfere with the exercise of rights protected by the Constitution of the United States. As used in this section, "hate group" means an organization whose primary purpose is to promote animosity, hostility, and malice against a person or persons, or against the



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property of a person or persons, because of race, religion, disability, ethnicity, or national origin.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

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AMEND Senate Bill No. 832

House Bill No. 648*

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

SECTION 1. Tennessee Code Annotated, Section 10-7-404, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) In addition to the process in § 10-7-406 and notwithstanding subsection (a) or any other law to the contrary, the county public records commission may authorize the destruction or transfer of the original paper version of permanent records solely in accordance with subsection (d).

(2) If the county public records commission authorizes the destruction of the original paper version of permanent records solely in accordance with subsection (d), the original records must not be destroyed:

(A) For one (1) year, if the record is created after the effective date of this act and before July 1, 2022; and

(B) For six (6) months, if the record is created on or after July 1, 2022, and before July 1, 2023.

SECTION 2. Tennessee Code Annotated, Section 10-7-404, is amended by deleting the second sentence in subdivision (d)(1) and substituting instead the following:

Notwithstanding subdivision (d)(2), an original paper version of a record required by law to be permanently retained must not be destroyed once reproduced in accordance with this subsection (d) without a majority vote of the county public records commission.



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SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 135*

House Bill No. 197

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

SECTION 1. Tennessee Code Annotated, Section 10-7-503(a)(7), is amended by adding the following new subdivision (C):

(i) If a person makes a request to view or copy a public record with the intent to disrupt government operations, the records custodian charged with fulfilling the request may petition a court of record of competent jurisdiction for an order to enjoin the person from making records requests.

(ii) A records custodian shall not petition a court for injunctive relief unless the records custodian has notified the person making the requests in writing stating the specific conduct that may constitute intent to disrupt government operations in violation of this subdivision (a)(7)(C) and the person has continued to engage in such conduct after the notification. The records custodian shall provide such notification after the fifth request by the person made with intent to disrupt government operations.

(iii) After a petition is filed and while the case is pending, the records custodian shall continue to comply with this part, but if the records custodian prevails, the person making the requests shall reimburse the records custodian for the labor costs incurred by the records custodian in producing the records during the pendency of the case.

(iv) A court may, upon finding by clear and convincing evidence that a records request was made with intent to disrupt government operations, enjoin the person who made the request from making a public records request for a period of up to one (1) year; provided, that the person, while subject to the injunction, may petition the same



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court for permission to make a public records request and the court may approve the petition if the petitioner shows that the public records request is not made with intent to disrupt government operations.

(v) A records custodian who petitions a court for an injunction pursuant to this subdivision (a)(7)(C) shall provide a written report to the office of open records counsel that includes a copy of the petition and any injunction or orders issued by the court. The report must be filed no later than three (3) months after the petition is filed. If a final order has not been issued within three (3) months of the petition's filing, the records custodian shall provide the final order to the office of open records counsel as soon as reasonably possible after the final order is issued. The office of open records counsel shall include a summary of the reports received as part of the office's annual report required by § 8-4-603(b) and provide the summary to the advisory committee on open government.

(vi) This subdivision (a)(7)(C) is repealed July 1, 2025.

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

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AMEND Senate Bill No. 1560

House Bill No. 488*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 12-2-403, is amended by adding the following as a new subsection:

(h) Notwithstanding any other law to the contrary, the department of safety may, without payment of financial consideration and following notice to the commissioner of general services, transfer a surplus first responder two-way radio held by the department to the county government of a county that is designated as a distressed county in the most recently published edition of the Appalachian Regional Commission economic classification system index. Surplus first responder two-way radios held by the department that were obtained from the federal government or purchased with federal grant funds must only be transferred in accordance with federal law or regulation regarding such property.

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



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AMEND Senate Bill No. 1183*

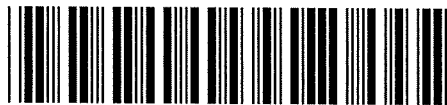
House Bill No. 1578

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, Part 8, is amended by adding the following as a new section:

In addition to the sick leave granted under § 8-50-802, a state employee who is a veteran with a service-connected disability of thirty percent (30%) or more receives thirty-six (36) hours of leave each year that can be used to attend appointments related to the service-connected disability. However, no unused leave remaining at the end of the year may be carried over to the subsequent year.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.



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AMEND Senate Bill No. 1013

House Bill No. 693*

by adding the following as new subsections (c) and (d) in Section 1 and redesignating the existing subsections accordingly:

(c) Upon the committee's recommendation, the general assembly shall consider whether to nullify the federal act, law, order, or regulation. Until the general assembly convenes to consider the recommendation, the federal act, law, order, or regulation in question is not recognized and may not be enforced in this state.

(d) The general assembly may pass a joint resolution to nullify a federal act, law, order, or regulation. If the general assembly passes a joint resolution to nullify a federal act, law, order, or regulation based on constitutionality:

(1) Notwithstanding any other law, this state, a political subdivision of this state, or any other publicly funded organization shall not implement or enforce the federal act, law, order, or regulation; and

(2) This state and the political subdivisions of this state shall not spend public money or resources or incur public debt to implement or enforce the federal act, law, order, or regulation.



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AMEND Senate Bill No. 1387

House Bill No. 1169*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, Part 1, is amended by adding the following as a new section:

An employee of a state or local governmental entity who is also a state elected official may be absent from work to attend official government business in the employee's state-elected capacity for up to eight hundred (800) hours each year when the employee gives the employee's supervisor of the state or local governmental entity at least ten (10) days' written notice prior to the leave. A state or local governmental entity who receives proper notice of an employee's leave pursuant to this section shall not penalize the employee for the absence from work for official government business in the employee's state-elected capacity.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.



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AMEND Senate Bill No. 350*

House Bill No. 506

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 6, is amended by adding the following as a new part:

8-6-501. This part is known and may be cited as the "Defense of Liberty Act."

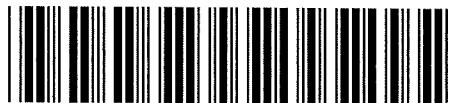
8-6-502.

(a) There is created within the legislative branch of state government the office of the solicitor general. Except as otherwise provided in subsection (b), the solicitor general shall be elected by a joint vote of both houses of the general assembly and shall hold office for a term of four (4) years and until a successor is elected and qualified.

(b) The general assembly shall elect the solicitor general during the first thirty (30) days of the second regular session of the 112th general assembly, and within the first thirty (30) days of the first regular session every even-numbered general assembly thereafter.

(c) The solicitor general may be removed from office upon concurrence of two-thirds (2/3) of the members of the house of representatives and two-thirds (2/3) of the members of the senate.

(d) If a vacancy occurs in the office of solicitor general, a replacement shall be elected by a joint vote of both houses of the general assembly to fill the unexpired term of the solicitor general. If the general assembly is not in session when the vacancy occurs, then an interim solicitor general shall be appointed jointly by the speaker of the



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senate and the speaker of the house of representatives and shall serve until the general assembly reconvenes and elects a solicitor general to fill the unexpired term.

(e) The solicitor general shall:

(1) Be a graduate of an accredited law school and be licensed to practice law in this state;

(2) Have such training or practical experience as may be considered necessary by the general assembly to perform the duties of the office;

(3) Be at least thirty-five (35) years of age; and

(4) Devote full time to the duties of the office and may not engage in the private practice of law.

8-6-503.

(a) Notwithstanding any law to the contrary, upon the initial election of solicitor general as provided in § 8-6-502(b), the attorney general and reporter is relieved of all duties described in subsection (b).

(b) The solicitor general, or assistants acting at the solicitor general's discretion, has the following duties:

(1) To defend the interests of the state in federal court and administrative proceedings when the resolution of the proceedings may negatively impact the state, including proceedings in which the state may not be a party in interest but the outcome of the proceedings could result in a modification of state laws, including but not limited to, application, interpretation, and construction of state laws;

(2) To monitor litigation in all federal courts for the purposes of determining if the state should join or brief any litigation proceeding that could negatively impact the state, and to report on the litigation in the federal courts to the general assembly from time to time;

(3) To defend the constitutionality and validity of all laws of statewide applicability in federal court, except in those instances where the solicitor general is of the opinion that such law is not constitutional, in which event the solicitor general shall so certify to the speaker of each house of the general assembly;

(4) To notify the director of the office of legal services, or the director's designee, and the director of the fiscal review committee of any lawsuit filed in federal court in which the state is a named party and the solicitor general or assistants are representing the state;

(5) To bring suit on behalf of the state, local government units, or local education agencies to recover public funds from entities financed by the funds and the entities' directors or officers when the funds through the improper actions of the directors or officers have been used for unauthorized purposes, misapplied, or misappropriated and such suit can be filed in federal court; and

(6) To file any amicus brief in any federal court in which a proceeding is pending, the outcome of which could impact the state.

8-6-504.

(a) There is created the office of solicitor general, of which the solicitor general shall be the executive head, and who, with assistants, shall constitute such department within the legislative branch of state government. The department shall maintain offices in Nashville, which shall be furnished and provided by the state.

(b) The solicitor general shall receive a salary set by the speaker of the house of representatives and the speaker of the senate, payable in equal monthly installments out of the treasury of the state by warrant of the commissioner of finance and administration upon the treasurer.

(c) The solicitor general shall employ and, within budgetary limitations, fix the salaries of the solicitor general's assistants and other employees. The solicitor general and the solicitor general's assistants and employees shall be reimbursed for official

travel expenses in accordance with the official executive policies governing travel at state expense.

8-6-505.

All testimony, books, documents, or other writings, records, or tangible objects obtained by the solicitor general pursuant to this part shall be confidential and shall not be publicly divulged by the office of the solicitor general except in the discharge of the duties of the office or in federal legal proceedings in which the state is a party.

SECTION 2. Tennessee Code Annotated, Section 3-7-109, is amended by deleting the language "attorney general and reporter" wherever it appears and substituting instead the language "attorney general and reporter or the solicitor general".

SECTION 3. Tennessee Code Annotated, Section 3-12-108, is amended by deleting the language "attorney general and reporter" wherever it appears and substituting instead the language "attorney general and reporter or the solicitor general".

SECTION 4. Tennessee Code Annotated, Section 8-6-109(b)(1), is amended by deleting the language "civil litigated matters and administrative proceedings" and substituting instead the language "civil litigated matters in state courts and administrative proceedings in the state".

SECTION 5. Tennessee Code Annotated, Section 8-6-110, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 8-6-301, is amended by adding the following new subsection:

(d) This section shall only apply in state proceedings.

SECTION 7. For purposes of making necessary arrangements for the transfer of the attorney general and report's duties in federal courts to the solicitor general, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 4, 2022, the public welfare requiring it.