

This publication contains summaries of acts passed by the General Assembly in 2013 that may be of interest to county governments. These summaries are intended for information only and should not be relied upon for implementation purposes. The full text of all acts summarized in this publication can be viewed on the Secretary of State's website:
<http://www.tennessee.gov/sos/acts/index.htm>

INDEX OF ACTS RELATED TO COUNTY GOVERNMENT

2014 EDITION

**COUNTY TECHNICAL ASSISTANCE SERVICE
...a service of The University of Tennessee**

**Prepared by
CTAS Legal Staff**

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PART I - PUBLIC ACTS OF GENERAL APPLICATION

ALCOHOLIC BEVERAGES

Public Chapter 506
SB 1648 - HB 1756

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(20)(F) to delete the tennis court requirement at Blackberry Farm for purposes of qualifying for a license for consumption of alcoholic beverages on the premises.

Effective March 6, 2014.

Public Chapter 554
SB 837 - HB 610

Wine in Grocery Stores

Amends Title 57, Chapter 3, by adding a new part 8. Authorizes the sale of wine in retail food stores in any jurisdiction pursuant to a referendum in the manner prescribed by 57-3-106; provided, that a jurisdiction must have passed a referendum authorizing retail package stores or passed a referendum authorizing the sale of alcoholic beverages for consumption on the premises prior to holding a referendum authorized under this new part.

As a condition precedent to the issuance of a license, every applicant must submit with the application to the commission a certificate signed by the county executive or chair of the county commission in which the licensed premises are to be located if outside the corporate limits of a municipality or, if within a municipality, from the mayor or a majority of the commission, city council, or legislative body of the municipality, or if the municipality has no mayor, from the highest executive of the municipality. The issuance of a certificate cannot be conditioned on the residency of the applicant, including requiring the applicant to live within the county or municipality, or additional conditions not required by this part. The certificate must state: (1) that the applicant(s) who are to be in actual charge of the business have not been convicted of a felony within a ten-year period immediately preceding the date of application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and (2) that the applicant(s) have secured a location for the business which complies with all zoning law adopted by the local jurisdiction as to the location of the business.

An applicant may seek review of the denial of a certificate by instituting an action in the chancery court having jurisdiction over the municipality or county within 60 days of the denial.

A failure on the part of the issuing authority to grant or deny the

certificate within 60 days of the written application for such shall be deemed a granting of the certificate. The requirement to submit a certificate does not apply if: (1) the authority of the county or municipality charged with issuing the certificate fails to grant or deny the certificate within 60 days after written application for the certificate is filed; or (2) the applicant submits a final order of a court holding that denial of the certificate was unreasonable.

Effective March 20, 2014.

Public Chapter 554

SB 837 – HB 610

Beer Sales in Liquor Stores

Authorizes the sale of wine in retail food stores. Also amends 57-3-404(e) to provide that, effective July 1, 2014, a retail liquor store owner licensed under 57-3-204 is permitted to sell beer and other malt beverages without obtaining a beer permit from the county or city, and these beer sales will be regulated by the ABC.

Effective March 20, 2014.

Public Chapter 643

SB 1687 - HB 1476

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26). Authorizes the Twin Cove Marina on Norris Lake in Campbell County to be issued a license as a premier type tourist resort. Authorizes the McCloud Mountain Lodge in LaFollette to be issued a license as a premier type tourist resort. Authorizes the Holiday Landing Marina in Tullahoma to be issued a license as a premier type tourist resort. Authorizes the Norris Landing Marina in Claiborne County to be issued a license as a premier type tourist resort.

Effective April 8, 2014.

Public Chapter 661

SB 2486 - HB 2405

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(33)(C) and (38). Expands the definition of "sports authority facility" to include minor, as well as major, baseball leagues for the purposes of on-premises consumption. Also, expands the definition of "urban park center" for the purposes of on-premises consumption.

Effective April 10, 2014.

Public Chapter 754

SB 2489 – HB 2339

Beer Permits

Amends 57-5-103 to provide that beer permits are to be issued to the business owner or other entity responsible for the premises for which the permit is sought, which can be a governmental entity if the governing body has authorized such sales of beer.

Effective April 22, 2014.

Public Chapter 843

SB 2314 - HB 2143

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) . Authorizes the sale of alcoholic beverages for on-premises consumption at a facility in Loudon County on Tellico Lake that has a marina and championship golf course. Authorizes the sale of alcoholic beverages for on-premises consumption at the Cedar Bluff Racquet Club in Knoxville.

Effective April 29, 2014.

Public Chapter 861

SB 289 – HB 47

High Alcohol Beer

Amends 57-5-101 to change the definition of beer from beverages having an alcoholic content of not more than 5% alcohol by weight to beverages having an alcoholic content of not more than 8%. . Amends 57-3-101 to change the definition of high alcohol beer to more than 8% but not more than 20% alcohol by weight. Changes definitions throughout the liquor laws to exclude beverages with alcohol content of 8% by weight or less. Makes changes throughout the beer laws to include the new definition of beer. Amends 57-5-101(c)(1)(A) to authorize microbreweries/brew pubs to sell high alcohol beer in addition to beer. Amends 57-5-502(11) relative to beer wholesaler-supplier relations, to define wholesaler as one who sells beer with alcohol content of 5% or less to retailers, and amends 57-5-502(1) to change the definition of agreement in the same manner. Amends 57-5-301 to levy a tax of \$100 per year on each brand of beer with an alcohol content greater than 5% or each brand of high alcohol content beer sold in this state. Amends 57-5-512 to provide that agreements between wholesalers and suppliers of beer with alcohol content greater than 5% will be governed by 47-25-1501 *et seq.* Amends 57-4-201 to authorize ABC-licensed manufacturers of high alcohol beer to sell high alcohol beer manufactured on the premises for consumption on the premises without obtaining an additional license, but must advise the ABC of such sales and be subject to the conditions in 57-4-203, except these manufacturers may sell for off premises consumption pursuant to 57-3-202.

Effective January 1, 2017 for new definition of beer and high alcohol beer. Effective July 1, 2014 for authorizing microbreweries to sell high alcohol beer. Effective May 1, 2014 for all other purposes.

Public Chapter 875

SB 1884 - HB 1755

Manufacturing of Intoxicating Liquors

Amends 57-2-103(d)(1) to allow manufacturing of intoxicating liquors in any county with at least three premier type tourist resort

licensees, if the county was included in the provision authorizing the manufacture of intoxicating liquors and drinks within certain counties and municipalities as such law read prior to being amended in 2013.

Effective May 1, 2014.

Public Chapter 907
SB 1810 - HB 1745

Consumption of Alcoholic Beverages on Premises

Amends 57-4-102(26) . Authorizes the sale of alcoholic beverages for on-premises consumption at a recreational facility with a semi-private golf course in Cocke County. Authorizes the sale of alcoholic beverages for on-premises consumption at a commercially owned marina, resort and recreational facility located in Campbell County. Authorizes the sale of alcoholic beverages for on-premises consumption at Shanghai Marina on Norris Lake in Campbell County. Amends 57-4-101. Authorizes the Buffalo River Resort in Perry County to sell beer to its patrons or guests, for either on premise or off premise consumption provided the resort obtains a beer permit.

Effective May 13, 2014.

Public Chapter 915
SB 2482 - HB 2406

Consumption of Alcoholic Beverages on Premises

Amends 57-4-201, 203 and 301. Revises various provisions relating to restaurants and limited service restaurants and the sale of alcoholic beverages.

Effective May 13, 2014.

Public Chapter 1001
SB 2265 - HB 2240

Consumption of Alcoholic Beverages on Premises

Amends Title 57, Chapter 4. Revises various provisions of current law concerning consumption of alcoholic beverages on premises. Amends 57-3-202 to provide that establishments licensed to sell alcoholic beverages for on-premises consumption may, without a manufacturer's license, produce, store and sell infused products pursuant to 57-4-108. Enacts 57-4-108. Amends 57-4-102(26) to authorize the sale of alcoholic beverages for on-premises consumption at RJ's Pit Stop located on the corner of Greenhill Road and Hwy 25-70 within one mile of I-40 at Exit 415 in Jefferson County.

Effective May 22, 2014.

Public Chapter 1015
SB 2415 - HB 2027

Alcoholic Beverage Festivals

Amends 57-3-202 to authorize nonprofit associations organized to encourage and support the manufacture of alcoholic beverages

with three or more manufacturers or non-manufacturer non-resident sellers as members to hold not more than 15 alcoholic beverage festivals per calendar year. Each festival may not exceed a period of 72 hours. Such nonprofit association is authorized to conduct an alcoholic beverage festival in a municipality or county that has approved the sale of alcoholic beverages or has a licensed manufacturer located in that municipality or county, subject to complying with all permit requirements, and in all other municipalities or counties upon receiving approval of the legislative body of the municipality or county to hold the festival at a location and in the manner authorized by the legislative body.

Effective May 24, 2014.

COUNTY CLERKS

Public Chapter 553
SB2402 – HB 2296

Titling and Registration Reporting

Amends 55-6-105 to require county clerks to remit and report by the 10th of each month all money collected by the clerk on behalf of the department for titling and registrations during the preceding calendar month. Monthly reports include a copy of certificates of registration issued by the clerk and other information required by the commissioner; deletes requirement that these be sent within 5 days. Applications for vehicles to be registered by the department must be forwarded in a timely manner to the department.

Effective March 17, 2014.

Public Chapter 586
SB 1638 – HB 1434

Issuance of Driver Licenses

Amends 55-50-331(a) to provide that if the department contracts with an entity other than a county clerk for issuance of driver licenses, those entities can charge and retain the \$4 fee for administrative costs.

Effective July 1, 2014.

Public Chapter 637
SB 2539 – HB 2132

Birth Certificates

Amends 68-3-206 to extend statewide the pilot program for issuance of certified copies of birth certificates by county clerks and remove the expiration date, so that all county clerks have the option of issuing certified copies of birth certificates.

Effective April 4, 2014.

Public Chapter 649
SB 1845 – HB 1753

Motor Vehicle Temporary Liens

Amends 55-3-126 to provide for the filing of an application for

motor vehicle temporary lien with the secretary of state when a manufacturer's statement or origin or existing certificate of title on a motor vehicle is unavailable, to provide constructive notice of the lien. Provides for information to be contained in the application, with secretary of state to provide forms. Provides for correction of errors on application by filing "articles of correction" using a form provided by secretary of state and payment of a \$10 fee.

Effective April 8, 2014, for promulgation of rules and administrative preparation, and November 1, 2014 for all other purposes.

Public Chapter 718
SB 2074 – HB 2309

Titling and Registration

Amends various statutes in Title 55 to authorize the commissioner of revenue to delegate titling and registration functions and duties to county clerks (not including wrecked, damaged, dismantled or rebuilt motor vehicles) with the county clerk having the option to accept the delegation. The delegation must be in written form acceptable to the commissioner. Provides for payment of monthly and transactional fees to the clerk, and earmarks certain fees for office supplies and equipment required to perform titling and registration services. Earmarks certain revenues for the operation, maintenance, modernization, improvement, enhancement, or replacement of the titling and registration system. Certain funds do not revert to the general fund if unexpended. Authorizes the commissioner to establish a reasonable transactional-based payment to compensate the county clerks for the acquisition, maintenance, modernization, enhancement, or replacement of software or equipment and related necessary supplies used in the operation of the titling and registration system.

Effective April 16, 2014.

Public Chapter 720
SB 2098 – HB 2205

Disabled Veteran Decals

Amends 55-21-102 and enacts 55-21-___ to provide for issuance of free disabled veteran decals to affix to license plates.

Effective April 16, 2014.

Public Chapter 747
SB 2270 – HB 2274

Marriage

Amends 36-3-301 to authorize former county clerks who were in office on or after July 1, 2014, to perform marriage ceremonies.

Effective July 1, 2014.

Public Chapter 805

Notary Public Fees

SB 2341 – HB 2387

Repeals specific notary fees in 8-21-1201 and provides instead that notaries may charge reasonable fees for their services. Provides that notaries are approved rather than commissioned by the governor, and that notaries are not appointed by the governor.

Effective October 1, 2014.

Public Chapter 869
SB 1718 – HB 1560

Special License Plate Gift Vouchers

Amends 55-4-203 to authorize the department of revenue to establish a program for the sale of nonrefundable gift vouchers, gift cards, incentives, rebates, debit cards, and other forms of electronic payment for special license plate fees.

Effective July 1, 2014.

Public Chapter 871
SB 1781 – HB 1648

Medium Speed Vehicles

Amends Title 55, Chapter 4, Part 1, to authorize certain medium-speed vehicles without a windshield to be registered as medium-speed vehicles and driven on the highway.

Effective July 1, 2014.

Public Chapter 886
SB 2269 – HB 2279

Notice of Liens on Motor Vehicles

Amends Title 66, Chapter 19, to require the inclusion of the VIN in the advertisement of mechanics, garagekeepers, and campground liens on vehicles, if applicable and ascertainable.

Effective July 1, 2014.

Public Chapter 941
SB 1457 – HB 1486

Special License Plates

Creates new special license plates for: Chambliss Center for Children, McCallie School, National Wild Turkey Federation, Tennessee Vietnam Veterans, Inc., Memphis Grizzlies, Lung Cancer Alliance, Historic Gallatin. Grants additional time to meet minimum issuance requirement to: I RECYCLE, Juvenile Diabetes Research Foundation, Niswonger Children’s Hospital, Tennessee Federation of Garden Clubs, Native American Indian Association, and Tennessee Tech University. Reclassifies Tennessee Walking Horse plate to new specialty earmarked plate instead of cultural plate. Revises provisions governing honorably discharged veteran registration plates.

Effective May 19, 2014.

Public Chapter 958
SB 1826 – HB 1699

18-Month Registrations

Amends 55-4-104 to permit issuance of registrations valid for 18

months for businesses that register at least 15,000 vehicles annually and are engaged in the rental of vehicles for periods of 31 days or less.

Effective May 19, 2014, and applies to registrations or renewals on or after January 1, 2015.

Public Chapter 966
SB 1913 – HB 1736

Military Plates

Amends 55-4-231 to provide that (1) Air Medal (Meritorious or Valor) plates issued prior to May 13, 2013, are free of charge; (2) Air Medal (Meritorious) plates initially issued on or after May 13, 2013, are military cultural plates subject to the regular registration fee for plates under 55-4-111 and the fee provided for in 55-4-203(c)(1); (3) Air Medal (Valor) plates initially issued on or after May 13, 2013 but before May 19, 2014, are memorial plates on their first renewal and are free of charge; (4) Air Medal (Valor) plates initially issued on or after May 19, 2014, are memorial plates and are free of charge. Any Silver Star or Bronze Star (Valor) plates issued prior to May 19, 2014, are to be considered memorial plates upon their first renewal and will be free of charge. Amends 55-4-202(c)(4) and 55-4-203(b) to add Air Medal (Valor), Bronze Star (Valor), and Silver Star recipients to the list of memorial plates issued free of charge. Amends 55-4-202(c)(5)(E) and 55-4-203(c)(1) to designate Air Medal (Meritorious) and Bronze Star (Meritorious) recipients as being eligible for military cultural plates subject to the regular registration fee for plates under 55-4-111 and the fee provided for in 55-4-203(c)(1). Amends 55-4-236 to add the Silver Star, Bronze Star (Valor), and Air Medal (Valor) to the same category of plates as the Distinguished Service Cross, Distinguished Flying Cross, Navy Cross, and Air Force Cross, with a limit of one free plate and one additional plate upon payment of the regular registration fee and $\frac{1}{2}$ the fee in 55-4-203(c)(1), and additional plates for full fees. On and after May 19, 2014, no Legion of Valor plates will be issued to persons entitled to memorial or military cultural plates; provides for design of these plates. Amends 55-4-231 to describe the plates for Bronze Star (Meritorious) and Air Medal (Meritorious) recipients subject to the regular registration fees and the fee in 55-4-203(c)(1), and to provide for the design of these plates. Amends 55-4-233, 55-4-235, 55-4-237, and 55-4-239 to limit free plates to one for recipients of the Congressional Medal of Honor, former prisoners of war, disabled veterans, and disabled veterans electing to receive Purple Heart plates, with one additional plate upon payment of the regular registration fee and $\frac{1}{2}$ the fee in 55-4-203(c)(1), and additional plates for full fees. Amends 55-4-239 to reduce the number of free plates from two to one for surviving

spouses. Free plates issued to surviving spouses prior to May 19, 2014, will continue to be renewed free of charge. Repeals 55-4-318, and references in 55-4-202(c)(5)(E), 55-4-203(c)(1)(F), and 55-4-278(b), relative to plates for handicapped veterans. Enacts 55-4-___ to provide for decals for plates issued to surviving spouses of former prisoners of war; holders of the Purple Heart; enemy evadees; active, retired, and honorably discharged military and reserve members; and honorably discharged veterans.

Department of revenue will charge a one-time fee for the issuance of the decal, except that decals for surviving spouse of former POW, or surviving spouse with a free Purple Heart plate issued before May 19, 2014, will be free. Provides that anyone issued a Handicapped Veteran, Legion of Valor, Silver Star, Bronze Star, Distinguished Flying Cross, or Air Medal plate before May 19, 2014, may retain the plate upon compliance with all registration and licensing laws. Memorial plates issued free of charge prior to May 19, 2014, under the following sections as they existed prior to that date, shall be free of charge: 55-4-235 for former prisoners of war; 55-4-233 or 55-4-236 for recipients of the Congressional Medal of Honor; 55-4-236 for recipients of the Distinguished Service Cross, the Distinguished Flying Cross, the Navy Cross, or the Air Force Cross; 55-4-237 for disabled veterans, including those disabled veterans who choose to receive the Purple Heart plate pursuant to Section 55-4-237(d), or 55-4-239 for holders of the Purple Heart plate or surviving spouses of deceased holders of the Purple Heart plate. Such persons shall be entitled to retain the plates for vehicular use upon compliance with all motor vehicle laws relating to registration and licensing of motor vehicles. Handicapped Veteran plates issued before May 19, 2014, cannot be transferred or reassigned to another vehicle.

Effective May 19, 2014.

Public Chapter 1005
SB 2319 – HB 2312

Fee for Mailing Plates and Decals

Amends 55-4-105 to increase the county clerk's fee from \$2 to \$3 for mailing motor vehicle license plates and decals.

Effective July 1, 2014.

COUNTY GOVERNMENT

Public Chapter 556
SB 300 – HB 394

Community Gardening

Repeals and reenacts the Tennessee Community Gardening Act, 43-24-101 *et seq.* Repeals former provisions requiring permits from commissioner of agriculture, and instead authorizes local governments to establish programs for the use of vacant local

government land for community gardening. Local regulations may include, among other things: (1) permit requirement with reasonable permit fee, (2) requirement for reasonable deposit or other security to ensure clean-up after harvest, (3) requirement for liability insurance and acceptance of liability, (4) indemnity agreement for use of vacant land. Local governments may cooperate with county agricultural extension agent to identify appropriate vacant public land for community gardening. Private landowners may make property available to local government for community gardening on terms and conditions agreed on between the local government and the owner. Local governments may expend funds and provide materials and equipment to assist in development of community gardens either on vacant public land or on private property. First priority is to be given to “grand-mentoring” (collaborative projects between persons 60 and older and students in K-12) and second priority to persons 60 and older and persons whose gross income is equal to or less than federal poverty guidelines. Community gardens on private property operated without local government intervention are not subject to permitting and other requirements. Enacts 49-6-10__ to require the state board of education to develop a program to promote participation in community gardening in K-12. Amends 67-5-2509 to authorize cities and counties to convey real property suitable for community gardening purchased at delinquent tax sales to private nonprofit entities that are tax exempt under § 501(c)(3) and qualified to operate a community garden in the judgment of the city or county; the property must revert to the city or county if the entity ceases to operate a community garden on the property. Amends 67-6-301 to exempt from sales tax the proceeds from sales of products of community gardens.

Effective March 21, 2014.

Public Chapter 568
SB 1894 – HB 1796

Definition of Livestock

Amends 1-3-105 to add livestock to the list of definitions. Enacts 43-1-114 to define livestock and state that the definition is to be used throughout the code unless a different definition is specifically used. Amends various others sections of the code to refer to the definition of livestock used in 43-1-114.

Effective March 21, 2014.

Public Chapter 576
SB 2513 – HB 2463

Oaths of Office

Amends 3-1-105 to authorize members of the general assembly to administer the official oath of office for any local public official of any municipality or county.

Effective March 28, 2014.

Public Chapter 634
SB 2259 – HB 1801

Public Building Authorities

Amends 12-10-109 and 55-21-105 to authorize public building authorities to charge parking fees.

Effective April 4, 2014.

Public Chapter 635
SB 2320 - HB 1468

Real Property Owned by a County

Enacts 5-7-119. Notwithstanding any rule, regulation or other law to the contrary, provides that any county, upon two-thirds (2/3) vote of the county legislative body, may dispose of real property at a nominal cost by private negotiation and sale to a nonprofit corporation, incorporated under the laws of this state, that has received a determination of exemption from the Internal Revenue Service pursuant to 26 U.S.C. § 501 (c)(3), and whose purpose includes providing educational and vocational training services to children and adults with disabilities.

Effective April 4, 2014.

Public Chapter 679
SB 2282 – HB 2163

Enforcement of Building Codes

Amends 68-120-101 to create a new subsection which requires state and local government officials to disregard the words "or fuel-fired appliances" in exception 2 of R501.3 of the 2012 International Residential Code, published by the International Code Council, Inc., in determining the applicability of R501.3 to any residential construction prior to January 1, 2016.

Effective April 14, 2014.

Public Chapter 698
SB 1906 – HB 1754

Airport Authorities

Amends 42-3-111 to provide that the requirements of 9-21-304 do not apply to the issuance of revenue bonds by airport authorities. Ratifies revenue bonds issued without complying with 9-21-304.

Effective April 15, 2014.

Public Chapter 707
SB 2464 – HB 2371

Annexation Moratorium

Amends 6-51-122 to extend the moratorium on annexation by ordinance through May 15, 2015. Provides that no annexation by ordinance or resolution may be effective except under certain circumstances, such as consent of the property owner. Extends the deadline for the TACIR study to February 15, 2015. Amends 6-51-102 to prohibit annexation by ordinance after May 15, 2015.

Amends 6-51-104 to prohibit annexation by resolution of agricultural property. Provides that agricultural property may only be annexed with the written consent of the property owners. Authorizes metro counties to expand their urban services districts using any method authorized by their charter or general annexation law in effect at the time the charter or amendment was approved. Authorizes municipalities to expand their urban growth boundaries to annex tracts of land without reconvening the coordinating committee or getting approval from the county or another municipality under certain circumstances.

Sections 2, 3 and 4 effective May 16, 2015. All other sections effective April 15, 2014.

Public Chapter 851
SB 959 – HB 1199

Eminent Domain

Enacts a new section at Title 29, Chapter 17, Part 10 to provide that if a condemning entity determines that property taken by eminent domain is not used for the purpose for which it was condemned, or for some other authorized public use, or if the condemning entity decides to sell the property within 10 years of taking the property, then the condemning entity must first offer the property for sale to the persons from which the property was taken. Such persons may purchase the property for not less than fair market value plus costs and have 30 days to sign a purchase agreement for the property. If the former owner does not purchase the property within the 30 days, then the property may be sold in any commercially reasonable manner for not less than fair market value plus costs.

Effective July 1, 2014.

Public Chapter 859
SB 1872 - HB 1783

Nursing Home Assessment Trust Fund

Enacts a new Part 28 in Title 71, Chapter 5. Establishes an assessment fee on nursing home beds and creates a nursing home assessment trust fund. Provides that licensed facilities that are owned or operated by an agency of this state are not excluded from paying the assessment fee.

Amends 71-5-1412 relative to managed care organizations contracting with nursing facilities.

Effective July 1, 2014.

Public Chapter 864
SB 997 – HB 343

Public Benefit Hospital Conveyance Transactions

Amends 48-68-202(3) to change the definition of “public benefit hospital conveyance transaction” to exclude transfers to another

public benefit hospital entity that controls, is controlled by, or is under common control with the public benefit hospital corporation, and further amends the definition to clarify that it includes transfers of public benefit hospitals made by the public benefit hospital entity itself or by an entity that controls, is controlled by, or is under common control with the public benefit hospital entity.

Effective May 1, 2014.

Public Chapter 865
SB 1634 – HB 1430

Community Safety Act

Enacts the Community Safety Act by amending various sections in Title 29, Chapter 3, Part 1 relating to the abatement of gang conduct through nuisance actions.

Effective July 1, 2014.

Public Chapter 927
SB 2028 – HB 1830

Eminent Domain

Creates a new Part 2 in Title 29, Chapter 16. Transfers numerous sections in Part 1 to the newly created Part 2. Revises various code citations to conform to the new sections in Part 2.

Effective May 16, 2014.

Public Chapter 944
SB 1497 – HB 2230

Post-Mortem Examination

Amends 38-7-110(e) and 38-7-117. Makes changes to the Post-Mortem Examination Act with regard to obtaining records during the course of an investigation.

Effective May 19, 2014.

Public Chapter 955
SB 1790 – HB 1665

Four Lake Regional Authority

Amends 67-9-102(b)(3)(D) relative to distribution of TVA revenues to Four Lake Regional Industrial Development Authority to extend to 2017-18 the provision for a minimum of 10% of impact funds to be allocated to Four Lake.

Effective May 19, 2014.

COURTS & COURT CLERKS

Public Chapter 504
SB 1803 - HB 1692

Offense of Retaliation against Deputy Clerk

Amends 39-16-510(a)(1) to add employees of court clerks to the statute that makes it a Class E felony to retaliate against certain officials for action taken by such persons in their official capacity.

Effective July 1, 2014.

Public Chapter 531
SB 1434 - HB 1370

Issuance of Arrest Warrant or Criminal Summons

Amends 40-6-205 and 40-6-215 to revise the factors used in determining whether to issue an arrest warrant or a criminal summons.

Effective July 1, 2014.

Public Chapter 557
SB 1372 - HB 1243

Mechanics' and Materialmen's Liens

Amends 66-11-126 to revise several provisions relative to the enforcement of mechanics' and materialmen's liens. Provides that liens shall be served upon the persons whose interests the prime contractor or the remote contractor seeks to attach and sell under process, with the owners being given notice only of the filing of such warrant and writ of attachment. Provides that when a bond has been provided with the lien being enforced by an action on the bond, the action shall be served upon the principal of the bond.

Effective July 1, 2014 (applicable to any lien based on work or labor that is performed on or after such date).

Public Chapter 562
SB 1689 – HB 1522

Jurisdiction to Order Destruction of Dogs

Amends 44-17-120 to transfer jurisdiction for issuing orders to destroy dogs that attack humans from circuit court to general sessions court.

Effective July 1, 2014.

Public Chapter 567
SB 1962 - HB 1759

Pretrial Diversion – Sentencing -- Deferral

Amends 40-15-105(a)(2) to provide that for any memorandum entered into on or after July 1, 2014, the defendant use a transdermal monitoring device or other alternative monitoring device if, in the opinion of the district attorney general, the defendant's use of alcohol or drugs was a contributing factor in the defendant's unlawful conduct. Amends 40-35-303(d) to add as a possible condition of supervised probation that the offender use a transdermal monitoring device or other alternative monitoring device if the court determines that the defendant's use of alcohol or drugs was a contributing factor in the defendant's unlawful conduct and the defendant is granted probation on or after July 1, 2014. Amends 40-35-313(a)(1)(B) to provide that "reasonable conditions" includes, but is not limited to, the use of a transdermal monitoring device or other alternative monitoring device for all qualified defendants granted deferral pursuant to this section on or after July 1, 2014, if the court determines that the defendant's use

of alcohol or drugs was a contributing factor in the defendant's unlawful conduct.

Effective July 1, 2014.

Public Chapter 587
SB 1643 - HB 1438

Restricted Licenses and Interlock Devices

Amends 55-10-409, 55-10-417 and 55-50-502 relative to the issuance of restricted licenses for those arrested for DUI. The restricted license may only allow the person arrested to operate a motor vehicle for the purpose of going to and from, and working at, the person's regular place of employment, or to operate only a motor vehicle that is equipped with a functioning ignition interlock device, during the period of time between arrest and conviction, dismissal or acquittal. Provides that a resident of this state, whose operator's license has been suspended because of a DUI arrest in another jurisdiction may apply for a restricted motor vehicle operator's license during the period of time between arrest and conviction, dismissal or acquittal. Removes exception that allowed a person who has been ordered to only operate a motor vehicle equipped with a functioning ignition interlock device to operate a company vehicle in the scope of employment without such device.

Effective July 1, 2014 (applicable to offenses committed on or after such date).

Public Chapter 596
SB 1953 - HB 1686

Civil Judgments Based on Criminal Conduct

Amends 28-3-110 to provide that there is no statute of limitations applicable to a civil judgment if that judgment is for the injury or death of a person that resulted from the judgment debtor's criminal conduct and the judgment debtor is convicted of a criminal offense for the conduct that resulted in the injury (or the civil judgment is originally an order of restitution converted to a civil judgment). Prior to entry of the judgment, the judge shall make a determination on the record that the plaintiff's injury or death was the result of the defendant's criminal conduct and that the defendant's conduct resulted in a criminal conviction. When entering such a civil judgment on or after July 1, 2014, both the trial judge and clerk shall sign and note the existence of the conviction on the judgment document, and the clerk shall also make appropriate docket notations. Such signatures and notations shall be sufficient evidence that the judgment is valid until paid in full or otherwise discharged as authorized by law. Provides that if a person was awarded a judgment meeting the above criteria but the judgment was entered prior to July 1, 2014, and is still valid as of the date it is presented to the clerk, the statute of limitations on such judgment shall be tolled if the person: (1) obtains a certified

copy of the defendant's judgment of conviction from the clerk of the court in which the conviction occurred showing that the conviction meets the above criteria; (2) obtains a certified copy of the person's civil judgment that was based on the defendant's criminal conduct; and (3) completes, under penalty of perjury, an affidavit, in substantially the form set out in subsection (d) of 28-3-110. The clerk must ensure that the documents presented are those required. If they are the correct documents, the clerk shall record the documents and from the date of recordation, the statute of limitations of the person's civil judgment shall be tolled. Amends 40-35-304 to provide that a civil judgment entered pursuant to unpaid restitution shall remain in effect from the date of entry until it is paid in full or is otherwise discharged and shall be enforceable by the victim or the victim's beneficiary in the same manner and to the same extent as other civil judgments are enforceable.

Effective July 1, 2014 (applicable to civil judgments entered after such date and to such judgments entered before such date if the judgment is still valid and the person follows the procedure set forth in the act).

Public Chapter 617
SB 1488 - HB 1851

Child Custody and Parental Rights

Amends Title 36, Chapters 4 and 6. Revises numerous provisions relative to increasing parental rights when the child is in the other parent's custody. Revises factors considered for custody, relocation and residential scheduling.

Effective July 1, 2014.

Public Chapter 663
SB 1955 - HB 1520

Firearm Training

Amends 39-17-1306 to remove POST training requirements for judges who wish to carry firearms in court. Provides that the judge must keep the handgun concealed at all times when in discharge of his duties.

Effective April 14, 2014.

Public Chapter 671
SB 2379 - HB 1742

Expungement of Multiple Offenses

Amends 40-32-101(g) to provide that a person who was convicted of more than one of the offenses listed in 40-32-101(g)(1) shall still be eligible for an expungement of their records if the conduct upon which each conviction is based occurred contemporaneously, at the same location, represented a single continuous criminal episode with a single criminal intent and all such convictions are eligible for expunction. Provides that the offenses of a person who is an eligible petitioner under 40-32-101(g)(1)(D) shall be

considered a single offense for the purposes of 40-32-101 so that the person is eligible for expunction consideration if all other requirements are met. Provides that any moving or non-moving traffic offense shall not be considered a criminal offense for the purposes of 40-32-101(g)(2)(A). Increases fine amount for eligibility for expungement for certain marijuana convictions.

Effective July 1, 2014 (applicable to petitions for expungement per 40-32-101(g) filed prior to or after such date).

Public Chapter 673
SB 1930 - HB 1809

Criminal Cases

Amends 16-1-117(a)(1) to provide that each criminal case shall be assigned a unique docket number. A criminal case shall be defined and reported as a single charge or set of charges arising out of a single incident concerning a single defendant in one court proceeding. An incident shall be all criminal activity occurring on the same date. A court proceeding refers to a single level of court, such as general sessions or circuit. An appeal, probation revocation, or other post-judgment proceeding shall be considered a separate case. Provides that this definition shall not alter the practice in the Tennessee rules of criminal procedure dealing with joinder and severance of criminal cases. In courts of record, multiple incidents shall be counted as a single case when the charges are of a related nature and it is the district attorney general's intention that all of the charges be handled in the same court proceeding pursuant to a single indictment. If a case has more than one charge or count, then the administrative office of the courts shall count the case according to the highest class of charge or count for the weighted caseload study based on the formula set out in 16-2-513(a). Provides that nothing in this act shall operate to deprive court clerks of any fees to which they were entitled prior to the effective date of the act.

Effective July 1, 2014.

Public Chapter 693
SB 1794 - HB 2337

Sentencing – Domestic Assault

Amends 39-13-111. Extends the minimum sentences for repeat domestic assault offenders. A person convicted of a violation under this section shall be required to serve at least the minimum sentence day for day. All persons sentenced under this section shall, in addition to service of at least the minimum sentence, be required to serve the difference between the time actually served and the maximum sentence on supervised probation.

Effective July 1, 2014.

Public Chapter 724
SB 1715 - HB 1523

Reporting Felony Convictions

Amends 40-20-113 to provide that the clerks of the criminal and circuit courts shall notify the county election commission of each person convicted of an infamous crime on a form to be furnished by the state coordinator of elections pursuant to 2-11-202.

Effective May 16, 2014.

Public Chapter 732
SB 1312 - HB 1257

Methamphetamine Registry

Amends 39-17-436 to change the name of the methamphetamine registry to the drug offender registry. In addition to meth offenders, requires that all felony drug offenders be placed on the registry. Extends the amount of time that drug offenders will be placed on the registry from seven to 10 years. NOTE: The court clerks shall forward a copy of the judgment and date of birth of all persons who are convicted of a violation of such offenses to the TBI within forty-five (45) days of the date of judgment.

Effective July 1, 2014.

Public Chapter 737
SB 1673 - HB 1401

Collection of Delinquent Fines, Costs and Taxes

Amends 40-24-105 and 20-12-144 relative to the collection of delinquent fines, costs and litigation taxes in criminal and civil cases. Provides that on or after January 1, 2015, if fines, costs, or litigation taxes have been in default for at least six months and an agent is used to collect, the agent's collection fee shall be added to the total amount owed. The agent's collection fee shall not exceed 40% of any amounts actually collected. Provides that any changes to a court clerk's computer system or software necessitated by the use of a collection agent under the act shall be paid for by funds collected by the clerk for computer related expenses pursuant to 8-21-401(j) to the extent such funds are available. No state funds shall be allocated to make any changes to a court clerk's computer system or software necessitated by the act.

Effective April 22, 2014 (additional fee if a collection agent is used applicable to all amounts that have been owed for at least six months on January 1, 2015, or become owed for at least six months after January 1, 2015, whether the case was adjudicated prior to, or on or after, the effective date of the act).

Public Chapter 750
SB 2350 - HB 2368

Electronic Traffic Citations

Amends 55-10-207 to provide for the issuance of electronic traffic citations. Provides that replicas of traffic citation data sent by electronic transmission shall be sent within three days of the issuance of the citation to the court having jurisdiction over the

alleged offense. Provides that any person issued a traffic citation prepared by a law enforcement officer electronically shall be provided with a paper copy of the traffic citation. A law enforcement officer who files a citation electronically shall be considered to have certified the citation and has the same rights, responsibilities, and liabilities as other citations issued pursuant to 55-10-207. Provides that the local legislative body of any county or municipality may, by majority vote, adopt a resolution or ordinance to authorize a county or municipal court clerk to charge and collect an electronic traffic citation fee of \$5.00 for each traffic citation resulting in a conviction. Such fee shall be assessable as court costs and paid by the defendant for any offense cited in a traffic citation that results in a plea of guilty or nolo contendere, or a judgment of guilty. This fee shall be in addition to all other fees, taxes and charges. The court clerk retains \$1.00 of the fee and transmits the remaining \$4.00 monthly to the law enforcement agency that prepared the traffic citation. All funds derived from the electronic traffic citation fee that are transmitted to the law enforcement agency that prepared the traffic citation must be accounted for in a special revenue fund of such law enforcement agency and may only be used for: (1) electronic citation system and program related expenditures; and (2) related expenditures by such local law enforcement agency for technology, equipment, repairs, replacement and training to maintain electronic citation programs. All funds derived from the electronic citation fee set aside for court clerks shall be used for computer hardware purchases, usual and necessary computer related expenses, or replacement. Such funds shall be preserved for those purposes and not revert to the general fund at the end of a budget year if unexpended. Any electronic traffic citation fee imposed pursuant to an ordinance or resolution shall terminate five years from the date on which the ordinance or resolution is adopted.

Effective July 1, 2014 (applicable to all offenses committed on or after such date).

Public Chapter 757
SB 583 - HB 477

Juveniles Adjudicated Delinquent

Amends 37-1-131 to provide that if a juvenile is adjudicated delinquent, but not committed to the custody of the department of children's services, for certain serious enumerated acts then the court shall have broad discretion to issue orders and, in conjunction with representatives from the LEA, to change the educational assignment of the juvenile. The court shall involve representatives of the LEA, as necessary, to ascertain a proper educational assignment and the availability of secure educational facilities for the juvenile who, through actions of the court, is

facing personal restrictions or being released with compulsory attendance in school as a condition of personal restriction or release. There shall be a presumption in favor of issuing a court order prohibiting the juvenile from attending the same educational placement as the victim. When consulted by the court, the representatives of the LEA shall provide a list of alternatives to attendance at the school which is attended by the victim. The school resource officer shall be authorized to assist school officials in the enforcement of orders issued by the court and shall be made fully aware of the confidential nature of any order and the student's educational assignment. Also provides that for a delinquent act that is not one of the ones specifically enumerated, the court shall still have the discretionary authority to enter orders that provide sanctions for the offense and, in consultation with school officials, limitations or conditions on attendance at school.

Effective April 24, 2014.

Public Chapter 786
SB 1909 - HB 1877

Divorce

Amends 36-4-121 to provide that if an order of protection issued in or recognized by this state has been in effect or there is a court finding of domestic abuse or any criminal conviction involving domestic abuse within the marriage that is the subject of the divorce, the court shall attribute any debt owed for any batterers' intervention or rehabilitation programs to the abuser only.

Effective July 1, 2014 (applicable to all divorce actions commenced on or after such date).

Public Chapter 791
SB 2113 - HB 2072

Controlled Substance Monitoring Database

Amends 53-10-306 to establish a pilot project which will allow judges of certain drug courts access to the controlled substances monitoring database on certain conditions. Provides that the commissioner of health shall select the three judicial districts that will participate in the pilot project.

Effective July 1, 2014 (expires June 30, 2016).

Public Chapter 799
SB 2485 - HB 2317

Conservatorships

Amends 34-3-106 to provide that the respondent for whom a petition for conservatorship has been filed may present evidence, including testimony or other evidence from a physician, psychologist or senior psychological examiner of the respondent's choosing, and confront, as a cross-examiner, witnesses. Amends 34-3-107 to provide that if the court grants a protective order placing under seal the respondent's financial information, as

provided by 34-3-106(6), the order shall not deny access to information regarding fees and expenses of the conservatorship.

Effective July 1, 2014.

Public Chapter 803
SB 2448 - HB 2359

Garnishments and Executions

Amends 26-2-103 relative to the personal property exemption from garnishment and enacts 26-2-312 relative to the homestead exemption from execution. Provides that neither exemption shall apply if the property was purchased or maintained by fraudulently obtained funds.

Effective July 1, 2014.

Public Chapter 815
SB 276 - HB 1109

Certificate of Employability

Enacts 40-29-107 to provide a procedure where a person seeking to have their rights of citizenship restored may also petition the court for a certificate of employability. Directs the AOC to develop the necessary forms. Provides that both the district attorney general of the county the petition is filed in and the county of conviction shall be given 20 days' notice of any hearing on the subject.

Effective July 1, 2014 (the act contains numerous effective dates relative to different sections, but the provisions most relevant to county government are effective July 1, 2014).

Public Chapter 829
SB 1907 - HB 2068

Probate and Trusts

Amends 30-4-102 to remove personal property held as tenants by the entirety or jointly with right of survivorship or personal property payable to a beneficiary other than the decedent's estate from the definition of "property" under the small estate law. Also increases the small estate limit from \$25,000 to \$50,000. Revises numerous other provisions in Title 31, 34 and 35 relative to probate and trusts, including provisions relative to investments under the Uniform Veterans' Guardianship Law, provisions under the Uniform Trust Code relative to qualified beneficiaries, and provisions relative to property held by spouses as tenants by the entirety which is converted to a trust.

Effective April 28, 2014.

Public Chapter 902
SB 1633 - HB 1429

Sentencing – DUI Offenses

Amends 55-10-402. Upon conviction for second offense, the offender shall be sentenced to serve not less than 45 consecutive days nor more than 11 months and 29 days in the county jail or workhouse. As a condition of probation, the judge may order the

person to participate in a substance abuse treatment program provided that the person first completes a clinical substance abuse assessment and serves at least 25 days of the period of incarceration imposed in the county jail or workhouse. Upon conviction for third offense, the offender shall be sentenced to serve not less than 120 consecutive days nor more than 11 months and 29 days in the county jail or workhouse. As a condition of probation, the judge may order the person to participate in a substance abuse treatment program provided that the person first completes a clinical substance abuse assessment and serves at least 65 days of the period of incarceration imposed in the county jail or workhouse. A person ordered to attend a substance abuse treatment program shall receive sentence reduction credits from the period of incarceration imposed by the court as follows: (1) day-for-day credit for the period of time the person spends in a residential treatment program; and (2) one day of credit for every nine hours of successfully completed intensive outpatient treatment. The court shall calculate the sentence reduction credits the person has earned. A person who does not successfully complete the substance abuse treatment program shall be committed to the county jail or workhouse for service of the full period of the mandatory minimum confinement required by law and any portion of confinement in excess of the minimum imposed by the court that the court deems necessary. The person shall receive no sentence reduction credits for any time spent in the substance abuse treatment program prior to failure to complete the program. Upon successful completion of a substance abuse treatment program, the person shall be required to report to the county jail or workhouse to serve the remainder of any mandatory period of confinement required by law and imposed by the court. The court is not empowered to order the expenditure of public funds to provide treatment. However, if a person ordered to participate in such a program is indigent, the court may allow the person, subject to availability of services, to enter any program that provides the treatment without cost to an individual.

Effective July 1, 2014.

Public Chapter 912
SB 2399 - HB 2208

Special Commissioners

Amends 8-21-401 and 8-21-801 to provide that court clerks and special commissioners for selling real or personal property under decree of court, and receiving, collecting, and paying out the proceeds, shall receive a commission that does not exceed 3%. Amends 35-5-109 to provide that the day fixed for the sale may be any day Monday through Saturday, but shall not be fixed on a state or federal legal holiday.

Effective July 1, 2014.

Public Chapter 922
SB 1952 - HB 1902

Release of Bail Bondsman

Amends 40-11-138 to provide that if the charge is disposed of by conviction or a plea of guilty, the bond shall remain in effect until the court renders the defendant's sentence. Provides that after conviction or a plea of guilty, and before the court renders the defendant's sentence, the bond shall not be forfeited against a surety, shall not be included in the calculation of a professional bondsman's capacity or solvency, or otherwise negatively impact the surety.

Effective May 16, 2014.

Public Chapter 928
SB 2144 - HB 2200

Voice Stress Analysis

Enacts a new section in Title 40, Chapter 17, Part 1 to provide that voice stress analysis and testimony regarding voice stress analysis shall not be admissible as evidence in any criminal proceeding.

Effective July 1, 2014.

Public Chapter 930
SB 2228 - HB 2223

Judicial Sales - Advance Bids

Amends 35-5-110 to provide that in all sales of land made under orders, and decrees of the circuit, probate, chancery, appeals and supreme courts where an advance bid of as much as 10% of the original bid is made, the clerk, or clerk and master, of the court is empowered, at no additional fee, commission or cost, to accept the advance bid and reopen the biddings on the sale, and to receive additional bids, and to hold the sale open for advance bids to some day designated by the officer, and give the purchaser and the parties, or their attorneys of record, notice of the reopening of the biddings, and to report this action to the court for confirmation without any order or decree of the court authorizing the reopening first being had, unless the court's order or decree for the sale of the land specifically prohibits the acceptance of an advance bid; provided, that nothing in this section shall be construed as abridging the rights and jurisdiction of the court to reopen the biddings on such terms as the court may deem right.

Effective May 16, 2014.

Public Chapter 984
SB 1690 - HB 2177

Serious Bodily Injury and Wiretaps

Amends 39-11-106 to provide that the definition of "serious bodily injury" shall include a broken bone of a child who is 12 years of age or less. Amends 40-6-308 to change the progress reporting

requirements for wiretaps or electronic surveillance.

Effective July 1, 2014.

Public Chapter 993
SB 2091 - HB 1838

Transmission of Protection Orders

Amends 36-3-609 to provide that in order to complete service of process in a timely manner on a party who lives outside the county where the order was issued, the clerk may transmit the order to the sheriff in the appropriate county by facsimile or other electronic transmission.

Effective May 22, 2014.

Public Chapter 1008
SB 2504 - HB 2372

Clerk's Expungement Fee

Amends 40-32-101 to provide that any person applying for expunction of records pursuant 40-32-101 or 40-35-313 shall be charged the appropriate court clerk's fee pursuant to 8-21-401, in addition to any other fees required by 40-32-101 or 40-35-313, unless the person is entitled to have such records removed and destroyed without cost to the person.

Effective May 22, 2014.

ECONOMIC DEVELOPMENT

Public Chapter 793
SB 2315 - HB 2142

Tennessee Local Land Bank Pilot Program

Amends 13-30-103 and 13-3-104 to authorize Blount and Sevier counties, counties under a metropolitan form of government and home rule municipalities to participate in the Tennessee Local Land Bank Pilot Program. Amends 13-30-109, 13-30-110 and 13-30-120 to remove authorization to acquire land for the program through eminent domain.

Effective April 25, 2014.

Public Chapter 812
SB2578 – HB 2489

Cumberland Regional Business and Agribusiness Mktg. Auth.

Amends various sections in Title 64, Chapter 10, Part 2 to create a small business incubator pilot program. Provides that the program shall be in effect from July 1, 2014 through July 1, 2017.

Effective April 25, 2014.

Public Chapter 889
SB 2335 – HB 1912

Tourism Development Zones

Amends 7-88-108 to require municipalities and public authorities to include with any application for approval of a tourism

development zone which would use a portion of the local option sales tax designated for schools, a resolution from their respective county legislative bodies stating whether the county legislative body is in support of, opposition to, or neutral regarding the application. Upon request by a municipality or public authority, the county legislative body must provide the resolution not less than five days after the next regularly scheduled meeting.

Effective May 1, 2014.

Public Chapter 932
SB 2333 – HB 1865

Tourism Development Authorities

Amends 7-69-102 to revise the definition of “municipality” to include Shelby County and the cities located within Shelby County. Amends 7-69-103 to authorize tourism development authorities to participate in a joint venture or as a member of a nonprofit corporation that attracts or promotes tourism or performs activities related to the exercise of the powers granted to tourism development authorities. Amends 7-69-103 to authorize tourism development authorities to elect all or any of the board members of the nonprofit corporation of which the authority is a member. Amends 7-69-103 to authorize tourism development authorities to facilitate the creation, establishment, acquisition, operation or support of a joint venture through loans, acquiring/transferring assets, leasing property, gifts, grants, and debt guarantees.

Effective May 16, 2014.

Public Chapter 962
SB 1858 – HB 2211

Economic Development

Amends 7-53-101(13)(E) and 7-88-103(7)(A) to reduce the minimum aggregate investment of public and private funds from \$200,000,000 to \$75,000,000.

Effective May 19, 2014.

Public Chapter 985
SB 1708 – HB 1679

Allocation of Sales Tax Receipts

Enacts 67-6-104 to provide for the apportionment and distribution of sales and use tax revenue to commercial development districts in rural, economically distressed counties. Requires eligible counties and municipalities, as well as industrial development corporations within those counties and municipalities, to submit an application and fee to the commissioner of finance and administration. Authorizes the commissioner to certify each commercial development district, which must have at least \$5,000,000 in planned capital improvements. Provides for an amount equal to the amount of state sales tax revenue derived from 5.5% of the tax rate imposed pursuant to 67-6-202 on all sales in

the commercial development district and the amount of local sales tax revenue not dedicated for school purposes pursuant to 67-6-712(a)(1) derived from all sales in the commercial development district in excess of base tax revenues to be allocated to the eligible county, municipality or industrial development corporation. Provides that this allocation is authorized only for any commercial development district in which no sales and use taxes have been generated for at least five years prior to the allocation. Provides that the revenue so distributed can only be used by the county, municipality or industrial development corporation to pay their indebtedness, principal and interest, and closing costs incurred in financing the commercial development district. Establishes different eligibility criteria for applications submitted prior to December 31, 2014 and applications submitted after that date.

Effective May 22, 2014.

EDUCATION

Public Chapter 626
SB 1762 – HB 2252

High Performing School Districts Flexibility Act

Amends 49-2-702 relative to definition of high performing school district to allow use of either average SAT scores of 980 or higher or average ACT scores of 21 or higher, as long test was taken by at least 30 students or 25% of graduating class, whichever is greater.

Effective July 1, 2014.

Public Chapter 654
SB 1793 – HB 1547

Religious Viewpoints Antidiscrimination Act

Enacts the Religious Viewpoints Antidiscrimination Act, 49-6-18__, to prohibit discrimination in schools based on religious viewpoints expressed by students. Requires LEAs to adopt a policy, such as the model policy for student expression created by the Tennessee School Boards Association, or the LEA may create its own policy that complies with the requirements of the act.

Effective April 10, 2014, and applies to 2014-2015 school year.

Public Chapter 672
SB 2392 – HB 1799

Waivers

Amends 49-1-201(d) to provide that the commissioner may waive any state board rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission. In addition to items already prohibited, prohibits waivers of requirements related to educators' due process rights; reductions in teachers' salaries; employee rights, salaries and benefits; and licensure of employees.

Effective April 14, 2014.

Public Chapter 678
SB 1611 – HB 1977

Notice of Waivers

Amends 49-1-203 to require the department of education to place on its website any rules, regulations or policies of the state board that are waived by the local board of education within five business days of the commissioner's approval, together with an explanation from the local board for the waiver.

Effective July 1, 2014.

Public Chapter 721
SB 2285 – HB 1989

Charter Schools

Amends 49-13-122 to revise the provisions governing revocation or nonrenewal of public charter school agreements, and add provisions for a procedure to close the charter school.

Effective July 1, 2014.

Public Chapter 742
SB 1856 – HB 1381

Salary Schedules

Amends 49-3-306 to authorize an LEA to adopt a salary schedule identical in structure or salary levels, or both, to the salary schedule the LEA had in place during the 2012-2013 school year, with the schedule containing steps for each year of service up to and including 20 years and for attainment of advanced degrees.

Effective April 21, 2014.

Public Chapter 743
SB 1966 – HB 1507

School Buses

Amends 49-6-2109 to provide that conventional and Class D buses may be used until the bus reaches the 18th year from the in-service date of the bus, and that neither the state board of education nor the commissioner of safety may limit use of such buses by mileage. Authorizes commissioner of safety to approve additional years of service beyond 18th year on a year-to-year basis, but only if the bus has less 200,000 miles of recorded travel. When the bus reaches 200,000 miles or reaches the date requiring discontinuance of its use, the owner will be allowed to operate the bus for the remainder of the school year but must replace the bus at the end of the school year. The bus must meet all requirements for continued safe use and operation during the remainder of the school year and the owner must notify the department in writing, via certified mail, that the bus has reached 200,000 miles or that it has reached the 18th year requiring discontinuance. Any conventional or Class D bus that is in use for more than 15 years from its in-service date, but not more than 18 years from such date, must be inspected by the commissioner or designee at least twice annually. The commissioner must make at least one inspection annually of each

school bus that has been in use for 15 years or less. The department of safety may collect a fee for additional inspections conducted for buses that are used in the 16th year or beyond.

Effective April 22, 2014.

Public Chapter 844
SB 2356 – HB 2079

Persons Having Contact with Children

Amends 49-5-413(d) to revise the list of offenses that disqualify a person from coming in direct contact with school children.

Effective April 29, 2014.

Public Chapter 847
SB 2491 – HB 2331

Charter Schools

Amends 49-13-138 to allow a charter school management organization to conduct board meetings electronically in accordance with 8-44-108 without regard to 8-44-108(b)(2)-(3).

Effective April 29, 2014.

Public Chapter 850
SB 830 – HB 702

Charter Schools

Amends Title 49, Chapter 13, relative to charter schools. Amends 49-13-104 to provide that the state board of education may be a chartering authority. Enacts 49-13-142 to govern instances where the state board is the chartering authority and provide for state board oversight. For these schools, the LEA is required to pay all local (including the per-student share and local match) and any federal funds in its possession due the charter school directly to the state department of education for disbursement to the charter school. Amends 49-13-107 to authorize a chartering authority to take into consideration, when reviewing a charter application, the current and past performance of any charter school operated by the sponsor. Amends 49-13-108(a)(4) relative to the appeal and review process for a denial of an application. Also makes changes to the requirements for approval of a charter application and the application review process, and to the charter renewal process.

Effective April 30, 2014, and applies to appeals from denials of applications for charter schools proposing to open in the 2015-16 school year and thereafter.

Public Chapter 882
SB 2101 – HB 1978

Fiscal Analysis of State Board Policies

Enacts 49-1-212 to require the state department of education to prepare a fiscal analysis of any policy, rule or regulations proposed to the state board if the proposal will financially impact an LEA, including where possible a dollar estimate of the impact.

Effective July 1, 2014.

Public Chapter 888

SB 2311 – HB 2133

Teachers' Sick Leave Bank

Enacts 49-5-811 to authorize LEAs to permit any employee of the LEA who is not a teacher to participate in either the teachers' sick leave bank or a classified employee sick leave bank, as long as that employee is eligible to accrue sick leave.

Effective May 1, 2014.

Public Chapter 905

SB 1835 – HB 1549

Student Data

Enacts 49-1-3__ to provide that no educational standards may be imposed on the state by the federal government, and that adoption of such standards must be by the state board of education. Enacts the Data Accessibility, Transparency and Accountability Act to provide for increased confidentiality measures for student data. Requires state department of education to develop a model student records policy for LEAs, and prohibits LEAs from collecting student data on political affiliation, religion, voting history, or gun ownership. Prohibits the state from adopting common core standards in subjects other than math and English.

Effective July 1, 2014 (common core provisions effective May 13, 2014).

Public Chapter 968

SB 1924 – HB 1846

Community Schools

Enacts the Tennessee Community Schools Act, 49-6-24__, to encourage LEAs to collaborate with local government units, civic organizations, families, businesses, and social service providers to create community schools as a public-private partnership to coordinate educational, developmental, family, health, and before-and-after-school-care programs to improve academic achievement, reduce absenteeism, and build stronger relationships between the school and the community. The state board and department of education are directed to seek funds from private donors and through grants to assist LEAs. No state funding was appropriated for 2014-2015.

Effective May 19, 2014.

Public Chapter 1006

SB 2355 – HB 2076

Salary Schedule Changes

Amends 49-3-317 to allow LEAs to adjust their salary schedules for nonteaching positions based on a compensation study whenever there has been a change in the boundaries of the LEA since the beginning of the school term or when students are shifted from one LEA to another due to the creation or reactivation of an LEA.

Effective May 22, 2014.

ELECTIONS

Public Chapter 488 SB 1320 - HB 1208

Polling Places

Amends 2-3-101 to authorize the county election commission in certain municipal elections to designate a polling place outside a precinct or consolidate multiple polling places. Amends 2-3-101 to authorize the county election commission in any election to designate a polling place outside of a precinct in the case of an emergency.

Effective February 13, 2014.

Public Chapter 697 SB 1901 - HB 1916

Polling Places Outside the County

Amends 2-3-101 to provide that if a municipality is located within two or more counties of the state, then the county election commissions of each respective county may, by written mutual agreement of the counties, designate one polling place outside the boundaries of one of the respective counties; provided, that the polling place is located within the limits of the municipality and within five hundred feet of the county boundary line. Provides that voters residing within the precinct are authorized to vote at the polling place established by the county election commissions in accordance with this act. Enacts a new section in Title 2, Chapter 6, Part 1, with similar language.

Effective April 15, 2014.

Public Chapter 724 SB 1715 - HB 1523

Miscellaneous Election Laws

Amends 2-4-106 relative to which election officials may be rejected by the county election commission. Amends 2-2-109 relative to correcting deficient but timely filed mail registration forms. Amends 2-5-106 to provide that any person seeking election to any office that is required by law to be held by an attorney shall certify on the person's nominating petition for such office that such person is licensed to practice law in this state, and shall place on such petition the person's supreme court registration number. Amends 2-2-107 to provide that if a person's residence is located on real property which is located in both a municipality and in an unincorporated area in the county in which the municipality is located, then such person shall be eligible to vote in municipal elections if municipal taxes are assessed on the portion of real property located within the municipality. Amends 2-3-109 to change the age of an "elderly voter" from 65 to 60 years old.

Amends 40-20-113 to provide that the clerks of the criminal and circuit courts shall notify the county election commission of each person convicted of an infamous crime on a form to be furnished by the state coordinator of elections pursuant to 2-11-202.

Amends 2-19-107 to provide that it is a Class D felony to vote in a primary election for more than one political party in an election.

Amends 2-2-201 to provide that voter registrations filed through the department of safety shall be processed as in-person voter registrations. Amends 2-3-204 to provide that resolutions, ordinances or petitions requiring the holding of elections on questions submitted to the people which are to be held with the regular August election, the regular November election, any regularly scheduled municipal election or the presidential preference primary shall be filed with the county election commission not less than 75 days prior to such election.

Effective May 16, 2014.

Public Chapter 734
SB 1466 - HB 1727

Recognized Minor Parties

Amends 2-13-107 to provide that if an organization intends to establish a recognized minor party solely within one county, the required petition must only bear the signatures of registered voters within such county equal to at least 2.5% of the total number of votes cast within such county for gubernatorial candidates in the most recent election of governor. Provides that in order to remain recognized, at least one candidate for the party must receive a number of votes equal to at least 5% of the total number of votes cast for candidates for the office of county mayor in the most recent election for such office. Enacts a new section in Title 2, Chapter 14, part 1, to provide a relatively similar provision relative to special elections to fill vacant seats in the United States House of Representatives or the general assembly.

Effective April 22, 2014.

Public Chapter 807
SB 2498 - HB 2410

United Nations Monitoring Elections

Enacts 2-1-119 to prohibit any representative of the United Nations appearing without a treaty ratified by the United States Senate stating that the United Nations can monitor elections in this state, from monitoring any elections in this state.

Effective April 25, 2014.

Public Chapter 810
SB 2551 - HB 2472

Primary Elections

Amends 2-13-203 to provide that if a statewide political party decides to nominate by primary election, the county executive

committee shall, at least 180 days before the qualifying deadline, direct, in writing, the county election commission of each county whose voters are entitled to vote to fill the office to hold the election. Provides that the county executive committee may revoke or rescind its decision to nominate by primary election by providing the county election commission with written notice not less than ninety (90) days before the qualifying deadline.

Effective April 25, 2014.

Public Chapter 880
SB 1999 - HB 2320

Voter Registration Systems and Voter Lists

Amends 2-2-137 to provide that beginning January 1, 2015, the coordinator of elections and the state election commission shall certify each voter registration system for purchase and use in the state. Subject to the concurrence of the state election commission, the coordinator of elections may make rules and policies as are necessary to carry out this law. In determining whether a voter registration system may be certified, the coordinator of elections and the state election commission shall consider, at a minimum, the following: (1) the compatibility of the voter registration system with any statewide system being operated by the secretary of state's office; (2) the history of ethical conduct in the sales of the voter registration system by the manufacturer or seller; and (3) the ability of the manufacturer or seller of the voter registration system to provide adequate professional assistance and service. Amends 2-2-138 to provide that the voter registration lists required to be produced by that section and any other voter registration information shall be the property of the county election commission and the state. Any vendor of the county election commission having access to the voter registration data shall only use such data to service the county election commission and the coordinator of elections. Non-authorized use by the vendor of the data shall constitute a Class B misdemeanor and grounds for decertification by the state election commission.

Effective May 1, 2014.

EMERGENCY SERVICES

Public Chapter 579
SB 1511 - HB 1445

Financially Distressed Districts

Amends 7-86-304(d). Changes the terms relative to the definition of a financially distressed emergency communications district by changing the phrase "net assets" to "net position".

Effective March 28, 2014.

Public Chapter 682
SB 2541 - HB 2444

Cost of Services Provided by Fire Departments

Requires the commissioner of commerce and insurance to conduct a survey of governmental fire departments to ascertain the cost of responding to fires caused by negligent landowners and estimate how much of that cost could be recouped from the negligent parties, and to report to the general assembly by January 10, 2015.

Effective March 28, 2014.

Public Chapter 715
SB 2541 - HB 2444

Emergency Medical Services Act

Amends 68-140-309 to provide that emergency medical personnel may under medical direction: (1) provide care that is not EMS, as defined by present law, including non-emergent care or transportation by ambulance; or (2) treat patients on scene who do not require transport. This act is not to be construed to allow a provider of emergency medical services to function as a home care organization.

Effective July 1, 2014.

Public Chapter 795
SB 2407 - HB 2255

911 Funding Modernization and IP Transition Act of 2014

Amends 7-86-103; 7-86-110; 7-86-128; 7-86-303; 7-86-305; 7-86-320; 29-20-108; 65-21-115; and 9-8-307(a). Adds 7-86-130 and 7-86-131. Deletes 7-86-108; 7-86-111 and 7-86-112. Alters provisions concerning the statewide prepaid wireless emergency telephone charge. Requires dealers to collect a 911 surcharge of \$1.16 for a retail sale of communications service or prepaid communications service from a consumer. Alters the requirements for adjusting the surcharge. Alters the funding of the emergency communications board. Requires the board's operational expenses to include the implementation and maintenance of an IP-based next generation 911 network and certain future 911 system advancements. Extends immunity to employees of an emergency communications district and county and municipal governments for the acts or omissions of employees that manage, supervise, or perform 911 emergency communications service as communicators or dispatchers, provided that all such employees attain and maintain training requirements as required by law.

Effective January 1, 2015.

ENVIRONMENT

Public Chapter 507
SB 1640 - HB 1435

Third Party Appeals of Permitting Decisions

Amends 68-201-108, 68-211-113 and 68-212-113 to revise the provisions governing third party appeals of permitting decisions

under the Tennessee Air Quality Act, Tennessee Solid Waste Disposal Act, or the Tennessee Hazardous Waste Management Act. Generally requires the individual to have been involved in the public comment period or public hearing to appeal.

Effective July 1, 2014 (applicable to all appeals filed on or after such date).

Public Chapter 563
SB 1467 - HB 1562

Steel Slag or Mill Scale

Amends 68-211-103 to revise definition of solid waste to exclude steel slag or mill scale that is an intended output or intended result of the use of an electric arc furnace to make steel; provided, that such steel slag or mill scale is sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity and is managed as an item of commercial value in a controlled manner and not as a discarded material or in a manner constituting disposal.

Effective March 21, 2014.

Public Chapter 580
SB 1521 - HB 1576

West TN River Basin Authority

Amends 4-29-235, 4-29-241 and 64-1-1102 to extend the West Tennessee river basin authority until June 30, 2020 and to revise the method for appointing the board of directors.

Effective March 28, 2014.

Public Chapter 624
SB 1641 - HB 1437

Tennessee Board of Water Quality, Oil and Gas

Amends 4-11-102, 68-221-714, 69-3-104, 69-3-110, and 69-10-107. Revises provisions relative to hearings and appeals with the Tennessee Board of Water Quality, Oil and Gas. Revises provisions relative to the membership of the board and relative to conflict of interests.

Effective July 1, 2014.

Public Chapter 849
SB 2560 - HB 2425

Shredding of Tires

Amends 68-211-802 to define “shredded” as shredded, chipped, chopped, quartered, sliced at least circumferentially, or otherwise processed and rendered not whole in a manner to effectively prevent a tire from floating, as determined by the underground storage tanks and solid waste disposal control board.

Effective July 1, 2014.

Public Chapter 917
SB 2597 - HB 2500

TDEC Fee Ratios

Amends 68-203-104 relative to the ratio between state appropriations and environmental protection fees for several TDEC divisions.

Effective May 13, 2014.

Public Chapter 967
SB 1917 - HB 1898

Solid Waste and Recycling Advisory Committee

Amends 68-211-807 to establish a solid waste and recycling advisory committee to review current state solid waste and recycling statutes, rules and policies, and develop recommendations to modernize such laws. The advisory committee shall submit its recommendations in a report to the speakers of the house and senate no later than February 15, 2015, at which time it shall cease to exist. Amends 68-211-603 to provide that in preparing the state plan, the commissioner may evaluate the use of composting as a method of diverting waste from landfills across all of the political subdivisions of the state. Provides that the state plan shall include recommendations for: (1) large scale composting in major metropolitan areas; and (2) composting strategies that may be applied by specific types of waste producers, including higher education institutions, food service establishments, food retailers, and neighborhood groups. Requires that the state plan include recommendations for a statewide system of collecting recyclable plastics based on regional collection centers.

Effective May 19, 2014.

ETHICS & CONFLICTS OF INTEREST

Public Chapter 827
SB 1891 - HB 1774

Private Probation - Contracts

Enacts 16-3-911 to provide that no public officer or employee of a governing authority involved in making or administering a contract with a private entity that is governed by the council and provides probation services may derive any direct benefit from the contract.

Effective April 29, 2014.

FINANCE

Public Chapter 529
SB 462 – HB 552

Anti-Kicking the Can Act

Enacts 9-21-1__ to require local governments seeking to issue balloon indebtedness to submit a plan of balloon indebtedness to the comptroller and receive approval of the plan from the comptroller. Authorizes the state funding board to establish approval guidelines to be used by the comptroller.

Effective July 1, 2014.

Public Chapter 766
SB 1512 – HB 1446

Bonds and Notes

Amends 9-21-151(c)(2) to provide that if an open meeting of the governing body is not scheduled to take place within the 45-day period, then the public entity shall provide a copy of the information required in (c)(1) to the members of the governing body and then present the information at the next scheduled open meeting. Amends 9-21-401 to provide that the terms of part 4 and part 1 are applicable to the authorization and issuance by any local government of debt under chapter 21. Amends 9-21-403 to place the language “interest-bearing notes”, “serial bonds and notes” and “notes” with “debt” throughout the section. Enacts a new section at Title 9, Chapter 21, part 1 to require local governments seeking to issue balloon indebtedness to submit a plan of balloon indebtedness to the comptroller and receive approval of the plan from the comptroller. Authorizes the state funding board to establish approval guidelines to be used by the comptroller.

Effective July 1, 2014.

FIREARMS

Public Chapter 498
SB 1700 - HB 1404

Transporting and Storing a Firearm or Firearm Ammunition

Amends 39-17-1313. Provides that a handgun carry permit holder transporting, storing or both transporting and storing a firearm or firearm ammunition in accordance with this section does not violate this section if the firearm or firearm ammunition is observed by another person or security device during the ordinary course of the handgun carry permit holder securing the firearm or firearm ammunition from observation in or on a motor vehicle.

Effective May 1, 2014.

Public Chapter 505
SB 1701 - HB 1405

Transporting and Storing a Firearm or Firearm Ammunition

Amends 39-17-1313. Removes references to a motor vehicle being "privately owned" and clarifies that reference to "vehicle" mean "motor vehicle". Defines "motor vehicle" as any motor vehicle, under the present law titling and registration provisions, which is in the lawful possession of the permit holder, but does not include any motor vehicle which is owned or leased by a governmental or business entity and that is provided by such entity to an employee for use during the course of employment if the entity has adopted a written policy prohibiting firearms or ammunition not required for

employment within the entity's motor vehicles.

Effective May 1, 2014.

Public Chapter 768
SB 2031 - HB 1483

Transporting and Storing a Firearm or Firearm Ammunition
Amends 39-17-1313(a) to broaden the scope of a handgun permit holder's right to transport and store a firearm or firearm ammunition. Provides that notwithstanding any provision of law or any ordinance or resolution adopted by the governing body of a city, county or metropolitan government, including any ordinance or resolution enacted before April 8, 1986, that prohibits or regulates the possession, transportation or storage of a firearm or firearm ammunition by a handgun carry permit holder, the holder of a valid handgun carry permit recognized in Tennessee may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the permit holder's privately owned motor vehicle while on or utilizing any public or private parking area.

Effective May 1, 2014.

Public Chapter 822
SB 1612 – HB 1399

Regulation of Firearms
Amends 39-17-1314 to provide that the state occupies the whole field of the regulation of firearms, ammunition, components of firearms or ammunition, or combinations thereof. Authorizes local governments to regulate the carrying of firearms by employees or independent contractors when acting in the course or scope of their employment or contract, to regulate the discharge of firearms within the boundaries of the local government except when the discharge is expressly authorized by state law, to regulate the location of sport shooting ranges (except as provided in 39-17-316 and 13-3-412), and to regulate the enforcement of state or federal laws pertaining to firearms , ammunition, components of firearms or ammunition, or combinations thereof.

Effective April 28, 2014.

Public Chapter 870
SB 1774 - HB 1480

Unlawful Carrying or Possession of a Weapon
Amends 39-17-1307(e) to revise the exception to the prohibition against carrying a weapon with the intent to go armed. Provides that a person carrying or possessing a firearm or firearm ammunition in a motor vehicle does not commit an offense if the person: (1) is not prohibited from possessing or receiving a firearm pursuant to federal law or purchasing a firearm under state law; and (2) is in lawful possession of the motor vehicle. “Motor vehicle” does not include any motor vehicle that is: (1) owned or

leased by a governmental or private entity that has adopted a written policy prohibiting firearms or ammunition not required for employment within such a motor vehicle; and (2) provided by such entity to an employee for use during the course of employment.

Effective July 1, 2014.

HIGHWAYS

Public Chapter 546 SB 546 – HB 1644

State Industrial Access Act

Amends 54-5-401 *et seq.* to enact the State Industrial Access Act. Authorizes counties to participate in construction and maintenance of industrial highways developed pursuant to the act. Provides that counties will be responsible for maintaining any industrial highway within the area of their ownership or control. Authorizes counties to enter into agreements with TDOT regarding acquisition of rights-of-way and apportionment of costs associated with projects.

Effective March 17, 2014.

Public Chapter 573 SB 1679 – HB 1647

County Bridge Relief Act of 2014

Enacts 54-4-507(d) to authorize counties to use unexpended state-aid bridge grant funds to pay their portion of project costs for fiscal years 2014-2015 and 2015-2016.

Effective March 28, 2014.

Public Chapter 998 SB 2243 – HB 2156

Bus Rapid Transit

Amends 7-56-102 to require local government approval and approval of the commissioner of transportation for any bus rapid transit system that uses a separate, dedicated lane on any state highway or right-of-way. If such system is being funded with state or federal-aid funds, it must also be approved by the general assembly in the annual appropriations act. If no state or federal-aid funds are being used, then it must also be approved by the general assembly by joint resolution.

Effective July 1, 2014.

JAILS

Public Chapter 535 SB 1670 - HB 1708

Standards - Tennessee Corrections Institute

Amends 41-4-140(f) to require local correctional facilities to meet the square footage requirements for single occupancy or multi-occupancy cells contained in the minimum standards required by the Tennessee Corrections Institute (TCI) that were in effect at the

time of the construction of the facility, or they may elect to conform to a more recent minimum standards required by the American Correctional Association in order to accommodate a larger inmate population. Also provides that a local correctional facility constructed before the effective date of any minimum standards required by the TCI shall be exempt from the square footage requirements described in this subsection (f), unless the exemption poses a serious life, safety, or security hazard as determined by the board of control of the TCI.

Effective March 12, 2014.

Public Chapter 582
SB 1616 - HB 1412

Claims for Expenses for State Inmates

Amends 41-4-115 to provide that no claim against the state for the payment of medical expenses under this section shall be paid unless the claim is submitted to the department of correction within six (6) months from the date the services were provided. Enacts 40-25-1__ to provide that no claim against the state for the payment of costs incurred in the prosecution and safekeeping of criminal defendants shall be paid unless the claim is submitted to the department of correction within six months from the date of entry of the judgment of conviction.

Effective January 15, 2015.

Public Chapter 867
SB 1695 - HB 2218

Release Eligibility - Aggravated Child Neglect

Amends 40-35-501(k)(6) to provide that there shall be no release eligibility for a person committing aggravated child neglect or endangerment, on or after July 1, 2014, until the person has served 85% of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits authorized by 41-21-236, or any other law, shall operate to reduce below 70% the percentage of sentence imposed by the court such person must serve before becoming release eligible.

Effective July 1, 2014.

Public Chapter 926
SB 2023 - HB 1904

Medical Assistance for Inmates

Amends 71-5-106 to provide that: (1) an inmate of a public institution shall have eligibility for medical assistance suspended but not terminated during periods of actual incarceration; (2) an inmate of a public institution shall be eligible for temporary reinstatement of medical assistance for care received outside of a jail or correctional facility in a hospital or other health care facility for more than 24 hours; and (3) a public institution may make efforts to establish eligibility for or renew assistance for such

individuals prior to their release from the public institution.

Effective April 1, 2015.

Public Chapter 940
SB 1362 - HB 1293

Release Eligibility – Sexual Abuse of a Child

Enacts 39-13-534, the “Child Protection Act.” Among other things, provides that there shall be no release eligibility for a person committing continuous sexual abuse of a child as defined by 39-13-534 on or after July 1, 2014, until the person has served the entire sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. Such person shall be permitted to earn any credits for which the person is eligible and the credits may be used for increased privileges, reduced security classification, or for any purpose other than the reduction of the sentence imposed by the court.

Effective July 1, 2014.

LAW ENFORCEMENT

Public Chapter 531
SB 1434 - HB 1370

Issuance of Arrest Warrant or Criminal Summons

Amends 40-6-205 and 40-6-215 to revise the factors to determine whether to issue an arrest warrant or a criminal summons.

Effective July 1, 2014.

Public Chapter 534
SB 1732 - HB 1409

Execution of Writ of Possession

Amends 29-18-127 to provide that the prevailing plaintiff in a forcible entry and detainer action must place the defendant's personal property (1) on the premises from which the defendant is being removed; (2) in an appropriate area clear of the entrance to the premises; and (3) at a reasonable distance from any roadway. Provides that the defendant's personal property cannot be disturbed for 48 hours after it is removed from the premises. Specifies that local government entities shall not be liable for any damages to a defendant's personal property following removal of the property.

Effective July 1, 2014.

Public Chapter 548
SB 1693 - HB 1739

Unclaimed or Abandoned Vehicles

Amends 55-16-105(e) to make it a Class A misdemeanor for any person, firm or entity to fail to notify local law enforcement of the vehicle identification number (VIN), registration information, license plate number and description of the vehicle prior to towing a motor vehicle when the owner of the vehicle is not present.

Effective July 1, 2014.

Public Chapter 578

SB 1485 - HB 1652

Motor Vehicle Checkpoints and Stops

Enacts 38-8-125 to provide that no state, county, municipal or metropolitan law enforcement officer shall participate in, lend assistance to, or be present in any official capacity at any voluntary motor vehicle checkpoint or stop conducted by a private company or research group to collect human samples from consenting motorists for research or statistical purposes, regardless of whether the checkpoint is funded by federal grant or contract with a federal agency or whether motorists are compensated.

Effective March 28, 2014.

Public Chapter 625

SB 1664 - HB 2101

Automated License Plate Recognition

Amends Title 55, Chapter 10, Part 3 to provide that any captured plate data collected or retained by any governmental entity through an automated license plate recognition system may not be stored for more than 90 days unless the data is retained or stored as part of an ongoing investigation, and in that case, the data shall be destroyed at the conclusion of either: (1) an investigation that does not result in any criminal charges being filed; or (2) any criminal action undertaken in the matter involving the captured plate data.

Effective July 1, 2014.

Public Chapter 632

SB 2245 - HB 1991

Scrap Jewelry and Metal Dealers

Amends 38-1-202(a) to permit a scrap jewelry or metal dealer to remove purchased items from the place in which business is conducted in order to hold the items in a secure location, including a storage facility or bank vault, for the required 20-day period.

Effective April 4, 2014.

Public Chapter 640

SB 1503 - HB 1397

Property Where Meth is Manufactured

Amends 68-212-503 to make it a Class B misdemeanor for a person who knows, or reasonably should know, that a controlled substance listed in 39-17-408(d)(2) has been manufactured or is being manufactured in or on certain property to intentionally fail to notify the appropriate law enforcement agency within 24 hours of acquiring such knowledge.

Effective July 1, 2014.

Public Chapter 646

SB 1748 - HB 2241

Sexual Offenses – Promoting Prostitution

Amends 39-13-515 to provide that it is not a defense that: (1) the

subject of the offense is a law enforcement officer; or (2) the victim of the offense is a minor and consented to the offense.

Effective July 1, 2014.

Public Chapter 647
SB 1771 - HB 1883

Switchblade Knives

Amends 39-13-515 to make lawful the sale, transfer, ownership, possession and transportation of switchblade knives and knives with a blade length in excess of four inches, and to increase from \$3,000 to \$6,000 the maximum fine for possessing a switchblade with intent to employ it during commission of a dangerous felony.

Effective July 1, 2014.

Public Chapter 669
SB 1959 - HB 1701

Identity Theft

Amends 39-14-150 to make it a Class A misdemeanor for a person to: (1) use a scanning device or reencoder without the permission of the cardholder of the card from which information is being scanned or reencoded with the intent to commit, aid, or abet any unlawful activity; or (2) possess any device, apparatus, equipment, software, material, good, property, or supply that is designed or adapted for use as a scanning device or reencoder with the intent to commit, aid, or abet any criminal offense.

Effective July 1, 2014.

Public Chapter 674
SB 1947 - HB 1863

Enforcement of Traffic Offenses by Municipalities

Amends 55-10-308 to require certain municipalities authorized to patrol portions of national interstate highways within the territorial limits of the municipalities to use marked law enforcement vehicles when enforcing rules of the road, and removes the ability of certain municipalities to enforce such rules of the road.

Effective July 1, 2014.

Public Chapter 711
SB 1660 - HB 2304

Child Abuse

Amends 37-1-102(b)(23)(C) to add the offense of promoting prostitution to the list of offenses constituting severe child abuse.

Effective July 1, 2014.

Public Chapter 722
SB 2564 - HB 2415

Sex Offender Registration

Amends 40-39-202(20)(A) to include the offense of patronizing prostitution, where the victim is a minor, in the definition of "sexual offense" for purposes of sex offender registration.

Effective July 1, 2014.

Public Chapter 729

SB 2242 - HB 1704

Sex Offender Registration

Amends 40-39-202(20)(A) to include the offense of observation without consent, upon a third or subsequent conviction, in the definition of "sexual offense" for purposes of sex offender registration.

Effective July 1, 2014.

Public Chapter 733

SB 1426 - HB 1373

Forensic Medical Examinations

Enacts 38-6-123 to require all law enforcement agencies that store and maintain sexual assault collection kits to conduct an inventory to determine how many kits being stored are untested by the TBI or a similar laboratory and report the findings to TBI by July 1, 2014. Requires the TBI to report to the speakers of the senate and house of representatives by September 1, 2014, the number of untested sexual assault collection kits being stored by each county, by each law enforcement agency or department, and the date the untested kit was collected.

Effective April 22, 2014.

Public Chapter 735

SB 1508 - HB 1513

Controlled Substances

Amends 39-17-406(d) and 39-17-438(a)(1) to add "25H-NBOMe" as a new hallucinogen to the controlled substances in Schedule I and add "Quinolinylindolecarboxesters" and "(1-Aminocarbonyl) propylindazolecarboxamides" to synthetic cannabinoids.

Effective July 1, 2014.

Public Chapter 741

SB 1843 - HB 2212

School Resource Officers

Enacts 49-6-4219 to provide that any law enforcement agency providing a school resource officer, school security officer or other law enforcement officer providing security at a school shall have a policy regulating the use of electronic control devices, which policy shall address training in the proper use of such devices, as well as investigation, documentation and review of such use, to include final approval of any report documenting such use by the agency's chief executive officer or sheriff.

Effective July 1, 2014.

Public Chapter 744

SB 2040 - HB 2329

Sex Offender Registration

Amends 40-39-202(30) and 40-39-207 to add convictions for criminal attempt to commit a violent sexual offense under repealed

criminal attempt law to the definition of violent sexual offenses. Requires a person who is on the sexual offender registry due to conviction from another state to remain on the registry for at least five years.

Effective April 22, 2014.

Public Chapter 759
SB 899 - HB 714

Bounty Hunters

Amends 40-11-318 to provide that no bounty hunter shall wear, carry, or display any uniform, badge, shield, card, or other item with any printing, insignia, or emblem that purports to indicate that such bounty hunter is an employee, officer, or agent of any local, state or federal government or any political subdivision of any local, state or federal government.

Effective April 24, 2014.

Public Chapter 769
SB 1685 - HB 1488

Search Warrants

Enacts 40-6-109 to provide that a magistrate may issue a warrant based on information communicated by telephone or other reliable electronic means. The proposed warrant, the signed affidavit, and accompanying documents may be transmitted by electronic facsimile transmission (fax) or by electronic transfer with electronic signatures to the magistrate, who may act upon the transmitted documents as if they were originals. If the warrant is being sought by electronic means rather than face-to-face, the warrant affidavit must be sworn to or affirmed by administration of the oath by audio-visual means by the magistrate, and the magistrate's examination of the affiant shall also be by audio-visual means; provided, the warrant affidavit must be in writing and received by the magistrate prior to the administration of the oath and examination of the affiant. The affidavit with electronic signature received by the magistrate and the warrant approved by the magistrate, signed with electronic signature, shall be deemed originals. The magistrate shall facilitate the filing of the original warrant with the court clerk and take reasonable steps to prevent tampering with the warrant. The issuing magistrate shall retain a copy of the warrant and shall issue a copy of the warrant, with electronic signatures, to the affiant. This section does not alter the requirement that the affidavit be submitted to the magistrate in writing regardless of the means of transmission.

Effective July 1, 2014 and ceases to be effective on July 1, 2015.

Public Chapter 770
SB 2083 - HB 1503

Sex Offender Registration

Amends 40-39-202, 40-39-206 and 40-39-207 to require any

sexual offender whose victim was a child of 12 years of age or less to be classified as an offender against children and to register for life; adds certain acts to those considered a "violent juvenile sexual offense" for purposes of registration.

Effective July 1, 2014.

Public Chapter 785
SB 1757 - HB 1869

Search and Seizure – Cell Phones

Enacts 40-6-109 to provide that no law enforcement officer shall search, examine, extract or duplicate any cellular telephone data, even if incident to a lawful arrest, unless: (1) the officer has obtained a search warrant; (2) the owner of the cellular telephone or the person in possession of the cellular telephone at the time it is seized gives the officer informed consent for the officer to search the cellular telephone; or (3) exigent circumstances exist at the time of the seizure requiring the officer to search the cellular telephone. No cellular telephone data obtained in violation of this section may be used in any court of law or administrative board as evidence, nor may other evidence derived from the illegally obtained data be used as evidence in any such proceeding. This section does not apply to any cellular telephone that, at the time of its seizure or discovery, was abandoned by the owner or person responsible for its abandonment.

Effective July 1, 2014.

Public Chapter 790
SB 2215 - HB 2038

Electronic Tracking of Motor Vehicles

Amends 39-13-606 to increase the penalty for electronic tracking of motor vehicles from a Class C to a Class A misdemeanor.

Effective July 1, 2014.

Public Chapter 797
SB 2150 - HB 2267

Aggravated Criminal Littering

Amends 39-14-505(b) to enhance the fine for aggravated criminal littering when the amount of litter exceeds 100 pounds in weight or 30 cubic feet in volume from no greater than \$2,500 to between \$2,500 and \$4,000.

Effective July 1, 2014.

Public Chapter 856
SB 1731 - HB 1546

Computer Database Interface

Enacts 38-6-123 to provide that the Tennessee Bureau of Investigation (TBI) shall, with the assistance of the Tennessee Association of Chiefs of Police, the Tennessee Sheriffs' Association and the County Officials Association of Tennessee, survey appropriate law enforcement agencies and court clerks'

offices to obtain information as to the best method for interfacing multiple computer databases to allow accessibility by police officers while on patrol, to allow officers when making a lawful stop to also serve outstanding court papers such as warrants, unserved civil process, orders of protection and restraining orders. On or before January 1, 2015, the TBI shall submit the results of the survey to the judiciary committee of the senate, and the civil and criminal justice committees of the house of representatives.

Effective April 30, 2014.

Public Chapter 906
SB 1751 - HB 1574

Controlled Substances - Ephedrine or Pseudoephedrine
Amends 39-17-431 to limit the maximum amount of products containing ephedrine or pseudoephedrine that may be purchased in a consecutive 30-day period.

Effective July 1, 2014.

Public Chapter 936
SB 2531 - HB 2461

Controlled Substances - Marijuana
Amends 39-17-402 to redefine "marijuana" to permit the transfer, dispensation, possession, or administering of cannabis oil containing the substance cannabidiol, with less than 0.9 of one percent tetrahydrocannabinol, as part of a clinical research study on the treatment of intractable seizures when supervised by a physician practicing at a hospital or associated clinic affiliated with a university having a college or school of medicine.

Effective May 16, 2014, and expires June 30, 2018, at which time 39-17-402 shall be revived as it was in effect on April 9, 2014, but such revival shall not repeal or delete any amendment to 39-17-402 by 2014 Public Chapter 916.

Public Chapter 956
SB 1811 - HB 2030

No Trespass Public Notice List
Amends 39-14-405 to require the Secretary of State to establish a no trespass public notice list identifying employers in this state who have requested established private property rights to be recognized and recorded against a trespasser. Requires law enforcement agencies to maintain the most recent no trespass public notice list received from the Secretary of State for its use in responding to complaints of criminal trespass.

Effective July 1, 2014.

Public Chapter 957
SB 1815 - HB 2326

Sexual Offenses
Amends 39-13-514 to increase the penalty for patronizing a prostitute under age 18 from a Class E felony to a Class A felony;

to increase the penalty for patronizing a prostitute with an intellectual disability from a Class E felony to a Class B felony; and to specify that it is not a defense that the subject of the offense is a law enforcement officer or that the victim of the offense is a minor who consented to the offense.

Effective July 1, 2014.

Public Chapter 970
SB 2021 - HB 1661

Possession and Manufacture of Methamphetamines

Amends 39-17-417 and 418 to require a person convicted of manufacturing methamphetamine to serve at least 180 days in confinement and a person convicted of possession of methamphetamine to serve at least 30 days in confinement. Persons convicted of methamphetamine offenses will not be prohibited from participating in drug or recovery court programs or from receiving sentence credits for up to the full amount of the mandatory minimum sentence for participation in such programs.

Effective July 1, 2014.

Public Chapter 977
SB 579 - HB 8

Invasion of Privacy and Sex Offender Registry

Amends 39-13-605 to make unlawful photographing a Class E felony if: (1) the defendant disseminates or permits the dissemination of the photograph to any other person; or (2) the victim of the offense is under 13 years of age at the time of the offense. Makes unlawful photographing a Class D felony if: (1) the defendant disseminates or permits the dissemination of the photograph to any other person; and (2) the victim of the offense is under 13 years of age at the time of the offense. Amends 39-13-607 to make observation without consent a Class E felony if the victim is under the age of 13 at the time the offense is committed. Amends 40-39-202(20)(A) to add the following to the list of offenses that constitute a “sexual offense” for purposes of the sex offender registry: (1) observation without consent when the offense is classified as a Class E felony; and (2) unlawful photographing when the offense is classified as a Class D or E felony.

Effective July 1, 2014, and applies only to offenses occurring on or after that date.

Public Chapter 982
SB 1662 - HB 1687

Bribery of Public Servant –Extortion - Riot

Amends 39-16-102(b) to provide that it is no defense to prosecution under this section that the person who sought to influence a public official took action on behalf of a public or private organization or any other entity, for the purpose of organizing a campaign or for any other lawful purpose. Amends

39-14-112(a) to provide that a person commits extortion who uses coercion upon another person with the intent to impair any entity from the free exercise or enjoyment of any right or privilege secured by the Constitution of Tennessee, the United States Constitution or the laws of the state, in an effort to obtain something of value for any entity. Amends 39-17-301 (3) to provide that any otherwise lawful activity may constitute a riot if the public peace is disturbed by tumultuous or threatening conduct

Effective July 1, 2014, and applies only to offenses occurring on or after that date.

Public Chapter 983
SB 1663 - HB 1512

Opioid or Benzodiazepine

Amends Title 63, Chapter 1, part 1, to provide that within 10 days after the effective date of this act, each medical practitioner licensed under this title, unless excepted, shall ensure that the undispensed inventory of opioids and benzodiazepines purchased under the prescriber's drug enforcement administration number for dispensing is: (1) returned in compliance with this act to a licensed third party reverse distributor; or (2) turned in to local law enforcement agencies and abandoned.

Effective January 1, 2015.

Public Chapter 987
SB 1929 - HB 2270

Money Laundering - Forfeiture

Amends 39-14-903 to provide that all assets and proceeds used to facilitate money laundering are subject to seizure and forfeiture. Any court having criminal jurisdiction to conduct a preliminary hearing or trial of the criminal offense is empowered to order forfeiture as herein provided.

Effective July 1, 2014.

Public Chapter 991
SB 2087 - HB 2087

Invasion of Privacy

Amends Title 39, Chapter 13, part 6, to prohibit governmental entities from obtaining the location information of an electronic device without a search warrant issued by a duly authorized court, except under the following circumstances: (1) if the electronic device is reported stolen by the owner; (2) if necessary to respond to the user's call for emergency services; (3) to prevent imminent danger to the life of the owner or user; (4) to prevent imminent danger to the public; (5) with the informed, affirmative consent of the owner or user of the electronic device; (6) if the user has posted the user's location within the last 24 hours on a social media web site; or (7) if exigent circumstances justify obtaining location information for the electronic device without a warrant. Any

evidence obtained in violation of this section is not admissible in a civil, criminal, or administrative proceeding and shall not be used in an affidavit of probable cause to obtain a search warrant.

Effective May 22, 2014.

Public Chapter 992
SB 2090 - HB 1972

Sexual Offenders

Amends 40-39-211 (a) to provide that no sexual offender or violent sexual offender, while mandated to comply with the requirements of the sex offender registration law, whose victim was an adult, shall knowingly establish a primary or secondary residence or any other living accommodation or knowingly accept employment within 1,000 feet of the property line of any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public.

Effective July 1, 2014.

PERSONNEL

Public Chapter 574
SB 2004 - HB 1918

Governmental Tort Liability - Removal of Immunity

Enacts 29-20-208 to remove the state's immunity from suit for the purpose of claims against and relief from a governmental entity under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Effective July 1, 2014.

Public Chapter 826
SB 1808 – HB 1852

Employee Online Privacy Act

Enacts 50-1-___, the Employee Online Privacy Act of 2014, to prohibit employers from requesting or requiring an employee or applicant to disclose a password to their personal internet account, or compelling the employee or applicant to add the employer to their list of contacts or allow the employer to view the contents of their personal internet account. Employers may not refuse to hire, or penalize or take any adverse action against, an employee or applicant for failure to disclose such information or take such action. The act does not prohibit employers from obtaining passwords or gaining access to accounts supplied by or paid for wholly or in part by the employer or used for the employer's business purposes, or conducting business-related investigations, or restricting access to certain websites, or monitoring or blocking electronic data stored on a device supplied by or paid for wholly or in part by the employer or stored on the employer's network, or viewing information about an employee or applicant without use of

the prohibited information.

Effective January 1, 2015.

Public Chapter 995
SB 2126 – HB 1954

Tennessee Human Rights Act

Amends 4-21-301 to remove the provision making it a discriminatory practice to aid, abet, incite, compel or command a person to engage in any of the acts or practices declared discriminatory under the Tennessee Human Rights Act (THRA), and to add a provision that no individual employee or agent can be held liable for employment discrimination under part 4 of the THRA that the employer is found to have committed. Enacts 4-21-313 to set monetary limits on damages for actions brought under 4-21-401 (employment discrimination), 8-50-103 (disability discrimination), and 50-1-304 (whistleblower). Enacts 4-21-314 to prohibit employees from concurrently maintaining actions under these statutes in state court and in federal court.

Effective July 1, 2014.

Public Chapter 997
SB 2226 – HB 1981

Healthy Workplace Act

Enacts the Healthy Workplace Act, 50-1-501 *et seq.*, to require the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to create a model policy by March 1, 2015, for state and local government employers to prevent abusive conduct in the workplace. The policy is to be developed in consultation with the state department of human resources and interested local government organizations, including TML, TCSA, MTAS and CTAS. “Abusive conduct” means acts or omissions that would cause a reasonable person to believe that an employee is subject to an abusive work environment. Employers adopting the model policy, or one that assists them in recognizing and responding to abusive conduct and prevents retaliation for reporting abuse in the workplace, will be immune from suit for abusive conduct, but there is no limitation on personal liability of an employee for abusive conduct in the workplace.

Effective May 22, 2014.

PLANNING AND ZONING

Public Chapter 524
SB 1706 – HB 1545

Agricultural Exemption

Amends 13-7-114 to define buildings used as residences by farmers and farm workers as being “incidental to the agricultural enterprise”, which exempts such buildings from zoning regulations.

Effective March 12, 2014.

Public Chapter 581
SB 1614 – HB 1410

Agricultural Activities

Amends 1-3-105 and 43-1-113 to revise the definition of “agriculture” to include entertainment activities conducted in conjunction with, but secondary to, commercial production of farm products and nursery stock, when such activities occur on land used for the commercial production of farm products and nursery stock. Amends the definition of “farm operation” in 43-26-102 to include agriculture as defined in 43-1-113. Amends 43-26-104 to state that the Right to Farm Act shall be broadly construed.

Effective March 28, 2014.

Public Chapter 686
SB 915 – HB 964

Vested Property Rights Act of 2014

Amends 13-3-413 and 13-4-310 to create vested rights in preliminary development plans or final development plans or building permits if preliminary plans are not required. Provides that the vesting period for building permits is as specified in the permit. Provides that the vesting period for development plans is three years from the date of preliminary plan approval. If an applicant receives final development plan approval, then the applicant is eligible to receive two additional years. Specifies that the total vesting period may not exceed 10 years unless the local government grants an extension. The maximum vesting period for multi-phase developments is 15 years (for all phases); however, this time period can also be extended by the local government. Provides that the development standards in effect at the time of plan or permit approval will apply to the property during the vesting period. Specifies certain circumstances in which vesting rights can be terminated.

Effective April 15, 2014 for purposes of local government adoption of a vested property rights ordinance or resolution.
Effective January 1, 2015 for all other purposes.

Public Chapter 835
SB 2010 – HB 1930

Neighborhood Preservation Act

Amends 13-6-106(k) to elevate the priority status of liens for costs associated with civil actions under this act. Such liens will have priority over state and local taxes and assessments if the property in question is found to be an insolvent property by the court and the taxes and assessments are found to be uncollectible. Provides that the trustee is allowed a credit under 67-5-1903(b)(1) for any taxes or assessments deemed uncollectible pursuant to this section. Amends 13-6-106(m) to provide that proceeds from the sale shall

first satisfy the receiver's lien then, if any proceeds remain, state and local taxes. Amends 13-6-105 to make the act applicable to Madison County.

Effective April 28, 2014.

Public Chapter 914
SB 2108 – HB 2380

Building Permits

Amends 13-3-411 to revise the criteria under which a building permit may be issued. Requires the street to correspond in its location and lines with a street shown on the subdivision plat approved by the planning commission and recorded by the register of deeds. If the street is not completed, requires that there be an adequate, valid and enforceable bond in place to guarantee completion. Also amends 13-4-308 to revise the criteria for approval of building permits under municipal planning regulations.

Effective May 13, 2014.

PURCHASING

Public Chapter 635
SB 2320 – HB 1468

Surplus Property

Enacts 5-7-119 to authorize any county, upon 2/3 vote of the county legislative body, to dispose of real property at a nominal cost by private sale to a nonprofit corporation incorporated under Tennessee law that is federally tax exempt under § 501(c)(3) and whose purpose includes providing educational and vocational training services to children and adults with disabilities.

Effective April 4, 2014.

Public Chapter 644
SB 1713 – HB 1671

Information on Bid Envelope

Rewrites 62-6-119 to clarify requirements for information required to be placed on the outside of a bid envelope for construction projects. Removes provision that bids without required information on envelope cannot be opened and instead provides that such bids are void. Before awarding contract, purchasing entity must verify all listed information, and typographical errors may be corrected within 48 hours after bid opening excluding weekends and holidays. Penalty for awarding contract to unlicensed contractor is Class A misdemeanor.

Effective July 1, 2014.

Public Chapter 645
SB 1714 – HB 1670

Electronic Bidding

Re-enacts as 12-4-___ the statute that was inadvertently repealed in 2013, to authorize local governments to distribute bid

solicitations and receive bids electronically instead of by mail.

Effective April 8, 2014.

Public Chapter 739
SB 1770 – HB 1569

Purchasing from the Blind and Disabled Persons

Amends Title 71, Chapter 4, Part 7, regarding the purchase of goods and services from blind persons and persons with disabilities. Expands the program to apply to "other entities" defined in the act, in addition to qualified work centers serving blind individuals and agencies serving individuals with severe disabilities. Requires all departments, institutions, agencies, and political subdivisions of this state supported in whole or in part by the state to purchase services or commodities from "the central nonprofit agency" rather than from qualified nonprofit work centers. Makes other changes related to administration of the law.

Effective July 1, 2014.

RECORDS

Public Chapter 569
SB 2326 - HB 1944

Bank Account Information

Amends 10-7-504(f) to make confidential the bank account information for any state, county, municipal, or other public employee, former employee or applicant to such position, or any law enforcement officer commissioned pursuant to 49-7-118, that is received, compiled or maintained by the department of treasury, regardless of whether the employee is employed by the department of treasury. Provides that information that is received, compiled or maintained by the department of treasury relating to the department's investment division employees who are so designated in writing by the state treasurer shall be kept confidential and not open for inspection by members of the public: holdings reports, confirmations, transaction reports and account statements relative to securities, investments or other assets disclosed by the employee to the employer, or authorized by the employee to be released to the employer directly or otherwise.

Effective March 21, 2014.

Public Chapter 648
SB 1830 - HB 1731

Electronic Storage

Amends 10-7-121, 10-7-404 and 10-7-702 to delete references to storage of certain records on CD-ROM disks. Such records may be stored instead on any appropriate electronic medium.

Effective July 1, 2014.

Public Chapter 717
SB 2073 - HB 2217

School Security

Amends 10-7-504 to make information, records, and plans that are related to school security, the district-wide school safety plans or the building-level school safety plans confidential. Provides that school administrators of an LEA shall not be prevented from discussing or distributing information to parents or legal guardians of children attending the school regarding procedures for contacting or obtaining a child following a natural disaster.

Amends 49-6-804 to provide that any meeting concerning school security, the district-wide school safety plans or the building-level school safety plans shall not be subject to the open meetings laws. Provides that though closed to the general public, reasonable notice shall be provided to the general public prior to such a meeting. The board shall not discuss or deliberate on any other issues or subjects during such a meeting. Provides that each LEA shall provide to the local law enforcement agency with jurisdiction the LEA's plans regarding school security, district-wide school safety

Effective April 16, 2014.

Public Chapter 804
SB 2254 - HB 2361

Victims of Sexual Crimes

Amends 10-7-504 to make certain information regarding a victim of a sexual crime confidential. Allows the victim to waive such protection. Provides that the district attorney shall notify the victim that the victim has the right to waive confidentiality.

Effective April 25, 2014.

Public Chapter 925
SB 2006 – HB 1973

Students of Military Parents

Amends 49-6-5101 to provide that the department of education shall: (1) create a data entry point that identifies students with active duty military parents or guardians; (2) disaggregate data to identify students with active duty parents and guardians and children of parents or guardians of the national guard or reserves as separate groups; (3) prescribe a uniform program for the collection, maintenance, and transfer of data that each LEA must adopt; (4) prescribe the format for the data; and (5) prescribe the date by which each LEA shall report the data to the department.

Effective July 1, 2014.

RETIREMENT

Public Chapter 659
SB 2324 – HB 1957

Public Employee Benefits

Amends Title 8, Chapters 25 and 34 through 38 relative to public employee benefits. Provides that plans must honor claims under a

qualified domestic relations order that relates to the provision of marital property rights for the benefit of a former spouse. Revises numerous provisions in order to provide for a variety of investment options for different retirement plans. Adds “occupational therapist” to definition of teacher under TCRS. Establishes an administrative committee and an investment committee of the TCRS board. Provides that no state department, instrumentality or entity of or affiliated with state government shall be authorized to cover its otherwise eligible employees in the retirement system unless the general assembly approves the annual operating budget for the entity, or unless the entity has specific Tennessee state statutory authority to cover its otherwise eligible employees in the retirement system and the entity obtains written advice from nationally recognized counsel employed by the retirement system in the area of government employee benefit plans that the entity is eligible to participate in a governmental plan. Provides that the foregoing also applies to any person seeking admission to the retirement system whose compensation is paid, in whole or in part, from funds not appropriated by the general assembly. Provides that if an employer does not extend social security coverage to its employees, the employer is authorized, subject to the approval of the board, to establish a different benefit accrual rate, adopt different retirement eligibility service and age requirements, or to otherwise alter the pension plan benefit structure for all or for certain classes of its employees. Based on the advice of nationally recognized counsel employed by TCRS, any such alternative plan shall comply with all requirements of federal laws, rules, and regulations and also qualify as a social security replacement plan. Removes provision requiring a political subdivision to authorize an actuarial study before voting to allow its board members to participate in TCRS. Revises provision relative to the requirements that a covered member must meet in order to establish credit for prior service. Revises numerous provisions in order to standardize the age at which a death benefit is payable to children (choosing the standardized age of 22). Revises provisions relative to reentering service. Revises provisions relative to the maximum total combined employer contributions in the hybrid plans. Revises provisions relative to the stabilization reserve trust account in hybrid plans. Makes numerous other administrative amendments to the TCRS.

Multiple sections effective July 1, 2014, with remaining sections effective April 10, 2014.

Public Chapter 990
SB 2079 – HB 2037

Defined Benefit Financial Security Act of 2014
Enacts 8-37-310 to require the state treasurer to develop and

recommend to the board of trustees a funding policy with respect to the obligations of TCRS. The policy shall include an actuarial methodology expected to provide that projected revenues (employer contributions, employee contributions, and investment earnings), and current assets will finance all of the projected benefits (death, disability, and retirement) provided by the retirement system. In the event the retirement system has an unfunded accrued liability, then the level dollar amortization method shall be utilized for financing the unfunded accrued liability. Requires that the plan consider mortality improvements. Provides that if an entity participating in the retirement system is funded below 60%, such entity shall not establish benefit enhancements. Deletes 8-37-302 through 8-37-305 relative to the state accumulation fund.

Enacts “The Public Employees Defined Benefit Financial Security Act of 2014” in Title 9, Chapter 3, Part 5, which applies to all political subdivisions that provide defined benefit plans not administered by TCRS. Provides that such entities must develop a funding policy for financing the obligations under its pension plan, to be legally adopted and approved through a resolution by the political subdivision’s chief legislative body or governing body. Requires each political subdivision to develop a funding policy for fiscal years beginning after June 15, 2015. The funding policy and any amendments must be submitted to the comptroller of the treasury within 30 days after adoption. The policy must include: (1) that the actuarially determined contribution (ADC) for each pension plan include the normal costs and the amortization of the unfunded accrued liability, to the extent that any of the plans have any unfunded accrued liability for a particular fiscal year; (2) the maximum amortization period for which any unfunded accrued liabilities will be paid; and (3) a statement that the political subdivision’s budget shall include funding of at least 100% of the ADC, except as provided below. Provides that a political subdivision that is not paying at least 100% of the ADC to its pension plan for the fiscal year that includes June 30, 2015 shall maintain effort in the percentage of the ADC paid and, in addition, in each subsequent year, pay the cumulative annual funding progress percentage to increase the funding percentage of the ADC to the pension plan until payment of 100% of the ADC occurs within a maximum of five consecutive years after June 30, 2015. If the political subdivision is unable to meet the annual funding progress percentage, the political subdivision may submit a plan of correction to the state treasurer for consideration. If the state treasurer determines the plan of correction is sufficient to comply with the requirements set out above as soon as possible and to pay

100% of the ADC to the pension plan by June 30, 2020, the state treasurer shall submit the plan of correction to the state funding board for approval. The actuarial methodology is expected to provide that projected revenues (employer contributions, employee contributions, and investment earnings), and current assets will finance all of the projected benefits (death, disability, and retirement) provided by the plan. In the event that the pension plan has an unfunded accrued liability, the level dollar amortization method shall be utilized beginning on or before June 15, 2020 for financing the unfunded accrued liability, and will continue to be utilized thereafter. The ADC for the political subdivision's pension plan shall be determined by an independent, qualified actuary. The standards and methodology that must be used by the political subdivision's actuary in calculating the ADC. For political subdivision employees hired on or after the effective date of the act, the political subdivision may freeze, suspend or modify benefits, employee contributions, plan terms and design on a prospective basis. For any pension plan that is funded below 60%, the political subdivision shall not establish benefits enhancements unless approved by the state treasurer. In the event the political subdivision fails to fund the ADC according to the required percentages, the commissioner of finance and administration, at the direction of the comptroller, is authorized to withhold such amount or part of such amount from any state-shared taxes that are otherwise apportioned to such political subdivision. Authorizes the political subdivision to have the pension plan funds co-invested with TCRS or to have TCRS administer the pension plan.

Effective May 22, 2014.

TAXATION

Public Chapter 547
SB 1688 – HB 1487

Wheel Tax - Antique Motor Vehicles

Amends 5-8-102 to authorize the county legislative body, by resolution, either to exempt the owner of an antique motor vehicle from the wheel tax, or to provide for payment of a one-time-only wheel tax evidenced by a permanent decal or other device. The resolution must be approved either by 2/3 vote at two consecutive, regularly scheduled meetings, or by referendum. The county clerk may charge a one-time-only fee for initial issuance of the permanent decal or other device in an amount sufficient to defray the costs of implementing these provisions.

Effective March 17, 2014.

Public Chapter 764

Collection of Taxes

SB 1637 – HB 1433

Amends 67-1-804 relative to dishonored payment of taxes administered by the commissioner of revenue, to provide that dishonored electronic funds transfers are subject to the same penalties as dishonored checks and money orders. Amends 67-1-1704(d) to authorize the department of revenue to release returns and tax information to authorized local government officials in order to ascertain whether the business tax imposed under 67-4-704 is being paid.

Effective April 24, 2014.

Public Chapter 854
SB 1635 – HB 1431

Tax Settlements

Amends 67-1-102 to authorize, rather than require, approval of tax settlements by the Comptroller and Attorney General. Amends 67-1-110 to revise various taxpayer rights to include the right to an informal conference regarding tax liabilities. Amends 67-1-801 regarding the rate of interest. Amends 67-1-1438 to require any suit challenging an assessment to be filed within 90 days from the date of final assessment. Revises various other provisions regarding issuing and disputing assessments.

Effective January 1, 2015.

Public Chapter 901
SB 1464 – HB 1403

Mixed Drink Tax Revenues

Amends 57-4-306 to provide that mixed drink tax revenues will be distributed by the commissioner of revenue as follows: one-half to the state general fund to be used for education; the other half to the local political subdivisions, with taxes collected within municipalities being sent to the city recorder and taxes collected outside incorporated municipalities being sent to the county trustee. One-half of the tax proceeds distributed to the local political subdivisions must be used for education. For a one-year period beginning July 1, 2014, local tax proceeds that are earmarked for education must be distributed locally as follows: (1) If the county school system is the only LEA in the county, all revenues (both city and county) go to the county trustee for the county school system. (2) If the city where the revenues are collected operates K-12 schools, the city keeps all for its schools. (3) If the city where the revenues are collected operates less than K-12 schools, the proceeds are to be distributed to the LEAs where the city's students attend school according to formulas based on ADA calculations. "ADA" is defined in the act. (4) If the city where the revenues are collected does not operate schools, all of the city's revenues go to the county school system and the revenues do not have to be shared, notwithstanding 49-3-315. If a special school district is located in the city where the revenues are

collected, the revenues are allocated by ADA to the SSD and to the county school system. (5) If revenues are collected in a county in which one or more cities operate schools, the county is not required to share its proceeds (collected outside cities) with any cities that have school systems and have liquor by the drink, notwithstanding 49-3-315. (6) If the city where the revenues are collected is in two or more counties and does not operate schools, the proceeds are divided between the counties based on situs of collection, and distributed to the county trustee for the county school system in each county. After July 1, 2015, proceeds will be distributed under the distribution formula in existence before this act, but without the exception for Bedford County. By August 1, 2014, each city and county “that exercises the privilege authorized under § 57-4-301(c)” must send a written notice to each school system operating within that jurisdiction, stating that the city or county “exercises the privilege authorized under § 57-4-301(c),” that students within the jurisdiction attend a school(s) operated by the school system, that the school system is authorized to receive a portion of the revenues, and a reference to these statutes. A jurisdiction newly adopting liquor by the drink must send this notice within 30 days of the referendum. If the local political subdivision fails to remit the proceeds to the appropriate school system(s) within 60 days of receipt from the commissioner, the school board must notify the comptroller, who within 5 days must send notice to the local political subdivision by certified mail. If the proceeds are not remitted within 30 days of receipt of the notice, the comptroller will direct the commissioner of revenue to withhold future distributions to the local political subdivision until the matter is resolved by suit in chancery court. If the state is a named party, the suit must be in Davidson County. Contains an exception and special distribution formula that applies only to Hamilton and Bradley counties, which is the same as the current statute with an additional provision authorizing the commissioner to distribute the local proceeds to either the city recorder or the county trustee, depending on the situs of collection, and having them distribute the proceeds locally.

The foregoing provisions become effective July 1, 2014.

Also amends 49-2-203 to enact a new subsection (d) authorizing boards of education and municipal and county legislative bodies to enter into binding agreements for the disposition of revenues received under the statute as it existed prior to July 1, 2014, as long as the city or county was acting in good faith when they failed to remit the proceeds appropriately. These agreements may take into account any offsets of liability by past, present or future

appropriations, expenditures, allocations of revenue, gifts, capital projects or similar payments, grants, or any consideration made by the city or county to the school system, on behalf of the school system, or otherwise directly benefitting the school system. Any such agreement must be in place by August 31, 2014. Copies must be filed with the commissioner of revenue and the comptroller. If any party defaults, the aggrieved party must notify the comptroller who will send written notice to the defaulting party by certified mail within 5 business days. If the default is not cured within 60 days of receipt of notice, the comptroller will direct the commissioner to withhold future distributions of proceeds “authorized under 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014, to the defaulting party.” The aggrieved party is authorized to file suit in Davidson County chancery court. Upon receipt of a copy of the judgment, the commissioner will release the withheld proceeds. If no binding agreement has been entered into by September 1, 2014, any party may (1) file suit in Davidson County chancery court, or (2) ask the comptroller to undertake binding arbitration to resolve the disagreement. Recovery is limited to proceeds received by the local political subdivision between July 1, 1999 and June 30, 2014. The amount may be paid in equal installments not exceeding 10 years. If a party fails to either file suit in Davidson County chancery court or seek binding arbitration by December 31, 2014, the party is barred from relief for all proceeds received by a political subdivision prior to July 1, 2014.

Nothing in the new subsection (d) above applies to any case or action filed before June 1, 2014. (Suits filed before June 1, 2014, are not required to be filed in Davidson County and the limitation on recovery of proceeds to 1999 will not apply.)

The foregoing provisions are effective May 13, 2014 (these provisions do not apply to Bradley or Hamilton counties).

Public Chapter 908
SB 2076 – HB 1769

Diesel Fuel Tax

Enacts the Transportation Fuel Equity Act, 67-3-14__, to provide that all diesel fuel, whether dyed or undyed, used by a commercial carrier to produce power for a means of transportation within the state is subject to the 17¢ diesel tax. All tax revenues collected will be deposited in the state’s transportation equity trust fund created under 9-4-207 and used in accordance with that statute. Makes revisions to other statutes in accordance with this new law.

Effective July 1, 2014.

Public Chapter 942
SB 1477 – HB 1536

Business Tax

Amends Title 67, Chapter 4, Part 7, to add natural gas marketers to class 5 for business tax, to be taxed at 1/50 of 1% of all sales within the state without the \$450 minimum or the \$1,500 maximum applicable to other businesses in class 5. Businesses in class 5 are not required to obtain a business license from the county clerk. 100% of the taxes, penalty and interest collected from any business in class 5 goes to the state general fund.

Effective July 1, 2014.

TAXATION - PROPERTY

Public Chapter 589
SB 1677 - HB 1448

Agricultural, Forest and Open Space Land

Amends 67-5-1008 (c)(2)(C) to provide that the capitalization rate shall be the maximum allowable rate on loans for terms in excess of five years guaranteed by the federal Farm Service Agency or its successor, as of the assessment date for the year in which the use value schedule is being developed.

Effective January 1, 2015.

Public Chapter 599
SB 625 - HB 455

Delinquent Property Tax Sales

Amends 67-5-2502 (a)(3) to provide that if there is any remainder after the proceeds of the sale have been distributed the parties receiving notice of the sale shall also be given notice of the amount of proceeds resulting from the sale, the division of such proceeds, and the remainder.

Effective July 1, 2014.

Public Chapter 691
SB 1720 - HB 1530

County Board of Equalization – Property Tax Appeals

Amends 67-1-403 to provide that the county mayor may require board members and county board hearing officers to complete training on duties and responsibilities of their office as a condition of appointment or continued service. Amends 67-5-1512(a) to provide that the board shall provide written notice of its final actions on appeals and complaints to the parties and to others upon request; written notice includes notification by electronic means, and the record of actions or notice may be preserved in digital or electronic format.

Effective April 15, 2014.

Public Chapter 708
SB 2507 - HB 2236

Collection of Delinquent Property Taxes

Amends 67-5-2404 (c) to provide that upon written agreement

between the county trustee and the clerk of the court where suit has been filed for collection of delinquent taxes, the trustee may continue to collect delinquent property taxes, including penalty, interest, fees, and costs on all property included on the delinquent list delivered by the trustee to the delinquent tax attorney until the time such properties are sold in a delinquent tax sale. Applies to any county having over 300,000 tax parcels upon the adoption of a resolution by a 2/3 vote of the county legislative body.

Effective April 15, 2014.

Public Chapter 738
SB 1741 - HB 1534

State Board of Equalization – Taxpayer Agents

Amends 67-5-1514 (k) to provide that the application for registration or renewal of registration by a person or a firm not a resident of this state shall constitute appointment of the secretary of state as the applicant's agent upon whom process may be served in any action or proceeding against the applicant arising out of any transaction or operation connected with or incidental to services performed by the applicant while a registrant within this state. Service of process on the secretary of state shall be made in the manner set forth in 20-2-215 and 20-2-216.

Effective April 22, 2014.

Public Chapter 814
SB 54 - HB 19

Delinquent Property Tax Sales

Enacts 67-5-2516 to provide that whenever a tax entity acquires unimproved or undeveloped property at a tax sale, at any time during its ownership of the property the tax entity may transfer the property to the non-governmental entity claiming contractual rights to the payment of fees or assessments duly recorded in covenants and restrictions, which shall be in full satisfaction of the fees and assessments, provided that the tax entity and non-governmental entity shall jointly approve the transfer and may negotiate a suspension or resolution of any fees and assessments from the date the tax entity takes title at the tax sale until the transfer to the non-governmental entity is complete. If the transfer is jointly approved, then prior to the date that the non-governmental entity takes title, , no judgment shall be entered against the tax entity regarding the payment of assessments or fees, nor shall any lien for assessments or fees claimed by the non-governmental entity be enforced. Transfer of the property shall not affect any rights of redemption.

Effective April 29, 2014. Applies to properties acquired by tax entities at tax sales on and after such date.

Public Chapter 825

Delinquent Property Tax Sales

SB 1795 - HB 2078

Amends 67-5-2506 (a)(2) to authorize the county legislative body to make a determination that no bid will be made on behalf of the county on non-buildable or non-conforming parcels, including without limitation, storm water detention basins, drainage ditches, private road right-of-ways, private drives, common open areas, and utility easements.

Effective April 29, 2014.

Public Chapter 846
SB 2461 - HB 2347

Agricultural, Forest and Open Space Land

Amends 67-5-1009 (c) to provide that a qualified conservation organization also includes any department or agency of the United States government which acquires an easement pursuant to law for the purpose of restoring or conserving land for natural resources, water, air and wildlife.

Effective April 29, 2014.

Public Chapter 860
SB 2599 - HB 2503

Property Tax Relief Program

Amends 67-5-701(e) to provide that if the comptroller determines that annual appropriations will be insufficient to permit full payment of claims reflecting the income and value standards established in this part or in the annual appropriations act, the comptroller shall calculate and apply a factor to uniformly adjust individual payments to permit all timely claims to be paid within the limits of the appropriation. Promptly upon making this determination and calculating the appropriate factor, the comptroller shall notify local collecting officials and the commissioner of finance and administration.

Effective April 30, 2014, and applies to claims for the 2014 tax year and thereafter.

Public Chapter 883
SB 2128 - HB 2165

Delinquent Property Tax Sales

Amends 67-5-513, 67-5-2010, 67-5-2103, 67-5-2405, 67-5-2411, 67-5-2415, 67-5-2502, 67-5-2504, 67-5-2515. Deletes 67-5-2505, 67-5-2512, 67-5-2513, 67-5-2514. Deletes 67-5-2701 through 67-5-2706. Enacts new 67-5-2701 and 67-5-2803. Revises certain requirements related to delinquent property tax sales.

Effective July 1, 2014.

Public Chapter 887
SB 2283 - HB 1938

Exemptions - Low Income Housing

Amends 67-5-207 to provide that eligibility for exemption under these federal programs continues on property financed or refinanced by a loan so long as there is an unpaid balance on the

loan. Following payment of the loan in full, a property continues to be exempt from taxation so long as the project is restricted to use for elderly persons or persons with disabilities as defined in the programs. In the case of a property financed by a grant, eligibility for the exemption under these programs continues so long as the project is restricted to use for elderly persons or persons with disabilities as defined in the programs. Owners of projects exceeding 12 units shall agree to make payments in lieu of taxes to the tax jurisdictions in which they are located, in an amount negotiated to cover the cost of improvements, facilities or services rendered by the tax jurisdiction, but if no amount is agreed the payments shall be not less than 25% of the amount of tax that would be due if the project were not exempt.

Effective May 1, 2014.

Public Chapter 933
SB 2337 - HB 1913

Property Tax Exemptions for Government Property

Amends 67-5-203 to provide that if real property owned by any political subdivision is leased or conveyed in any manner to a person, corporation or other business entity which has the purpose or effect of reducing the real or personal property appraisal and tax collection of the county in which the real property is located, the lease, conveyance or other transfer arrangement may not be for a period in excess of 30 years without approval from the county legislative body of the county in which the real property is located, unless the agreement requires the lessee to pay all real and personal property taxes to the county in which the property is located for any year after the initial 30-year occupancy period as if such property was not owned by any political subdivision of the state or other tax exempt entity. Does not apply to the payment in lieu of tax programs jointly administered by the municipality and the county in which the real property is located, whether through a jointly authorized entity or a memorandum of understanding. Real property owned by any political subdivision that is leased or conveyed in any manner to a person, corporation or other business entity shall be assessed as if the lessee were the owner, if: (1) the lease or other transfer arrangement is for a period of 50 years or more; or (2) the lease, other than a lease negotiated pursuant to 7-53-101 *et seq.*, permits the lessee to acquire the real property for a nominal sum at or before the completion of the term.

Effective May 16, 2014.

Public Chapter 937
SB 2553 - HB 2451

Certified Tax Rate

Amends 67-5-1703 and 67-5-1704 to allow the state board of equalization to correct an error in the computation of a certified tax

rate. The corrected rate will be applicable to the tax year in which the certified tax rate is calculated if the error is corrected before the tax billing date and in the next tax year if the error is corrected after the tax billing date.

Effective July 1, 2014.

Public Chapter 938
SB 1128 - HB 1116

Property Taxes

Amends 67-5-705(e)(2) regarding “tax freeze” to provide that the base tax shall be recalculated in any year in which the actual tax due is less than the previously established base tax for the property, and the recalculated base tax shall apply until further recalculated pursuant to the provisions of this part. Amends 67-5-902 regarding “tangible personal property” schedules, to provide that the assessor, with the approval of the director of property assessments, may require electronic filing for tangible personal property schedules and for any year in which electronic filing is required in the county, the filing deadline is extended to April 15, and tangible personal property assessments may be appealed directly to the state board of equalization until 45 days after the assessment change notice is sent. Amends 67-5-903(d)(2) regarding “forced assessments” to provide that mitigation of the forced assessment shall follow the procedure, including appeal, prescribed for correction of error under 67-5-509, but must be requested within the same deadline as provided for amendment of a schedule pursuant to subsection (e). Amends 67-5-1601 regarding “reappraisal” to provide that photo review may now be used, but photo review of parcels as part of reappraisal is permitted only in compliance with rules adopted by the state board of equalization.

Effective May 19, 2014.

TAXATION - SALES

Public Chapter 1012
SB 2549 – HB 2402

Sales Tax

Amends 67-6-210 to exempt from the use tax boats that were purchased and registered in another state before the owner moved to Tennessee. The boat must be for personal use only and have a value less than \$10,000.

Effective July 1, 2014.

UTILITIES

Public Chapter 536

Appointment of Utility District Commissioners

SB 762 – HB 1139

Amends 7-82-307(a)(4) to authorize the county commission in the case of single-county utility districts to appoint a utility district commissioner from any of the three lists submitted and rejected by the county mayor (as opposed to just the final list).

Effective March 17, 2014.

Public Chapter 628
SB 1742 - HB 1650

Utility Accounting and Budgets

Amends Title 7, Chapters 34 and 82; 9-21-308; and Title 68, Chapter 221, Part 10. Amends accounting and budgetary provisions relative to utilities operating under the Revenue Bond Law. Amends provisions relative to audits of utilities operating under the Utility District Law. Amends accounting and budgetary provisions relative to utilities operating under the Local Government Public Obligations Act. Amends provisions relative to audits of utilities operating under the Wastewater Facilities Act.

Effective April 4, 2014.

WORKERS' COMPENSATION

Public Chapter 837
SB 2088 – HB 1786

Workers' Compensation Ombudsman

Amends 50-6-216. Provides that any party that is not represented by legal counsel may request the services of a workers' compensation ombudsman by contacting the office of mediation services. An ombudsman may not provide legal advice.

Effective July 1, 2014.

PART II - PUBLIC ACTS OF LOCAL APPLICATION

ANDERSON

Public Chapter 980
SB 1453 – HB 1558

Education

Amends 49-3-352 to provide that subsection (b) does not apply in Anderson County; appropriations from all sources to fund public education shall be deposited into the dedicated education fund and invested as provided by law.

Effective May 22, 2014.

CARROLL

Public Chapter 577
SB 479 – HB 384

Carroll County Watershed Authority

Amends 64-1-804(a)(7) to authorize the Carroll County Watershed Authority to issue refunding bonds.

Effective March 28, 2014.

CARTER

Public Chapter 658
SB 2433 – HB 1740

Recreation Boards

Amends 11-24-104 to authorize Carter County to create a nine member recreation board. Requires eight members to be members of the community and to represent each civil district within the county and the remaining member to be a county commissioner appointed by the chair and confirmed by the county commission. Specifies that board members serve four-year terms and are to be paid \$50 per meeting, with a maximum of eight paid meetings per year.

Effective April 10, 2014.

DAVIDSON

Public Chapter 789
SB 2488 - HB 2035

Environmental Court

Amends 29-3-102 to confer jurisdiction over public nuisance claims to the Davidson County environmental court.

Effective April 24, 2014.

Public Chapter 806
SB 2484 – HB 2404

Convention Center

Amends 7-4-202(d) to increase from 5 to 6 the number of members on the event and marketing fund committee by adding an appointee

who owns or operates a business within the central business improvement district.

Effective April 25, 2014.

FRANKLIN

Public Chapter 756
SB 2585 - HB 2354

Probate Jurisdiction

Amends 16-16-201 to transfer, effective July 1, 2014, probate jurisdiction from general sessions to chancery court. Amends 18-6-106 to transfer, effective July 1, 2014, clerical duties for probate court from the circuit court clerk to the clerk and master.

Effective April 22, 2014.

Public Chapter 838
SB 2109 – HB 2256

County Boundary

Changes the boundary between Franklin County and Marion County.

Effective January 1, 2015.

KNOX

Public Chapter 1000
SB 2256 – HB 2104

Assisted Outpatient Treatment

Amends 33-6-624 to extend the Knox County pilot project for court-ordered assisted outpatient treatment to June 30, 2015.

Effective May 22, 2014.

MARION

Public Chapter 838
SB 2109 – HB 2256

County Boundary

Changes the boundary between Franklin County and Marion County.

Effective January 1, 2015.

MONROE

Public Chapter 702
SB 2048 - HB 1933

Turkey Pen

Amends 11-14-401 to authorize the executive director of the wildlife resources agency to make expenditures from the 1986 wetland acquisition fund for the purpose of acquiring certain upland hardwood forests which are located within Monroe County and known as “Turkey Pen”, including lands adjacent thereto.

Effective April 15, 2014.

PUTNAM

Public Chapter 545
SB 1642 - HB 1436

Natural Areas Preservation

Amends 11-14-108(b)(1) and (2) to provide that part of Burgess Falls scenic recreation area is in White County instead of wholly within Putnam County. Adds as natural scientific areas Lost Creek in White County and Window Cliffs in Putnam County.

Effective March 17, 2014.

SHELBY

Public Chapter 752
SB 2420 – HB 2300

Industrial Development Corporations

Amends 7-53-302 to authorize industrial development corporations, with the approval of the county legislative body, to enter into loan agreements with regards to projects or activities, costs, debt restructuring or working capital associated with such projects. Also authorizes industrial development corporations to sell, exchange, donate, forgive debt, grant and convey any or all assets or properties, including, without limitation, all or any part of the rents, revenues and receipts of the corporation from its projects, whenever its board of directors shall find any such action to be in furtherance of the purposes for which the corporation was organized. Prohibits industrial development corporations from entering into a loan agreement, accepting a note or issuing any indebtedness, or otherwise providing financing for working capital that exceeds \$250,000 in principal amount to any project or borrower or provides for a term in excess of five years, including any renewals or extensions of such financing. Amends 7-53-308 to provide that nothing in that section shall prevent the board of directors from transferring all or any part of its assets in accordance with the terms of any lease, sale contract, loan agreement, mortgage or deed of trust entered into by the corporation.

Effective April 22, 2014.

WHITE

Public Chapter 545
SB 1642 - HB 1436

Natural Areas Preservation

Amends 11-14-108(b)(1) and (2). Provides that part of Burgess Falls scenic recreation area is in White County instead of wholly within Putnam County. Adds as natural scientific areas Lost Creek in White County and Window Cliffs in Putnam County.

Effective March 17, 2014.

PART III – PRIVATE ACTS

CANNON

Private Chapter 73
SB 2647 – HB 2553

U.S. 70 South

Enacts Chapter 73 of the Private Acts of 2014 to authorize an advisory referendum relative to the location of a portion of U.S. 70 South in Cannon County.

Effective upon approval by 2/3 vote of the county legislative body by September 1, 2014.

DEKALB

Private Chapter 50
SB 2612 – HB 2521

Democratic Party Executive Committee

Repeals Chapter 771 of the Private Acts of 1949 and Chapter 374 of the Private Acts of 1972 to eliminate the Democratic Party executive committee in DeKalb County.

Effective upon approval by 2/3 vote of the county legislative body.

FRANKLIN

Private Chapter 48
SB 2615 – HB 2518

Chancery Court

Amends Chapter 302 of the Private Acts of 1982. Effective July 1, 2014, all clerical duties and responsibilities for the probate court currently exercised by the circuit court clerk shall transfer to the clerk and master. Effective July 1, 2014, all jurisdiction relating to the probate of wills and the administration of estates of every nature, including the estates of decedents and of wards under guardianships or conservatorships and related matters presently in the court of general sessions shall be transferred to chancery court.

Effective upon approval by 2/3 vote of the county legislative body.

HAMILTON

Private Chapter 67
SB 2638 – HB 2545

Dept. of Education Insurance and Pension Fund

Amends Chapter 689 of the Private Acts of 1937 to amend the County Department of Education Insurance and Pension Fund Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts.

Effective upon approval by 2/3 vote of the county legislative body.

Private Chapter 68
SB 2639 – HB 2546

County Employees' Retirement Act

Amends Chapter 557 of the Private Acts of 1939 to amend the County Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts.

Effective upon approval by 2/3 vote of the county legislative body.

Private Chapter 69
SB 2641 – HB 2547

Dept. of Education Insurance and Pension Fund

Amends Chapter 689 of the Private Acts of 1937 to amend the County Department of Education Insurance and Pension Fund Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts.

Effective upon approval by 2/3 vote of the county legislative body.

Private Chapter 70
SB 2640 – HB 2548

County Employees' Retirement Act

Amends Chapter 557 of the Private Acts of 1939 to amend the County Employees' Retirement Act to comply with changes in the Internal Revenue Code due to the passage of certain federal acts.

Effective upon approval by 2/3 vote of the county legislative body.

Private Chapter 72
SB 2649 – HB 2555

Erlanger Hospital

Amends Chapter 297 of the Private Acts of 1976 to revise the composition of the board for Erlanger Hospital.

Effective upon approval by 2/3 vote of the county legislative body.

OBION

Private Chapter 31
SB 2381 – HB 2138

Juvenile Court

Repeals Chapter 326 of the Private Acts of 1982 upon any vacancy occurring in the office of juvenile judge in Obion County, to authorize the general sessions court to exercise juvenile court jurisdiction pursuant to 37-1-203.

Effective upon approval by 2/3 vote of the county legislative body.

PUTNAM

Private Chapter 41
SB 2603 – HB 2511

Purchasing

Amends Chapter 63 of the Private Acts of 1981 to increase the purchasing amount that triggers the requirement for competitive bidding from \$5,000 to an amount equal to the maximum amount authorized under the County Purchasing Law of 1957.

Effective upon approval by 2/3 vote of the county legislative body.

RUTHERFORD

Private Chapter 47
SB 2606 – HB 2515

Road Board

Amends Chapter 55 of the Private Acts of 1951 to require that one road board member of road board district 1, instead of road board district 5, be elected at the August 2014 election; replaces reference to “county judge” with “county executive.”

Effective upon approval by 2/3 vote of the county legislative body.

Private Chapter 76
SB 2378 – HB 2164

Court Officers

Amends Chapter 384 of the Private Acts of 1947 to authorize judges of the general sessions courts, probate courts and juvenile court to appoint qualified persons to serve as court officers.

Effective upon approval by 2/3 vote of the county legislative body.

SUMNER

Private Chapter 40
SB 2594 – HB 2504

General Sessions Court

Amends Chapter 481 of the Private Acts of 1949 to create a new division III of general sessions court; creates position of judge to serve such division; and provides that a person be appointed to serve as judge of division III by the county legislative body on or after September 1, 2014, but not later than September 1, 2015.

Effective upon approval by 2/3 vote of the county legislative body by September 1, 2014.

Private Chapter 59
SB 2607 – HB 2512

Register of Deeds

Repeals Chapter 122 of the Private Acts of 1967 to repeal private act prohibiting the register from recording deeds for real estate or plats unless it has been filed with the tax assessor first.

Effective upon approval by 2/3 vote of the county legislative body by September 1, 2014.

TIPTON

Private Chapter 79
SB 2626 – HB 2541

Assessor of Property

Repeals Chapter 46 of the Private Acts of 1969 to remove the requirement that the tax assessor or deputy tax assessor stamp or make a physical notation on certain conveyances of real property.

Effective upon approval by 2/3 vote of the county legislative body.

WILSON

Private Chapter 71
SB 2644 – HB 2550

Board of Education

Amends Chapter 50 of the Private Acts of 1971 to increase the number of members on the board of education from 5 to 7.

Effective upon approval by referendum.