



Thank you for the opportunity to represent the Tennessee Manufactured Housing Association. Our team is proud to provide you with our final report of, yet another, successful year! The second session of the 107th General Assembly adjourned sine die on Tuesday, May 1, 2012. The main theme of this legislative session was efficiency, which was marked by the earliest adjournment in 14 years.

The highlights of this legislative session included: legislative and congressional redistricting; constitutional amendments and, of course, passage of the 2012-2013 budget for the State of Tennessee. A brief summary of the major highlights of our work at Legislative Plaza and the key events which were most relevant to the Tennessee Manufactured Housing Association, are included below. Please feel free to call on us any time if you require additional information regarding all of the happenings on Capitol Hill during the 2012 legislative session.

REDISTRICTING

The first major effort of the legislature when it reconvened on January 10, 2012 was the consideration and passage of the new legislative and congressional maps for Tennessee. After the completion of the census every 10 years, the legislature must complete the grueling task of re-drawing the district lines to reflect the current population.

The total population of the State of Tennessee is 6.34 million, which is an increase from 5.6 million in 2000. Therefore, the new 33 Senatorial districts have approximately 192,306 citizens per district. The House of Representatives have approximately 64,102 citizens in each of the new 99 districts.

Currently Republicans hold the majority in the House of Representatives, holding 64 of the 99 seats. Similarly, the Senate is comprised of 20 Republicans and 13 Democrats. The legislative districts today have a few main characteristics: 1) Democratic districts are smaller, while the Republican districts are larger; and 2) most of the population growth has occurred in Republican districts.

The most significant changes to the maps are in the major metropolitan areas of the State. New House seats were created in Rutherford and Williamson Counties due to the population-boom. Knox and Hamilton Counties also have new House districts. While the Nashville area will gain seats, Shelby County will lose one of its six Senate seats and two of its sixteen House seats.

Tennessee retained its nine congressional seats, with the new map being described by some as more "compact."

It is extremely important to familiarize yourself with the new districts and the candidates seeking public office. Several sitting members of the House of Representatives and the Senate announced that they will not be seeking re-election in seats they have held for a number of years. Inevitably, candidates will be elected with diverse positions on issues important to the Association's interest. We strongly encourage you to engage these candidates and build relationships with them during their campaigns.

The final maps can be viewed on the Tennessee General Assembly's [website](#).

2012-2013 BUDGET

As you know, the Tennessee General Assembly is required by the Tennessee Constitution to balance the budget every year. This year, the State's budget is a total of \$31.5 billion, which is a 2 percent reduction from last year. This year's budget includes three tax cuts, including: a phase out of the death tax to be completed in 2016, elimination of the gift tax, and a reduction in the food tax from 5.5% to 5.25%.

The 2012-2013 budget also includes \$84 million for economic development and \$80 million for public safety and corrections programs. \$561 million was allocated for capital outlay, including \$335 million for higher education. Also, several of the core services that were scheduled to end as of July 1, 2012 were restored in the amount of \$125 million.

The final budget conference committee report adopted by both the House and the Senate may be viewed [here](#). Click [here](#) to view the final budget discussions by the conference committee.

FINAL LEGISLATIVE REPORT

Our team successfully amended SB 2492/ HB 2639, which requires local governments seeking more stringent sprinkler requirements in one-family and two-family dwellings to adopt an ordinance or resolution with a two-thirds majority vote. Due to the work of our team, the bill sponsors and other stakeholders, under the bill as amended if a local government adopts mandatory sprinkler requirements for one-family and two-family dwellings, the requirements will not apply to manufactured homes constructed or installed under parts 2 and 4 of chapter 126 of Title 68 of Tennessee Code Annotated *unless* the requirements are consistent with the regulations established by the United States department of housing and urban development (HUD) relating to the installation of sprinkler equipment in manufactured homes. To learn more see [PC 839](#).

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SB4 / HB1563 Income limits for property tax freeze.

Category Taxes Property

Sponsors Sen. Mark S. Norris / Rep. Charles M. Sargent

Description Revises property tax freeze income limit reference of census data from the most recent decennial census to estimates in the year following the most recent federal census.

Senate Status 05/04/2011 - Taken off notice in Senate Finance Tax Subcommittee.

House Status 03/03/2011 - Referred to House General Subcommittee of Finance.

SB6 / HB2 Sales tax refund for purchases made after May 2010 flood.

Category Taxes Sales

Sponsors Sen. Douglas Henry Jr. / Rep. Gary Odom

Description Extends limited sales tax refund for certain appliances, furniture, and building supplies purchased in response to May 2010 flood.

Senate Status 02/21/2011 - Referred to Senate Finance, Ways & Means.

House Status 04/05/2011 - House Finance, Ways & Means deferred to last calendar.

SB7 / HB1 Sales tax refund for purchases related to May 2010 flood.

Category Taxes Sales

Sponsors Sen. Douglas Henry Jr. / Rep. Gary W. Moore Sr.

Description Extends time period for persons receiving FEMA assistance from May 2010 flood damage to apply for sales tax refunds for certain residential purchases, including major appliances and building supplies. Specifies that claimant is eligible for refunds on purchases made between October 1, 2010 and April 30, 2011.

Senate Status 01/21/2011 - Referred to Senate Finance, Ways & Means.

House Status 01/12/2012 - Withdrawn in House.

SB17 / HB1564 Mortgage-related licensure exemptions

Category Property & Housing

Sponsors Sen. Mark S. Norris / Rep. Charles M. Sargent

Description Exempts individuals who make five or less mortgages within a twelve month period and individuals who receive one or more mortgages, deeds of trust, or other security instruments on real estate as security for a purchase money obligation from certain mortgage-related licensure.

Senate Status 01/21/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/03/2011 - Referred to House General Subcommittee of Commerce.

SB19 / HB3 Tax refund for items purchased after May 2010 flood.

Category Taxes Sales

Sponsors Sen. Joe M. Haynes / Rep. Mike Turner

Description Extends limited sales tax refund for certain appliances, furniture, and building supplies purchased in response to May 2010 flood.

Senate Status 01/21/2011 - Referred to Senate Finance, Ways & Means.

House Status 01/23/2012 - Withdrawn in House.

SB24 / HB6 Flood-related sales taxes exemptions.

Category Taxes Sales

Sponsors Sen. Douglas Henry Jr. / Rep. Gary Odom

Description Exempts from sales tax certain flood-related purchases made between October 1, 2010 and April 30, 2011, in addition to purchases made between May 1, 2010 and September 30, 2010.

Senate Status 03/17/2011 - Senate passed.

House Status 04/18/2011 - House passed.

Executive Status 05/03/2011 - Enacted as Public Chapter 0133 effective 05/02/2011.

SB27 / HB150 Extension of deadline for applications for annual events.

Category Lottery

Sponsors Sen. Jim Tracy / Rep. Joe Carr

Description Extends deadline for applications for 2010-2011 annual events for 5 days after effective date of act.

Senate Status 02/15/2011 - Senate passed with amendment 1.

House Status 03/07/2011 - House passed.

Executive Status 03/24/2011 - Enacted as Public Chapter 0010 effective 3/24/2011.

[SB40 / HB205](#) Base period calculation excludes temporary total disability.

Category Labor Law

Sponsors Sen. Mike Faulk / Rep. Michael Harrison

Description Excludes periods of temporary total disability under the workers compensation law from calculation of the base period concerning unemployment compensation.

Senate Status 05/21/2011 - Senate passed.

House Status 05/21/2011 - House passed.

Executive Status 06/03/2011 - Enacted as Public Chapter 0376 effective 07/01/2011.

[SB53](#) Handgun carry permits.

Category Criminal Law

Sponsors Sen. Stacey Campfield

Description Allows any person who is a U.S. citizen or a permanent lawful resident and who owns real property in Tennessee, rather than TN residents who are citizens or permanent lawful residents, to apply to obtain a handgun carry permit from the department of safety. Retains current law exceptions.

Senate Status 02/22/2011 - Taken off notice in Senate Judiciary.

House Status None

[SB55 / HB1214](#) Eminent domain: notice by mail, not newspaper.

Category Property & Housing

Sponsors Sen. Stacey Campfield / Rep. Steve Hall

Description Requires the municipality to notify property owners affected by the proposed annexation by first class mail and posting it in various public places, instead of posting it in the newspaper. Requires the mail to be sent more than 14 days from the scheduled proposed annexation. Requires the person mailing the notice to file an affidavit to certain municipality officials concerning the mailed documents.

Senate Status 05/18/2011 - Senate passed with amendment 1.

House Status 05/20/2011 - House concurred in Senate amendment 1.

Executive Status 06/17/2011 - Enacted as Public Chapter 0495 effective 07/01/2011.

[SB88 / HB126](#) Zoning boards of appeals: records requirements.

Category Property & Housing

Sponsors Sen. Bill Ketron / Rep. Charles M. Sargent

Description Requires zoning boards of appeals to make findings of fact, statements of material evidence, and statements of reasons for their actions as part of each motion or action and keep a public record of their resolutions, transactions, motions, actions, and determinations.

Senate Status 05/02/2011 - Senate passed with amendment 1.

House Status 05/16/2011 - House passed.

Executive Status 06/02/2011 - Enacted as Public Chapter 0279 effective 07/01/2011.

[SB90 / HB124](#) Local governments' zoning authority.

Category Local Government

Sponsors Sen. Bill Ketron / Rep. Charles M. Sargent

Description Authorizes counties and municipalities to establish zoning districts or provisions for planned unit developments, overlay districts, mixed use developments, condominiums, and other types of sustainable design and development of property, and procedures for review and approval of such uses.

Senate Status 03/14/2011 - Withdrawn in Senate.

House Status 03/16/2011 - Taken off notice in House General Subcommittee of State & Local Government.

[SB111 / HB158](#) Exempts certain vehicles from inspection requirements.

Category Transportation Vehicles

Sponsors Sen. Jack Johnson / Rep. Glen Casada

Description Exempts from motor vehicle inspection requirements new and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than 5,000 miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user.

Senate Status 02/09/2011 - Referred to Senate Transportation.

House Status 02/09/2011 - Referred to House General Subcommittee of Conservation & Environment.

[SB136 / HB159](#) Prohibits payroll deductions to PACs.

Category Public Employees

Sponsors Sen. Bill Ketron / Rep. Glen Casada

Description Prohibits public employees, including city and county employees, from having a payroll deduction to a political action committee or for dues for membership organizations that use funds for political activities.

Senate Status 02/09/2011 - Referred to Senate State & Local Government.

House Status 02/14/2011 - Referred to House General Subcommittee of State & Local Government.

[SB138 / HB176](#) Landowner's duty to person on land for recreational purpose.

Category Tort Liability

Sponsors Sen. Bill Ketron / Rep. Pat Marsh

Description Clarifies that a landowner does not owe a duty to keep their premises safe or give warning of dangerous conditions for persons entering the property, with or without the owner's permission, for the purpose of various recreational activities unless failure to do so would constitute gross negligence. Continues to provide immunity from liability for failing to guard or warn of conditions caused by forces of nature.

Senate Status 03/22/2011 - Senate Judiciary deferred to the first committee calendar of next year.

House Status 03/30/2011 - Taken off notice in House General Subcommittee of Judiciary

[SB146 / HB262](#) State board for licensing contractors appointments.

Category Government Organization

Sponsors Sen. Bo Watson / Rep. Jim Cobb

Description Makes permissive, instead of mandatory, the provisions for the Home Builders Association of Tennessee, Inc. submitting list of recommended persons to the governor. Makes consulting with the Association about its recommendations prior to the governor making appointment to the state board for licensing contractors also permissive instead of mandatory.

Senate Status 05/04/2011 - Senate Government Operations recommended with amendments 1 and 2.

House Status 02/09/2011 - Referred to House Government Operations.

[SB162 / HB252](#) Sunset - real estate commission.

Category Government Organization

Sponsors Sen. Bo Watson / Rep. Jim Cobb

Description Extends the real estate commission to June 30, 2013. Requires completion of 16 hours of approved continuing education classes prior to the reactivation of temporarily retired licenses.

Senate Status 04/21/2011 - Senate concurred in House amendment 2.

House Status 04/18/2011 - House passed with amendment 2.

Executive Status 05/09/2011 - Enacted as Public Chapter 0145 effective 07/01/2011.

[SB163 / HB251](#) Sunset - real estate appraiser commission.

Category Government Organization

Sponsors Sen. Bo Watson / Rep. Jim Cobb

Description Sunsets the real estate appraiser commission on June 30, 2013.

Senate Status 03/14/2011 - Senate passed.

House Status 03/07/2011 - House passed.

Executive Status 04/04/2011 - Enacted as Public Chapter 0019 effective 07/01/2011.

[SB207 / HB656](#) Sunset - department of safety.

Category Government Organization

Sponsors Sen. Bo Watson / Rep. Jim Cobb

Description Extends the termination date of the department of safety from June 30, 2011 to June 30, 2016.

Senate Status 04/14/2011 - Senate concurred in House amendment 1.

House Status 04/07/2011 - House passed with amendment 1.

Executive Status 05/03/2011 - Enacted as Public Chapter 0134 effective 07/01/2011.

[SB233 / HB651](#) Ten interested persons required to petition for a rule.

Category Government Regulation

Sponsors Sen. Bo Watson / Rep. Jim Cobb

Description Reduces the number of interested persons required to petition an agency to adopt, amend or repeal a rule from five to ten.

Senate Status 05/01/2012 - Senate passed with amendment 2.

House Status 05/01/2012 - House concurred in Senate amendment 2.

Executive Status 05/09/2012 - Sent to governor.

[SB235 / HB617](#) Comptroller's performance audit on motor vehicle liens.

Category Government Regulation

Sponsors Sen. Bo Watson / Rep. Jim Cobb

Description Requires the comptroller of the treasury to conduct a performance audit of the implementation and impact of current law concerning the creation of a lien on a motor vehicle by filing a notarized copy of an instrument when the existing certificate of title on the vehicle is unavailable. Requires the comptroller to report all findings to the chairs of the government operations committees of the senate and house of representatives.

Senate Status 04/21/2011 - Senate returned bill to House.

House Status 04/25/2011 - House returned bill to Senate.

Executive Status 05/16/2011 - Enacted as Public Chapter 0186 effective 07/01/2011.

[SB247 / HB166](#) Nonprofit water and sewer providers governed by the TRA.

Category Utilities

Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent

Description Includes nonprofit associations or corporations that provide water or sewer or both water and sewer for a residential development of single-family homes in the definition of public utilities and are therefore governed by the Tennessee Regulatory Authority.

Senate Status 05/21/2011 - Senate passed with amendment 1.

House Status 05/21/2011 - House concurred in Senate amendment 1.

Executive Status 06/08/2011 - Enacted as Public Chapter 0430 effective 06/06/2011.

[SB256 / HB1098](#) Background checks for persons appointed by the speakers.

Category Criminal Law

Sponsors Sen. Ron Ramsey / Rep. Beth Harwell

Description Requires the TBI to conduct background investigations for persons appointed by the speaker of the senate or the speaker of the house.

Senate Status 05/20/2011 - Senate concurred in House amendment 1.

House Status 05/20/2011 - House passed with amendment 1.

Executive Status 06/08/2011 - Enacted as Public Chapter 0395 effective 06/06/2011.

[SB266 / HB339](#) Notice to department of revenue and removal of liability.

Category Transportation Vehicles

Sponsors Sen. Jim Tracy / Rep. Joe Carr

Description Requires the owner, seller, or person in possession of a motor vehicle to provide notice to the department of revenue when such motor vehicle's title is transferred. Relieves a motor vehicle seller from liability related to the vehicle when the seller has delivered the title and provided such notice or paid the appropriate fees related to the vehicle's registration.

Senate Status 05/20/2011 - Senate concurred in House amendment 3 and 4.

House Status 05/20/2011 - House passed with amendments 3 and 4.

Executive Status 06/08/2011 - Enacted as Public Chapter 0397 effective 07/01/2011.

[SB267 / HB362](#) Sales and use tax exemptions for disaster-related products.

Category Taxes Sales

Sponsors Sen. Jim Tracy / Rep. Mike Sparks

Description Creates sales and use tax exemptions for purchases of building supplies for construction of storm or tornado shelters purchased between July 1, 2011, and December 31, 2011. Limits such exemptions to \$2,500 per residence. Allows a civil penalty of up to \$25,000 against any person who knowingly files a fraudulent application for refund.

Senate Status 05/21/2011 - Senate passed.

House Status 05/21/2011 - House passed.

Executive Status 06/08/2011 - Enacted as Public Chapter 0398 effective 06/06/2011.

[SB272 / HB348](#) Corporation's contributions to political candidates.

Category Campaigns & Lobbying

Sponsors Sen. Andy Berke / Rep. Michael Ray McDonald

Description Requires corporations to file statement of contributions and expenditures when using corporate funds to aid in either the election or defeat of any political candidate. Requires the statement of contributions and expenditures to include specific language and list several items, including shareholder and officer information and employed lobbyists,

Senate Status 04/26/2011 - Taken off notice in Senate State & Local Government.

House Status 04/13/2011 - Failed in House General Subcommittee of State & Local Government.

[SB278 / HB1147](#) Costs for case removal to federal court paid by petitioner.

Category Judiciary

Sponsors Sen. Andy Berke / Rep. Jim Coley

Description Requires persons petitioning for a case to be removed to federal court to pay all costs associated with removal if the petition is granted.

Senate Status 05/11/2011 - Taken off notice in Senate Judiciary.

House Status 05/04/2011 - House passed.

[SB295 / HB542](#) Home solicitation sales modifications.

Category Retail Trade

Sponsors Sen. Reginald Tate / Rep. Brenda Gilmore

Description Allows buyers involved in home solicitation sales to cancel such a sale for up to ten days, instead of three days. Requires home solicitation sales agreements, offers to purchase, or receipts must be witnessed by a third party at the time of signing. Requires that the seller must pay for the third party's fees, if the third party is a notary public. Establishes that seller has notice of cancellation when notice is received through fax or email, in addition to the seller's address listed on the documents. Requires the seller to provide certain additional information to the buyer, otherwise the contract will be held to be unenforceable. Alters the seller's right for compensation after a sale has been canceled.

Senate Status 05/03/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/07/2011 - Referred to House Commerce.

[SB312 / HB155](#) Castle doctrine protects persons from criminal liability.

Category Criminal Law

Sponsors Sen. Brian K. Kelsey / Rep. Bob Ramsey

Description Broadens the castle doctrine to protect persons using force from criminal liability, in addition to the existing protection from civil liability. Requires the commissioner to conduct a study on the state's insurance laws and policies that may be deterring insurance companies from providing coverage for persons who justifiably used force to protect themselves or their property.

Senate Status 05/19/2011 - Senate passed.

House Status 04/04/2011 - House passed with amendment 1.

Executive Status 06/08/2011 - Enacted as Public Chapter 0429 effective 06/06/2011.

[SB347 / HB125](#) Municipalities' jurisdiction beyond corporate limits.

Category Local Government

Sponsors Sen. Joe M. Haynes / Rep. Charles M. Sargent

Description Deletes provision in the Comprehensive Growth Plan that allows a municipality in a county without county zoning to provide extraterritorial zoning and subdivision regulation beyond its corporate limits with the approval of the county legislative body.

Senate Status 01/10/2012 - Withdrawn in Senate.

House Status 03/02/2011 - House General Subcommittee of State & Local Government referred bill to TACIR for study.

[SB348 / HB817](#) Contribution limits from multicandidate PACs.

Category Campaigns & Lobbying

Sponsors Sen. Joe M. Haynes / Rep. Mike Turner

Description Limits to \$109,100 the total amount of money that a PAC, excluding party and caucus PACs, can contribute to all candidates and to other PACs. Specifies that no more than \$43,000 of that amount may be given to candidates and that no more than \$66,100 of that amount may be given to other PACs. Requires all campaign contribution limits to be adjusted every two years to reflect changes in the CPI, beginning in 2013. Requires multicandidate political campaign committee to certify names and addresses of any person who makes decisions about the committee's contributions and expenditures.

Senate Status 02/11/2011 - Referred to Senate State & Local Government.

House Status 02/23/2011 - Referred to House General Subcommittee of State & Local Government.

[SB394 / HB483](#) Intangibles tax for loan companies and cemetery companies.

Category Taxes Property

Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent

Description Removes loan companies and cemetery companies from requirements of intangible personal property taxes.

Senate Status 03/01/2011 - Taken off notice in Senate State & Local Government.

House Status 03/04/2011 - Referred to House General Subcommittee of Finance.

[SB400 / HB1215](#) Eminent domain requirements.

Category Local Government

Sponsors Sen. Stacey Campfield / Rep. Steve Hall

Description Requires that no more than 20 percent of property taken by eminent domain can be leased to private companies. Requires the appraisal to consider the legal permissibility, physical possibility, financial feasibility, and maximum productive use of the property. Grants the right of first refusal to the previous owner of land taken by eminent domain that is not converted in five years to the purpose for which it was taken.

Senate Status 02/11/2011 - Referred to Senate Judiciary.

House Status 03/02/2011 - Referred to House General Subcommittee of Judiciary.

[SB415 / HB163](#) Exempted construction services providers.

Category Workers Compensation

Sponsors Sen. Tim Barnes / Rep. Joe Pitts

Description Allows a construction services provider who is an affiliate of an exempted construction services provider to also be eligible for an exemption from workers' compensation insurance.

Senate Status 04/19/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 04/19/2011 - House Consumer & Employee Affairs recommended. Sent to House Finance, Ways & Means.

Executive Status 04/08/2011 - Workers' Compensation Advisory Council released with a favorable comment, but the council stated that the similar bill's differences (SB1550/HB2030) are preferred.

[SB458 / HB460](#) Changes membership of audit & budget committee of THDA.

Category Property & Housing

Sponsors Sen. Jim Tracy / Rep. Kevin Brooks

Description Changes membership of audit and budget committee of TN Housing Development Agency by replacing the comptroller of the treasury with the state treasurer.

Senate Status 03/03/2011 - Senate passed.

House Status 03/07/2011 - House passed.

Executive Status 03/24/2011 - Enacted as Public Chapter 0016 effective 07/01/2011.

[SB462 / HB467](#) Deadline for filing tax relief refund applications.

Category Taxes Property

Sponsors Sen. Mike Bell / Rep. Jon Lundberg

Description Changes deadline for filing applications for refunds or presentments of credit vouchers for tax relief for elderly, disabled, or disabled veterans. Clarifies that repayment is not required if certain persons determined to be eligible by the social security administration, the veterans' administration, the department of humans services or other governmental entity are later found to be ineligible for property tax relief.

Senate Status 03/07/2011 - Senate passed with amendment 1.

House Status 03/10/2011 - House passed.

Executive Status 03/24/2011 - Enacted as Public Chapter 0017 effective 03/24/2011.

[SB507 / HB538](#) Exemption - industrial machinery.

Category Taxes Sales

Sponsors Sen. Beverly Marrero / Rep. Mike Stewart

Description Clarifies that to meet the definition of "industrial machinery" for purposes of the sales and use tax exemption, the tangible personal property or product resulting from the fabrication or processing must be for consumption off the premises of the one engaged in the fabrication or processing.

Senate Status 03/17/2011 - Referred to Senate Finance Tax Subcommittee.

House Status *None*

[SB519 / HB283](#) Employer allowing gun on property not TOSHA violation.

Category Labor Law

Sponsors Sen. Mike Bell / Rep. Vance Dennis

Description Specifies that a corporation, business entity or governmental entity permitting a person with a handgun carry permit to carry a handgun on such entity's property does not constitute a TOSHA occupational safety and health hazard.

Senate Status 02/28/2011 - Senate passed with amendment 1.

House Status 03/17/2011 - House passed.

Executive Status 04/04/2011 - Enacted as Public Chapter 0033 effective 03/31/2011.

[SB534 / HB745](#) Elderly low-income homeowner property tax relief.

Category Taxes Property

Sponsors Sen. Jack Johnson / Rep. Charles M. Sargent

Description Increases annual income amount for certain elderly taxpayers who are eligible for property tax relief from \$24,000 to \$26,500 for tax years 2011 and subsequent years. Broadly captioned.

Senate Status 03/14/2011 - Senate sponsor changed from McNally to Johnson.

House Status 04/20/2011 - Taken off notice in House General Subcommittee of Finance.

[SB547 / HB953](#) Majority approval required to exercise eminent domain.

Category Local Government

Sponsors Sen. Randy McNally / Rep. Bill Dunn

Description Requires counties and municipalities to conduct public hearings on the necessity of condemning property for a public purpose and obtain a majority vote to approve the exercise of eminent domain.

Senate Status 02/15/2011 - Referred to Senate Judiciary.

House Status 02/23/2011 - Referred to House General Subcommittee of Judiciary.

[SB548 / HB952](#) Right to repurchase property taken by eminent domain.

Category Local Government

Sponsors Sen. Randy McNally / Rep. Bill Dunn

Description Grants the right of first purchase to the original owner or their ascertainable heirs and assigns for property that was condemned by eminent domain which was sold within ten years of being condemned or is no longer used for the purpose for which it was condemned or any other authorized public use. Allows 60 days for the property owner or heirs to make the purchase for the same amount as the compensation given to them by the condemning entity. Authorizes the property to be publicly sold if the right to first purchase is not exercised within 60 days.

Senate Status 02/15/2011 - Referred to Senate Judiciary.

House Status 02/23/2011 - Referred to House General Subcommittee of Judiciary.

[SB573 / HB364](#) Contribution and expenditure statements.

Category Campaigns & Lobbying

Sponsors Sen. Andy Berke / Rep. Joe Pitts

Description Requires each single candidate political campaign committee, single measure political campaign or multicandidate political campaign committee, within 14 days of making an expenditure or receiving a contribution, to file a statement with the registry of election finance. Requires such candidate or political committee to file semi-annual statements by January 31 and July 15 stating that no contributions have been received and no expenditures have been made, if that is the case.

Senate Status 04/26/2011 - Taken off notice in Senate State & Local Government.

House Status 04/13/2011 - Failed in House General Subcommittee of State & Local Government.

[SB604 / HB171](#) Property forfeiture in human trafficking offenses.

Category Criminal Law

Sponsors Sen. Beverly Marrero / Rep. Jim Coley

Description Provides that real and personal property used in commission of human trafficking offenses is subject to judicial forfeiture seizure and provides for disposition of funds as follows: Ten percent shall go to the law enforcement agency which conducted the investigation which lead to the forfeiture, ten percent shall go to the district attorneys general conference, five percent to the clerk of the court's office in which jurisdiction the forfeiture took place, and the remaining seventy-five percent to the state's general fund.

Senate Status 05/18/2011 - Senate passed.

House Status 04/28/2011 - House passed with amendment 1.

Executive Status 06/03/2011 - Enacted as Public Chapter 0354 effective 07/01/2011.

[SB615 / HB605](#) Loan and cemetery companies - tax on shares of stock.

Category Taxes Property

Sponsors Sen. Bo Watson / Rep. Charles M. Sargent

Description Removes loan companies and cemetery companies from tax on shares of stock.

Senate Status 05/18/2011 - Taken off notice in Senate Finance, Ways & Means.

House Status 04/30/2012 - House General Subcommittee of Finance adjourned the subcommittee meeting without taking up this bill.

[SB622 / HB481](#) General contractors - administrative action notices.

Category Professions & Licensure

Sponsors Sen. Bill Ketron / Rep. Charles Curtiss

Description Requires that notices concerning administrative action be served or filed personally or by certified mail to person's last known business address, with the time running from the time of service if served personally or the postmark if by mail. Broadly captioned.

Senate Status 02/16/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/16/2011 - Referred to House General Subcommittee of Commerce.

[SB623 / HB480](#) Waiver of lien rights violates the Consumer Protection Act.

Category Commercial Law

Sponsors Sen. Bill Ketron / Rep. Charles Curtiss

Description Provides that a contractor who solicits a person to sign a contract containing a waiver of any right to a mechanics' or materialmen's lien is in violation of the Tennessee Consumer Protection Act of 1977. Declares it an unfair or deceptive act or practice in violation of the Consumer Protection Act for a general contractor to require a subcontractor to waive lien rights or to agree to be paid only if the general contractor is paid as a condition to being awarded the job.

Senate Status 02/16/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/16/2011 - Referred to House General Subcommittee of Commerce.

[SB634 / HB209](#) Real property classified as equipment for fire protection.

Category Government Contracts

Sponsors Sen. Mike Bell / Rep. Michael Harrison

Description Adds "real property" to the definition of equipment in regards to laws concerning rural fire protection. Requires that loan agreements between counties and authorities include the amount of the loan for purchases of real property which is not to exceed the fair market value of the property.

Senate Status 03/01/2011 - Taken off notice in Senate State & Local Government.

House Status 03/04/2011 - Referred to House General Subcommittee of State & Local Government.

[SB638 / HB464](#) Paying of property taxes during an assessment appeal.

Category Taxes Property

Sponsors Sen. Randy McNally / Rep. Ryan A. Haynes

Description Cleans up and clarifies statutory language regarding the collection of disputed property taxes pending an assessment appeal. Removes the requirement that taxpayers prevailing in appeal be refunded within 60 days. Eliminates the ability of Shelby County residents owning multiple properties from receiving payment in one check following a successful appeal. Removes a provision prohibiting any proceeding to collect taxes from taking place when the property has been appraised and the state has publicly agreed to consider the new appraisal value.

Senate Status 03/21/2011 - Senate passed.

House Status 03/31/2011 - House passed.

Executive Status 04/18/2011 - Enacted as Public Chapter 0077 effective 04/14/2011.

[SB656 / HB937](#) Traffic violation by commercial vehicle operator - notice.

Category Transportation Vehicles

Sponsors Sen. Jim Tracy / Rep. Phillip Johnson

Description Decreases to 20 from 30 the number of days following a conviction for a traffic violation, besides a parking violation, within which a commercial vehicle operator must notify employer of the conviction. Broadly captioned.

Senate Status 02/23/2011 - Referred to Senate Transportation.

House Status 02/23/2011 - Referred to House General Subcommittee of Transportation.

[SB665 / HB934](#) Required unobstructed view of stopped vehicles.

Category Transportation Vehicles

Sponsors Sen. Douglas Henry Jr. / Rep. Phillip Johnson

Description Increases the distance of the required unobstructed view of stopped vehicles on any highway outside of a business or residential district from 200 feet to 300 feet.

Senate Status 04/13/2011 - Taken off notice in Senate Transportation.

House Status 02/23/2011 - Referred to House General Subcommittee of Transportation.

[SB666 / HB935](#) Extends sight distance of certain parked vehicles.

Category Transportation Vehicles

Sponsors Sen. Jim Tracy / Rep. Phillip Johnson

Description Extends sight distance required for parked vehicles on any highway outside of a business or residential district from 200 feet to 250 feet.

Senate Status 02/23/2011 - Referred to Senate Transportation.

House Status 02/23/2011 - Referred to House General Subcommittee of Transportation.

[SB704 / HB766](#) Red flag used on vehicles with projecting loads.

Category Transportation Vehicles

Sponsors Sen. Steve Southerland / Rep. Ryan A. Haynes

Description Specifies that the red flag required to be attached to a load that projects beyond the rear of a motor vehicle may be made of plastic pliable material instead of cloth.

Senate Status 03/15/2011 - Taken off notice in Senate Transportation.

House Status 02/23/2011 - Referred to House General Subcommittee of Transportation.

[SB708 / HB785](#) Exemption - solar panels purchased for residential use.

Category Taxes Sales

Sponsors Sen. Tim Barnes / Rep. Michael Ray McDonald

Description Exempts solar panels purchased exclusively for residential use from sales taxes.

Senate Status 04/25/2011 - Taken off notice in Senate Finance Tax Subcommittee.

House Status 03/07/2011 - Referred to House General Subcommittee of Finance.

[SB709 / HB784](#) Exemption - solar panels purchased for commercial use.

Category Taxes Sales

Sponsors Sen. Tim Barnes / Rep. Michael Ray McDonald

Description Exempts solar panels purchased for any legitimate business purpose or commercial use from sales tax.

Senate Status 04/25/2011 - Taken off notice in Senate Finance Tax Subcommittee.

House Status 03/07/2011 - Referred to House General Subcommittee of Finance.

[SB716 / HB911](#) Mortgage lender and service provider licensure exceptions.

Category Banking & Credit

Sponsors Sen. Jamie Woodson / Rep. Jon Lundberg

Description Permits an attorney without a mortgage lender's license to receive compensation from a mortgage lender, loan broker or service provider for negotiating terms of a residential mortgage loan as a side matter in representing a client. Provides additional exceptions to the mortgage lender license requirement including sellers of residential mortgage loans subject to specified limitations, commercial real estate lending to non-owners, employer-employee mortgage loans, mortgage loans pursuant to court order, and real estate brokerage activities.

Senate Status 02/23/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/23/2011 - Referred to House General Subcommittee of Commerce.

[SB742 / HB883](#) Amending of personal property schedule.

Category Taxes Property

Sponsors Sen. Jim Tracy / Rep. Vince Dean

Description Specifies that a personal property schedule may be amended only for certain reasons and that the failure of a taxpayer to receive the schedule would not excuse the taxpayer from filing the schedule by March 1.

Senate Status 03/24/2011 - Senate passed.

House Status 04/04/2011 - House passed on 04/04/2011.

Executive Status 04/27/2011 - Enacted as Public Chapter 0093 effective 04/21/2011.

[SB743 / HB882](#) Study of delinquent property tax cases.

Category Taxes Property

Sponsors Sen. Mark S. Norris / Rep. Ryan A. Haynes

Description Requires the comptroller to conduct a study of the statutory law and cases involving the manner in which delinquent property taxes are reported by the trustee and collected by delinquent tax attorneys. Requires the comptroller to convene a working group of trustees and delinquent tax attorneys from both the urban and rural areas of the three grand divisions and include members of the house of representatives and senate having knowledge in these areas to be appointed by the respective speakers to help with the study.

Senate Status 05/10/2011 - Taken off notice in Senate State & Local Government.

House Status 05/04/2011 - House General Subcommittee of Finance deferred to 05/18/11.

[SB754 / HB583](#) Destruction of lock or gate is aggravated criminal trespass.

Category Criminal Law

Sponsors Sen. Dolores R. Gresham / Rep. Steve McDaniel

Description Adds the destruction or vandalism of a gate, signage, fence, lock or barrier designed to keep trespassers from entering the property to the list of offenses when a person commits aggravated criminal trespass.

Senate Status 05/16/2011 - Senate passed.

House Status 03/07/2011 - House passed.

Executive Status 06/02/2011 - Enacted as Public Chapter 0302 effective 07/01/2011.

[SB781](#) Corporate officer exemptions in construction industries.

Category Workers Compensation

Sponsors Sen. Bill Ketron

Description Allows five instead of three corporate officers in a corporation engaged in the construction industry to apply for exemptions from the workers' compensation insurance requirements. Contains broad caption.

Senate Status 03/03/2011 - Withdrawn in Senate.

House Status None

Executive Status 03/01/2011 - Set for Workers' Compensation Advisory Council 02/28/11

[SB811 / HB803](#) Location of lien books with files of abstract proceedings.

Category Judiciary

Sponsors Sen. Brian K. Kelsey / Rep. Vance Dennis

Description Clarifies that lien books required to contain abstracts and memorandums of proceedings that render judgments affecting title to real estate must be kept in the register's office of the county where the effected land is located.

Senate Status 02/25/2011 - Referred to Senate Judiciary.

House Status 03/07/2011 - Referred to House General Subcommittee of Judiciary.

[SB852 / HB1077](#) Requirements regarding reappraisal.

Category Taxes Property

Sponsors Sen. Randy McNally / Rep. David B. Hawk

Description Specifies that if the assessor of property or the county is unable to comply with present law requirements regarding reappraisal and equalization of property for property tax purposes,

then the assessor or county must reimburse the state "two times the costs incurred in ensuring compliance" instead of "the costs incurred." Removes the requirement that the state board of equalization sit for a portion of its time in the western and eastern divisions of the state, in addition to its sessions at Nashville.

Senate Status 05/21/2011 - Senate concurred in House amendment 3.

House Status 05/21/2011 - House re-passed with amendment 3 after moving to reconsider their actions.

Executive Status 06/08/2011 - Enacted as Public Chapter 0415 effective 06/06/2011.

[SB866 / HB1208](#) Allows victim of domestic abuse to terminate lease.

Category Property & Housing

Sponsors Sen. Rusty Crowe / Rep. Matthew Hill

Description Allows a tenant who is the victim of domestic abuse, sexual assault, or stalking to terminate lease agreement for person's primary residence upon submitting certain evidence to the landlord in writing and vacating the premises.

Senate Status 02/25/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/02/2011 - Referred to House General Subcommittee of Commerce.

[SB891 / HB1064](#) Abolished monitoring inspection fee levied on manufacturers.

Category Property & Housing

Sponsors Sen. Jamie Woodson / Rep. Ryan A. Haynes

Description Abolishes the monitoring inspection fee levied on manufactured home manufacturers.

Senate Status 02/24/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/24/2011 - Referred to House General Subcommittee of Commerce.

[SB892 / HB1096](#) Charitable Gift Annuities Exemption Act alterations.

Category Insurance General

Sponsors Sen. Jack Johnson / Rep. Pat Marsh

Description Requires that the assets of a charitable gift annuity separate account maintained by a charitable organization for its charitable gift annuity must equal either: (1) The total amount of donations for outstanding charitable gift annuities to which the account applies, measured at the time of each annuity donation, later reduced by payments under the annuity and taking into account investment gains and losses; or (2) 110 percent of the reserves, calculated in a manner consistent with subsection (b) for charitable gift annuities to which the separate account applies. Present law requires that the assets of a charitable gift annuity separate account maintained by a charitable organization for its charitable gift annuity must equal either: (1) The total amount of donations for outstanding charitable gift annuities to which the account applies; or (2) 110 percent of the reserves, calculated in a manner consistent with subsection (b) for charitable gift annuities to which the separate account applies. In determining the reserves on the outstanding charitable gift annuities under present law, a deduction shall be made for any portion of the charitable gift annuity risk that is insured or reinsured by the charitable organization with an authorized insurer or reinsurer. This bill instead requires that any portion of the charitable gift annuity risk that is insured or reinsured by the charitable organization with an authorized insurer or reinsurer shall be exempt from the requirements described in (1) and (2).

Senate Status 04/04/2011 - Senate passed.

House Status 04/04/2011 - House passed on 04/04/2011.

Executive Status 04/27/2011 - Enacted as Public Chapter 0095 effective 04/21/2011.

[SB897 / HB69](#) Keeps certain funds apart from the general fund.

Category Public Finance

Sponsors Sen. Bo Watson / Rep. G.A. Hardaway

Description Prohibits, beginning in FY 11-12, any transfers to the general fund from the Health Related Boards Fund under the Department of Health and the Division of Regulatory Boards Fund or the State Board of Accountancy under the Department of Commerce and Insurance.

Senate Status 02/25/2011 - Referred to Senate Finance, Ways & Means.

House Status 04/13/2011 - Taken off notice in House General Subcommittee of Finance

[SB898 / HB76](#) Prohibits transfer of certain funds to the general fund.

Category Public Finance

Sponsors Sen. Bo Watson / Rep. G.A. Hardaway

Description Requires that the Division of Regulatory Boards Fund under the Department of Commerce and Insurance and Health Related Boards Fund under the Department of Health be kept separate and apart from all other funds.

Senate Status 02/25/2011 - Referred to Senate Finance, Ways & Means.

House Status 04/30/2012 - House General Subcommittee of Finance adjourned the subcommittee meeting without taking up this bill.

[SB904 / HB1082](#) Local construction inspection services.

Category Construction

Sponsors Sen. Bo Watson / Rep. Gerald McCormick

Description Requires local jurisdictions located in Davidson, Hamilton, Knox, and Shelby County who are approved by the state fire marshal to enforce and adopt specified codes to take on the responsibility of all required construction inspection services for buildings less than three stories high and requires all building plans be submitted to the local government for approval.

Senate Status 04/26/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 04/20/2011 - House General Subcommittee of Commerce deferred to 2012.

[SB921 / HB1084](#) Consumer Civil Litigation Funding Act.

Category Commercial Law

Sponsors Sen. Mae Beavers / Rep. Jimmy A. Eldridge

Description Places requirements on contracts assigning a civil litigation funding provider the right to receive funds from a consumer's pursued civil claim such as requiring the contract be completely filled in, include a right of rescission, each page be initialed by the consumer, and include a written acknowledgement by the consumer's attorney containing several specified statements concerning compensation and fees. Requires a contract to include material terms conspicuously placed including all fees to be paid, the consumer's right to cancellation, prohibitions on the funding provider from making any decisions regarding the litigation, provisions encouraging advice of counsel, and a clause limiting fees to not exceed the amount of a consumer's recovery. Prohibits funding providers from engaging in specific conduct such as false or misleading advertisement, refer clients to attorneys or medical providers, attempt to contract for waivers of the right to trial or damages, and pay or accept referral fees or commissions from medical providers or attorneys. Declares violations of the above requirements constitute a deceptive act or practice and are punishable by civil penalty up to \$10,000 per violation.

Senate Status 02/24/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/24/2011 - Referred to House General Subcommittee of Consumer & Employee Affairs.

[SB932 / HB1503](#) Workers' compensation modifications.

Category Workers Compensation

Sponsors Sen. Mark S. Norris / Rep. Jimmy A. Eldridge

Description (1) Excludes persons providing services as a leased operator or an owner-operator of a vehicle under contract to a common carrier performing certain interstate commerce transactions from the wage regulations and employment securities provisions. (2) Allows parties to immediately, instead of having to three years, settle the issue of future medical benefits in workers' compensation settlements (except permanent and total disability). Allows the trial court or department of labor and workforce development specialist approving settlement to terminate the right to future medical benefits after finding that compensability is a contested issue and is a potentially valid defense of the employer. (3) Specifies that treating medical providers must communicate with the employer and honor any employer request for medical information related to the claimed workers' compensation injury. (4) Changes the definition of "injury" and "personal injury" to not include diseases, unless diseases result unavoidably from the employment. Specifies that mental injuries are accidental only if they are

caused by specific incidents and is identifiable by the time and place of occurrence. Creates a presumption that the treating physician's opinion is correct concerning compensability. (5) Establishes that hearing loss, carpal tunnel syndrome, and other repetitive motion injuries are not occupational diseases and not compensable unless the disease exists and arose primarily out of and in the course of employment and it follows an incident of occupational disease, it is infectious or contagious disease contracted in course of certain employments, such as in a hospital or as emergency rescue personnel, or it is caused by conditions peculiar to such employment.

Senate Status 05/20/2011 - Senate passed with amendment 2.

House Status 05/20/2011 - House passed.

Executive Status 06/08/2011 - Enacted as Public Chapter 0416 effective 06/06/2011.

SB996 / HB742 Property tax relief for elderly - income limits.

Category Taxes Property

Sponsors Sen. Randy McNally / Rep. Charles M. Sargent

Description Increases annual income amount for certain elderly taxpayers who are eligible for property tax relief from \$24,000 to \$26,500 for tax years 2011 and subsequent years. Broadly captioned.

Senate Status 02/28/2011 - Referred to Senate State & Local Government.

House Status 02/23/2011 - Caption bill held on House clerk's desk.

SB997 / HB852 Homeowner's insurance - estimate of closing costs.

Category Banking & Credit

Sponsors Sen. Randy McNally / Rep. Ryan A. Haynes

Description Prohibits mortgage companies from estimating the cost of homeowner's insurance for inclusion in their good faith estimate of closing costs. Requires the prospective purchaser to provide this information to the mortgage company prior to the good faith estimate.

Senate Status 04/19/2011 - Senate Commerce, Labor & Agriculture deferred to 04/26/2011.

House Status 02/23/2011 - Referred to House General Subcommittee of Commerce.

SB1009 / HB1760 Revisions to Uniform Landlord and Tenant Act.

Category Property & Housing

Sponsors Sen. Stacey Campfield / Rep. Charles Curtiss

Description Requires inspection for tenant liability following the end of a rental agreement to occur within three instead of ten business days from the day occupancy has ended. Grants tenants the right to be present during the landlord's inspection and requires written notice of that right. Lists specific circumstances, instead of inaccessibility alone, that allow a landlord to inspect and compile a list of damages without a tenant's participation. Permits a landlord to enter the premises upon 24 hour written notice to inspect and repair any damages when the utilities have been turned off for three days without landlord fault and permits termination of the rental agreement under specified circumstances. Allows the landlord to enter and show premises during the final 30 days of a lease upon giving 24 hour notice. Requires a tenant to obtain landlord authorization for repairs to the premise necessary to regain compliance with general maintenance requirements or remedy a breach of the rental agreement. Decreases the time allotted to a tenant to place the utility services under their name pursuant to a rental agreement from ten to three days at which time the landlord can have the services terminated and requires the landlord exercise this right within 45 days of the tenant's occupancy. Clarifies that the date rent became due is included in the five day grace period required before a late fee may be charged including Saturdays and changes the maximum penalty from ten to two percent of the amount due. Requires that payments are actually received by the landlord to be considered timely made if the office where the tenant is to pay rent is located in the same county where the tenant resides. Permits a landlord to file a detainer warrant immediately upon a tenant's failure to pay rent if notice requirements have been waived by the tenant. Exposes persons deemed trespassers who takes possession of premises without entering a written or oral rental agreement to potential liability for damages and rent for the term of the trespass. Provides a definition for "substantially impaired" to be understood as uninhabitable or rendered useless. (28 pp.)

Senate Status 05/09/2011 - Senate passed.

House Status 05/02/2011 - House passed with amendments 1 and 2..

Executive Status 05/25/2011 - Enacted as Public Chapter 0272 effective 10/01/2011.

[SB1014 / HB1241](#) Mortgage lender licensure exceptions.

Category Banking & Credit

Sponsors Sen. Lowe Finney / Rep. Ryan A. Haynes

Description Adds two additional exceptions for requiring a person to obtain a mortgage lender, loan broker, or loan service provider license exempting sellers under the control of another person selling five or fewer residential mortgage loans in a year that do not publicly hold themselves out to be in the mortgage lending business and are not required under federal law to obtain a mortgage originator's license and any person performing real estate brokerage activities who is a licensed real estate broker.

Senate Status 02/25/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/02/2011 - Referred to House General Subcommittee of Commerce.

[SB1050 / HB1314](#) Exempt commercial drivers from medical card requirement.

Category Transportation Vehicles

Sponsors Sen. Jim Tracy / Rep. Phillip Johnson

Description Exempts commercial drivers from the requirement that all Tennessee commercial driver license holders must maintain a valid medical card, if the drivers are employees of a state or federal government agency.

Senate Status 03/21/2011 - Senate passed with amendment 1.

House Status 03/24/2011 - House passed.

Executive Status 04/11/2011 - Enacted as Public Chapter 0050 effective 04/06/2011.

[SB1066 / HB1155](#) Changes to foreclosure procedures.

Category Property & Housing

Sponsors Sen. Tim Barnes / Rep. Vance Dennis

Description Requires the secretary of state to file all foreclosure notices, maintain a free to the public foreclosure searchable system, maintain a web site page for posting notices of foreclosure, and maintain a certified list of newspaper publications. Requires the trustee or other person selling the interest in the property to file a notice of foreclosure with the secretary of state and advertise the sale in a certified newspaper of general circulation in the county where the sale is going to occur. Establishes that notice requirements detailed in a mortgage, deed of trust, or other legal instruments regarding newspaper publications are satisfied if the newspaper is on the referenced list and distributed in the county where the property is located. Specifies what foreclosure notices and notices of foreclosures must contain. Allows judicial or trust sales to be adjourned and rescheduled one or more times, if certain conditions are satisfied. Allows the party conducting the sale to dispose of the property in additional ways. Makes other changes related to foreclosure. (13 pp.)

Senate Status 02/25/2011 - Referred to Senate Judiciary.

House Status 02/25/2011 - Referred to House General Subcommittee of Judiciary.

[SB1081 / HB1272](#) Guidelines for sale of property for delinquent taxes.

Category Taxes Property

Sponsors Sen. Jamie Woodson / Rep. Ryan A. Haynes

Description Allows the municipality or county that conducted a sale for delinquent taxes to submit a report of findings of fact to the court that summarizes for each property sold at the sale for delinquent taxes the names of all parties with an interest in the real estate and such other facts relevant to the sale.

Senate Status 04/13/2011 - Taken off notice in Senate State & Local Government.

House Status 04/13/2011 - Taken off notice in House General Subcommittee of State & Local Government

[SB1132 / HB1317](#) Discrimination on basis of sexual orientation prohibited.

Category Labor Law

Sponsors Sen. Beverly Marrero / Rep. Sherry Jones

Description Adds sexual orientation to the list of characteristics of which discrimination is prohibited in employment, public accommodations, and housing and financing.

Senate Status 02/28/2011 - Referred to Senate Judiciary.

House Status 03/02/2011 - Referred to House General Subcommittee of Judiciary.

[SB1143 / HB19](#) Required homeowner's association insurance coverage.

Category Insurance General

Sponsors Sen. Douglas Henry Jr. / Rep. Gary W. Moore Sr.

Description Requires a homeowner's association to maintain insurance coverage to discharge contractual obligations in the event of damage. Requires a homeowner's association to report the following information quarterly to each homeowner, and upon request, to each homeowner, mortgage or beneficiary under a deed of trust: certificate or memoranda of insurance, proof of policy coverage, and contact information for the designated insurance carriers and banking institutions holding funds in escrow. Establishes that failure of a homeowner's association to abide by these requirements will subject the directors and officers of the association to joint and several personal liability.

Senate Status 02/28/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/09/2012 - Withdrawn in House.

[SB1158 / HB758](#) License requirements, brokers, lenders, and loan servicers.

Category Professions & Licensure

Sponsors Sen. Mark S. Norris / Rep. Curry Todd

Description Removes present law prohibition against contractors and persons engaged in the home remodeling business engaging in the business of making residential mortgage loans or of being a mortgage loan servicer or mortgage loan broker. Adds the following exemptions to the licensure requirement for acting as a mortgage lender, mortgage loan broker or mortgage loan servicer; provided, however that the following exemptions will not apply if doing so would conflict with the requirements of the federal Fair Enforcement for Mortgage Licensing Act of 2008: (1) Any individual who, as seller of the individual's own real property, receives or makes in any consecutive twelve-month period five or fewer residential mortgage loans and who does not hold out to the public as being in the mortgage lending business; (2) An individual engaged solely in commercial real estate lending or an individual who provides financing on property that is not intended to be, and is not in fact, owner occupied by the person receiving the financing; (3) Any person who makes a mortgage loan to an employee of such person as an employment benefit, employment incentive, or relocation package; and (4) Any individual doing any act related to mortgage loans pursuant to an order of any court of competent jurisdiction. Exempts from the licensure requirement any individual who performs only real estate brokerage activities and is licensed pursuant to the Tennessee Real Estate Broker License Act of 1993, unless the individual is compensated by a mortgage lender, a mortgage loan broker, a mortgage loan originator or by any agent of the mortgage lender, mortgage loan broker or mortgage loan originator.

Senate Status 05/02/2011 - Senate passed.

House Status 04/25/2011 - House passed with amendment 1.

Executive Status 05/24/2011 - Enacted as Public Chapter 0228 effective 05/20/2011/

[SB1175 / HB1588](#) Amount charged by lessor under rental-purchase agreement.

Category Commercial Law

Sponsors Sen. Andy Berke / Rep. Brenda Gilmore

Description Requires a lessor to maintain records of the cost of each item subject to a rental-purchase agreement for up to two years following the termination of the agreement and provide copies to the attorney general and reporter upon written request. Prohibits the price of any item subject to a rental-purchase agreement from exceeding two and one half times the cash price and any intentional violation will void the agreement.

Senate Status 02/28/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/16/2011 - Taken off notice in House General Subcommittee of Commerce.

[SB1199 / HB1580](#) Exemptions from residential property disclosure.

Category Property & Housing

Sponsors Sen. Ken Yager / Rep. Joe Carr

Description Increases from three to four years the time period an owner must not have resided at transferred property to be exempt from residential property disclosure.

Senate Status 02/28/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/02/2012 - Withdrawn in House.

[SB1252 / HB1447](#) Requirements for annual event tickets.

Category Lottery

Sponsors Sen. Ken Yager / Rep. Ryan A. Haynes

Description Requires any ticket, share or similar record to include on its face the phone number or address of the charitable organization on whose behalf an event involving a lottery game is being held, in addition to the name of the organization.

Senate Status 04/16/2012 - Senate concurred in House amendment 4.

House Status 04/09/2012 - House passed with amendment 4 after reconsidering their actions in adopting amendments 2 and 3 and withdrawing both amendments.

Executive Status 04/23/2012 - Enacted as Public Chapter 0758 effective April 17, 2012.

[SB1261 / HB468](#) Definition of real property.

Category Taxes Property

Sponsors Sen. Ken Yager / Rep. David B. Hawk

Description Clarifies that definition of real property for purposes of property tax classification and assessment does not include property determined by Tennessee courts to be personal property. Broadly captioned.

Senate Status 03/17/2011 - Referred to Senate Finance Tax Subcommittee.

House Status None

[SB1272 / HB1345](#) Rezoning of private property requires owner's consent.

Category Local Government

Sponsors Sen. Bill Ketron / Rep. Glen Casada

Description Prohibits local governments from rezoning private property without the written consent of the property owner.

Senate Status 02/28/2011 - Referred to Senate State & Local Government.

House Status 03/02/2011 - Referred to House General Subcommittee of State & Local Government.

[SB1277 / HB912](#) Written liability waivers regarding recreational activities.

Category Tort Liability

Sponsors Sen. Bill Ketron / Rep. Jon Lundberg

Description Allows any person, including minors, to waive, in writing, the landowner's duty of care for injuries that arise from the recreational use of the land, with the exception of gross negligence, willful or wanton conduct, or failure to warn against a dangerous condition.

Senate Status 03/08/2011 - Withdrawn in Senate.

House Status 03/07/2011 - Withdrawn in House.

[SB1296 / HB730](#) TN Home Construction Jobs Development Act.

Category Property & Housing

Sponsors Sen. Jack Johnson / Rep. Glen Casada

Description Creates "The TN Home Construction Jobs Development Act." Requires the TN housing development agency to make a grant of \$6,000 to a person who finances the purchase of a newly constructed or never occupied residence in TN using a 30-year fixed interest rate. Prohibits a person with the income of \$75,000 single or \$150,000 married couples from receiving the grant. Requires the agency to create rules for determining the manner of payment of a grant, including establishing a limit on the time for which the funds for a grant can remain in escrow, which cannot exceed 90 days. Establishes the home construction jobs

restricted special revenue fund. Requires monies in the fund to be appropriated in the general appropriations act and expended to fund grants made by the TN housing corporation.

Senate Status 03/13/2012 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/14/2012 - Taken off notice in House General Subcommittee of Commerce.

[SB1299 / HB1920](#) Advertisement for judicial or trust sales.

Category Estates & Trusts

Sponsors Sen. Jack Johnson / Rep. Jimmy Matlock

Description Under present law, in any sale of land to foreclose a deed of trust, mortgage or other lien securing the payment of money or other thing of value or under judicial orders or process, advertisement of the sale must be made at least three different times in some newspaper published in the county where the sale is to be made. This bill decreases the number of times the advertisement must be published from three to one. Present law requires that the advertisement or notice: (1) Give the names of the plaintiff and defendant, or parties interested; (2) Describe the land in brief terms, including the street address if available; and (3) Mention the time and place of sale. This bill revises (2) to require that the advertisement or notice give a concise description of the land; such description means a reference to the deed book and page that contains the complete legal description of the property, and may also include a common description of the property, which may include, if available, the street name, number and map and parcel number. The description of the land must contain only the reference to the legal description of the property, and does not have to contain the full legal description contained in the deed book. Any error or defect in the common description of the land will not in any way void any sale of the land.

Senate Status 05/20/2011 - Senate passed with amendment 4, as amended.

House Status 05/21/2011 - House concurred in Senate amendment 4.

Executive Status 06/17/2011 - Enacted as Public Chapter 0505 effective 07/01/2011.

[SB1316 / HB1821](#) Limits increase in value for vacant or unused land.

Category Taxes Property

Sponsors Sen. Ron Ramsey / Rep. Jon Lundberg

Description Limits increases in value of vacant or unused real property to the lesser of the new appraisal value or value not exceeding a 25 percent increase from the preceding appraisal's value.

Senate Status 03/01/2011 - Referred to Senate State & Local Government.

House Status 03/03/2011 - Referred to House General Subcommittee of State & Local Government.

[SB1337 / HB1502](#) Collection of business privilege tax by county clerks.

Category Taxes Business

Sponsors Sen. Bo Watson / Rep. Jim Gotto

Description Requires the county clerk or a designated local official to act as tax administrator and collector for state and local imposed business taxes for Davidson, Hamilton, Knox, and Shelby county, with several exceptions requiring collection by the commissioner. Provides tax credit guidelines for the county clerk or designated official and allows for intervention by the commissioner under specified refund circumstances. Extends general business tax provisions to authorize the county clerk or designated official to grant extensions, waive penalty payments, charge collection fees, assess tax liability for persons failing to file, hire an attorney or agent to collect delinquent taxes, designate the department of revenue as a tax collection agent, inspect personal records related to tax liability, and to issue and renew business licenses. Amends various business tax provisions to include the county clerk or designated official in the authority granted the commissioner. Places the duty of tax collection on the commissioner if the county clerk or other official fails to collect delinquent taxes and requires all taxes and penalties collected go to the state treasury. Specifies persons and circumstances in which access to a person's tax information contained in statements or reports is permitted. Requires the county clerk or designated official to pay the commissioner 15% of the total amount of business taxes collected, providing for several exceptions, and submit a report of all collections to the commissioner for examination and collection of any amount owed. Permits a taxpayer subject to collection of tax by the county clerk or designated official to file a payment of tax under protest claim when a taxpayer's bad debt exceeds the amount of the taxpayer's gross receipts.

(13 pp.)

Senate Status 05/04/2011 - Senate Finance Tax Subcommittee deferred to 2012.

House Status 04/26/2011 - Taken off notice in House State & Local Government.

SB1377 / HB1613 Building construction safety standards.

Category Construction

Sponsors Sen. Lowe Finney / Rep. Johnny W. Shaw

Description Removes fee the state fire marshal charges for review and approval of plans and specifications prior to construction or alteration of certain types of buildings or structures. Broadly captioned.

Senate Status 03/01/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 04/13/2011 - Taken off notice in House General Subcommittee of Commerce.

SB1388 / HB1728 Study on grant program for first-time home buyers.

Category Property & Housing

Sponsors Sen. Lowe Finney / Rep. Joe E. Armstrong

Description Creates special joint committee to study the feasibility of establishing a grant program with THDA to assist first-time home buyers in economically distressed areas.

Senate Status 05/08/2012 - Withdrawn in Senate 01/19/2012.

House Status 05/17/2011 - House Finance Study Committee Subcommittee voted to add this study to the agenda of the House Finance, Ways and Means summer study.

SB1423 / HB1726 Exemptions from mandatory sprinkler requirements.

Category Local Government

Sponsors Sen. Jamie Woodson / Rep. Joe E. Armstrong

Description Authorizes state fire marshal to exempt certain buildings from mandatory sprinkler requirements adopted by local governments if the building has no more than one story, has at least three exits, has at least 15,000 square feet, and has a fire alarm monitoring system or smoke detectors with visible warning. Broadly captioned.

Senate Status 04/06/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 04/13/2011 - Taken off notice in House General Subcommittee of Commerce.

SB1451 / HB1921 Notice of the right to foreclose.

Category Banking & Credit

Sponsors Sen. Doug Overbey / Rep. Pat Marsh

Description Requires the notice of the right to foreclosure to be contained in any deed memorializing the sale, instead of in the notice of foreclosure. Allows written notice to not be required if the lender has met with the principal debtor in-person and discussed certain foreclosure issues within 180 days before publishing notice of foreclosure. Allows such exemption of written proof to be met by the lender's sworn affidavit. Requires certain foreclosure notices to not apply to sales if the borrower has obtained a prior loan modification or refinance after July 1, 2010.

Senate Status 04/07/2011 - Senate passed with amendments 1 and 2.

House Status 04/07/2011 - House passed.

Executive Status 04/27/2011 - Enacted as Public Chapter 0122 effective 04/25/2011.

SB1479 / HB1744 Mechanics' and materialmen's liens - owner redefined.

Category Property & Housing

Sponsors Sen. Bo Watson / Rep. Gerald McCormick

Description Redefines owner for purposes of mechanics' and materialmen's liens to specify that an owner is an owner of real property that a lien claimant seeks to attach in addition to sell under process.

Senate Status 03/01/2011 - Referred to Senate Judiciary.

House Status 03/03/2011 - Referred to House General Subcommittee of Judiciary.

SB1487 / HB1549 Pilot project - mediation prior to foreclosure.

Category Banking & Credit

Sponsors Sen. Beverly Marrero / Rep. Johnnie Turner

Description Creates a pilot project in Shelby County that allows a lender to voluntarily enter into mediation with the borrower prior to foreclosure on a mortgage loan entered into under the Tennessee Home Loan Protection Act. Permits the borrower or lender to request the services of the federal mediation and conciliation service. Also excludes certain residential mortgage transactions from the application of the Tennessee Home Loan Protection Act.

Senate Status 03/01/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 04/13/2011 - Taken off notice in House General Subcommittee of Commerce.

[SB1488 / HB1973](#) Completion of ARM - mortgage counselor required.

Category Banking & Credit

Sponsors Sen. Beverly Marrero / Rep. Johnnie Turner

Description Prohibits any person, firm, or corporation from engaging in the business of making adjustable rate mortgage loans, unless such person, firm, or corporation is an authorized lender. Requires lender to refer the borrower to a mortgage counselor prior to accepting an application for an adjustable rate mortgage.

Senate Status 03/01/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/04/2011 - Referred to House General Subcommittee of Commerce.

[SB1531 / HB1991](#) Suspension of driver licenses.

Category Transportation Vehicles

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description Creates exception for commercial driver license holders and violations occurring in a commercial motor vehicle to the prohibition on the department of safety suspending a driver license for failing to appear in court on a traffic citation, unless the request for suspension is made within six months of the violation. (Part of Administration Package)

Senate Status 03/21/2011 - Senate passed with amendment 1. Senate amendment 1 corrects a drafting error.

House Status 03/28/2011 - House passed on 03/28/2011.

Executive Status 04/18/2011 - Enacted as Public Chapter 0081 effective 04/14/2011.

[SB1542 / HB1608](#) Contractor licensure exemptions.

Category Professions & Licensure

Sponsors Sen. Andy Berke / Rep. Michael Ray McDonald

Description Exempts persons or entities from the requirement to obtain a license as a general contractor or home improvement contractor, if the person discloses that the person is not licensed, obtains other permits required by law, and does not submit or attempt to submit a bid to install any material, and the removal must not include delegations to any other person or entity or affect the building's structural integrity.

Senate Status 04/26/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 04/26/2011 - Taken off notice in House Commerce.

[SB1561 / HB1284](#) Changes to Property Tax Freeze Act.

Category Taxes Property

Sponsors Sen. Bill Ketron / Rep. Michael Harrison

Description Requires all real property taxes owing to be paid in full on any property subject to the Property Tax Freeze Act.

Senate Status 05/03/2011 - Taken off notice in Senate State & Local Government.

House Status 04/21/2011 - House passed.

[SB1566 / HB1576](#) Eminent domain procedures for counties and municipalities.

Category Local Government

Sponsors Sen. Bill Ketron / Rep. Joe Carr

Description Requires counties to take property only for public use, instead for any county purpose. Requires municipalities to take property only for public use. Requires counties and municipalities to notify the property owner and follow certain requirements concerning such notice. Establishes a procedure for such government entity to contact the property owner and for the parties to negotiate an eminent domain purchase price. Allows for an arbitration process if the parties cannot agree on the purchase price. (17 pp.)

Senate Status 04/24/2012 - Senate Finance, Ways & Means referred bill to TACIR for study over the summer after adopting amendment 1, as amended.

House Status 04/30/2012 - Taken off notice in House Finance, Ways & Means.

[SB1575 / HB1841](#) Notice of discontinued service by e-mail.

Category Utilities

Sponsors Sen. Mae Beavers / Rep. Mike Stewart

Description Permits utility to send notice of discontinued service by electronic mail for nonpayment of services.

Senate Status 03/01/2011 - Referred to Senate State & Local Government.

House Status 03/03/2011 - Referred to House General Subcommittee of Commerce.

[SB1586 / HB1792](#) Energy audits of state buildings.

Category Property & Housing

Sponsors Sen. Beverly Marrero / Rep. G.A. Hardaway

Description Requires owners of commercial buildings within the state to have a comprehensive energy audit conducted on such buildings and to conspicuously display the results of such audit by October 1, 2011. Also requires comprehensive energy audits for all state buildings and state-owned facilities.

Senate Status 03/01/2011 - Referred to Senate State & Local Government.

House Status 03/21/2012 - Taken off notice in House General Subcommittee of State & Local Government.

[SB1610 / HB1522](#) Mandatory mediation required for foreclosure.

Category Banking & Credit

Sponsors Sen. Beverly Marrero / Rep. Mike Turner

Description Requires bank or other financial institution to enter into mandatory mediation with a borrower before foreclosure proceedings may be instituted on a deed of trust, mortgage, or other lien securing the payment of money or other thing of value.

Senate Status 03/01/2011 - Referred to Senate Judiciary.

House Status 04/06/2011 - Taken off notice in House General Subcommittee of Commerce

[SB1612 / HB1525](#) Photo-electric smoke detectors for nursing homes.

Category Health Care

Sponsors Sen. Beverly Marrero / Rep. Mike Turner

Description Prohibits the department of health from issuing a license to any new nursing home, assisted-care living facility, or home for the aged unless the facility is fully sprinkled and provides a photo-electric smoke alarm or detector in each patient's room. Allows the photo-electric smoke alarms to be powered by battery or electrical current. Requires smoke detectors installed in any new one-family or two-family rental units constructed or renovated or existing apartment building or hotels that are remodeled or upgraded to include a combination of photo and non-photo electric smoke detector, however in the kitchen area the device must be photo-electric.

Senate Status 02/24/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/03/2011 - Referred to House General Subcommittee of Commerce.

[SB1613 / HB1531](#) Notice of foreclosure.

Category Banking & Credit

Sponsors Sen. Beverly Marrero / Rep. Mike Turner

Description Requires first publication of notice regarding foreclosure sale to be published in newspapers 90 days previous to the sale rather than the current 20 days previous to the sale. Requires

borrower to be notified regarding foreclosure prevention counseling services. Requires mortgage loans to be based upon ability of borrower to repay such loans.

Senate Status 03/01/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 04/06/2011 - Taken off notice in House General Subcommittee of Commerce

[SB1626 / HB96](#) Required energy audits for commercial buildings.

Category Energy & Mining

Sponsors Sen. Beverly Marrero / Rep. G.A. Hardaway

Description Requires each owner of a commercial building to have for that building a comprehensive energy audit conducted; notice of the results of such audit shall be displayed to all tenants and potential tenants of the building.

Senate Status 03/01/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/21/2012 - Taken off notice in House General Subcommittee of Commerce.

[SB1627 / HB107](#) Landlords required to furnish energy audits.

Category Property & Housing

Sponsors Sen. Beverly Marrero / Rep. G.A. Hardaway

Description Requires landlords of residential property to provide an energy audit on rental property to tenant prior to such tenant entering into lease agreement.

Senate Status 03/01/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/21/2012 - Taken off notice in House General Subcommittee of Commerce.

[SB1716 / HB1075](#) Design review commissions.

Category Local Government

Sponsors Sen. Ken Yager / Rep. Debra Young Maggart

Description Authorizes any county legislative body to create a design review commission (DRC), which will have the authority to develop general guidelines for the exterior appearance of nonresidential property, multiple family residential property, and any entrance to a nonresidential development within the county.

Senate Status 04/26/2012 - Senate passed with amendment 1.

House Status 04/27/2012 - House concurred in Senate amendment 1.

Executive Status 05/09/2012 - Sent to governor.

[SB1731 / HB67](#) Deeds of trust.

Category Property & Housing

Sponsors Sen. Reginald Tate / Rep. G.A. Hardaway

Description Requires an assignment of a deed of trust to be properly recorded with the register of deeds within 10 days of the date of assignment. Broadly captioned.

Senate Status 03/04/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/09/2011 - Caption bill held on House clerk's desk.

[SB1732 / HB93](#) Shelby County tax offsets for any local payroll taxes.

Category Taxes General

Sponsors Sen. Reginald Tate / Rep. G.A. Hardaway

Description Requires certain counties that levy a payroll tax to reduce the county real property tax rate in an amount sufficient to offset all revenue derived by the county from such payroll tax; and requires certain municipalities that levy a payroll tax to reduce the municipal real property tax rate in an amount sufficient to offset all revenue derived by the municipality from such payroll tax. Broadly captioned.

Senate Status 03/04/2011 - Referred to Senate State & Local Government.

House Status 02/09/2011 - Caption bill held on House clerk's desk.

[SB1791 / HB737](#) Registration requirements for non owner-occupied property.

Category Taxes Property

Sponsors Sen. Jack Johnson / Rep. Jim Gotto

Description Requires persons registering or paying property taxes on real property to designate an address of residence that notice of legal and administrative proceedings, whereby the real property is the subject, may be sent to meet proper service of process. Broadly captioned.

Senate Status 03/04/2011 - Referred to Senate Judiciary.

House Status 04/26/2011 - Taken off notice in House State & Local Government.

[SB1840 / HB579](#) Loose material must be covered in certain vehicles.

Category Transportation Vehicles

Sponsors Sen. Roy B. Herron / Rep. Steve McDaniel

Description Requires loose material hauled in an open bed of trucks or motor vehicles to be covered by tarpaulin in addition to present requirement limiting height of load.

Senate Status 03/04/2011 - Referred to Senate Transportation.

House Status 02/16/2011 - Referred to House General Subcommittee of Transportation.

[SB1841 / HB1907](#) Publication of notice - trust sales.

Category Estates & Trusts

Sponsors Sen. Steve Southerland / Rep. Steve McDaniel

Description Requires first publication notice for any sale of land to foreclose a deed of trust, mortgage or other lien securing the payment of money or other thing of value or under judicial orders or process is to be at least 30 days previous to the sale. Current law specifies at least 20 days previous to the sale.

Senate Status 03/04/2011 - Referred to Senate Judiciary.

House Status 03/04/2011 - Referred to House General Subcommittee of Judiciary.

[SB1845 / HB1644](#) Prohibition of Covenants Providing for Transfer Fees Act.

Category Property & Housing

Sponsors Sen. Lowe Finney / Rep. Vance Dennis

Description Creates the Prohibition of Covenants Providing for Transfer Fees Act of 2011 which renders ineffective any transfer fee covenant recorded after passage of this bill, against effected real property or subsequent owners, purchasers or mortgagees with interest in the property. Defines transfer fee covenant as a covenant attached to the land binding current and successive owners to pay a fee to a third party for any transfers of interest in the property and provides for detailed exclusions to the definition.

Senate Status 05/19/2011 - Senate passed.

House Status 04/11/2011 - House passed with amendments 1 and 2.

Executive Status 06/14/2011 - Enacted as Public Chapter 0462 effective 06/10/2011.

[SB1846 / HB1598](#) Lighting regulations for motor vehicles carrying logs.

Category Transportation Vehicles

Sponsors Sen. Douglas Henry Jr. / Rep. Bill W. Harmon

Description Requires vehicles or trailers transporting logs or posts to attach a certain amber light at night and a red flag during the day on loads that protrude three-and-one-half feet, instead of four feet, past the rear of the body or bed of such vehicle.

Senate Status 04/13/2011 - Taken off notice in Senate Transportation.

House Status 03/03/2011 - Referred to House Transportation Committee.

[SB1868 / HB1242](#) Reduction of paper and paper products in state government.

Category Government Regulation

Sponsors Sen. James F. Kyle Jr. / Rep. Ryan A. Haynes

Description Requires state departments, agencies and other entities of state government to reduce paper and paper products annually by 5 percent starting on July 1, 2012.

Senate Status 01/24/2012 - Senate State & Local Government deferred to the last calendar of 2012.

House Status 03/02/2011 - Referred to House General Subcommittee of State & Local Government.

[SB1883 / HB2078](#) Planning commission - revision of plats.

Category Property & Housing

Sponsors Sen. James F. Kyle Jr. / Rep. Michael Harrison

Description Requires that notice of certain regulatory hearings of regional and municipal planning commissions be published on commission's Web site if the commission maintains a Web site.

Senate Status 03/04/2011 - Referred to Senate State & Local Government.

House Status 04/26/2011 - Taken off notice in House State & Local Government.

[SB1885 / HB1777](#) Land Bank Authority Act.

Category Property & Housing

Sponsors Sen. James F. Kyle Jr. / Rep. Larry J. Miller

Description Creates the land bank authority (authority), defined as a foreclosing government unit, to serve as a public body acting independently of government for the purpose of assembling and disposing of public property in a coordinated manner. Empowers the authority to acquire through specified means real or personal property or an interest therein and to do all things necessary in effectuating property transactions such as reform bylaws, contract, borrow money and issue bonds, solicit or accept any financial aid or loans, participate in government programs, procure insurance, make investments, employ experts and agents, develop plans and reports, approve of all documents facilitating a property transfer, grant or acquire licenses or easements, rent out or charge for the use of property, pay taxes or assessments owed, act to quiet title or initiate foreclosures, determine the value of property conveyed, and remediate environmental contamination problems, among any other necessary actions. Exempts the authority from all taxes and special assessments, liability under environmental protection laws unless the cause of violations, and all restrictions later imposed through local legislation and makes clear the discretion of the authority is the equivalent of a private property owner. Prohibits an authority from funding casinos or sexually oriented businesses, imposing taxes or special assessments, exercising the power of eminent domain, condemning property, or conveying property without a determination by the department of environmental quality that property does not threaten public health or safety. Requires an authority to adopt a code of ethics, disclose conflicts of interest, defend against and initiate civil actions under specified circumstances, obtain local approval to accept deeds in lieu of foreclosure under a tax lien, inventory and classify all property held, return to the local unit all funds collected associated with owed property taxes, and grant necessary access to the department of environmental quality. Creates the authority board consisting of seven members, serving four year terms and provides rules regarding qualifications and appointment. Sets out rules governing the authority board regarding vacancies, election of chairpersons, voting, execution of duties, appointment and duties of the executive director, required legislative reports, content and scope of intergovernmental agreements, issuance of bonds and notes, and dissolution. Sets requirements and guidelines regarding the relationship and transactions between the authority and qualified cities such as the transfer of property to the authority, providing aid to the authority, contribution of funds, advancement and reimbursement, and collection of property taxes and tax liens but does not require the authority to gain approval of the governing body in fulfilling its duties. Creates the land bank fund under the jurisdiction of the authority and provides various regulations regarding the funds functions, transfer of funds upon dissolution, and permissible deposits and withdrawals. (pp 22.)

Senate Status 02/24/2011 - Referred to Senate State & Local Government.

House Status 04/26/2011 - Taken off notice in House State & Local Government.

[SB1887 / HB2069](#) Land classified as affordable rental housing property.

Category Taxes Property

Sponsors Sen. James F. Kyle Jr. / Rep. Mike Kernell

Description Provides for the classification of certain land or improvements as affordable housing rental property. Requires owner of land or improvements to certify to the assessor of property that the land or improvements continues to meet the definition of affordable rental housing property. Requires assessor to maintain certification records with the assessor's other records for the property. Also requires such certification to be provided to any buyer of the property and specifies that the property is to be deemed disqualified from the classification of affordable housing rental property by the sale.

Senate Status 02/24/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/21/2012 - Taken off notice in House General Subcommittee of State & Local Government.

[SB1913 / HB2067](#) Requirements for annual event tickets.

Category Lottery

Sponsors Sen. Jamie Woodson / Rep. Judd Matheny

Description Requires the ticket, share, chance or other similar record to bear on its face the name of the 501(c)(3) organization or the telephone number of such organization. Requires all cash prizes or awards exceeding \$50.00 to be paid by check from a designated account of the organization to a named individual. Requires payment be made in the form of goods or services by an appropriate legal instrument in the case of non-cash prizes or awards. Establishes that for single location annual events, the total value of all prizes awarded must not exceed \$250,000, provided that such limitation must not apply to prize of real property. Authorizes 501(c)(3) organizations offering a prize of real property to offer a cash equivalent prize not to exceed the fair market value of the real property, provided that such cash equivalent prize must be disclosed in the rules of the specific annual event prior to the sale of any ticket.

Senate Status 04/06/2011 - Taken off notice in Senate State & Local Government.

House Status 04/21/2011 - Taken off notice in House Calendar & Rules.

[SB1922 / HB826](#) Termination of lease for victims of domestic abuse.

Category Property & Housing

Sponsors Sen. Jamie Woodson / Rep. Debra Young Maggart

Description Authorizes tenants who have entered a lease agreement on or after July 1, 2011 and who themselves or a household member have become a victim of domestic abuse, sexual assault, or stalking to terminate the residential rental agreement or lease. Requires termination of the lease without penalty or fees if the landlord is provided with written notice, an agreed release date 30 days from notice, and either a copy of a valid protection order or a written report from an abuse organization all of which shall not be dated later than 60 days following the date of notice. Prohibits the landlord from releasing information regarding the tenants whereabouts. Holds the tenant responsible for rent for the month the tenancy was terminated and an additional months rent.

Senate Status 03/04/2011 - Referred to Senate Judiciary.

House Status 02/01/2012 - Withdrawn in House.

[SB1937 / HB1350](#) Prohibits lease of property to unlawfully present persons.

Category Local Government

Sponsors Sen. Randy McNally / Rep. Julia Hurley

Description Allows municipalities, counties, and metropolitan governments to prohibit landlords from leasing real property to persons unlawfully present in the United States by resolution or ordinance. Requires the attorney general to draft and defend such resolutions and ordinances upon written request by the government entity.

Senate Status 03/02/2011 - Referred to Senate State & Local Government.

House Status 02/16/2012 - Withdrawn in House.

[SB1948 / HB2084](#) Requirements for annual event tickets.

Category Lottery

Sponsors Sen. Lowe Finney / Rep. Mike Turner

Description Requires annual event tickets to include either the mailing address or telephone number of the 501(c)(3) organization in addition to the name of the 501(c)(3) organization.

Senate Status 03/04/2011 - Referred to Senate State & Local Government.

House Status 01/23/2012 - Withdrawn in House.

[SB1962 / HB1713](#) Electrical inspection services program.

Category Utilities

Sponsors Sen. Eric Stewart / Rep. Charles Curtiss

Description Requires the commissioner of the department of commerce and insurance to provide a program to ensure that electrical inspection services are available throughout the state on a regional basis so that timely inspections shall be completed within three days.

Senate Status 05/16/2011 - Senate passed.

House Status 05/02/2011 - House passed with amendment 1.

Executive Status 06/03/2011 - Enacted as Public Chapter 0317 effective 05/27/2011.

[SB1976 / HB2092](#) Notice regarding non-payment of rental fees.

Category Banking & Credit

Sponsors Sen. Eric Stewart / Rep. Mike Turner

Description Changes from "not sooner than 30 days" to "not sooner than 40 days" time within which lessor must give notice regarding non-payment of rental fees.

Senate Status 04/20/2012 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/04/2011 - Referred to House General Subcommittee of Commerce.

[SB2003 / HB1763](#) Uniform Residential Landlord and Tenant Act - all counties.

Category Property & Housing

Sponsors Sen. Eric Stewart / Rep. Charles Curtiss

Description Applies the Uniform Residential Landlord and Tenant Act to all counties for rental or lease agreements entered into or renewed on or after July 1, 2011.

Senate Status 04/05/2011 - Senate Commerce, Labor & Agriculture deferred to 04/12/2011.

House Status 04/20/2011 - Taken off notice in House General Subcommittee of Commerce.

[SB2027 / HB1021](#) Deadline for applications for 2011-2012 annual events.

Category Lottery

Sponsors Sen. Eric Stewart / Rep. David Alexander

Description Extends deadline for applications for 2011-2012 annual events for five days after effective date of act. Requires an additional omnibus list to be transferred.

Senate Status 03/02/2011 - Referred to Senate State & Local Government.

House Status 03/09/2011 - Taken off notice in House General Subcommittee of State & Local Government

[SB2028 / HB2110](#) Hunting on private lands or waters where house is visible.

Category Environment & Nature

Sponsors Sen. Beverly Marrero / Rep. Gary Odom

Description Makes it unlawful to hunt on private lands or waters within 100 yards of a visible dwelling house.

Senate Status 03/04/2011 - Referred to Senate Environment, Conservation & Tourism.

House Status 03/04/2011 - Referred to House General Subcommittee of Conservation & Environment.

[SB2030 / HB1967](#) Study on establishing a TN foreclosure mediation program.

Category Banking & Credit

Sponsors Sen. Ophelia Ford / Rep. Johnnie Turner

Description Requires the TN housing development agency to conduct a study of the feasibility of establishing a foreclosure mediation program in TN. Requires the agency to seek to identify the amount of time needed to conduct meaningful mediations in the context of residential foreclosures. Requires the agency to request assistance from the administrative office of the courts and the TN bar association. Requires the agency to report its finding to the commerce and judiciary committees of the house of representatives and the commerce and judiciary committees of the senate no later than March 1, 2012. Broadly captioned.

Senate Status 04/19/2011 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 04/13/2011 - Taken off notice in House General Subcommittee of Commerce.

[SB2050 / HB100](#) Sunset of sales tax exemptions.

Category Taxes Sales

Sponsors Sen. Ophelia Ford / Rep. G.A. Hardaway

Description Requires the commissioner of revenue to report to the general assembly on the feasibility of assigning expiration dates for sales tax exemptions on a staggered schedule. If the commissioner determines the expiration dates to be feasible, the commissioner is required to recommend to the general assembly schedule of expiration dates for each exemption so that when fully implemented each exemption would be reauthorized every ten years.

Senate Status 05/20/2011 - Taken off notice in Senate Finance, Ways & Means.

House Status 05/17/2011 - House Finance Study Committee Subcommittee deferred to 2012.

[SB2051 / HB22](#) Writs of possession: changes and requirements.

Category Property & Housing

Sponsors Sen. Ophelia Ford / Rep. G.A. Hardaway

Description Requires 24-hour written notice of approximate time of removal pursuant to writ of possession related to a forcible entry and detainer or ejection. Requires the removal of such property according to the writ of possession to occur between 8 am and 5 pm. Requires plaintiff to create an inventory list, explain existing damage to defendant's property, and sign the document with the sheriff executing the such writ of possession. Holds plaintiff liable for damages to defendant's removed personal property if notice requirements are not followed. Requires writs of possession related to ejection to be issued 10 or more days after the court order.

Senate Status 03/28/2012 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/14/2012 - Taken off notice in House General Subcommittee of Judiciary.

[SB2064 / HB1960](#) Capturing visual images or sound recordings of a person.

Category Criminal Law

Sponsors Sen. Mark S. Norris / Rep. Ryan Williams

Description Creates a Class A misdemeanor to capture visual images or sound recordings of persons, except elected officials, if the act was offensive, the victim had a reasonable expectation of privacy, and the act was done without prior consent. Prohibits the offender from collecting any financial benefits if the offender captured the visual images or sound recordings for commercial purposes. Increases penalties for assault, false imprisonment, criminal trespass, trespass by motor vehicle, unlawful observation, and reckless driving when done with intent to capture such images or recordings.

Senate Status 03/04/2011 - Referred to Senate Judiciary.

House Status 05/03/2011 - House Judiciary Committee deferred to 2012.

[SB2065 / HB82](#) Rental agreement to include energy audit.

Category Property & Housing

Sponsors Sen. Ophelia Ford / Rep. G.A. Hardaway

Description Requires rental agreement under Uniform Residential Landlord and Tenant Act to include, as an addendum, a copy of an energy audit of estimating the energy usage required at dwelling unit.

Senate Status 03/28/2012 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/21/2012 - Taken off notice in House General Subcommittee of Commerce.

[SB2080 / HB23](#) Addition to a residential property disclosure form.

Category Property & Housing

Sponsors Sen. Ophelia Ford / Rep. G.A. Hardaway

Description Establishes that a residential property disclosure form should include information on the average utility cost for the property over the previous calendar year.

Senate Status 03/04/2011 - Referred to Senate Commerce, Labor & Agriculture.

House Status 03/15/2012 - Withdrawn in House.

[SB2129 / HB2309](#) Tennessee Works Act of 2012.

Category Economic Development

Sponsors Sen. Andy Berke / Rep. Craig Fitzhugh

Description Creates the Tennessee Works Program directing the commissioner of labor and workforce development to establish a grant review committee to make recommendations regarding the awarding of training grants to businesses for the purpose training new and existing employees. Provides guidelines concerning appointment and terms of members to the grant review committee, qualifying to be a grant recipient, the appropriate use of grant awards, and reporting requirements. Requires grant recipients be physically located in the state of Tennessee, match no less than one dollar for each dollar of grant money, and conduct training at Tennessee community colleges and technology centers when feasible. Requires priority be given to small businesses for the implementation of technological innovations. Creates the "training fund" to provide funding for the program.

Senate Status 04/25/2012 - Senate passed with amendments 1 and 2.

House Status 05/01/2012 - House passed.

Executive Status 05/09/2012 - Sent to governor.

[SB2214 / HB2352](#) Investigation of mortgage lender, mortgage loan broker.

Category Banking & Credit

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description Authorizes commissioner of financial institutions to establish a fee for conducting off-site investigations of any mortgage lender, mortgage loan broker, mortgage loan servicer, or mortgage loan originator. (Part of Administration Package 2012)

Senate Status 02/16/2012 - Senate passed.

House Status 03/28/2012 - House passed.

Executive Status 04/13/2012 - Enacted as Public Chapter 0729 effective April 11, 2012.

[SB2216 / HB2354](#) Limits on loans to any one borrower.

Category Banking & Credit

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description Specifies that the limits on loans to any one borrower must take into consideration credit exposure arising from derivative transactions between the state bank and the borrower. (Part of Administration Package 2012)

Senate Status 02/13/2012 - Senate passed.

House Status 03/15/2012 - House passed.

Executive Status 04/03/2012 - Enacted as Public Chapter 0634 effective March 30, 2012.

[SB2234 / HB2372](#) Redefines intangible expense.

Category Taxes Business

Sponsors Sen. Mark S. Norris / Rep. Gerald McCormick

Description Redefines "intangible expense" under the Excise Tax Law. Revises provision regarding the subtraction of certain intangible expenses from the taxpayer's net earnings and losses to instead specify that an intangible expense paid, accrued or incurred in connection with a transaction with an affiliate would be subtracted from the tax payer's net earnings and losses only if the commissioner determines, upon application by the taxpayer, that the principal purpose of such expense, was not the avoidance of the excise tax. The commissioner must approve any application for the deduction of an intangible expense that is: (1) Paid, accrued, or incurred to an affiliate in a foreign nation that is a signatory to a comprehensive income tax treaty with the United States; or (2) Paid, accrued, or incurred to an affiliate when the affiliate, during the same taxable year, has paid, accrued or incurred such portion to an entity that is not an affiliate. Adds that intangible expenses would include interest expenses on such intangible expenses, as long as such interest expenses are allowable as deductions or costs in determining federal taxable income on a separate entity basis. Also revises who is subject to a negligence penalty when a taxpayer deducts intangible expenses arising from a transaction with an affiliate in determining Tennessee net earnings and fails to disclose such intangible expenses. (Part of Administration Package 2012)

Senate Status 04/16/2012 - Senate passed.

House Status 04/16/2012 - House passed with amendment 1.

Executive Status 05/03/2012 - Enacted as Public Chapter 0842 effective April 27, 2012.

[SB2452 / HB2323](#) Credit for employing unemployed persons.

Category Taxes Business

Sponsors Sen. Lowe Finney / Rep. Craig Fitzhugh

Description Creates a franchise and excise tax credit employers for each unemployed person, as defined, hired. Credit amount will be between 20 and 30 percent, dependent on employee's wage. Employment conditions for eligibility: at least 12 consecutive months, a 37.5 hour or more work week, and at least \$10 per hour wage. Credit may be used only once per employee.

Senate Status 04/25/2012 - Taken off notice in Senate Finance, Ways & Means.

House Status 04/30/2012 - House General Subcommittee of Finance adjourned the subcommittee meeting without taking up this bill.

[SB2469 / HB2217](#) Tractor trailers to have sign on rear identifying owner.

Category Transportation Vehicles

Sponsors Sen. Randy McNally / Rep. Julia Hurley

Description Requires all tractor trailers and tractor-semitrailer combinations to have a sign or placard on the rear of the vehicle identifying the owner and the owner's business phone. Specifies that a violation is a Class C misdemeanor, subject to a fine only.

Senate Status 01/19/2012 - Referred to Senate Transportation & Safety Committee.

House Status 01/19/2012 - Withdrawn in House.

[SB2471 / HB2227](#) Landlords to register with governmental entities.

Category Property & Housing

Sponsors Sen. Randy McNally / Rep. Julia Hurley

Description Mandates that all landlords must require a government ID from all new and renewing tenants, keep a copy of the ID on file, and provide a copy of the ID to local government entity that enforces building codes, or to the county trustee. Lists types of valid ID, including driver's license, passport, government-issued birth certificate, citizenship certificate, or immigration documentation.

Senate Status 01/19/2012 - Referred to Senate Commerce, Labor & Agriculture.

House Status 01/24/2012 - Referred to House General Subcommittee of Commerce.

[SB2486 / HB2281](#) Theft by a home improvement contractor.

Category Criminal Law

Sponsors Sen. Jack Johnson / Rep. Bill Dunn

Description Adds an element to the offense of theft by a home improvement services provider. Requires contractor to provide residential owner or United States Postal Service a correct forwarding address. Includes as a consumer protection violation failure of a contractor to provide a current or forwarding address to the residential owner if the person changes the address initially provided to the owner.

Senate Status 04/02/2012 - Senate passed with amendment 1.

House Status 04/05/2012 - House concurred in Senate amendment 1.

Executive Status 04/26/2012 - Enacted as Public Chapter 0802 effective July 1, 2012.

[SB2492 / HB2639](#) Sprinkler requirements in local building codes.

Category Property & Housing

Sponsors Sen. Jim Tracy / Rep. Eric Watson

Description Prohibits local governments from adopting building codes that are more stringent than state building codes regarding sprinkler systems in one-family and two-family dwellings.

Senate Status 04/09/2012 - Senate passed with amendments 1 and 2.

House Status 04/16/2012 - House concurred in Senate amendments 1 and 2.

Executive Status 05/03/2012 - Enacted as Public Chapter 0839 April 27, 2012.

[SB2593 / HB2325](#) Local governments and wage requirements.

Category Labor Law

Sponsors Sen. Thelma Harper / Rep. Mary J. Pruitt

Description Prohibits a local government from requiring a private employer to pay higher wages than required by state or federal law.

Senate Status 01/26/2012 - Withdrawn in Senate.

House Status 01/24/2012 - Referred to House General Subcommittee of Commerce.

[SB2617 / HB2799](#) Reporting of abandoned vehicles by garage owner.

Category Transportation Vehicles

Sponsors Sen. Jim Tracy / Rep. Phillip Johnson

Description Inserts an omitted reference to the 10-day period within which an owner of a garage, trailer park or lot must report abandoned vehicles. Increases, from 14 to 20 days, the grace period for certain members of the military to renew registrations upon returning to Tennessee after being stationed overseas.

Senate Status 04/26/2012 - Senate concurred in House amendment 2.

House Status 04/25/2012 - House passed with amendment 2.

Executive Status 04/30/2012 - Sent to governor.

[SB2650 / HB2843](#) Overdimensional permits for certain vehicles.

Category Transportation Vehicles

Sponsors Sen. Ken Yager / Rep. Phillip Johnson

Description Authorizes the issuance of overdimensional permits by TDOT to certain straight trucks ,truck-tractor and semitrailer or trailers to travel on the interstate at night.

Senate Status 02/06/2012 - Senate passed with amendment 1.

House Status 02/27/2012 - House passed.

Executive Status 03/16/2012 - Enacted as Public Chapter 0563 effective March 13, 2012.

[SB2700](#) Storage of firearm in employer's public access parking lot.

Category Criminal Law

Sponsors Sen. Stacey Campfield

Description Permits employees with valid handgun permit to store their gun in employer's parking lot provided the lot is a public access parking lot, firearm is stored in an enclosed compartment, and motor vehicle is locked. Allows employer to prohibit firearms on property if the employer implements reasonable security in parking lots. Allows employer who opts out to be held liable in civil action for any damages resulting from a criminal act in parking lot.

Senate Status 01/26/2012 - Referred to Senate Judiciary.

House Status *None*

[SB2704 / HB2981](#) Process to obtain punitive damages against an employer.

Category Labor Law

Sponsors Sen. Brian K. Kelsey / Rep. Vance Dennis

Description Restricts punitive damages for vicarious liability of an employer for an employee or agent. Allows punitive damages only when the act or omission was committed by a manager; when the employer was reckless in hiring or retaining an employee; or when the employer approved the act or omission.

Senate Status 01/26/2012 - Referred to Senate Judiciary.

House Status 01/31/2012 - Referred to House General Subcommittee of Judiciary.

[SB2791 / HB2913](#) Landlord terminating rentals agreements.

Category Property & Housing

Sponsors Sen. Stacey Campfield / Rep. Charles Curtiss

Description Permits landlord to terminate rental agreement if tenant creates a hazardous or unsanitary,

instead of hazardous and unsanitary, condition on the property. Deletes requirement that landlord notify tenant at time of lease signing of location of separate account for security deposits.

Senate Status 04/18/2012 - Senate passed with amendment 2.

House Status 04/19/2012 - House concurred in Senate amendment 1 and 2.

Executive Status 04/27/2012 - Sent to governor.

[SB2803 / HB2207](#) Registration of trailers used in business.

Category Transportation Vehicles

Sponsors Sen. Jim Tracy / Rep. Debra Young Maggart

Description Clarifies that trailers used in the furtherance of a business are required to be registered.

Senate Status 01/26/2012 - Referred to Senate Transportation & Safety.

House Status 01/24/2012 - Referred to House General Subcommittee of Transportation.

[SB2821 / HB2924](#) Public policies for right to work employees.

Category Labor Law

Sponsors Sen. Brian K. Kelsey / Rep. Mike Sparks

Description Requires the commissioner of labor and workforce development to display a notice on their web site with employee's rights in a right to work state. Requires private employers to post adequate notice of employee's rights in a right to work state. Allows private employers to be exempted if the requirement causes a hardship. Requires the commissioner of labor and workforce development to enforce the policies.

Senate Status 04/04/2012 - Senate passed with amendment 1.

House Status 04/05/2012 - House passed.

Executive Status 04/30/2012 - Enacted as Public Chapter 0826 effective April 25, 2012.

[SB2878 / HB2818](#) Development - no county-wide zoning.

Category Property & Housing

Sponsors Sen. Steve Southerland / Rep. Jeremy Faison

Description Creates different requirements for subdivisions and development in counties in which county-wide zoning has not been enacted.

Senate Status 01/26/2012 - Referred to Senate State & Local Government.

House Status 03/14/2012 - House General Subcommittee of State & Local Government referred to TACIR for study.

[SB2909 / HB2277](#) Increases tax on gasoline and diesel products.

Category Taxes Fuel

Sponsors Sen. Douglas Henry Jr. / Rep. G.A. Hardaway

Description Increases the tax rate on gasoline and diesel products one cent a year for the next five years. Allocates funds from such increase in tax to counties and municipalities.

Senate Status 01/30/2012 - Referred to Senate Finance, Ways & Means.

House Status 03/13/2012 - House General Subcommittee of Transportation deferred to 07/01/2012.

[SB2941 / HB3479](#) Storage of firearm in employer's public access parking lot.

Category Criminal Law

Sponsors Sen. Stacey Campfield / Rep. Joshua G. Evans

Description Permits employees with valid handgun permit to store their gun in employer's parking lot provided the lot is a public access parking lot, firearm is stored in an enclosed compartment, and motor vehicle is locked. Allows employer to prohibit firearms on property if the employer implements reasonable security in parking lots. Allows employer who opts out to be held liable in civil action for any damages resulting from a criminal act in parking lot.

Senate Status 04/11/2012 - Failed in Senate Judiciary.

House Status 04/17/2012 - Taken off notice in House Consumer & Employee Affairs.

[SB2992 / HB3559](#) Employment discrimination - handgun ownership by applicant.

Category Labor Law

Sponsors Sen. Mike Faulk / Rep. Eddie Bass

Description Prohibits public and private employers from requiring an employee or applicant for employment to disclose information about owning, possessing, using, or transporting a firearm, unless it is used in fulfilling the duties of employment. Prohibits employers from conditioning employment, rights, benefits, privileges, or opportunities on such information. Allows victims of such discrimination to bring civil action against employers in violation. Broadly captioned.

Senate Status 03/27/2012 - Senate Commerce, Labor & Agriculture recommended with amendment 1, as amended.

House Status 04/24/2012 - House Calendar & Rules referred to summer study committee.

[SB2996 / HB3251](#) Criminal background questions on employment application.

Category Labor Law

Sponsors Sen. Beverly Marrero / Rep. Brenda Gilmore

Description Requires employers not to inquire about convictions of a prospective employee on an initial employment application. Allows employers to inquiry about conviction records after a conditional offer of employment which may be withdrawn if the prior conviction bears a rational relationship to the duties of the position. Broadly captioned.

Senate Status 01/30/2012 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/29/2012 - Taken off notice in House General Subcommittee of Consumer & Employee Affairs.

[SB3002 / HB3560](#) Storing guns in locked, personal vehicles.

Category Criminal Law

Sponsors Sen. Mike Faulk / Rep. Eddie Bass

Description Prohibits any business entity, real property owner, or employer from prohibiting individuals licensed to carry firearms from keeping firearms or ammunition out of sight and securely locked in a privately owned personal vehicle where said vehicle is otherwise permitted to be, including school property. Allows civil action for injuries and damages caused by a violation of this. Broadly captioned.

Senate Status 03/27/2012 - Senate Judiciary recommended with amendments 1 and 2, as amended.

House Status 04/24/2012 - House Calendar & Rules referred to summer study committee.

[SB3130 / HB3757](#) Prohibits discrimination on basis of person's unemployment.

Category Labor Law

Sponsors Sen. Eric Stewart / Rep. Mike Turner

Description Prohibits employers and employment agencies from discriminating in hiring based on a person's current or past unemployment. Allows victims to sue for damages.

Senate Status 03/28/2012 - Taken off notice in Senate Commerce, Labor & Agriculture.

House Status 03/14/2012 - House General Subcommittee of Consumer & Employee Affairs deferred to last calendar.

[SB3236 / HB3448](#) Expands definition of ready-removable.

Category Property & Housing

Sponsors Sen. Ken Yager / Rep. John Mark Windle

Description Expands the definition of a ready-removable modular home to include those with electrical wiring, for the purpose of the Tennessee Modular Building Act.

Senate Status 03/01/2012 - Senate passed with amendment 1.

House Status 03/05/2012 - House passed.

Executive Status 03/28/2012 - Enacted as Public Chapter 0589 effective July 1, 2012.

[SB3302 / HB3181](#) Definition of mineral interest for back assessment.

Category Taxes Property

Sponsors Sen. Tim Barnes / Rep. Mike Stewart

Description Defines "mineral interest" for purposes of a back assessment or reassessment of property taxes against a mineral interest owner as any right or interest in solid minerals, including, but not limited to, clay, gravel, phosphate rock, lime, stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of this state. Broadly captioned.

Senate Status 04/03/2012 - Taken off notice in Senate Finance Tax Subcommittee.

House Status 03/27/2012 - Taken off notice in House General Subcommittee of Conservation & Environment.

[SB3313 / HB3389](#) Industrial machinery tax credit.

Category Taxes Business

Sponsors Sen. Jack Johnson / Rep. Michael Harrison

Description Allows an industrial machinery tax credit against franchise and excise taxes for certain forms of business entities that establish a qualified headquarters facility and qualify for the qualified headquarter facilities sales and use tax credit.

Senate Status 04/03/2012 - Taken off notice in Senate Finance Tax Subcommittee.

House Status 04/30/2012 - House General Subcommittee of Finance adjourned the subcommittee meeting without taking up this bill.

[SB3408 / HB3572](#) Private property rights regarding government interference.

Category Property & Housing

Sponsors Sen. Mae Beavers / Rep. Rick Womick

Description Defines "private property rights" to clarify meaning of unwarranted government interference with such rights. Provides private property owners do not have to accommodate to local "Sustainable Development" policies. Prohibits government from imposing certain zoning restrictions, ordinances or fines regarding aesthetic landscaping, and interfering with interior or exterior aspects of a home on private property. Limits eminent domain.

Senate Status 02/01/2012 - Referred to Senate Judiciary.

House Status 03/21/2012 - Taken off notice in House General Subcommittee of Judiciary.

[SB3417 / HB3682](#) Requires mud flaps for tractor trailers and semitrailers.

Category Transportation Vehicles

Sponsors Sen. Beverly Marrero / Rep. Joe Towns Jr.

Description Requires truck tractors and semitrailers with at least four tires on the rearmost axle to be equipped with safety guards or flaps that are suspended within eight inches of the surface of the highway.

Senate Status 03/21/2012 - Taken off notice in Senate Transportation.

House Status 04/03/2012 - Taken off notice in House General Subcommittee of Transportation.

[SB3467 / HB3508](#) Energy efficient retrofit programs.

Category Property & Housing

Sponsors Sen. Reginald Tate / Rep. G.A. Hardaway

Description Requires landlords to strive to provide their tenants with information concerning participation in locally available energy efficiency retrofit programs.

Senate Status 02/01/2012 - Referred to Senate Commerce, Labor & Agriculture.

House Status 02/01/2012 - Referred to House General Subcommittee of Commerce.

[SB3657 / HB3430](#) Seasonal employer for unemployment insurance.

Category Labor Law

Sponsors Sen. Jack Johnson / Rep. Jimmy Matlock

Description Allows employer to qualify as a "seasonal employer" for purposes of unemployment insurance benefits if it operates less than 36 weeks per year. Reduces unemployment benefits for seasonal workers.

Senate Status 04/26/2012 - Senate passed with amendment 1, 2, and 3.

House Status 05/01/2012 - House passed.

Executive Status 05/09/2012 - Sent to governor.

[SB3662 / HB2771](#) Electricians Licensing Act.

Category Professions & Licensure

Sponsors Sen. James F. Kyle Jr. / Rep. Harry Brooks

Description Enacts "Electricians' Licensing Act." Requires any person performing electrical work for a licensed electrical contractor where the value of the work exceeds \$5,000 to be licensed. Requires those wishing to become apprentice electricians to apply for a license as described. Establishes requirements, obtainment and renewal procedures for journeyman electrician licenses. Creates a Class A misdemeanor for any person who engages in electrical work without a license.

Senate Status 02/01/2012 - Referred to Senate Commerce, Labor & Agriculture.

House Status 01/25/2012 - Referred to House General Subcommittee of Commerce.

[SB3665 / HB2993](#) Reporting unsafe driving by tractor trailers operators.

Category Transportation Vehicles

Sponsors Sen. James F. Kyle Jr. / Rep. Antonio Parkinson

Description Requires the department of safety to establish, maintain, and publicize a hotline for the purpose of receiving allegations of unsafe driving by tractor trailer operators. Requires tractor trailers and tractor-semitrailer combinations to have a sign bearing the hotline number on vehicle.

Senate Status 02/01/2012 - Referred to Senate Transportation & Safety.

House Status 01/31/2012 - Referred to House General Subcommittee of Transportation.

[HB68](#) Real estate closings required to be attorney supervised.

Category Property & Housing

Sponsors Rep. G.A. Hardaway

Description Requires all real estate closings under the Tennessee Home Loan Protection Act to be attorney supervised closings. Specifies that only attorneys with sufficient errors and omission insurance, as set annually by the commissioner of financial institutions, shall be authorized to act as supervising attorneys.

Senate Status *None*

House Status 02/27/2012 - Withdrawn in House.

[HR170](#) TACIR to study responsibilities of homeowners associations.

Category Property & Housing

Sponsors Rep. Gary W. Moore Sr.

Description Directs TACIR to study the responsibility of homeowners associations to insure their obligations and homeowners associations' rules and regulations.

Senate Status *None*

House Status 05/08/2012 - Signed by House speaker 03/12/2012.