

LEGISLATIVE MONITOR WEEKLY UPDATE

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A Report on State and Federal
Legislation Affecting Persons with
Disabilities

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Texts of bills can be accessed on the General Assembly website:

<http://www.legislature.state.tn.us>.

APPROPRIATIONS

SB 4059 Black **HB 3464* Casada**

Appropriations - Restricts the ability of the executive branch to expend funds not specifically appropriated within the appropriations act. - Amends TCA Section 4-3-1016; Section 4-4-102 and Title 9, Chapter 4.

Senate: Assigned to General s/c of Finance

House: Assigned to Budget s/c of Finance

SB 4213* Kyle, Henry, McNally, Burchett **HB 4219 Fitzhugh, Tindell, Shaw**

Appropriations - Makes appropriations for fiscal years 2007-2008 and 2008-2009. -

Senate: Placed on Finance Committee. calendar. for 05/19/2008

House: Placed on s/c calendar Budget Subcommittee for 05/19/2008

SB 4214* Kyle, Henry, McNally, Burchett **HB 4220 Fitzhugh, Tindell, Shaw**

Appropriations - Makes appropriations for fiscal years 2007-2008 and 2008-2009. - 2 page bill

Senate: Referred to Finance

House: Assigned to Budget s/c of Finance

DISABILITY SERVICES

SB 308* Finney L., Burks, Burchett, Crutchfield, Kyle, Jackson, Tate, Harper, Haynes, Wilder, Ketron, Marrero B, Finney R.. **HB 2063 Maddox, Armstrong, Favors**

Elderly Persons - Creates the department of aging and disability and transfers to that department the duties of the commission on aging and disability. **House Government Operations amendment 1** removes the provision requiring the new department to be under the supervision of the Department of Revenue. **Senate amendment 2** creates a special committee to study the creation of a department of aging and adult services. Specifies that the committee shall consist of 17 members. **Health & Human Resources amendment 1**, as amended, creates a special task force to study the creation of a department of aging and adult services. Specifies that the committee shall consist of 17 members and also specifies makeup of such membership. Requires the committee to report to the governor and the two speakers with its recommendations no later than December 15, 2008. - Amends TCA Title 4; Title 8; Title 13; Title 33; Title 34; Title 49; Title 55; Title 56; Title 67; Title 68 and Title 71.

<p>Senate: Passed House: Taken Off Notice in: Study Committee of Sub-committee of Budget Fiscal Note: (Corrected) Increase State Expenditures – Net Impact - \$92,600 Other Fiscal Impact – Increase Federal Expenditures – Net Impact - \$192,400</p>
<p>SB 895* Ketron, Kilby, Bunch, Tate, Burchett, Woodson HB 2091 Maddox, Ferguson, Eldridge, Gresham, Shaw, Todd, DeBerry L., Coley, DeBerry, J, Dunn, Tindell, Armstrong, Brooks H, Strader, West, Sargent, Winningham, Jones S, Bass, Cooper B Mental Retardation - Requires that the methodology of the division of mental retardation services for determining payments to service providers phase in salaries and benefits for direct care staff over a three-year period that are commensurate with staff in developmental centers. - Amends TCA Title 33.</p> <p>Senate: Assigned to General s/c of Finance House: Placed Behind the Budget - Placed on s/c calendar 05/19/2008 Fiscal Note: Increase State Expenditures – \$9,888,600 Year One; \$9,888,600 Year Two \$9,888,600 Year Three Other Fiscal Impact – Increase Federal Expenditures – \$17,349,000 Year One; \$17,349,000 Year Two; \$17,349,000 Year Three</p>
<p>SB 1157 Black, Beavers, Bunch, Burchett, Crowe, Finney R., Johnson, Ketron, McNally, Norris, Southerland, Stanley, Tracy, Watson, Williams, Woodson HB 941* Maggart, DuBois, Gresham, Brooks K, Watson, Matlock, Lundberg, Brooks H, Dunn, Kelsey, Casada, Campfield, Hensley, Hill, Coley, Niceley, Bell, McManus, Cobb J., Bass, Floyd, Johnson P, Jones S, Briley, Pinion, Mumpower, Jones U, Pruitt, Turner M, Hardaway, DeBerry L, Bibb, Tidwell, McDonald, Harmon, Shepard, Pitts, Hackworth, Fincher, Coleman, Ferguson, Fitzhugh, Shaw Disabled - Aid to - Authorizes the commission on aging and disability to develop a five-year home and community-based care pilot project for a project that fosters independence for disabled persons needing long-term supports and services and their families. Senate General Welfare amendment 1 clarifies that the program will be conducted by the commission on aging and disability and they will decide which district is the most appropriate for the trial. - Amends TCA Title 33; Title 68 and Title 71.</p> <p>Senate: Placed on Regular Calendar (1) calendar for 05/20/2008 House: Placed on Budget Subcommittee calendar for 05/19/2008 Fiscal Note: Increase State Expenditures - Exceeds \$400,000</p>
<p>SB 2582 Burks, Harper, Finney R., Williams, Herron, HB 2502* Jones S., Brooks H, Overbey, DeBerry J, Montgomery, DeBerry L. Mental Health and Developmental Disabilities, Dept. of - Adds to the department's service principles developing and implementing a comprehensive public children's mental health service delivery system. Senate General Welfare amendment 1, House Public Health & Family Assistance amendment 1 establishes a council on children's mental health to develop a statewide system of care to identify current and needed financial resources. Provides the committee on children and youth will administrate and report back to the general assembly. House amendment 2 Removes the Council's authority to promulgate rules and regulations to effectuate the purposes of the act and requires the Department of Health to assist the Council in developing a plan to establish demonstration sites. - Amends TCA Title 3; Title 4; Title 33; Title 37; Title 49 and Title 71.</p> <p>Senate: Passed; Enrolled and ready for signatures House: Passed Fiscal Note: Minimal Other Fiscal Impact – It is estimated that the cost of the creation, implementation and support of the proposed council will be \$105,700 in FY08-09 thru FY09-10. The Commission on Children and Youth has \$125,000 in Federal Juvenile Justice and Delinquency Prevention Act Funds included within its base budget which are allocated for the proposed council.</p>

SB 2651 Tracy, Finney R., Burchett, Roller, Black, Williams, Finney, L., Johnson, Marrero, B., Crowe, Jackson, Woodson, Southerland, Ramsey, Ketron
HB 2569* Curtiss, Ford, Roach, Williams, Overbey, Hawk, Vaughn, Rinks, Eldridge, McDaniel, Gresham, Armstrong, Tindell, Jones U, Turner L, Brown, Favors, DeBerry L, Buck, Pruitt, Kernell, Miller L, Towns, Jones S, Fraley, Turner M, Briley, Brooks H, Cobb C, Maggart, Naifeh, Fitzhugh, Shaw, Todd, Montgomery, McCord, Crider, Pinion, DuBois, Johnson P., Niceley, Shepard, West, Sargent, Gilmore, Hardaway, Odom, Mumpower, Hood, Strader, Dunn, Lundberg, Hill, Harrison, Cooper B., Borchert, Casada
Developmental Disabilities - Requires a planning process for persons with developmental disabilities other than mental retardation and requires services to additional persons in the family support program and the personal supports program. - Amends TCA Title 33, Chapter 5.

Senate: Action deferred in Finance until next calendar
House: Placed Behind the Budget - Placed on s/c cal Budget of FW&M for 05/19/2008
Fiscal Note: Increase State Expenditures - \$2,349,600 FY08-09

SB 2782* Watson, Ketron
HB 3277 Maddox

Mental Retardation - Specifies that new ICF/MR new beds must be filled by persons from the developmental centers or from the wait list; requires that the division of mental retardation services approve the persons to fill the new beds.. AN ACT to amend Tennessee Code Annotated, Title 33; Title 68, Chapter 11 and Section 71-5-105, relative to filling vacant ICF/MR beds.- Amends TCA Title 33; Title 68, Chapter 11 and Section 71-5-105.

Senate: Referred to General Welfare
House: Assigned to Health Care Facilities s/c of Health and Human Resources
Fiscal Note: Increase State Expenditures - \$2,889,100

SB 2969* Finney L.
HB 2993 Overbey

Disabled Persons - Changes the language "handicap" to "disability" in the Tennessee Human Rights Act and in §§ 8-50-103 and 8-50-104 and designates §§ 8-50-103 and 8-50-104 as the "Tennessee Disability Act." - Amends TCA Title 4, Chapter 21 and Title 8, Chapter 50.

Signed by Governor Public Chapter 706
Fiscal Note: Not Significant

SB 3126* Burchett, Marrero B., Jackson
HB 3297 Vaughn, Crider, Odom, Gilmore, Cooper B.

Mental Retardation - Requires certain home and community based services to be made available to persons on the waiting list for mental retardation services by means of a federal waiver and state resources. **House DeBerry Subcommittee on Study Committee amendment 1** deletes all language of the original bill. Creates an eight-member special joint committee to study the issues relating to the services and costs of those services provided to individuals with developmental disabilities, mental retardation, and other disabilities. Requires the committee to report its findings to the general assembly by February 1, 2010. - Amends TCA Title 33.

Senate: Action deferred in Finance. to next calendar
House: Placed on Budget Subcommittee calendar for 05/19/2008
Fiscal Impact with Senate Amendment: Increase State Expenditures - \$81,140,500/FY08-09; \$150,292,700/FY09-10 and Subsequent Years
Other Fiscal Impact – Increase Federal Expenditures – \$140,575,700/FY08-09
\$260,373,200/FY09-10 and Subsequent Years
(Funding of \$7,755,600 is included in the Governor's FY08-09 Recommended Budget)

SB 3317* Burks
HB 3382 DeBerry, J.

Mental Illness - Clarifies that service recipients for mental health services shall be provided information regarding authorized disclosures of certain information to designated persons in

addition to family members. **Senate General Welfare makes the bill.** Specifies three times when family members may be involved in out-patient care by notice. Amends the Family Involvement Act. - Amends TCA Title 33.

Signed by Governor Public Chapter 789
Fiscal Note: Not significant

SB 3541* Finney L.

HB 3495 Ferguson, DeBerry L, Overbey, Williams.

TennCare - Requires the commissioner of health to report to the general assembly and certain legislative committees concerning rebalancing the long-term care system and the licensing of personal support agencies. - Amends TCA Title 4; Title 33; Title 34; Title 35; Title 39; Title 55; Title 56; Title 57; Title 67; Title 68 and Title 71, relative to long term care.

Senate: Referred to Commerce

House: Taken off notice in Public Health and Family Assistance s/c of Health and Human Resources

SB 3810* Marrero B.

HB 3512 Jones, U.

Motor Vehicles - Imposes additional fine of \$25.00 to be deposited in the brain injury fund by drivers who engage in drag racing. **Amendment 1** requires the commissioner of finance and administration, on or before April 1 of each year from 2009 through 2012, to report the total proceeds collected pursuant to this bill to the finance, ways and means committees of the senate and the house of representatives.- Amends TCA Title 68, Chapter 55, Part 3.

Senate: Passed

House: Passed - Enrolled; ready for sig. of House Speaker.

Fiscal Note: Increase State Revenue - \$1,900 / Traumatic Brain Injury Fund

SB 4178 Kyle, Haynes

HB 4156* Richardson, Odom

Hospitals and Health Care Facilities - Reduces the gross receipts tax on intermediate care facilities for the mentally retarded (ICFMR) from 6 percent to 5.5 percent, retroactive to January 1, 2008. - Amends TCA Section 68-11-830(d)(2).

Signed by Governor Public Chapter 774

Fiscal Note: (CORRECTED)

Decrease State Revenue - \$700,000/FY07-08; \$1,300,000/FY08-09 and Subsequent Years (Revenue reduction of \$700,000 in FY07-08 and \$1,300,000 in FY08-09 is included in the Governor's FY08-09 Recommended Budget)

SB 4181 Kyle, Finney L., Berke, Marrero, B.

HB 4144* Ferguson, Odom, DeBerry, L., 53 co-sponsors

Health Care - Requires that rules and regulations promulgated under the provisions governing nursing home administrators and health care facilities be in compliance with federal regulations issued by the centers for medicare and medicaid services; specifies that the rulemaking authority under the provisions governing long-term care services plan lies with the commissioner of finance and administration, instead of the commissioner of health. **Senate Amendments rewrite bill.** Defines the "Long Term Care Community Choices Act of 2008" for the elderly and people with physical disabilities- Amends TCA Title 63 and Title 68 and 71.

Senate: Passed

House: Placed on Budget Subcommittee calendar for 05/15/2008 (May be on 5/19/08 calendar)

Fiscal Note: Minimal

SB 4183 Kyle, Henry

HB 4146* Armstrong, Odom

Mental Health and Developmental Disabilities, Dept. of - Specifies that exclusion from

exemption from licensure as a mental health and developmental disabilities service or facility for individuals in a business arrangement with a service recipient, or who holds out to public as being in business of personal support services for compensation, does not apply to division of mental retardation. - Amends TCA Title 33, Chapter 2.

Senate: Assigned to General s/c of General Welfare

House: Assigned to Health Care Facilities s/c of Health and Human Resources

Fiscal Note: Other Fiscal Impact – The Department of Mental Health and Developmental Disabilities will incur an estimated reduction of departmental revenue of \$158,800.

SB 4193 Kyle, Henry

HB 4195* Odom

Mental Illness - Changes certain requirements for length of time records must be retained regarding services provided to persons with mental illness or developmental disabilities, increases membership of boards of trustees for state facilities from 15 to 19 members, changes time for holding hearing on commitment proceeding from within 20 to within 15 days of complaint filing, removes authorization for court to exclude public from commitment hearing on motion of defendant. – AN ACT to amend Tennessee Code Annotated, Title 33, relative to mental health and developmental disabilities.

Senate: Taken off notice in General Welfare

House: Caption bill

Fiscal Note: Not significant

SB 4205 Kyle, Henry

HB 4204* Richardson, Odom

Nurses, Nursing - Specifies that a person trained by the department of finance and administration, division of mental retardation services, to administer medications to individuals incapable of self-administration is not subject to the nursing licensure requirements if the person is providing personal support services to clients living in their own home or private residence pursuant to a contract or agreement under any Medicaid waiver or other program of the division of mental retardation services. - Amends TCA Title 63, Chapter 7. AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 7, relative to an exemption from licensing for administration of medications to persons with developmental disabilities

Signed by Governor Public Chapter 850

Fiscal Note: Not significant

SJR 602* Finney R..

General Assembly, Studies - Establishes committee to study the feasibility and desirability of Tennessee Vulnerable Adult Abuse Clearinghouse. -

Senate: Passed

SJR 662* Finney L, Black, 30 Senators

General Assembly, Studies - Continues special joint committee established by HJR 562 of 105th General Assembly to study development and implementation of long-term care services plan. –**Amendment 1** Effective April 1, 2008, terminates the special joint committee established by House Joint Resolution 562 of the 105th General Assembly to study the development and implementation of a long-term care services plan.

Senate: Placed on Budget Subcommittee calendar for 05/15/2008 (May move today)

HJR 1091* Richardson, Maddox.

General Assembly, Studies - Creates special joint committee to study feasibility of transferring division of mental retardation from department of finance and administration to department of mental health and developmental disabilities **House Amendment states:** A RESOLUTION to create a special joint committee to study the structure and location of services to persons with developmental disabilities, mental retardation, and other disabilities.

<p>House: Taken off notice in Study Committee (See Senate Bill 3126) Fiscal Note: Increase State Expenditures - \$1,700/Each One-Day Meeting</p>
<p>EDUCATION</p>
<p>SB 2561* Woodson HB 2894 Winnington Education - Requires an LEA revising its policy prohibiting harassment, intimidation, or bullying, which was filed with the commissioner of education, to transmit the revised policy to the commissioner. - Amends TCA Title 49.</p> <p>Senate: Referred to Education House: Passed</p>
<p>SB 2583* Marrero B., Kilby, *Harper, Ketron, Finney L, Finney R HB 2584 Coley, Eldridge, McManus, Lundberg, Cooper B, West, Matheny, Kernell, Richardson, Turner L., Moore, Dunn, Lollar, Fincher, Bass, Coleman, Hood, Pitts, Windle, Bibb, Cobb J, Brown, DuBois, Hardaway Education - Authorizes LEAs to provide hearing examinations for children who are unable to pay for such hearing testing. Senate Education amendment 1 changes the language to also include optometrists and ophthalmologists as possible providers who might be willing to donate their services to needy students. - Amends TCA Section 49-6-5004.</p> <p>Signed by Governor Public Chapter 632 Fiscal Note: Not Significant</p>
<p>SB 2609 Black HB 2471* Jones S. Education - Authorizes special education services association to develop and provide training on the appropriate use of restraints and seclusion on special education students. House Education K-12 amendment 1 rewrites the bill to define the terms "isolation" and "restraint"; compiles the suggestions of the study committee regarding the isolation and restraint of special education students; and directs the board of education to promulgate rules and regulations regarding the use of isolation and restraint.- Amends TCA Title 49, Chapter 10.</p> <p>Senate: Passed House: Passed - Enrolled and ready for signatures Fiscal Note: Increase Local Gov't. Expenditures - \$50,000/Permissive</p>
<p>SB 2798* Woodson HB 3268 Maddox Education - Allows volunteer school personnel with proper training to administer anti-seizure medications to a student in an emergency situation in accordance with the student's individual health plan. House Education amendment 1 requires all students affected by this legislation to provide copies of an individual health plan to the school; requires anyone who volunteers to administer anti-seizure medication to have CPR training; and requires parents to report to the school any time anti-seizure medication as well as any over the counter medicine has been administered to the student, for documentation in the student's health record House amendment 2 requires department of health to report to the education committees of the senate and the house of representatives by September 1, 2010, on the administration of anti-seizure medication by volunteer school personnel pursuant to this act in the two (2) years subsequent to the effective date of this act. The department shall also report on the status of the school nurse program. Senate Amendment 4 requires that upon the decision of a trained volunteer to administer diazepam gel, school officials shall immediately summon local emergency medical services to the school to provide necessary monitoring or transport to safeguard the health and condition of the - Amends TCA Title 49, Chapter 5.</p> <p>Senate: Passed – Signed by Senate Speaker House: Passed – Signed by House Speaker Fiscal Note: Increase State Expenditures – Not Significant</p>

<p>Increase Local Expenditures* - \$13,600</p> <p>SB 2804* Woodson HB 2897 Winningham Education - Permits the department of education, subject to appropriations, to establish a program of grants to LEAs for the development and implementation of differentiated pay plans to aid in staffing hard to staff subject areas and schools and in hiring and retaining highly qualified teachers. - Amends TCA Section 49-3-306.</p> <p>Senate: Assigned to Gen. Sub of Finance Committee. House: Placed Behind the Budget - Placed on Budget Subcommittee for 05/19/2008 Fiscal Note: Increase State Expenditures – \$750,000 Increase Local Gov't. Expenditures – \$250,000/Permissive</p>
<p>SB 2828* Bunch HB 2775 Brooks H. Education - Encourages LEAs to place automatic external defibrillators in schools; placement of such devices shall be within LEA's existing fiscal resources. House Education K-12 amendment 1 creates a process to encourage schools to make AEDs available; clarifies that existing local resources would be used for the maintenance as well as the purchase and use of an AED. No funding by the LEA from the state would be allocated or expended for the purchase or maintenance of an AED.. - Amends TCA Title 49.</p> <p>Signed by Governor Public Chapter 795 Fiscal Note: \$822,100/One-Time; Exceeds \$100,000/Every Two Years Corrected - Increase Local Expenditures – \$820,000/ One-Time/Permissive Exceeds \$100,000/Every Two Years/Permissive</p>
<p>SB 3186 Harper HB 2755* Pruitt Education - Prohibits teacher from teaching in grades K-3 unless the teacher is licensed with an endorsement to teach in such grades. House amendment #1 rewrites this bill. Present law authorizes the commissioner of education to grant a permit to teach to a person who is recommended by the director of the local school district and the chair of the respective board of education, when the director and chair certify to the commissioner that the school system is unable to secure a qualified teacher with a valid license for a vacant position. This amendment urges local boards of education and their respective directors of schools to make every effort to staff grades kindergarten through 12 teaching positions with personnel fully licensed and endorsed for those grades. - Amends TCA Title 49. AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.</p> <p>Senate: Passed Transmitted to Governor for his action House: Passed Fiscal Note: Not significant</p>
<p>SB 3233 Burchett HB 2891* Brooks H. Education - Permits the creation of work experience and career employment programs that provide study and employment in career and technical education programs for students 14 years of age or older; provided, that such programs comply with state and federal law on employment of minors. - Amends TCA Title 49 and Title 50.</p> <p>Senate and House: Passed Signed by Governor Fiscal Note: Not Significant</p>
<p>SB 3282 Tracy, Burks, Woodson HB 2976* Winningham Education - Establishes system of grants outside of the BEP for additional funding of career and technical education. - Amends TCA Title 49.</p> <p>Senate and House: Passed Public. Chapter. 867</p>

SB 3469* Burks

HB 3321 Brown

Education - Requires reports concerning suspension and expulsion of students and referral of students to juvenile court. **Senate Education amendment 1, House Finance amendment 1** directs the commissioner of education to report on a semi-annual basis to the select oversight committee on education and the senate and house education committees regarding disciplinary actions in Tennessee schools. Such reports are to include the reason for the disciplinary action, the number of students suspended or expelled and the number of such students who have been placed in an alternative educational setting. Data is to be sorted by school as well as by various demographic factors including grade, race and sex. - Amends TCA Title 37 and Title 49.

Senate and House: Passed Signed by Governor

Fiscal Note: Increase State Expenditures - \$56,400

Increase Local Expenditures – Not Significant

SB 3642* Ketron

HB 3485 Winningham

Education - Revises provisions concerning required training in special education law for mediators conducting special education mediations and administrative law judges conducting special education due process cases. Removes minimum training requirements for hearing officers. Modifies provisions concerning required training in special education law for mediators conducting special education mediations and administrative law judges conducting special education due process cases.- Amends TCA Title 49, Chapter 10, Part 6.

Signed by Governor Pubic Chapter 678

SB 3794* Tate

HB 3395 DeBerry, L.

Teachers, Principals and School Personnel - Assists those applicants diagnosed with learning disabilities or other handicaps in meeting the eligibility requirements of the state board of education for licensure. - Amends TCA Title 49.

Senate: Referred to Education

House: Taken off notice in K-12 s/c of Education

SB 3924* Roller

HB 4036 Buck

Education - Requires LEAs to provide mandatory pre-kindergarten for all four-year-old students. - Amends TCA Title 4, Chapter 51 and Title 49.

Senate: Assigned to General s/c of Education

House: Taken off notice in K-12 s/c of Education

ELECTIONS AND LOBBYING

SB 824* Johnson, Marrero, Finney, R., Beavers

HB 1282 Lynn, Maggart

Election Laws - Requires any voting system purchased on or after July 1, 2007, to produce a paper version of any ballot cast; requires such paper version to be retained by county election commission for recounts, contests, or random samplings. . **Amendment 1** changes the date on or after which any voting system purchased must produce paper trails to July 1, 2009 from July 1, 2007. **Amendment 2** requires voting machines leased as well as purchased to conform to these standards. **Amendment 3** state "Such paper version shall be provided to the voter for inspection, but shall be retained". - Amends TCA Title 2, Chapter 9.

Senate: Re-referred to Calendar

House: Taken off notice in State and Local Government

Fiscal Note: Increase Local Govt. Expenditures – Not Significant

SB 1363* Haynes, Burchett, Harper, Herron, Marrero B, Norris, Woodson, Johnson.
HB 1256 Moore, Sontany, Turner M, Jones S, Gilmore, West, Pruitt, Coley
Election Laws – Tennessee Voter Confidence Act of 2007 -- Requires any voting system purchased after the effective date of this act to provide the ballot of record be a paper ballot marked by the voter with appropriate accommodation for persons with disabilities; requires such ballot to be available to voter to verify the vote; requires that secrecy of the voter's choice be maintained. **Amendment 1** rewrites the bill. Removes "of 2007" from the title of the bill, making bill the "Tennessee Voter Confidence Act". Mandates that be fully implemented, requiring precinct-based optical scan machines, no later than the 2010 general election. Requires that three percent of precincts, chosen at random, be audited with a mandatory recount of verifiable paper ballots. (11 pp.) **Amendment 2** changes party responsible for maintaining and updating the voter list from the state election commission to the state coordinator of elections. - Amends TCA Title 2.

Senate: Passed

House: Placed on Message Calendar for 5/20/08

Fiscal Note: Fiscal Impact of bill with proposed amendments:

Other Fiscal Impact – One-time increase in Federal HAVA (Help America Vote Act) funds of \$25,000,000 to purchase county voting systems which provide voter-verified paper ballots of the voter's vote.

Increase Local Expenditures* - Exceeds \$100,000

SB 2794* Tracy

HB 3050 Mumpower

Election Laws - Requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. - Amends TCA Title 2 and Title 4.

Senate: Assigned to General s/c of State and Local Government

House: Taken off notice in Elections s/c of State and Local Government

Fiscal Note: Increase State Expenditures - \$37,200 One-Time

SB 2810* Tracy

HB 3052 Mumpower.

Election Laws - Requires identification and proof of citizenship for voter registration. - Amends TCA Title 2.

Senate: Assigned to General s/c of State and Local Government

House: Assigned to Elections s/c of State and Local Government

Fiscal Note: Increase State Expenditures - \$37,200 One-Time

SB 2811* Tracy

HB 3049 Mumpower

Election Laws - Requires a voter to present qualified photographic identification before voting; voters without proper identification shall be allowed to cast provisional ballots. - Amends TCA Title 2, Chapter 7, Part 1.

Senate: Referred to State and Local Government

House: Assigned to Elections s/c of State and Local Government

Fiscal Note: Increase State Expenditures – \$51,900 One-Time

Foregone State Revenue - \$332,500

FAMILY LAW

SB 3231 Woodson, Marrero B

HB 2595* Coleman

Guardianship - Provides that court may administer estate for minor or disabled person without being appointed a fiduciary if amount of minor's total property or any judgment in favor of minor does not exceed \$20,000 rather than \$10,000. - Amends TCA Title 34, Chapter 1, Part 1.

<p>Senate: Passed House: Passed Fiscal Note: Not Significant</p>
<p>GAME AND FISH LAWS</p> <p>SB 2673* Jackson, Kilby, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Finney R., Finney L, Harper, Haynes, Henry, Herron, Johnson, Ketron, Kurita, Marrero B, McNally, Norris, Ramsey, Roller, Southerland, Stanley, Tate, Tracy, Watson, Wilder, Williams, Woodson HB 2670 McDonald Game and Fish Laws - Authorizes TWRA to issue sport fishing and hunting licenses at no cost to Tennessee residents who are 100 percent disabled and receive social security disability. House and Senate Conservation & Environment amendment 1 imposes a one time \$10 fee to 100 percent disabled persons seeking licensure. - Amends TCA Section 70-2-104.</p> <p>Senate: Passed House: Placed Behind the Budget - Placed on Budget Subcommittee calendar for 05/19/2008 Fiscal Note: Decrease State Revenue – \$65,700/Wildlife Resources Fund Other Fiscal Impact – Decrease Federal Revenue – \$11,200/Wildlife Resources Fund</p>
<p>GOVERNMENT REGULATION and CONTRACTS</p> <p>SB 2419* Harper HB 3573 Kernell, Cooper, B. Sunset Laws - Department of mental health and developmental disabilities, statewide planning and policy council, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2 and Title 33, Chapter 1, Part 4.</p> <p>Senate: Passed Transmitted to Governor for action House: Companion SB substituted</p> <p>SB 2420* Harper HB 3577 Kernell, Cooper, B. Sunset Laws - Department of mental health and developmental disabilities, June 30, 2013. - Amends TCA Title 4, Chapter 29, Part 2; Title 4, Chapter 3, Part 16 and Title 33, Chapter 1, Part 4.</p> <p>Senate: Passed Transmitted to Governor for action House: Companion SB substituted</p> <p>SB 2429* Harper HB 3548 Kernell, Cooper, B. Sunset Laws - Commission on aging and disability, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2.</p> <p>Senate: Referred to Government Operations House: Placed on House Regular Calendar for 4/7/08; Held on desk</p> <p>SB 2445* Harper HB 3550 Kernell, Cooper B. Sunset Laws - Terminates the epilepsy advisory committee. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 49.</p> <p>Senate: Passed - Senate Recalled from House, Held on Clerks Desk House: Government Operations recommended, referred to Finance Fiscal Note: Decrease state expenditures -- \$700.00</p> <p>SB 2466* Harper HB 3527 Kernell, Cooper B.</p>

<p>Sunset Laws - Tennessee council for the deaf and hard of hearing, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 4.</p> <p>Senate: Referred to Government Operations House: Referred to Government Operations Fiscal Note: Minimal</p>
<p>SB 2520* Harper HB 2688 Kernell, Cooper B, Rowe Sunset Laws - Advisory council for the education of students with disabilities, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 10.</p> <p>Senate: Referred to Government Operations House: Referred to Government Operations</p>
<p>SB 3187* Harper HB 3524 Kernell, Cooper B, Sunset Laws - Extends certain governmental entities subject to termination on June 30, 2008. - Amends TCA Title 4, Chapter 29.</p> <p>Senate: Received. from House., Passed 1st Consideration House: Engrossed; ready for transmission to Senate</p>
<p>SB 3190* Harper HB 3547 Kernell, Cooper B. Governor - Requires governor to submit legislation to revise TCA to reflect changes in governmental structure made by executive order. - Amends TCA Title 4.</p> <p>Senate: Referred to State and Local Government House: Caption bill</p>
<p>SB 3194* Bunch HB 4006 Brooks K. Administrative Procedure (UAPA) - Prohibits permanent agency rules from becoming effective until approved by the standing committees of both houses. - Amends TCA Section 4-5-207.</p> <p>Senate: Assigned to General s/c of Government Operations House: Referred to Government Operations</p>
<p>SB 3436* Burchett HB 3631 Kernell, Cooper B, Coley, Lollar State Government - Requires all non-profit organizations receiving more than \$100,000 in state funds to have a member on the board appointed by the governor. - Amends TCA Title 4.</p> <p>Senate: Assigned to General s/c of State and Local Government House: Assigned to Local Government s/c of State and Local Fiscal Note: Not Significant</p>
<p>SB 3595* Burchett HB 3753 Todd Lobbying, Lobbyists - Waives registration fee for volunteer lobbyists. House State & Local Government amendment 1, as amended, adds language to prohibit anyone other than ethics commission members or an ethics commission staff attorney from giving an advisory opinion, informal or otherwise. Allows a staff attorney to give an informal opinion over the phone but specifies that the informal oral opinion must be confirmed by written statement sent to the person seeking the opinion. Requires that commission members only issue formal advisory opinions, and specifies that if an informal opinion is overturned by a formal opinion, the person who sought the opinion cannot be penalized. - Amends TCA Title 3, Chapter 6.</p> <p>Senate: Placed on Senate Message Calendar (1) calendar for 05/20/2008 House: Passed Fiscal Note: Decrease State Revenue - \$3,000</p>

HEALTH
<p>SB 3191 Harper HB 2753* Pruitt, 24 Representatives Public Health - Requires hospitals pre-discharge to screen infants for hearing; attending health professionals to refer certain newborns; tests specified; follow-ups referred to department of health or education; adds insurance coverage; misdemeanor violations. House Commerce amendment 1, as amended, rewrites the bill. Requires that all newborns born in a hospital "or other birthing facility" be screened for hearing loss prior to discharge. Requires attending health care professional to refer any child born in a setting other than the hospital or "other birthing facility" to the health department. Specifies that all screening providers or any medical or audiologic providers performing follow-up report their results to the department of health. Requires the department of health to refer children who do not pass screening or who are identified with hearing loss or high risk for hearing loss to TN Early Intervention System (TEIS). Requires specified insurance policies to cover the screenings, and adds that such coverage may be subject to annual deductible, co-pays, co-insurance and contractual requirements established for other similar benefits. Includes language requiring a child born on an emergency basis in a hospital that does not otherwise provide obstetric or maternity services and which does not provide infant hearing screening tests prior to discharge to be referred in that facility to the department of health or an appropriate hearing screening provider as listed in the latest edition of the Directory of Hearing Screening Providers in TN. - Amends TCA Section 37-3-703; Title 56, Chapter 7, Part 25 and Title 68, Chapter 5.</p> <p>Signed by Governor Public Chapter 768 Fiscal Note: Increase State Expenditures – Not Significant Other Fiscal Impact – The Department of Health currently receives a \$150,000 federal newborn hearing screening followup grant from the Department of Health and Human Services. Such grant could be placed in jeopardy if required reporting data was not properly reported to the Department of Health. Potential Impact on Health Insurance Premiums (required by Tenn. Code Ann. § 3-2-111): Such legislation would result in a not significant increase in the cost of health insurance premiums for plans that do not currently offer hearing screenings for newborns.</p>
<p>SB 3234* Woodson. HB 4012 Armstrong, Tindell Health, Dept. of - Authorizes the department to contract with the National Foundation of Dentistry for the Handicapped (NFDH), or other appropriate nonprofit organization, to provide donated dental services. - Amends TCA Title 68.</p> <p>Senate: Assigned to General Subcommittee of F,W&M Committee House: Placed on Behind the Budget - Placed on s/c cal Budget of FW&M for 05/19/2008</p>
<p>SB 4075 Tracy, Wilder, Tate, Harper, Ketron, Stanley, Johnson, Ramsey, Norris. HB 4053 Rinks, DeBerry L, DuBois, Watson, Overbey, Matheny, Curtiss, McDaniel, McManus, Lundberg, Pinion, Mumpower, Harmon, Hensley Hospitals and Health Care Facilities - Provides that tort actions against long-term care facilities involving health-related services are to be brought solely as medical malpractice action; authorizes use of arbitration agreements by and on behalf of patient and establishes maximum judgment amounts in tort action for non-economic damages. House amendment creates a committee to study the effects of litigation on the nursing home industry.- Amends TCA Titles 29 and 68.</p> <p>Senate: Passed House: Placed behind the budget - Placed on Budget Subcommittee calendar for 05/19/2008</p>
TAXES, REAL PROPERTY

<p>SB 2541* Norris HB 2517 Fitzhugh Taxes, Real Property - Increases from \$20,000 to \$24,000 the maximum allowable income for determining eligibility to participate in the state's tax relief program for homeowners who are totally and permanently disabled. - Amends TCA Section 67-5-703.</p> <p>Signed by Governor Public Chapter 806 Fiscal Note: Increase State Expenditures – Exceeds \$269,000 Increase Local Gov't. Expenditures – Exceeds \$100,000/Permissive Funding to increase the income ceiling to \$24,000 for disabled taxpayers for tax year 2007 was erroneously included in the general appropriations bill for FY07-08 as part of the funding for Public Chapter 539 (which applied only to elderly taxpayers).</p>
<p>SB 2967 Finney, L. HB 2455* Pitts, Hardaway Taxes, Real Property - Sets the maximum income that disabled homeowners may have and still qualify for property tax relief at \$24,000 for the 2007 tax year. - Amends TCA Section 67-5-703.</p> <p>Senate: Re-referred to Calendar House: Passed Fiscal Note: Increase State Expenditures – Exceeds \$269,400 Increase Local Gov't. Expenditures – Exceeds \$100,000/Permissive Funding to increase the income ceiling to \$24,000 for disabled taxpayers for tax year 2007 was erroneously included in the general appropriations bill for FY07-08 as part of the funding for Public Chapter 539 (which applied only to elderly taxpayers).</p>
<p>SB 3543* Finney L. , Marrero HB 3822 Pitts, Fincher, Gilmore Taxes, Real Property - Increases value of disabled homeowner residence on which tax relief is available from \$25,000 to \$30,000 on January 1, 2009. - Amends TCA Section 67-5-703.</p> <p>Senate: Action deferred in Finance Committee. to next Calendar (5/19/08) House: Placed on Budget Subcommittee calendar for 05/19/2008 Fiscal Note: Increase State Expenditures - \$394,200 Increase Local Gov't. Expenditures – Exceeds \$100,000/Permissive</p>
<p>SB 3715 Tate HB 2426* Hardaway. Taxes, Real Property - Provides that annual income limit for purposes of tax relief for disabled homeowners be the same as that for elderly, low-income homeowners. - Amends TCA Section 67-5-703.</p> <p>Senate: Assigned to General s/c of State and Local Government House: Placed on Budget Subcommittee calendar for 05/19/2008 Fiscal Note: Increase State Expenditures – Exceeds \$278,000 Increase Local Govt. Expenditures – Exceeds \$100,000/Permissive</p>
<p>TENNCARE</p>
<p>SB 2210 Kyle HB 2276* Odom TennCare - Requires that each prescription drug discount plan provide information regarding the procedures for a member to cancel a membership; requires the board of pharmacy to report to the bureau of TennCare when fines collected for a violation of the legend drug provisions are the result of a TennCare-related matter; revises other various TennCare provisions. - Amends TCA Title 4; Title 8; Title 10; Title 12; Title 20; Title 29; Title 33; Title 37; Title 39; Title 40; Title 41; Title 47; Title 49; Title 50; Title 53; Title 55; Title 56; Title 63; Title 67; Title 68 and Title 71. Relative to health care</p>

Senate: Assigned to General s/c of Commerce
House: Taken off notice in Public Health and Family Assistance s/c of Health and Human Resources

SB 2887 Haynes
HB 2519* Turner M.

TennCare - Revises the definition of durable medical equipment currently included in rules and regulations promulgated by the bureau to delete the requirement in such definition that such equipment is appropriate for and used in the patient's home. - Amends TCA Title 71, Chapter 5, Part 1.

Senate: Referred to General Welfare
House: Deferred in Industrial Impact s/c of Commerce to 1/1/09

TRANSPORTATION

SB 2565* Woodson, Black, Burks, Finney R., Ketron, Marrero B, 25 Senators
HB 2627 Overbey

Special License Plates - Authorizes issuance of new specialty earmarked plates to raise public awareness about autism; allocates 50 percent of funds derived from sale of such plates to Autism Society of America, East Tennessee Chapter. **Senate amendment 1 states:** funds produced from the sale of Autism Awareness new specialty earmarked license plates shall be allocated equally to the Autism Society of America, East Tennessee Chapter, the Autism Society of Middle Tennessee, and to the Autism Solutions Center in Memphis. Such funds shall be used exclusively to educate, advocate, and raise public awareness about Autism in Tennessee. **Senate amendment 2** revises the allocation of 50 percent of such funds to go to the department of mental health and developmental disabilities for distribution to tax exempt non-profit organizations that serve individuals with autism. - Amends TCA Title 55, Chapter 4.

Senate: Passed
House: Deferred in Transportation to Omnibus Bill
Fiscal Note: Increase State Revenue - \$5,800/General Fund
\$29,200/Dedicated Funds; Increase State Expenditures - \$5,800/One-Time

SB 2571* Marrero B.
HB 2590 Richardson

Handicapped Persons - Requires businesses provide disabled parking; if at least four disabled parking spots are provided, one parking space should be van accessible. **House Transportation amendment 1** requires the width of the parking space to be eight feet in width. Fiscal Note: Dated: January 21, - Amends TCA Title 55, Chapter 21, Part 1.

Senate and House: Passed Transmitted to Governor for action
Fiscal Note: Minimal

SB 2706* Marrero B.
HB 2723 Richardson

Handicapped Persons - Increases fine for unauthorized parking in a spot limited to disabled persons. **Amendment #1** revises the penalty for improperly parking in a space designated with the wheelchair sign to a mandatory fine of \$200, which may not be suspended or waived. In addition, the sentencing court would be authorized to order an offender to perform up to five hours of community service; requires that any community service requirement that is imposed for improperly parking in a space designated with the wheelchair sign be to assist the disabled community by monitoring disabled parking spaces, providing assistance to handicapped centers or to disabled veterans, or other such purposes. - Amends TCA Section 55-21-108.

Senate and House: Passed Signed by Governor
Fiscal Note: (CORRECTED) Increase State Revenue - \$42,700
Increase Local Gov't. Revenue - \$2,300; Increase Local Gov't. Expenditures* - \$10,000

Senate: Assigned to General s/c of Transportation
House: Taken off notice in Transportation