In this update you will find bills divided into the following categories:

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*Note: Some bills may appear in more than one category.

Each bill lists the following information:
- House and Senate Bill numbers (example: SB00/HB00)
- Sponsors
- A description of what the bill addresses
- The fiscal note (how much the proposed bill is estimated to cost)
- The current status of the bill as of the date of the report

The full text of bills can be found at the Tennessee General Assembly website: [http://www.capitol.tn.gov/](http://www.capitol.tn.gov/)
Abuse & Neglect

SB442/HB732  Open records - law enforcement body camera video.
Summary:  Creates exceptions to open records requests for law enforcement video that depicts interactions with minors, the interior of a healthcare or mental health facilities, or the interior of a private residences where no crimes have occurred.
Amendment  House Amendment 1 (006443) rewrites language in the original bill to specify that video taken of minors in a school that serves any grades from kindergarten through grade 12 shall be treated as confidential. Changes the effective date from being effective upon becoming law to being effective upon becoming law and expiring on July 1, 2022.
Fiscal Note:  (Dated February 17, 2017) NOT SIGNIFICANT
Senate Status:  04/19/17 - Senate concurred in House amendment 1.
Executive Status:  05/09/17 - Enacted as Public Chapter 0255 effective May 2, 2017.

SB1203/HB528  Independent Living Facilities.
Summary:  Excludes independent living facilities from regulation by the board for licensing health care facilities. Sets inspection schedules for licensed healthcare facilities as being 15 months for emergency or assisted living care and 30 months for all other facilities. Prohibits residential homes for the aged from administering medications to its residents without an employed physician, nurse, or physician assistant on staff.
Fiscal Note:  (Dated March 9, 2017) NOT SIGNIFICANT
Senate Status:  04/20/17 - Senate passed.
House Status:  04/06/17 - House passed.
Executive Status:  05/09/17 - Enacted as Public Chapter 0242 effective May 2, 2017.

SB1230/HB810  Elderly and Vulnerable Adult Protection Act.
Summary:  Specifies that abuses against Elderly or Vulnerable adults are felonies of varying degrees of severity. Authorizes courts to order a person convicted of abuses against Elderly or Vulnerable Adults to refrain from any contact with the victim. Allows for convicted persons to request a hearing to challenge the accuracy of the reports, conclusions of hearings, or factual issues related to the correct identity of the victim.
Amendment  House Amendment 3 (008325) deletes and rewrites the proposed legislation to redefine “elderly adult” to mean any person over 70 years of age and to create a new offense for financial exploitation, which is graded as theft but punished one classification higher.
Fiscal Note:  (Dated March 18, 2017) Decrease State Revenue Exceeds $7,600/General Fund Increase State Revenue Exceeds $15,100/District Attorneys Increase State Expenditures Net Impact $4,197,700/Incarceration* Increase Local Expenditures Less Than $109,200**
Senate Status:  05/09/17 - Senate passed.
SB1267/HB1064  Education and awareness of the dangers to vulnerable adults of financial exploitation and financial theft.


Summary: Requires the Department of Financial Institutions to consult with financial service providers, the Tennessee Commission on Aging and Disability, and the Department of Human Services to consider ways in which the entities can collaborate to promote awareness of and preventative measures against the dangers of fraud and theft to vulnerable adults.

Amendment Summary: Senate Amendment 1 (006425) deletes all language after the enacting clause. Creates the Elderly and Vulnerable Adult Financial Exploitation Prevention Act. Authorizes financial service providers to refuse service when there is reasonable believe that financial exploitation or theft has occurred. Requires such instances to be reported to the Department of Human Services (DHS). Authorizes financial service providers to alert certain authorized persons of a potential threat to a vulnerable adult. Authorizes financial institutions to provide access to or copies of records in response to an administrative subpoena issued by DHS. Requires DHS to notify a customer whose records are requested through subpoena within 30 days of receipt of the records. Requires charges by a financial institution at rates that do not exceed those established by the financial institution's fee schedule, rather than the Internal Revenue Service, to be deemed reasonable for the purpose of fees charged for preparing and delivering records in response to a subpoena. Repeals the provision of this legislation on June 30, 2022.

Fiscal Note: (Dated March 2, 2017) NOT SIGNIFICANT

Senate Status: 04/17/17 - Senate passed with amendment 1 (006425).
House Status: 04/20/17 - House passed.
Executive Status: 05/09/17 - Enacted as Public Chapter 0264 effective July 1, 2017.

SB1287/HB415  Conviction for exploiting a vulnerable adult - notice requirements for clerk of court.


Summary: Creates a new subsection requiring court clerks to send a copy of any judgment evidencing a person's conviction for exploiting an adult who is unable to manage such adult's own resources, to the department of health for inclusion in a statewide registry.

Amendment Summary: Senate Amendment 1 (004947) requires the Department of Intellectual and Development Disabilities and the Department of Mental Health and Substance Abuse Services to hold a completed criminal background check on any employee or volunteer who will be in a position that involves providing direct contact with or direct responsibility for persons receiving services. Prohibits assisted-care living facilities from being held liable for hiring practices related to this criminal background check.

Fiscal Note: (Dated February 28, 2017) NOT SIGNIFICANT

Senate Status: 05/01/17 - Senate passed with amendment 1 (004947).
House Status: 05/05/17 - House passed.
Executive Status: 05/24/17 - Enacted as Public Chapter 0427 effective July 1, 2017.

HJR32  Child Abuse Prevention Month.
Sponsors: Rep. Williams, Ryan
Summary: Designates April 2017 as “Child Abuse Prevention Month” in Tennessee.
Fiscal Note: (Dated February 8, 2017) NOT SIGNIFICANT
Senate Status: 03/27/17 - Senate concurred.
House Status: 02/27/17 - House adopted.
Executive Status: 03/30/17 - Signed by governor.

Accessibility & Discrimination

SB1079/HB1381  Yellow paint markings on edge of steps of public buildings.
Summary: Requires that the edges of steps into any public building constructed, purchased, or leased by the state or its political subdivisions on or after July 1, 2017 be marked with yellow paint to assist persons with vision impairment. Makes requirement applicable to all public buildings after July 1, 2021.
Amendment Summary: House Amendment 2 (007229) deletes all language after the enacting clause.
Requires all stair steps leading into a public entrance of a public building constructed, purchased, or approved for renovations by the State Building Commission by the state, or constructed by a political division of the state, on or after July 1, 2017, to be marked with a detectable nosing of a contrasting color at a thickness of not less than one inch and not more than two inches. Authorizes public entities exercising control over a public building of historical significance to apply for a waiver from the State Building Commission in order to apply such nosing.
Fiscal Note: (Dated March 14, 2017) Increase State Expenditures Exceeds $15,000/FY17-18 Exceeds $7,500/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds $42,800/FY17-18* Exceeds $14,300/FY18-19 and Subsequent Years*
Senate Status: 05/09/17 - Senate passed.
House Status: 05/09/17 - House passed with amendment 2 (007229).
Executive Status: 06/14/17 - Enacted as Public Chapter 0491 effective July 1, 2017.

Behavior Health

SB837/HB480  Report on coverage for mental health treatment.
Summary: Requires managed care organizations participating in the TennCare program to annually report to the bureau of TennCare certain information regarding treatment of claims for mental health and alcoholism or drug dependence benefits in relation to the requirements of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.
Fiscal Note: (Dated March 22, 2017) NOT SIGNIFICANT
Senate Status: 04/10/17 - Senate passed.
SB1206/HB317 Evaluation and treatment following a judgment of not guilty by reason of insanity.


Summary: Requires trial court to order the person found not guilty of first degree murder by reason of insanity to be immediately diagnosed and evaluated on an outpatient basis. Specifies the evaluation must be performed by the community mental health agency or licensed private practitioner designated by the commissioner to serve the trial court. Requires the person to only be discharged from inpatient hospitalization if ordered by the court to participate in outpatient treatment. Mandates that any person ordered by the trial court to participate in outpatient treatment must do so for an initial period of six months. Allows the court to order the continuation of outpatient treatment beyond the sixth month period and specifies factors court must consider when making that determination. Part of Administration Package.

Fiscal Note: (Dated February 26, 2017) Increase State Expenditures $264,200/FY17-18 $318,500/FY18-19 and Subsequent Years Increase Federal Expenditures $34,900/FY17-18 $52,300/FY18-19 and Subsequent Years

Senate Status: 04/03/17 - Senate passed.
Executive Status: 05/18/17 - Enacted as Public Chapter 0342 effective July 1, 2017.

HJR100 Participation in Yellow Dot Program - individuals with mental health conditions.

Sponsors: Rep. Littleton, Mary

Summary: Urges individuals with mental health conditions to participate in the Tennessee Yellow DOT program.

Fiscal Note: (Dated February 12, 2017) NOT SIGNIFICANT

Senate Status: 04/24/17 - Senate concurred.
House Status: 04/06/17 - House adopted.
Executive Status: 04/28/17 - Signed by governor.

Budget & Appropriations


Summary: Make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2016, and July 1, 2017,

Amendment Summary: House Amendment 2 (003333) is the administration amendment to the appropriations bill. House Amendment 3 (005555) is the legislative adjustments to the appropriations bill. House Amendment 5 (008510) appropriates $3,120,000 to the department of finance and administration for the purpose of making grants to be used to support travel of veterans to Washington D.C. to visit certain memorials. House Amendment 13
(008501) appropriates $12,000,000 for the purpose of providing services to infants with neonatal abstinence syndrome with $4,000,000 of such sum to be allocated to services for those infants in each grand division of the state. House Amendment 14 (008514) earmarks funds from the Aeronautic Economic Development Fund in the following manner: (a) $4,000,000 for the Cleveland Municipal Airport Authority in support of expansion and development at the Cleveland Regional Jetport; (b) $8,500,000 for the Tri-Cities Airport Authority in support of expansion and development at the Tri-Cities Regional Airport; and (c) $15,000,000 for the Metropolitan Knoxville Airport Authority in support of the Oak Ridge Airport Initiative. House Amendment 16 (008506) appropriates the sum of $50,000 to Johnson City for the sole purpose of costs associated with the Johnson City Veterans Memorial. House Amendment 17 (008527) appropriates the sum of $300,000,000 to the Department of Education for the sole purpose of distributing grants to LEAs to pay down capital debt. It is the legislative intent that grants be distributed based on the proportion of funds received by each LEA as determined through the BEP formula. House Amendment 7 (008187) appropriates funds for the purpose of implementing Senate Bill 831 / House Bill 841, relative to the Education Investment Act. House Amendment 18 (008559) earmarks a sum sufficient from the funds in the TennCare reserve, not to exceed $3,605,800, for the sole purpose of implementing Senate Bill 1227 / House Bill 901, if such bill becomes a law. House Amendment 1-22 (008575) authorizes the Commissioner of Finance and Administration to transfer the sum of $55,000,000 from the general fund to the highway fund. It is the legislative intent that the entire amount transferred in this item be earmarked for planning, engineering, right-of-way acquisition, construction, improvement, and rehabilitation of roads and bridges on the state-aid highway system. House Amendment 22 (008568) is the stripper amendment and removes any previously adopted amendments from the bill.

Senate Status: 05/08/17 - Senate passed.
House Status: 05/05/17 - House passed with amendments 1-22 (008575) and 22 (008568).
Executive Status: 06/01/17 - Enacted as Public Chapter 0460 effective July 1, 2017. (111 pages)

Children & Juvenile Justice

SB196/HB483 Establishes a progressive truancy intervention program in K-12 schools.


Summary: Establishes a progressive truancy intervention program in K-12 schools that involves tiers of pre-juvenile court programs designed to keep a truant child out of the juvenile court system. Specifies additional interventions that may consist of school-based community services, participation in a school-based restorative justice program, referral to a school-based teen court, or Saturday courses designed to improve attendance and behavior. Prohibits in-school suspension or out-of-school suspension from being used as part of the progressive truancy interventions adopted by schools for unexcused absences from class or school.

Amendment Summary: Senate Amendment 2 (006602) deletes and rewrites the bill such that the only substantive changes are: (1) to require LEAs to designate an employee as the attendance supervisor; (2) sets the maximum length of the attendance contract for
students involved in progressive truancy intervention at 90 days or the last day of the semester; and (3) authorizes LEAs that have adopted an effective progressive truancy intervention program to present details of the intervention program to the Commissioner of the Department of Education (DOE) for approval in lieu of strict compliance with the provision of the bill as amended.

Fiscal Note: (Dated February 16, 2017) NOT SIGNIFICANT
Senate Status: 04/20/17 - Senate passed with amendment 2 (006602).
House Status: 05/09/17 - House passed.
Executive Status: 05/23/17 - Enacted as Public Chapter 0379 effective July 1, 2018.

SB311/HB402 Offenses for juveniles to be tried as adults.
Sponsors: Sen. Lundberg, Jon, Rep. Hicks, Gary
Summary: Amends language to include that a child who was sixteen years or more of age at the time of the alleged conduct, or the child was less than sixteen years of age, can be transferred to a criminal court of competent jurisdiction to be tried as an adult if the child was charged with the offense of; first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping, especially aggravated kidnapping, commission of an act of terrorism, or an attempt to commit any such offenses. The district attorney general may not seek, nor may any child receive, a sentence of death for the offense for which the child was transferred.

Fiscal Note: (Dated March 24, 2017) Increase State Expenditures - $37,100/Incarceration*
Senate Status: 04/17/17 - Senate passed.
House Status: 05/09/17 - House passed.
Executive Status: 05/23/17 - Enacted as Public Chapter 0382 effective May 18, 2017.

SB1195/HB307 Education of students incarcerated in detention centers.
Summary: Requires the state board of education to promulgate rules to ensure the education of students incarcerated in detention centers licensed by the department of children’s services by the LEA in which the detention center is located. Part of Administration Package.
Amendment Summary: Senate Amendment 1 (003941) requires rules developed by the Department of Education regarding incarcerated student education to be in accordance with the Uniform Administrative Procedures Act.
Fiscal Note: (Dated February 25, 2017) NOT SIGNIFICANT
Senate Status: 03/06/17 - Senate passed with amendment 1 (003941).
House Status: 04/03/17 - House passed.
Executive Status: 04/19/17 - Enacted as Public Chapter 0152 effective April 17, 2017.

SB1253/HB636 Expunction of juvenile court records.
Summary: Makes changes to the expunction of juvenile court records, including creating a process for the expunction of juvenile court records for cases in which the juvenile successfully completed pretrial or judicial diversion.

Amendment Summary: House Amendment 1 (004975) deletes the word "petitioner" in Section 6 (7) and substitutes instead the word "movant."

Fiscal Note: (Dated March 1, 2017) NOT SIGNIFICANT

Senate Status: 04/10/17 - Senate passed.

House Status: 04/03/17 - House passed with amendment 1 (004975).

Executive Status: 05/01/17 - Enacted as Public Chapter 0199 effective July 1, 2017.

Education Pre-K to 12

SB14/HB174 Creates a list of rights and protections afforded to educators.


Summary: Creates a list of rights and protections afforded to educators. Specifies that an "educator" means any teacher, principal, supervisor or other individual required by law to hold a valid license of qualification for employment in the public schools.

Amendment Summary: House Amendment 2 (007285) deletes and rewrites the bill such that the only substantive changes are to remove the provision of the bill which prohibits educators from being evaluated by professionals who do not have the same subject matter expertise or from being evaluated based on the performance of students whom the educator has not taught. Removes the provision of the bill which prohibits LEAs from forcibly relocating a teacher to a different school based solely on test scores from state mandated assessments.

Fiscal Note: (Dated March 10, 2017) Increase State Expenditures - $374,400/FY17-18 Exceeds $242,800/FY18-19 and Subsequent Years Increase Local Expenditures Exceeds $220,400/FY17-18 and Subsequent Years

Senate Status: 05/04/17 - Senate passed.

House Status: 05/01/17 - House passed with amendment 2 (007285).

Executive Status: 05/19/17 - Enacted as Public Chapter 0360 effective May 11, 2017.

SB117/HB121 Permitting the administration of medications for adrenal insufficiency in schools.


Summary: Requires the state board of education, in consultation with the department of health, the board of nursing, and the board of pharmacy, to adopt rules for the administration of medication that treats adrenal insufficiency by trained school personnel trained to a student on school premises. Specifies that the rules adopted include guidelines on the designation and training of school personnel who will be responsible for administering medication. Also state that the rules adopted specify that an LEA is only required to train school personnel when the LEA has been notified by a parent or guardian that a student in a school of the LEA has been diagnosed with adrenal insufficiency. Requires each local education agency board to adopt policies and procedures that provide for the administration of medications that treat adrenal insufficiency
Amendment Summary: House Amendment 1 (004349) adds the Department of Children’s Services to the departments with which the State Board of Education must consult when adopting rules for the dispensation of medication for students suffering from adrenal insufficiency. It also limits the liability of the LEA employee that administers the medication for adrenal insufficiency as well as the boards of education that authorize the dispensation of medication.

Fiscal Note: (Dated February 1, 2017) NOT SIGNIFICANT

Senate Status: 03/23/17 - Senate concurred in House amendment 1.

House Status: 03/20/17 - House passed with amendment 1 (004349).

Executive Status: 04/06/17 - Enacted as Public Chapter 0084 effective July 1, 2017.

SB196/HB483 Establishes a progressive truancy intervention program in K-12 schools.


Summary: Establishes a progressive truancy intervention program in K-12 schools that involves tiers of pre-juvenile court programs designed to keep a truant child out of the juvenile court system. Specifies additional interventions that may consist of school-based community services, participation in a school-based restorative justice program, referral to a school-based teen court, or Saturday courses designed to improve attendance and behavior. Prohibits in-school suspension or out-of-school suspension from being used as part of the progressive truancy interventions adopted by schools for unexcused absences from class or school.

Amendment Summary: Senate Amendment 2 (006602) deletes and rewrites the bill such that the only substantive changes are: (1) to require LEAs to designate an employee as the attendance supervisor; (2) sets the maximum length of the attendance contract for students involved in progressive truancy intervention at 90 days or the last day of the semester; and (3) authorizes LEAs that have adopted an effective progressive truancy intervention program to present details of the intervention program to the Commissioner of the Department of Education (DOE) for approval in lieu of strict compliance with the provision of the bill as amended.

Fiscal Note: (Dated February 16, 2017) NOT SIGNIFICANT

Senate Status: 04/20/17 - Senate passed with amendment 2 (006602).

House Status: 05/09/17 - House passed.

Executive Status: 05/23/17 - Enacted as Public Chapter 0379 effective July 1, 2018.

SB729/HB1196 Tennessee Educators Protection Act.


Summary: Specifies that an educational entity is not liable for taking any action related to the control, grading, suspension, expulsion, or discipline of a student unless that action violates a law, rule or school policy and that action occurs while the student is on the property of the educational entity or under the supervision of the educational entity or its employee. Also specifies that an educational entity or employee is not liable for making a report consistent with federal or state law to the appropriate law enforcement authorities or to an official an educational entity if the person making the report has reasonable grounds to suspect the student to be under the influence of drugs or alcohol, involved in the sale or distribution of drugs or alcohol or involved in another illegal activity. Defines "educational entity" to mean the state board of
education, the department of education, and any other body, board, or agency that
governs a public or private school, including LEAs and local boards of education.
Creates other liability protections for educational entities and employees.

Amendment  
Summary: Senate Amendment 1 (006743) rewrites the bill such that the only substantive
changes are to remove the fine for false statements, limit civil action to employees,
remove expert witness fees as a cost awarded, and remove the 25% limit on attorney's
fees.

Fiscal Note: (Dated March 27, 2017) Other Fiscal Impact To the extent litigation against employees
is reduced, there will be a decrease in state expenditures from the Tennessee
Educator Liability Fund, as well as a potential decrease to local government
expenditures. The extent and timing of any such impacts cannot be reasonably
determined for such impacts are dependent upon unknown facts related to such
cases. SB 729 - HB 1196

Senate Status: 04/20/17 - Senate passed with amendment 1 (006743).
House Status: 05/04/17 - House passed.
Executive Status: 05/24/17 - Enacted as Public Chapter 0407 effective July 1, 2017.

SB1195/HB307  
Education of students incarcerated in detention centers.
Summary: Requires the state board of education to promulgate rules to ensure the education of
students incarcerated in detention centers licensed by the department of children's
services by the LEA in which the detention center is located. Part of Administration
Package.

Amendment  
Summary: Senate Amendment 1 (003941) requires rules developed by the Department of
Education regarding incarcerated student education to be in accordance with the
Uniform Administrative Procedures Act.

Fiscal Note: (Dated February 25, 2017) NOT SIGNIFICANT
Senate Status: 03/06/17 - Senate passed with amendment 1 (003941).
House Status: 04/03/17 - House passed.
Executive Status: 04/19/17 - Enacted as Public Chapter 0152 effective April 17, 2017.

SB1198/HB308  
Changes to student accountability measures.
Summary: Makes various revisions to student accountability measures due to the
implementation of The Every Student Succeeds Act (ESSA), such as revising the way
the state board of education and the department of education determine school
performance level. Redefines priority school from being a school representing the
bottom 5 percent of schools in overall achievement to a school in the bottom 5
percent of schools in performance. Part of Administration Package.

Fiscal Note: (Dated March 10, 2017) NOT SIGNIFICANT
Senate Status: 04/03/17 - Senate passed.
House Status: 04/10/17 - House passed.
Executive Status: 05/01/17 - Enacted as Public Chapter 0177 effective April 24, 2017.

SB1394/HB872

Disability Rights TN Policy Watch
Prohibits the suspension or expulsion of students in pre-kindergarten and kindergarten.

Sponsors: Sen. Tate, Reginald, Rep. Akbari, Raumesh
Summary: Prohibits any student in pre-kindergarten through kindergarten (pre-K-K) to be suspended or expelled from school unless the student’s behavior endangers the physical safety of other students or school personnel as determined by the director of schools. A student in pre-kindergarten through kindergarten (pre-K-K) whose behavior endangers the physical safety of other students or school personnel may be suspended for three (3) days or less. The student must be provided an opportunity for the student’s anger, fear, or anxiety to subside and the student’s teacher or principal or both have had a conversation with the student concerning the behavior and the underlying issues that may have precipitated the behavior before the student can be suspended or expelled. The principal must notify the parent of the student’s suspension on the day the suspension occurs. Requires each LEA to adopt clear policies and procedures for addressing misbehavior of students in pre-kindergarten through kindergarten (pre-K-K) that creates a safe, supportive, and positive school climate and addresses misbehavior through interventions and consequences aimed at understanding and addressing the causes of the misbehavior. Allows the Tennessee state board of education to develop model policies and procedures to provide guidance to each LEA in adopting a policy. Requires each LEA to adopt its policies and procedures before the beginning of the 2018-2019 school year, and must inform parents of its policies and procedures concerning behavior management for students in pre-kindergarten through kindergarten (pre-K-K) at the beginning of each school year and must post its policies and procedures on its website.

Amendment Summary: House Amendment 1 (004969) rewrites the bill. Requires the Department of Education (DOE) to conduct a review of all current laws and policies related to exclusionary discipline of students in pre-kindergarten through kindergarten and present its findings no later than May 1, 2018. Requires the DOE to develop a model policy for alternatives to exclusionary discipline practices. Requires LEAs to adopt the model policy or develop their own policy prior to the 2018-19 school year.

Senate Status: 04/13/17 - Senate passed.
House Status: 04/10/17 - House passed with amendment 1 (004969).
Executive Status: 05/01/17 - Enacted as Public Chapter 0204 effective April 27, 2017.

Education Post-Secondary

Elections

SB286/HB162 Voting by absentee ballot.
Summary: Allows an absentee ballot to be sent to an address within a county, regardless of whether the voter requesting the absentee ballot possesses a commercial driver license or a valid transportation worker identification credential.
Fiscal Note: (Dated March 8, 2017) NOT SIGNIFICANT
Senate Status: 04/03/17 - Senate passed.
House Status: 04/03/17 - House passed.
Employment

**SB1224/HB1276**  
Electronic version of the annual report to the governor from the chief procurement officer.

**Sponsors:** Sen. Massey, Becky, Rep. Daniel, Martin

**Summary:** Allows the chief procurement officer to submit the annual report on the awarding of purchases to minority-owned business, woman-owned business, service-disabled veteran-owned business, or small business and the total value of awards made during the preceding fiscal year under this part to the governor and the general assembly members electronically. Broadly captioned.

**Amendment Summary:** House Amendment 1 (006525) rewrites the bill. In reference to public purchases, the language "business owned by persons with disabilities" is added immediately after language having to do with "service-disabled veteran-owned businesses" wherever it appears. It also adds a new subsection to TCA 12-3-1102, having to do with part definitions for the section, defining "business owned by persons with disabilities." "Business owned by persons with disabilities" is defined as a business owned by a person with a disability that is a continuing, independent, for-profit business that performs a commercially useful function, and is at least 51% owned and controlled by one or more persons with a disability; or, in the case of any publicly owned business, at least 51% of the stock of which is owned and controlled by one or more persons with a disability and whose management and daily business operations are under the control of one or more persons with a disability. It also adds a new subsection to TCA 12-3-1112, dealing with the governor's office of diversity business enterprises. The small business advocate within the office of the comptroller of the treasury shall be qualified by training or relevant and recent experience in administering programs to encourage and enhance economic opportunities for minority-owned businesses, woman-owned businesses, service-disabled veteran-owned businesses, businesses owned by persons with disabilities, and small businesses. The advocate will also attend training provided by the governor's office or other specialized instruction to enhance understanding of particular obstacles. House Amendment 2 (008540) requires that the annual report made by the chief procurement officer concerning the awarding of purchases to minority-owned business, woman-owned business, service-disabled veteran-owned business, or small business and the total value of awards made also include the total dollar amount of purchases awarded to all businesses in this state.

**Fiscal Note:** (Dated February 16, 2017) NOT SIGNIFICANT

**Senate Status:** 05/09/17 - Senate passed.

**House Status:** 05/09/17 - House passed with amendment 1 (006525) and 2 (008540).

**Executive Status:** 06/14/17 - Enacted as Public Chapter 0485 effective June 6, 2017.

Health

**SB51/HB18**  
Coverage of prescription eye drops.
Sponsors: Sen. Dickerson, Steven , Rep. Williams, Ryan
Summary: Prohibits a health benefit plan from denying coverage for a refill of prescription eye drops after a specific time period of the 30, 60, and 90-day supply of the drops has lapsed.
Amendment Summary: House Amendment 1 (003701) adds language clarifying that the bill does not require coverage of eye drops and would only apply to plans that cover that type of prescription. It also changes from 21 to 23 the number of days in a 30 day prescription period one can refill a prescription.
Fiscal Note: (Dated January 12, 2017) NOT SIGNIFICANT
Senate Status: 04/17/17 - Senate passed.
House Status: 04/06/17 - House passed with amendment 1 (003701).
Executive Status: 05/09/17 - Enacted as Public Chapter 0232 effective April 28, 2017.

SB195/HB338 Health insurance coverage for telehealth services at a school clinic or at a public elementary or secondary school.
Summary: Requires health insurance entities to reimburse healthcare services providers for telehealth services to a patient at a school clinic or at a public elementary or secondary school in a manner that is consistent with reimbursement for in-person encounters.
Amendment Summary: Senate Amendment 1 (004006) adds language to the original bill that requires the public elementary or secondary school to be staffed by a healthcare services provider and equipped to engage in the telehealth.
Fiscal Note: (Dated February 13, 2017) Increase State Expenditures - $465,400 Increase Federal Expenditures - $875,800 Increase Local Expenditures - $1,269,000/Permissive
Senate Status: 03/27/17 - Senate passed with amendment 1 (004006).
House Status: 04/06/17 - House passed.
Executive Status: 04/19/17 - Enacted as Public Chapter 0130 effective April 17, 2017.

Insurance/TennCare

SB188/HB649 Material changes affecting TennCare enrollment or application.
Summary: Reduces the time period for an enrollee or applicant for medical assistance to mail documentation of a material change affecting the enrollee or applicant's TennCare application from 30 to 15 days. Broadly captioned.
Amendment Summary: House Amendment 1 (004497) rewrites the bill. Authorizes a law enforcement officer, who has been specifically designated by the Inspector General to enforce TennCare fraud and abuse, to make arrests for offenses involving criminal fraud and abuse of the TennCare program and any other violations of state criminal law related to the operation of TennCare.
Fiscal Note: (Dated February 16, 2017) NOT SIGNIFICANT
Senate Status: 04/19/17 - Senate passed.
House Status: 04/17/17 - House passed with amendment 1 (004497).
SB398/HB628  Pharmacist-provided medication therapy management.
Summary: Requires the bureau of TennCare to report effects of incorporating pharmacist-provided medication therapy management into all of its healthcare delivery systems on program costs and patient outcomes to the senate health and welfare committee and the health committee of the house of representatives on or before January 15, 2018.
Amendment Summary: House Amendment 1 (006705) deletes all language after the enacting clause. Requires the Bureau of TennCare to develop and implement a medication therapy management (MTM) pilot program that seeks to provide high quality, cost-effective services in support of initiatives administered by the Bureau to ensure optimal health outcomes for TennCare beneficiaries. Establishes the medication therapy management pilot program termination date of June 30, 2020. Directs the Bureau of TennCare to report to the Senate Health and Welfare Committee and the Health Committee of the House of Representatives regarding program costs and patient outcomes related to incorporating the pharmacist-provided medication therapy management pilot program on or before April 15 of each year the pilot program is supported.
Fiscal Note: (Dated February 11, 2017) NOT SIGNIFICANT
Senate Status: 05/04/17 - Senate passed.
Executive Status: 05/19/17 - Enacted as Public Chapter 0363 effective July 1, 2017.

SB597/HB968  Disabled adults may have personal aides to perform health maintenance tasks.
Summary: Allows disabled adults to have paid personal aides to perform health maintenance tasks. Requires a licensed health care provider to determine if a task can be provided by a paid personal aide. Requires a licensed health care provider to evaluate the ability of the paid personal aide to perform the health maintenance task, teach the health maintenance task, ensure supervision of the paid personal aide, and re-evaluate the aide at regular intervals. Exempts the licensed healthcare provider who ordered treatment by a paid personal aide from liability for negligence. Requires the Tennessee commission on aging and disabilities to promulgate rules implementing this act after consulting various agencies, including the bureau of TennCare and the department of intellectual and developmental disabilities.
Amendment Summary: Senate Amendment 1 (005397) removes the provision that requires the paid aide to be evaluated and supervised. Adds language that indicates that self-direction of healthcare tasks by an individual receiving Medicaid-reimbursed home and community based long-term care services are to be provided pursuant to Title 71, Chapter 5, Part 14. Removes the Board of Nursing from the list to be consulted for the promulgation of rules and adds the Dept. of Mental Health and Substance Abuse Services, AARP Tennessee, the Tennessee Disability Coalition, and the Tennessee Association of Home Care to the list that the Tennessee Commission on Aging and Disability are required to consult with for the promulgation of rules.
**SB782/HB878**  Recovery of benefits.

**Sponsors:** Sen. Dickerson, Steven, Rep. Sexton, Cameron

**Summary:** Adds additional parties who are required to provide certain information to the commissioner of finance and administration, the bureau of TennCare, or managed care organization regarding recovery of benefits. Requires third parties to treat a managed care organization as the bureau of TennCare for the purposes of providing access to eligibility and claims data.

**Fiscal Note:** (Dated February 24, 2017) NOT SIGNIFICANT

**Senate Status:** 03/13/17 - Senate passed.

**House Status:** 03/16/17 - House passed.

**Executive Status:** 03/31/17 - Enacted as Public Chapter 0026 effective July 1, 2017.

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**SB837/HB480**  Report on coverage for mental health treatment.

**Sponsors:** Sen. Briggs, Richard, Rep. Clemmons, John

**Summary:** Requires managed care organizations participating in the TennCare program to annually report to the bureau of TennCare certain information regarding treatment of claims for mental health and alcoholism or drug dependence benefits in relation to the requirements of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.

**Fiscal Note:** (Dated March 22, 2017) NOT SIGNIFICANT

**Senate Status:** 04/10/17 - Senate passed.

**House Status:** 04/17/17 - House passed.

**Executive Status:** 05/01/17 - Enacted as Public Chapter 0221 effective July 1, 2017.

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**Intellectual/Developmental Disabilities**


**Sponsors:** Sen. Overbey, Doug, Rep. Williams, Ryan

**Summary:** Terminates the autism spectrum disorder taskforce and creates the Tennessee council on autism spectrum disorder. The council shall consist of the commissioner of intellectual and developmental disabilities or the commissioner's designee, the commissioner of health or the commissioner's designee, the commissioner of education or the commissioner's designee, the commissioner of human services or the commissioner's designee, the commissioner of commerce and insurance or the commissioner's designee, the deputy commissioner of the bureau of TennCare or the
deputy commissioner’s designee, the commissioner of mental health and substance abuse services or the commissioner’s designee, one representative of the council on developmental disabilities, and six adults who have a diagnosis of autism spectrum disorder or who are either family members or primary caregivers of persons with a diagnosis of autism spectrum disorder. Two of the adult members shall represent each grand division of the state, and these persons shall be appointed by the governor. Persons appointed from the western grand division shall serve until June 30, 2019. Persons appointed from the middle grand division shall serve until June 30, 2020. Persons appointed from the eastern grand division shall serve until June 30, 2021. No member of the council can serve more than two consecutive three-year terms. The council shall meet quarterly and may meet more often upon a call of the chair, who is appointed by the governor. No council member shall receive compensation or reimbursement for actual travel and other expenses incurred in attending any meeting or performing any duties. Provides additional guidelines on the duties of the council.

Amendment Summary: Senate Amendment 1 (003081) adds language to the original bill to designate the Executive Director of the Commission on Children and Youth, or the Executive Director’s designee, as an additional member on the Tennessee Council on Autism Spectrum Disorder. Senate Amendment 2 (003489) deletes and replaces language that extends the termination date for the Council to June 30, 2019, rather than June 30, 2018. Senate Amendment 3 (003852) adds language to the amended bill that: (1) changes, from six to nine, the number of adults who have a diagnosis of autism spectrum disorder, or who are either family members or primary caregivers of persons with autism spectrum disorder, to serve as members of the Council and (2) changes, from two to three, the number of adult members who are to represent each grand division of the state.

Fiscal Note: (Dated February 3, 2017) NOT SIGNIFICANT

Senate Status: 02/23/17 - Senate passed with amendment 1 (003081), amendment 2 (003489), and amendment 3 (003852).

House Status: 03/23/17 - House passed.

Executive Status: 04/06/17 - Enacted as Public Chapter 0086 effective July 1, 2017.

SB597/HB968 Disabled adults may have personal aides to perform health maintenance tasks.


Summary: Allows disabled adults to have paid personal aides to perform health maintenance tasks. Requires a licensed health care provider to determine if a task can be provided by a paid personal aide. Requires a licensed health care provider to evaluate the ability of the paid personal aide to perform the health maintenance task, teach the health maintenance task, ensure supervision of the paid personal aide, and re-evaluate the aide at regular intervals. Exempts the licensed healthcare provider who ordered treatment by a paid personal aide from liability for negligence. Requires the Tennessee commission on aging and disabilities to promulgate rules implementing this act after consulting various agencies, including the bureau of TennCare and the department of intellectual and developmental disabilities.

Amendment Summary: Senate Amendment 1 (005397) removes the provision that requires the paid aide to be evaluated and supervised. Adds language that indicates that self-direction of healthcare...
tasks by an individual receiving Medicaid-reimbursed home and community based long-term care services are to be provided pursuant to Title 71, Chapter 5, Part 14. Removes the Board of Nursing from the list to be consulted for the promulgation of rules and adds the Dept. of Mental Health and Substance Abuse Services, AARP Tennessee, the Tennessee Disability Coalition, and the Tennessee Association of Home Care to the list that the Tennessee Commission on Aging and Disability are required to consult with for the promulgation of rules.

Fiscal Note: (Dated February 26, 2017) Decrease State Expenditures Exceeds $906,200/FY17-18 Exceeds $1,812,400/FY18-19 and Subsequent Years Decrease Federal Expenditures Exceeds $1,728,400/FY17-18 Exceeds $3,456,900/FY18-19 and Subsequent Years

Senate Status: 04/17/17 - Senate passed with amendment 1 (005397).
House Status: 05/03/17 - House passed.
Executive Status: 05/18/17 - Enacted as Public Chapter 0349 effective May 11, 2017.

Miscellaneous

SB151/HB381 Automated driving systems (ADS) in Tennessee.
Summary: Authorizes the operation of automated driving systems (ADS) on the public roads of Tennessee.
Amendment Summary: House Amendment 4 (008565) deletes and rewrites the bill. Clarifies that the section stating “No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway” does not apply to an ADS-operated vehicle. Requires a passenger or human operated to wear a safety belt in an ADS-operated vehicle. Requires the ADS-operated vehicle to remain on the scene if the operator is involved in an accident resulting only in damage to fixtures or other property. Defines “dynamic driving task” and “minimal risk condition.” Deletes provisions relating to automatic crash notification technology. Outlines conditions in which an ADS-operated vehicle may drive or operate on streets and highways in Tennessee with the ADS engaged without a human driver physically present in the vehicle. Allows a person who is physically inside an ADS-operated vehicle, when the ADS in engaged, to use an integrated electronic display. Specifies that liability for accidents involving an ADS-operated vehicle must be determined in accordance with product liability law, common law, or other applicable federal or state law. States that the chapter exclusively governs the authorization of the operation and use of an ADS-operated vehicle when the ADS is engaged and in high or full automation mode, including commercial use.

Fiscal Note: (Dated March 11, 2017) Increase State Revenue - $1,500/FY17-18/Department of Revenue $3,000/FY18-19/Department of Revenue $4,500/FY19-20/Department of Revenue $6,000/FY20-21/Department of Revenue $7,500/FY21-22 and Subsequent Years/Department of Revenue Increase State Expenditures - $1,500/FY17-18/Department of Revenue $3,000/FY18-19/Department of Revenue $4,500/FY19-20/Department of Revenue $6,000/FY20-21/Department of Revenue $7,500/FY21-22
SB800/HB873  Expunction of convictions.
Summary:  Allows a person who has no more than two convictions to petition on a one-time basis for expunction of both convictions provided each offense is otherwise eligible for expunction. Specifies that at the time of the filing of the petition for expunction at least five years have elapsed since the completion of the sentence imposed for the most recent offense. Requires the person to have fulfilled all the requirements of the sentences imposed by the court for each offense the petitioner is seeking to expunge.
Amendment Summary:  House Amendment 1 (005222) rewrites the bill to clarify that the two offenses must be two expungable misdemeanors or one expungable felony and one expungable misdemeanor. This amendment also clarifies that 10 years must have elapsed before expungement of a drug offense.
Fiscal Note:  (Dated March 10, 2017) NOT SIGNIFICANT
Senate Status:  04/27/17 - Senate passed.
House Status:  04/17/17 - House passed with amendment 1 (005222).
Executive Status:  05/18/17 - Enacted as Public Chapter 0298 effective May 5, 2017.

SB1245/HB418  Reduces expunction fee for criminal convictions.
Summary:  Reduces the expunction fee for criminal convictions from $350 to $180. Changes allocation of fee proceeds.
Fiscal Note:  (Dated February 17, 2017) Decrease State Revenue $131,400/General Fund $13,100/Public Defenders Expunction Fund $500/District Attorneys Expunction Fund Decrease Local Revenue $9,100/Court Clerks
Senate Status:  05/09/17 - Senate passed.
House Status:  05/09/17 - House passed.
Executive Status:  06/01/17 - Enacted as Public Chapter 0456 effective May 25, 2017.

SB1304/HB1116  Expands the yellow dot motor vehicle medical information program.
Summary:  Amends language to establish that the purpose of the yellow dot program is to assist drivers and passengers who participate in the program, emergency medical responders in reporting critical medical information in the event of a motor vehicle accident or a medical emergency involving a participant's vehicle, and law enforcement officers in becoming aware of a motorist's or passenger's critical medical information that may impact the officer's encounter with the motorist or passenger during a traffic stop or welfare check. Requires the department of transportation and the governor's highway safety office to take reasonable measures to publicize the yellow dot program to potential participants, law enforcement officers and emergency medical responders.

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officers, emergency medical responders, and other noted organizations. Authorizes a
law enforcement officer to review the driver who has a yellow dot, yellow dot folder
or folders present in the vehicle.

Fiscal Note:  (Dated February 21, 2017) NOT SIGNIFICANT
Senate Status:  03/13/17 - Senate passed.
House Status:  03/13/17 - House passed.
Executive Status:  03/31/17 - Enacted as Public Chapter 0034 effective March 29, 2017.

Public Benefits

Summary:  Enacts the "Program Integrity Act of 2017", which requires the Tennessee education
lottery corporation on a monthly basis to provide the department of human services the
name, prize amount, and other available identifying information of any individual
collecting a prize of more than five thousand dollars. Adds language to Title 71 that
requires the department of human services on a quarterly basis to conduct data matches
against information databases as required by federal law (the guideline for the specific
data being collected can be found in section 3 (A) of the bill). Allows the department of
human services to join any multi-state cooperative for identifying individuals who
currently receive benefits in other states. Requires the bureau of Tenncare to implement
an automated, electronic eligibility system for the purpose of verifying identity
information for each respective applicant and enrollee prior to awarding SNAP
assistance.

Fiscal Note:  (Dated February 11, 2017) NOT SIGNIFICANT
Senate Status:  04/03/17 - Senate passed.
House Status:  02/27/17 - House passed.
Executive Status:  05/01/17 - Enacted as Public Chapter 0191 effective December 1, 2017.

Sunsets

SB57/HB243  Sunset- Board of communication disorders and sciences.
Sponsors:  Sen. Bell, Mike , Rep. Faison, Jeremy
Summary:  Extends the board of communication disorders and sciences to June 30, 2021.
Fiscal Note:  (Dated January 25, 2017) NOT SIGNIFICANT
Senate Status:  02/13/17 - Senate passed.
House Status:  03/20/17 - House passed.
Executive Status:  04/06/17 - Enacted as Public Chapter 0039 effective March 31, 2017.
Summary: Extends the committee for purchase from the blind and other severely disabled four years to June 30, 2021.
Fiscal Note: (Dated January 26, 2017) NOT SIGNIFICANT
Senate Status: 02/13/17 - Senate passed.
House Status: 03/20/17 - House passed.
Executive Status: 04/06/17 - Enacted as Public Chapter 0047 effective March 31, 2017.

SB68/HB224 Sunset - department of children's services.
Sponsors: Sen. Bell, Mike, Rep. Faison, Jeremy
Summary: Extends the department of children's services to June 30, 2021. Requires the department to report back to the government operations committee on the department's response to the findings in the performance audit report by December 31, 2017.
Fiscal Note: (Dated February 1, 2017) NOT SIGNIFICANT
Senate Status: 05/08/17 - Senate passed.
House Status: 05/03/17 - House passed.
Executive Status: 05/24/17 - Enacted as Public Chapter 0435 effective May 17, 2017.

SB72/HB250 Sunset - department of mental health and substance abuse services.
Sponsors: Sen. Bell, Mike, Rep. Faison, Jeremy
Summary: Extends the department of mental health and substance abuse services four years to June 30, 2021.
Fiscal Note: (Dated February 2, 2017) NOT SIGNIFICANT
Senate Status: 02/13/17 - Senate passed.
House Status: 03/20/17 - House passed.
Executive Status: 04/06/17 - Enacted as Public Chapter 0051 effective March 31, 2017.

SB77/HB241 Sunset - human rights commission.
Sponsors: Sen. Bell, Mike, Rep. Faison, Jeremy
Summary: Extends the human rights commission to June 30, 2021. Requires the division of state audit to perform a limited audit to address findings in the commission's 2016 performance audit report.
Fiscal Note: (Dated February 2, 2017) NOT SIGNIFICANT
Senate Status: 03/20/17 - Senate passed.
House Status: 05/01/17 - House passed.
Executive Status: 05/18/17 - Enacted as Public Chapter 0319 effective May 9, 2017.
SB95/HB215  Sunset - statewide planning and policy council for the department of intellectual and developmental disabilities.

Sponsors: Sen. Bell, Mike, Rep. Faison, Jeremy
Summary: Extends the statewide planning and policy council for the department of intellectual and developmental disabilities to June 30, 2022.
Fiscal Note: (Dated February 10, 2017) NOT SIGNIFICANT
Senate Status: 02/23/17 - Senate passed.

House Status:
Executive Status: 04/06/17 - Enacted as Public Chapter 0067 effective March 31, 2017.

SB96/HB249  Sunset - statewide planning and policy council for the department of mental health and substance abuse services.

Sponsors: Sen. Bell, Mike, Rep. Faison, Jeremy
Summary: Extends the statewide planning and policy council for the department of mental health and substance abuse services to June 30, 2021.
Fiscal Note: (Dated February 10, 2017) NOT SIGNIFICANT
Senate Status: 02/23/17 - Senate passed.

House Status:
Executive Status: 04/06/17 - Enacted as Public Chapter 0068 effective March 31, 2017.

Taxes