



Weekly Legislative Update 2023

February 17, 2023

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Children's Services

SB372/HB672 FAMILY LAW: Children in youth development centers.

Sponsors: Sen. Campbell, Heidi , Rep. Johnson, Gloria
Summary: Requires the department of children's services to determine if a child placed in a youth development center has an intellectual disability.
Fiscal Note: (Dated February 5, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Judiciary Committee.
House Status: 02/01/23 - Referred to House Children & Family Affairs Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 5, relative to persons having an intellectual disability.

Commercial Law

SB77/HB414 COMMERCIAL LAW: Consumer Wheelchair Repair Bill of Rights Act.

Sponsors: Sen. Massey, Becky , Rep. Davis, Elaine
Summary: Enacts the "Consumer Wheelchair Repair Bill of Rights Act," which requires a manufacturer of powered wheelchairs to provide independent repair providers or owners of powered wheelchairs any new or used replacement parts, documentation, and other resources intended for use with the wheelchair for the purpose of repair services performed on the wheelchair. Allows a manufacturer to redact documentation to remove trade secrets from the documentation before providing access to the documentation, if the usability of the redacted documentation for the purpose of providing services is not diminished. Clarifies that a manufacturer is not liable for faulty or otherwise improper repairs provided by independent repair providers or owners, including faulty or otherwise improper repairs that cause damage to powered wheelchairs that occur during such repairs.
Fiscal Note: (Dated January 28, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Referred to House Banking & Consumer Affairs Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 47 and Title 56, relative to repair and other services performed on powered wheelchairs and parts.

SB1252/HB1470



COMMERCIAL LAW: Consumer Wheelchair Repair Bill of Rights Act.

Sponsors: Sen. Akbari, Raumesh , Rep. Towns Jr., Joe
Summary: Enacts the "Consumer Wheelchair Repair Bill of Rights Act," which states that an original equipment manufacturer of powered wheelchair manufacturers shall, with fair and reasonable terms and costs, make available to an independent repair provider or owner of the manufacturer's equipment any documentation, parts, embedded software, firmware, or tools that are intended for use with the equipment or any part, including updates to documentation, parts, embedded software, firmware, or tools. Covers equipment that contains an electronic security lock or other security-related function. Details limitations to outdated powered wheelchairs.

Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/07/23 - Referred to House Banking & Consumer Affairs Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18, relative to consumer protection.

Criminal Law

SB26/HB3 CRIMINAL LAW: Assault against a healthcare professional.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Expands the offenses of assault against a first responder or nurse and aggravated assault against a first responder or nurse to apply to assaults committed against all healthcare professionals.

Fiscal Note: (Dated January 27, 2023) Increase State Expenditures \$19,400 Incarceration Increase Local Expenditures \$16,700/FY23-24 and Subsequent Years*

Senate Status: 01/20/23 - Referred to Senate Judiciary Committee.
House Status: 02/07/23 - House Criminal Justice Committee deferred to a later date to be published with the Enhancement Calendar.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, relative to assault against certain persons.

SB284/HB612 CRIMINAL LAW: Determination of intellectual disability of those sentenced to death.

Sponsors: Sen. Gardenhire, Todd , Rep. Hawk, David
Summary: Establishes the procedure for the administrative office of the courts to issue payment to an expert who makes a court-ordered determination of



intellectual disability in a person who has been sentenced to death prior to May 11, 2021.

Fiscal Note: (Dated February 10, 2023) Increase State Expenditures \$1,800/FY23-24 and Subsequent Years/Indigent Defense Fund

Senate Status: 02/14/23 - Senate Judiciary Committee recommended. Sent to Senate Calendar Committee.

House Status: 02/01/23 - Referred to House Criminal Justice Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 2, relative to the determination of intellectual disability of those sentenced to death.

SB1233/HB945 CRIMINAL LAW: Criminal offense for assault against a first responder or nurse.

Sponsors: Sen. White, Dawn , Rep. Alexander, Rebecca

Summary: Expands the criminal offenses of assault and aggravated assault against a first responder or nurse who is discharging or attempting to discharge official duties to include healthcare providers and increases the penalty for assault against those persons from a Class A misdemeanor to a Class D felony. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Criminal Justice Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, relative to assault.

SB1317/HB941 CRIMINAL LAW: Judicial diversion - aggravated neglect of an elderly or vulnerable adult.

Sponsors: Sen. Bailey, Paul , Rep. Alexander, Rebecca

Summary: Includes as an eligible petitioner for purposes of judicial diversion of criminal offenses, a person seeking deferral of proceedings for aggravated neglect of an elderly or vulnerable adult, or aggravated abuse of an elderly or vulnerable adult, if the person is a healthcare provider who committed such an offense in the course of the provider's official duties. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.

House Status: 02/07/23 - Referred to House Criminal Justice Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 39; Title 40 and Title 71, Chapter 6, relative to criminal offenses.



Disability

SB403/HB298 HEALTH CARE: Report concerning the annual evaluation of the adequacy of the birth defects registry.

Sponsors: Sen. Massey, Becky , Rep. Martin, Brock
Summary: Authorizes the commissioner of health to submit, by electronic means, the commissioner's current annual report concerning the annual evaluation of the adequacy of the birth defects registry to the appropriate standing committees of the general assembly. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 29; Title 33; Title 56; Title 63; Title 68 and Title 71, relative to health.

Education

SB4/HB435 EDUCATION: Establishes a deaf mentor and parent advisor program.

Sponsors: Sen. Massey, Becky , Rep. White, Mark
Summary: Establishes a deaf mentor and parent advisor program to assist families in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind at the Tennessee Schools for the Deaf and the West Tennessee School for the Deaf.
Fiscal Note: (Dated February 5, 2023) Increase State Expenditures - \$421,800/FY23-24 and Subsequent Years Other Fiscal Impact The current deaf mentor parent advisor program is funded in FY22-23 with a non-recurring appropriation of \$421,800.
Senate Status: 02/08/23 - Senate Education Committee recommended. Sent to Senate Finance.
House Status: 02/15/23 - Set for House K-12 Subcommittee 02/21/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 50, Part 10, relative to deaf mentor programs.

SB27/HB23 PUBLIC EMPLOYEES: Meeting agendas and documents to be made available to public 48 hours prior.



Sponsors: Sen. Gardenhire, Todd , Rep. Moon, Jerome
Summary: Requires a governing body to make available to the public upcoming meeting agendas and supplemental meeting documents in an accessible location for a minimum of 48 hours prior to a meeting. Stipulates that maintained websites are considered "accessible" locations for meeting documents but requires copies be available at the meeting and upon request. Requires public meeting agendas to be detailed regarding matters to be discussed but allows governing bodies to take action on matters not on the agenda under certain circumstances provided its bylaws or rules and procedures are in compliance with state law. Defines supplemental meeting documents and specifies that the provision does not apply to documents or parts of documents deemed confidential under state or federal law. Requires public meeting agendas and supplemental meeting documents be provided at no cost.

Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate State & Local Government Committee.
House Status: 01/12/23 - Referred to House Public Service Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 44, relative to public meetings.

SB82/HB146 EDUCATION: Persons designated to check buses transporting children with disabilities.

Sponsors: Sen. Massey, Becky , Rep. Hazlewood, Patsy
Summary: changes, from August 1 each year to July 31 each year, the date by which the name, address, and telephone number of persons designated to check buses transporting children with disabilities for such children must be supplied to the LEA each year. Broadly captioned.

Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate Education Committee.
House Status: 01/20/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 49 and Title 55, relative to school buses.

SB141/HB127 EDUCATION: Use of mechanical restraint on student in an emergency situation.

Sponsors: Sen. Watson, Bo , Rep. Martin, Greg
Summary: Allows a school resource officer, school security officer, or other law enforcement officer who is trained and certified for completing a behavior intervention training program to use a mechanical restraint on a student receiving special education services in an emergency situation.

Senate Status: 01/20/23 - Referred to Senate Education Committee.
House Status: 01/24/23 - Referred to House Education K-12 Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, Part 13 and Title 49, Chapter 6, relative to special education.

Position: **OPPOSE**

SB197/HB809 EDUCATION: Establishing of maximum class size by LEAs and public charter schools.

Sponsors: Sen. Lundberg, Jon , Rep. Moody, Debra

Summary: Repeals the maximum class sizes, maximum class size averages, student-teacher ratios, and the prohibition against split-grade classes established by law. Authorizes each local education agency (LEA) and public charter school to establish the maximum class sizes for schools under its control and jurisdiction. Requires the state board of education, in consultation with the department of education, to develop guidance for LEAs and public charter schools in establishing maximum class sizes.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to class sizes.

SB251/HB70 EDUCATION: Publishing of TISA guide on department of education website.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Requires the department of education to publish the TISA guide on its website. Broadly captioned. Part of Administration Package.

Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education funding.

SB274/HB322 EDUCATION: Threat assessment team to coordinate with state agencies.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Requires threat assessment teams from each local education agency to coordinate with state agencies to provide support services and technical assistance to the local teams. Part of Administration Package.

Senate Status: 01/21/23 - Referred to Senate Education Committee.

House Status: 01/30/23 - Caption bill held on House clerk's desk.

Caption: AN ACT to amend Tennessee Code Annotated, Section 10-7-504; Title 49, Chapter 6 and Title 62, Chapter 35, relative to school safety.



SB322/HB368 EDUCATION: Discipline of students in pre-kindergarten through grade two.

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold
Summary: Prohibits an LEA from suspending or expelling a student who is enrolled in grades pre-kindergarten through two unless the student's behavior endangers the physical safety of other students or school personnel. Allows an LEA to suspend a student with such behavior for no more than three days if certain steps are taken before the student is suspended. Requires the principal of the school to notify the student's parent or legal guardian of the student's suspension on the day the suspension takes place.
Senate Status: 01/26/23 - Referred to Senate Education Committee.
House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to discipline of students in pre- kindergarten through grade two (pre-K-2).

SB350/HB294 EDUCATION: Student ID cards to include contact info for certain crisis and suicide prevention lifelines.

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob
Summary: Expands the Save Tennessee Students Act to require public institutions of higher education that issue new student identification cards to students enrolled in the institution to include the telephone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines on the cards. Requires the institutions to post the phone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines in a noticeable place on each campus.
Amendment Summary: Senate Education Committee amendment 1 (004066) expands the Save Tennessee Students Act to include public institutions of higher education, requiring such institutions when purchasing or issuing new student identification (ID) cards to include on the ID card the telephone number for the 988 Suicide and Crisis Lifeline and the social media handle, telephone number, or text number for at least one additional crisis resource selected by the institution. Clarifies that the crisis resource information does not apply to digital ID cards. Requires such institutions to also post such information in a conspicuous place on each campus operated by the institution. Requires each institution to create and feature a webpage on the institution's website or a mobile application that contains information dedicated solely to the mental health resources available to the institution's students. Further requires each institution to include a strategy to raise awareness of the mental health and crisis support services and resources, that are available to students, faculty,



and staff as part of the institution's suicide prevention plan. Requires any Local Education Agency (LEA) that serves grades 6th-12th to update any newly issued ID cards to include the telephone number for the 988 Suicide and Crisis Lifeline rather than the National Suicide Prevention Lifeline.

Fiscal Note: (Dated February 9, 2023) NOT SIGNIFICANT
Senate Status: 02/15/23 - Senate Education Committee recommended with amendment 1 (004066). Sent to Senate Calendar Committee.
House Status: 01/24/23 - Referred to House Higher Education Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to suicide prevention.

SB582/HB453 EDUCATION: Intentional assault on educational personnel.

Sponsors: Sen. Pody, Mark , Rep. Moody, Debra
Summary: Specifies that a civil cause of action exists for an intentional assault upon educational personnel by any person on school grounds or in vehicles owned, leased, or under contract by the LEA and used for transporting students or faculty, even if such assault occurs outside of school hours or school functions. Broadly captioned.
Senate Status: 01/30/23 - Referred to Senate Education Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13; Title 40 and Title 49, relative to school employees.

SB815/HB1144 EDUCATION: Duties for transporting children with disabilities on school buses.

Sponsors: Sen. Gardenhire, Todd , Rep. Vital, Greg
Summary: Clarifies that if a new person is designated to check school buses each time a bus returns from transporting children with disabilities to their respective destinations to ensure that all children have left the bus in the interim period between when annual reports are submitted to the LEA, then the name and contact information of the new designee must be submitted within 10 calendar days, instead of just within 10 days. Broadly captioned.
Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 21 and Title 55, Chapter 4, relative to school buses.

SB882/HB454 EDUCATION: Payment for teaching supplies.



Sponsors: Sen. Akbari, Raumesh , Rep. Glynn, Ronnie
Summary: Increases from \$200 to \$600, the amount each LEA is required to pay every teacher in kindergarten through grade 12 for the purchase of instructional supplies for the 2023-2024 school year. Stipulates that these funds be used at the teacher's discretion to purchase items for the benefit of the instructional program but cannot be used for basic building needs such as HVAC, carpets or furniture. States that unused funds at the end of the school year be pooled at the school level to be used for the teachers' common equipment needs. Clarifies that these funds do not constitute an appropriation and that funding must be specifically appropriated by the general appropriations act.

Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 3, relative to teaching supplies.

SB972/HB995 EDUCATION: Corporal punishment for students with disabilities.

Sponsors: Sen. Powers, Bill , Rep. Stevens, Robert
Summary: Clarifies that a communication made in an electronic format in which a parent of a child with a disability gives permission for the use of corporal punishment against the child constitutes permission given in writing such that the chief administrative officer, or the chief administrative officer's designee, may administer such corporal punishment to the child in accordance with the LEA's discipline policy.

Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to corporal punishment for students with disabilities.

SB1024/HB741 EDUCATION: Repeals the TN Education Savings Account Pilot Program.

Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo
Summary: Repeals the Tennessee Education Savings Account Pilot Program.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to the Tennessee Education Savings Account Pilot Program.

SB1200/HB1500



EDUCATION: Dyslexia advisory council report recipients.

Sponsors: Sen. Oliver, Charlane , Rep. McKenzie, Sam
Summary: Adds the education administration committee of the house of representatives to the committees of the general assembly to which the dyslexia advisory council is required to submit an annual report on the number of students screened for dyslexia intervention services. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB1305/HB251 EDUCATION: Tennessee Special Educator Scholarship Act.

Sponsors: Sen. Bailey, Paul , Rep. Haston, Kirk
Summary: Enacts the "Tennessee Special Educator Scholarship Act," which establishes the Tennessee special educator scholarship for individuals who agree to work full-time as a special education teacher in a Tennessee public school for at least three consecutive years immediately following the individual's graduation from the eligible postsecondary institution. Specifies requirements for scholarship.
Fiscal Note: (Dated February 15, 2023) Increase State Expenditures \$871,500/FY23-24 \$1,525,500/FY24-25 and Subsequent Years
Senate Status: 02/15/23 - Set for Senate Education Committee 02/22/23.
House Status: 01/24/23 - Referred to House Higher Education Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to special education.

SB1412/HB791 EDUCATION: Status of pre-kindergarten programs.

Sponsors: Sen. Akbari, Raumesh , Rep. White, Mark
Summary: Requires the department's office of early learning to include in its annual report on the status of pre-kindergarten programs submitted to the governor and general assembly, the number of open positions for at-risk children in pre-kindergarten programs that remained open for the majority of the immediately preceding school year, or that were filled by children who were not at-risk. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49; Title 67 and Title 71, relative to children.



SB1507/HB1249 EDUCATION: Kindergarten prerequisite for attending first grade.

Sponsors: Sen. Powers, Bill , Rep. Moody, Debra
Summary: Deletes an obsolete reference to the date July 1, 1993, after which a child is not able to enter first grade without having attended an approved kindergarten program, unless the child otherwise meets the requirements of the state board of education for transfer or admission and is accepted by the LEA. Broadly captioned.
Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 51; Title 5; Title 6; Title 9; Title 49 and Title 67, relative to education.

Education – Retention

SB249/HB68 EDUCATION: Learning loss remediation by use of summer learning camps.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Requires LEAs to conduct summer learning camps and after-school learning mini-camps for priority students annually rather than summers only. Updates the definition of "priority student" to include additional "at-risk" children and students entering certain grade levels to participate in after-school learning mini-camps, learning loss bridge camps, and summer learning camps. Provides that an "at-risk" student is a student who will be entering first, second, or third grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent state-approved screenings or certain other assessments. For purposes of a learning loss bridge camp, an at-risk student is defined as a student who will be entering the fourth, fifth, sixth, seventh, eighth, or ninth grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent TCAP test or state-adopted benchmark assessment. For summer learning camps, an at-risk student is one who will be entering kindergarten, first, second or third grade and who attends a public school or public charter school in with fewer than 50 percent of students in grades three through five scored proficient in math or English language arts on the most recently administered TCAP test. An "at-risk" student is further defined as one who will be entering kindergarten through third grade and who is eligible for TANF. Provides guidelines for determining program requirements. Part of Administration Package.



Amendment Summary: Senate Education Committee amendment 1, House Education Administration Committee amendment 1 (003486) changes the date of the act to become effective upon becoming law, rather than October 1, 2023.

Fiscal Note: (Dated February 5, 2023) Increase State Expenditures \$21,433,500/FY23-24 and Subsequent Years/General Fund \$5,760,000/FY23-24 and Subsequent Years/LEAP Other Fiscal Impact The state receives approximately \$182,200,000 in TANF block grant funding each year and the states TANF balance as of September 30, 2022 was \$753,890,600. The proposed legislation will draw upon existing federal TANF dollars in the amount of \$13,698,900 in FY23-24 and subsequent years. General

Senate Status: 02/15/23 - Set for Senate Finance, Ways & Means Committee 02/21/23.

House Status: 02/15/23 - House Education Administration Committee recommended with amendment 1 (003486). Sent to House Finance, Ways & Means Committee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 15, relative to the learning loss remediation and student acceleration program.

SB300/HB437 EDUCATION: Explanation of appeals process to be posted on website for student who is identified for retention.

Sponsors: Sen. Lundberg, Jon , Rep. White, Mark

Summary: Requires the department to post on the department's website an explanation of the appeals process, administered by the department, for a student who is identified for retention in third grade, based on the student's performance level rating on the ELA portion of the student's most recent TCAP test.

Fiscal Note: (Dated January 24, 2023) NOT SIGNIFICANT

Senate Status: 01/26/23 - Referred to Senate Education Committee.

House Status: 02/01/23 - Caption bill held on House clerk's desk.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to retention.

SB412/HB1035 EDUCATION: Student retention for third grade students not testing proficient on ELA portion of TCAP.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny

Summary: Removes the retention requirement for third grade students who did not test proficient on the English language arts (ELA) portion of their most recent Tennessee comprehensive assessment program test. Authorizes



a student's ELA teacher or school principal to retain the student in the third or fourth grade if the teacher or principal determines that the student is not proficient in ELA. Requires written notice to a student's parent of the student's potential retention and of any alternatives to retention that are available to the student.

Senate Status: 01/26/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student retention.

SB444/HB534 EDUCATION: Fourth grade promotion with adequate growth in ELA.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark
Summary: Allows a student who did not test proficient in English language arts (ELA) on the Tennessee comprehensive assessment program test administered to the student in third grade, but who was promoted to fourth grade after attending a learning loss bridge camp, to be promoted to fifth grade if the student's parent or guardian mutually agrees with the LEA or public charter school in which the student is enrolled that the student has shown adequate growth in ELA based on the student's grades or performance on assessments administered to the student in fourth grade.

Senate Status: 01/30/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to student retention.

SB712/HB670 EDUCATION: First grade promotion requirements.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Requires a student to be at least 7 years of age on or before August 15 or test proficient in the kindergarten academic standards on the first-grade entry assessment. Requires the department of education to create a first-grade entry assessment to determine whether a student is prepared to succeed in the first grade. Requires each local education agency and public charter school to administer the first-grade entry assessment developed by the department.

Senate Status: 02/02/23 - Referred to Senate Education Committee.
House Status: 02/01/23 - Referred to House Education K-12 Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to student promotion.

SB802/HB1033



EDUCATION: Student retention - third grade student who has not shown basic understanding of curriculum.

Sponsors: Sen. Yarbro, Jeff , Rep. Shaw, Johnny
Summary: Authorizes an LEA or public charter school to retain a student in the third grade if the student has not shown a basic understanding of the curriculum and an ability to perform the skills required in the subject of reading, as demonstrated by the student's grades or standardized test results, instead of requiring an LEA or public charter school to retain a third grade student who did not achieve a performance level rating of "on track" or "mastered" on the English language arts portion of the student's most recent Tennessee comprehensive assessment program test. Broadly captioned.
Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to student retention.

SB818/HB1381 EDUCATION: Promotion of third grade student not proficient in ELA.

Sponsors: Sen. Hensley, Joey , Rep. Ragan, John
Summary: Authorizes a third-grade student who is not proficient in English language arts (ELA) to be promoted to fourth grade if at least 66 percent of the third-grade students in the student's LEA or public charter school test proficient on the ELA portion of the most recently administered Tennessee comprehensive assessment program test and if the student's parent or guardian, teacher, and school principal mutually agree and recommend in writing that the student should be promoted to fourth grade. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/07/23 - Referred to House Education K-12 Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to third- grade students.

SB901/HB927 EDUCATION: Student retention - third grade student who is not proficient in ELA.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam
Summary: Allows a third-grade student who is not proficient in English language arts (ELA) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test to be promoted to



fourth grade if the student maintains a 90 percent attendance rate at a learning loss bridge camp without having to demonstrate adequate growth on the post-test administered at the end of the camp. Requires the student to show adequate growth on the ELA portion of the student's fourth grade TCAP test before the student may be promoted to fifth grade.

Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student retention.

SB920/HB852 EDUCATION: Student retention - third-grade student who is not proficient in ELA.

Sponsors: Sen. Rose, Paul , Rep. Leatherwood, Tom
Summary: Allows a third-grade student who is not proficient in English language arts (ELA) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent Tennessee comprehensive assessment program test to be promoted to the next grade level if the student has demonstrated growth above the national norm on a universal reading screener and has demonstrated growth in standards mastery based on the student's scores on a state-adopted benchmark assessment.

Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student retention.

SB951/HB848 EDUCATION: Third grade student English proficiency requirements.

Sponsors: Sen. Walley, Page , Rep. Haston, Kirk
Summary: Adds various exceptions to mandatory retention for third grade students who are not proficient in English language arts. Allows an LEA to retain students in any of the grades kindergarten through two who have not shown a basic understanding of the curriculum and an ability to perform the skills required in reading. Requires the department of education to provide LEAs with individual student performance level ratings from the Tennessee comprehensive assessment program tests by May 19 each year. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.



Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

SB1008/HB456 EDUCATION: Makes changes to the Tennessee Learning Loss Remediation and Student Acceleration Act.

Sponsors: Sen. Campbell, Heidi , Rep. Hakeem, Yusuf
Summary: Makes changes to the Tennessee Learning Loss Remediation and Student Acceleration Act, including changes to require LEAs and participating public charter schools to conduct summer learning camps and after-school learning mini-camps annually beginning in the summer of 2021, instead of only in the summers immediately following the 2020-2021 and 2021-2022 school years. Requires the department of education to issue guidance to assist LEAs and public charter schools in making retention decisions for students with a disability or suspected disability. Requires each LEA and public charter school that provides instruction to students through the learning loss remediation and student acceleration program to ensure that the instruction is aligned to state academic standards.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to student achievement.

SB1213/HB978 EDUCATION: Third grade student retention - appeals process.

Sponsors: Sen. White, Dawn , Rep. Terry, Bryan
Summary: Requires the rules promulgated by the board to establish an appeal process for certain students identified for retention in the third grade to allow, in addition to the student's parent or guardian, the parent's or guardian's student's principal, guidance counselor, teacher, or another administrator of the student's school to file an appeal with the department, if the student's parent or guardian consents to same in writing. Broadly captioned.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student retention.

SB1217/HB270 EDUCATION: Third grade student promotion.

Sponsors: Sen. White, Dawn , Rep. Terry, Bryan



Summary: Allows a third grade student to be promoted, even if the student does not test proficient on the English language arts (ELA) portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test, if the student tests proficient in reading on each Tennessee universal reading screener administered to the student in the student's third grade year. Allows a student's LEA to file an appeal regarding the student's identification for retention based on the student's performance on the ELA portion of the student's most recent TCAP test.

Fiscal Note: (Dated February 14, 2023) NOT SIGNIFICANT

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student proficiency.

SB1265/HB1410 EDUCATION: Student retention - third grade student who has not shown basic understanding of curriculum.

Sponsors: Sen. Akbari, Raumesh , Rep. Johnson, Gloria

Summary: Authorizes, instead of requires, an LEA or public charter school to retain a student in the third grade if the student has not shown a basic understanding of the curriculum and an ability to perform the skills required in the subject of reading or English language arts. Requires an LEA or public charter school that conducts a learning loss bridge camp to offer a third-grade student identified for retention the opportunity to attend the camp before the start of the next school year. Prohibits an LEA or public charter school from requiring a student to attend a learning loss bridge camp.

Senate Status: 02/06/23 - Referred to Senate Education Committee.

House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.

Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student retention.

SB1306/HB107 EDUCATION: Retention policy for third grade students not proficient in English language arts (ELA).

Sponsors: Sen. Bailey, Paul , Rep. Travis, Ron

Summary: Requires an LEA or public charter school to adopt and implement a retention policy for third-grade students who are not proficient in English language arts (ELA), rather than requiring the LEA to retain a third-grade student who does not achieve a certain performance level rating on the ELA portion of the student's most recent Tennessee comprehensive assessment program test. Establishes parental notice requirements for



LEAs and public charter schools that recommend a third-grade student for retention. Removes the authority of the state board of education to establish an appeal process for certain students identified for retention.

Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to student retention.

SB1368/HB93 EDUCATION: Local education agency responsible for determining growth in elementary language arts proficiency.

Sponsors: Sen. Southerland, Steve , Rep. Hawk, David
Summary: Changes the responsibility of determining the adequate growth of a third or fourth grade student who has previously tested not proficient in English language arts from the department of education to the student's local education agency.
Fiscal Note: (Dated January 29, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to student proficiency.

SB1455/HB1364 EDUCATION: Tennessee Learning Loss Remediation and Student Acceleration Act progress report.

Sponsors: Sen. Niceley, Frank , Rep. Farmer, Andrew
Summary: Expands who receives the Tennessee Learning Loss Remediation and Student Acceleration Act progress report that is developed by the department to include all of the general assembly, instead of only the speaker of the senate, the speaker of the house of representatives, and the chairs of the education committees of the senate and house of representatives. Broadly captioned.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/15/23 - Set for House K-12 Subcommittee 02/21/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to K-12 education.

SB1524/HB1433 EDUCATION: Retention requirements for students who did not achieve a certain English language arts performance level rating.



Sponsors: Sen. Campbell, Heidi , Rep. Mitchell, Bo
Summary: Allows local education agencies and charter schools to retain or promote a student who has not shown a basic understanding of the curriculum and an ability to perform required skills in reading. Requires LEAs and charter schools to develop a retention policy for students who have not shown a basic understanding of the curriculum and an ability to perform required skills in reading and implement the program in the 2023-2024 school year and subsequent school years.
Senate Status: 02/06/23 - Referred to Senate Education Committee.
House Status: 02/14/23 - House K-12 Subcommittee deferred to 03/07/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 49, relative to education.

Family Law

SB620/HB1414 FAMILY LAW: Families' Rights and Responsibilities Act.

Sponsors: Sen. Pody, Mark , Rep. Raper, Kevin
Summary: Enacts the "Families' Rights and Responsibilities Act", which declares that the ability of a parent to direct the upbringing, education, health care, and mental health of that parent's child is a fundamental right. Details how to bring a suit for potential violations of this act. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Children & Family Affairs Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 36 and Title 49, relative to the "Families' Rights and Responsibilities Act."



Government Organization

SB42/HB208 GOVERNMENT ORGANIZATION: Sunset - department of intellectual and developmental disabilities extension.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the department of intellectual and developmental disabilities to June 30, 2027.
Fiscal Note: (Dated January 10, 2023) NOT SIGNIFICANT
Senate Status: 02/13/23 - Senate passed.
House Status: 01/21/23 - Referred to House Government Operations Committee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 4, Chapter 3, relative to the department of intellectual and developmental disabilities.

Health Care

SB220/HB272 HEALTH CARE: Removes a task force contracted by the department of intellectual and developmental disabilities.

Sponsors: Sen. Crowe, Rusty , Rep. Terry, Bryan
Summary: Removes a section of the code that created a twenty-five member task force to review the regulations of the residential and day provider agencies contracted by the department of intellectual and developmental disabilities. The task force was required to have completed its duties and made its final report to the governor and the general assembly by June 30, 2014. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 01/21/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 33; Title 53; Title 56; Title 63; Title 68 and Title 71, relative to health.

SB230/HB404 TENNCARE: Medicaid expansion - authorization by general assembly.

Sponsors: Sen. Yarbrow, Jeff , Rep. Miller, Larry
Summary: Removes the requirement that the governor receive authorization by the general assembly through a joint resolution prior to making any decision or



obligating the state with regard to the expansion of optional enrollment in the medical assistance program. Broadly captioned.

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to medical assistance.

SB248/HB66 HEALTH CARE: Department of intellectual and developmental disabilities to provide home health services to outpatients.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Authorizes the department of intellectual and developmental disabilities to provide home health services to outpatients through the Tennessee Early Intervention System. Part of Administration Package.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/13/23 - Senate passed.
House Status: 02/16/23 - Set for House Floor on 02/23/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2, relative to home health services.

SB299/HB653 HEALTH CARE: Access to persons in health-related facilities.

Sponsors: Sen. Hensley, Joey , Rep. Fritts, Monty
Summary: Requires healthcare facilities and long-term care facilities to permit in-person visitation of a patient or resident by family members and community pastoral care members. Allows the facilities to place limitations on the frequency and duration of visitation in certain areas and to require the visitors to comply with safety protocols. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/15/23 - Set for House Health Subcommittee 02/21/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 33; Title 63; Title 68 and Title 71, relative to access to persons in health-related facilities.

SB309/HB292 HEALTH CARE: Deletes report requirement on infections by infections taskforce.

Sponsors: Sen. Yarbro, Jeff , Rep. Freeman, Bob
Summary: Deletes provisions related to the infections taskforce that focused on strategies and recommendations for the prevention and control of antibiotic resistant infections, including MRSA, and reported aggregate data on



incidence and trends for invasive MRSA in Tennessee to the general assembly from 2008-2010. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/21/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 29; Title 33; Title 56; Title 63; Title 68 and Title 71, relative to health.

SB585/HB377 HEALTH CARE: Patient Rights Act.

Sponsors: Sen. Pody, Mark , Rep. Warner, Todd
Summary: Enacts the "Patient Rights Act" which allows medical patients the right to administration of treatments procedures, the right to alternative treatment available under emergency use authorization, the right to release or transfer of care, the right of an advocate on their behalf, the right to room with family members, the right to transplants, the right of no discrimination in admission or treatment, the right of medical record privacy, and the notification of rights to the patient, if the patient is not incapacitated or to the advocate, if the patient is incapacitated. Details penalties if rights are violated (15 pp). Broadly captioned.
Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 29; Title 33; Title 34; Title 56; Title 63; Title 68 and Title 71, relative to health care.

SB597/HB1205 HEALTH CARE: Timeframe requirement to provide full medical record to a person with power of attorney.

Sponsors: Sen. Pody, Mark , Rep. Capley, Kip
Summary: Requires a full medical record to be provided within 24 hours of a written request submitted by a person with power of attorney for health care to make health care decisions for a patient; grants 24-hour patient visitation rights to a person with a durable power of attorney for health care, with certain exceptions such as visitation during an invasive procedure. Prohibits a health care provider from continuing treatment after the patient or a person with power of attorney for health care of the patient demanded the health care provider to discontinue or not administer the treatment. Prohibits the termination or suspension of visitation rights by the hospital, state health departments or the governor during the declaration of a disaster or state of emergency.
Senate Status: 01/30/23 - Referred to Senate Judiciary Committee.
House Status: 02/07/23 - Referred to House Health Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 34, Chapter 6, Part 2 and Title 68, relative to persons authorized to make health care decisions for patients.

Insurance

SB460/HB607 INSURANCE HEALTH: Timeframe for utilization review agents to notify enrollees for more information.

Sponsors: Sen. Watson, Bo , Rep. Hawk, David
Summary: Lowers, from five to four business days, the amount of time a utilization review agents must notify the enrollee and the healthcare provider in writing or electronic portals of the need for additional information in order to make a determination on a request for authorization.
Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT
Senate Status: 01/30/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 56 and Title 71, relative to prior authorization.

SB673/HB626 INSURANCE HEALTH: Health benefit coverage for prosthetic devices.

Sponsors: Sen. Reeves, Shane , Rep. Jernigan, Darren
Summary: Requires health benefit plans to provide certain coverage for prosthetic devices including repairs and replacements. Broadly captioned.
Senate Status: 02/02/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Referred to House Insurance Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 56, relative to prosthetic devices.



Intellectual Disability

SB267/HB315 HEALTH CARE: Intermediate care facilities for individuals with intellectual disabilities - allowable number of beds.

<i>Sponsors:</i>	Sen. Johnson, Jack , Rep. Lamberth, William
<i>Summary:</i>	Increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804. Allows for private for-profit and private not-for-profit to be transferred from one location to another. Requires that an available private bed be filled only upon completion of a community-informed choice process established by the department of intellectual and developmental disabilities to ensure the most cost-effective placement with consideration for the individual's freedom of choice. Allows a facility to refuse persons based on the facility's compatibility needs. Part of Administration Package.
<i>Amendment Summary:</i>	Senate Health & Welfare Committee amendment 1 (003746) details that the total number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities (ICF/IID) shall not exceed 804. Requires that private ICF/IID beds may be filled only if a community-informed choice process is established, needs are met, and subject to the individual's freedom of choice. Allows the total number of beds be reduced upon voluntary surrender of certificate of need by the owner of the bed or beds.
<i>Fiscal Note:</i>	(Dated February 3, 2023) NOT SIGNIFICANT
<i>Senate Status:</i>	02/08/23 - Senate Health & Welfare Committee deferred to 03/01/23 after adopting amendment 1 (003746).
<i>House Status:</i>	01/30/23 - Referred to House Health Subcommittee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, Part 1, relative to intermediate care facilities for individuals with intellectual disabilities.



Juvenile Justice

SB509/HB720 CRIMINAL LAW: Interrogation of a child in custody due to suspicion of a delinquent act or unruly conduct.

Sponsors: Sen. Lamar, London , Rep. Sparks, Mike
Summary: Requires a child that is taken into custody due to suspicion that the child has committed a delinquent act or unruly conduct that places the child in jeopardy of being removed from the home to be informed of the reason the child was taken into custody, the right to be released to a parent or guardian within a reasonable time, the right to legal counsel, and the right to have the child's parent or guardian present during any interview or interrogation.

Senate Status: 01/30/23 - Referred to Senate Judiciary Committee.
House Status: 02/15/23 - Set for House Criminal Justice Subcommittee 02/21/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 37 and Title 39, relative to juvenile justice.

Mental Health

SB179/HB508 MENTAL HEALTH: Courts may order person into a program of assisted outpatient mental health treatment.

Sponsors: Sen. Massey, Becky , Rep. Rudd, Tim
Summary: Allows courts to order a person into a program of assisted outpatient mental health treatment upon finding certain conditions are met, including the person's condition resulting from mental illness or serious emotional disturbance is likely to deteriorate rapidly to the point that the person will pose a substantial likelihood of serious harm to other persons. Provides a process for certain persons to petition a court on behalf of a proposed patient, including a parent, legal guardian, physician psychologist, or law enforcement officer. Establishes criteria for the evaluation of proposed patients and reporting to the court by physicians and certain mental health professionals. (18 pp.)

Senate Status: 01/21/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/08/23 - Referred to House Health Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 33, relative to mental health treatment.

SB553/HB305 MENTAL HEALTH: Revises references for mental defect or mentally defective throughout code.



Sponsors: Sen. Kyle, Sara , Rep. Jones, Justin
Summary: Changes references for mental defect, mental defective, and mentally defective to mental health condition throughout the code. Broadly captioned.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 01/30/23 - Referred to Senate Judiciary Committee.
House Status: 02/15/23 - Set for House Health Subcommittee 02/21/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 16; Title 33; Title 37; Title 38; Title 39; Title 41; Title 57; Title 62 and Title 71, relative to mental health.

SB700/HB268 CRIMINAL LAW: Crisis intervention services contact information to victims.

Sponsors: Sen. Crowe, Rusty , Rep. Terry, Bryan
Summary: Requires a law enforcement agency to provide victims of crime with the contact information for crisis intervention services and emergency and medical services, in addition to the availability of any such services. Broadly captioned.
Fiscal Note: (Dated January 22, 2023) NOT SIGNIFICANT
Senate Status: 02/02/23 - Referred to Senate Judiciary Committee.
House Status: 01/24/23 - Referred to House Criminal Justice Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 38; Title 39; Title 40 and Title 68, relative to services for certain victims of crime.

Miscellaneous

SB342/HB1230 MISCELLANEOUS: TN - exemption from daylight saving time.

Sponsors: Sen. Campbell, Heidi , Rep. Hemmer, Caleb
Summary: Exempts the entire state of Tennessee and all its political subdivisions from the observance of daylight saving time should the commissioners of transportation for the states of Alabama, Arkansas, Georgia, Kentucky, Mississippi and North Carolina certify to the speakers of both chambers of the general assembly that they have exempted themselves from daylight saving time. Requires the general assembly to confirm receipt of these certifications by joint resolution. Provides that the exemption would take effect on the first day of January following compliance with the exemption requirements.
Fiscal Note: (Dated January 24, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate State & Local Government Committee.
House Status: 02/07/23 - Referred to House Department & Agencies Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Section 4- 1-401, relative to daylight saving time.

Professions & Licensure

SB451/HB165 PROFESSIONS & LICENSURE: Use of service animal or training of service animal.

Sponsors: Sen. Lowe, Adam , Rep. Butler, Ed

Summary: Authorizes an employee of a public accommodation to ask for certain information about a dog guide in training. Specifies that an individual utilizing a service animal or training a service animal in training is liable for damages to the same extent that an individual whose pet causes damages to a public accommodation is liable. Makes other related changes to service animals and service animals in training.

Fiscal Note: (Dated January 23, 2023) NOT SIGNIFICANT

Senate Status: 02/15/23 - Set for Senate Commerce & Labor Committee 02/21/23.

House Status: 01/24/23 - Referred to House Business & Utilities Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 8; Title 39; Title 44 and Title 62, Chapter 7, Part 1, relative to service animals.

SB898/HB521 PROFESSIONS & LICENSURE: Creates the professional music therapist advisory committee.

Sponsors: Sen. Akbari, Raumesh , Rep. Dixie, Vincent

Summary: Creates the professional music therapist advisory committee of the board of examiners in psychology to regulate the practice of music therapy. Specifies membership and terms of advisory committee. Requires the advisory committee to meet at least twice a year and allows the committee to hold additional meetings as the advisory committee may determine necessary to carry out its duties. Specifies duties of advisory committee (15 pp.).

Fiscal Note: (Dated February 11, 2023) Increase State Revenue \$40,000/FY23-24/Board of Medical Examiners \$40,000/FY24-25/Board of Medical Examiners \$24,000/FY25-26 and Subsequent Years/ Board of Medical Examiners Increase State Expenditures \$88,700/FY23-24/Board of Medical Examiners \$82,500/FY24-25 and Subsequent Years/ Board of Medical Examiners Other Fiscal Impact Pursuant to Tenn. Code Ann. 4-29-121, all health- related boards are required to be self-supporting over a two-year period. The Board of Medical Examiners had an annual surplus of \$937,379 in FY20-21, an annual surplus of \$902,739 in FY21-22, and a cumulative reserve balance of \$3,289,036 on June 30, 2022.

Senate Status: 02/06/23 - Referred to Senate Health & Welfare Committee.

House Status: 02/15/23 - Set for House Health Committee 02/22/23.



Caption: AN ACT to amend Tennessee Code Annotated, Title 4 and Title 63, Chapter 11, relative to music therapy.

TennCare/Medicaid

SB308/HB332 TENNCARE: Contracting with managed care organizations.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott
Summary: Requires the bureau to contract with at least one managed care organization that is partnered with a provider participation entity. Establishes eligibility requirements for such entities to contract with TennCare. Prohibits TennCare from choosing managed care organizations through a request for proposal or competitive bidding process beginning January 1, 2024. Makes other various changes including eligibilities for contracts with TennCare, financial risk factors, characteristics of the governing body of the provider participation entity involved with TennCare, and report submission for TennCare eligibility qualifications and standards. Broadly captioned.
Senate Status: 01/26/23 - Referred to Senate Commerce & Labor Committee.
House Status: 01/30/23 - Referred to House Insurance Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 56; Title 68 and Title 71, relative to managed care organizations.

SB363/HB371 TENNCARE: Claims seeking recovery against the estates of deceased ABLE account beneficiaries.

Sponsors: Sen. Massey, Becky , Rep. Darby, Tandy
Summary: Prohibits the state from filing certain claims seeking recovery against the estates of deceased ABLE account beneficiaries.
Fiscal Note: (Dated February 10, 2023) NOT SIGNIFICANT
Senate Status: 02/15/23 - Senate Health & Welfare Committee recommended. Sent to Senate Calendar Committee.
House Status: 02/15/23 - Set for House Insurance Committee 02/21/23.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 4, Part 8, relative to qualified ABLE accounts.

SB425/HB800 FAMILY LAW: Report on objections received to services being provided by religious organizations.

Sponsors: Sen. Johnson, Jack , Rep. Zachary, Jason
Summary: Requires the department of children's services and the department of human services to annually report to the judiciary committee of the senate and the children and family affairs subcommittee of the house of



representatives the number of objections received to children, health, or human services being provided by religious organizations. Specifies that the report must identify each objection by county where the objection occurred for the immediately preceding calendar year. Broadly captioned.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT
Senate Status: 01/26/23 - Referred to Senate Judiciary Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 12; Title 29; Title 33; Title 36; Title 39; Title 40; Title 50; Title 56; Title 63 and Title 68, relative to the right to object.

SB440/HB780 HEALTH CARE: Date change for the accounting of expenditures for long-term care facilities.

Sponsors: Sen. Jackson, Ed , Rep. Helton-Haynes, Esther
Summary: Requires the accounting of long-term care expenditures for nursing facility services; home and community-based services made under the CHOICES long-term healthcare program; and employment and Community First CHOICES services under a waiver amendment to the TennCare II demonstration, provided by the bureau of TennCare to the general assembly and interested persons, to include prior fiscal year actual expenditures and projected current fiscal year expenditures no later than January 15 of each year, instead of February 1 of each year. Broadly captioned.

Fiscal Note: (Dated January 26, 2023) NOT SIGNIFICANT
Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 68 and Title 71, relative to long-term care.

SB459/HB416 TENNCARE: PACE program.

Sponsors: Sen. Watson, Bo , Rep. Hemmer, Caleb
Summary: Directs the bureau to establish, by January 1, 2024, a statewide program of all-inclusive care for the elderly (PACE) to provide comprehensive, integrated acute and long-term care services for qualifying frail, elderly individuals who require nursing facility levels of care. Sets minimum program enrollment limits. Authorizes the director to seek any federal waiver the director deems necessary to establish the program.

Senate Status: 01/30/23 - Referred to Senate Health & Welfare Committee.
House Status: 02/01/23 - Referred to House Insurance Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, relative to TennCare.



SB797/HB856 TENNCARE: Removes obsolete reference to task force assigned to review ICF/MR services.

Sponsors: Sen. Oliver, Charlane , Rep. Jernigan, Darren
Summary: Deletes an obsolete reference to a nine-person task force that was assigned to review oversight, utilization, and the future need for ICF/MR services and make recommendations to the general assembly and governor by June 30, 2007. Broadly captioned.
Fiscal Note: (Dated January 31, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 56 and Title 71, relative to TennCare.

SB1016/HB890 WELFARE: Patient Protection and Affordable Care Act.

Sponsors: Sen. Campbell, Heidi , Rep. Glynn, Ronnie
Summary: Removes the statutory provision that currently prohibits the governor from making a decision or obligating the state with regard to the expansion of optional enrollment in the medicaid program pursuant to the federal Patient Protection and Affordable Care Act unless the governor is authorized to do so by joint resolution of the general assembly.
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/02/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, relative to medicaid.

SB1205/HB686 CRIMINAL LAW: Victim advocate's communication - disclosure of certain info prohibited.

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob
Summary: Prohibits an advocate from disclosing any communication received by the advocate from a victim, records regarding a victim stored by the advocate, counseling the victim received, crisis intervention the victim receiving, or the location of the shelter that accommodated the victim during any judicial, legislative, or administrative proceeding unless the victim waives this right by written consent. Allows the court to compel disclosure if the information is deemed relevant and material evidence, the probative value of the information outweighs the harmful effect of disclosure, and the information cannot be obtained by reasonable means from any other source.
Senate Status: 02/06/23 - Referred to Senate Judiciary Committee.
House Status: 02/01/23 - Referred to House Criminal Justice Subcommittee.



Caption: AN ACT to amend Tennessee Code Annotated, Title 24; Title 36 and Title 39, relative to a victim advocate's communications.

SB1442/HB501 TENNCARE: Katie Beckett program report in electronic format.

Sponsors: Sen. Roberts, Kerry , Rep. Rudd, Tim
Summary: Allows the bureau of TennCare and the department of intellectual and developmental disabilities to issue their annual joint report on the status of the Katie Beckett program in an electronic format.
Fiscal Note: (Dated January 27, 2023) NOT SIGNIFICANT
Senate Status: 02/06/23 - Referred to Senate Commerce & Labor Committee.
House Status: 02/01/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 33; Title 56; Title 63; Title 68 and Title 71, relative to medical assistance.

Transportation

SB80/HB140 TRANSPORTATION VEHICLES: Precious Cargo Act provisions revised.

Sponsors: Sen. Massey, Becky , Rep. Howell, Dan
Summary: Authorizes the department of revenue, in cooperation with other governmental agencies or interested nonprofit organizations, to publicize to potential participants the availability, under the Precious Cargo Act of 2021, of a designation within the Tennessee Vehicle Title and Registration System (VTRS) database of a need for assistance with expressive language or communicating needs to first responders. Broadly captioned.
Fiscal Note: (Dated January 23, 2023) NOT SIGNIFICANT
Senate Status: 01/20/23 - Referred to Senate Transportation & Safety Committee.
House Status: 01/20/23 - Caption bill held on House clerk's desk.
Caption: AN ACT to amend Tennessee Code Annotated, Title 4; Title 54; Title 55; Title 65 and Title 67, relative to transportation.

SB107/HB257 TRANSPORTATION VEHICLES: Clarification of motor vehicle ownership.

Sponsors: Sen. Powers, Bill , Rep. Bulso, Gino
Summary: Clarifies that an owner or lessee of a motor vehicle who is the parent, legal guardian, or conservator of a person who has an intellectual or developmental disability or medical condition, who may be operating the owner's or lessee's vehicle, and who needs assistance in communicating specific needs to law enforcement and first responders, may apply for a



designation of such person's need in the Tennessee Vehicle Title and Registration System (VTRS) database.

Senate Status: 01/20/23 - Referred to Senate Transportation & Safety Committee.

House Status: 01/24/23 - Referred to House Transportation Subcommittee.

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 21, Part 3, relative to the 2021 Precious Cargo Act.

SB232/HB25 TRANSPORTATION VEHICLES: TDOT to report recommendations for improvement for transportation services for passengers with disabilities.

Sponsors: Sen. Yarbro, Jeff , Rep. Freeman, Bob

Summary: Requires the department of transportation to report by February 1, 2024, to the house transportation committee and the senate safety committee on recommendations for change to improve transportation services for passengers with disabilities.

Fiscal Note: (Dated January 12, 2023) NOT SIGNIFICANT

Senate Status: 01/21/23 - Referred to Senate Transportation & Safety Committee.

House Status: 01/12/23 - Caption bill held on House clerk's desk.

Caption: AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 51, Part 10, relative to transportation services.

SB257/HB76 TRANSPORTATION VEHICLES: Eliminates the disabled license plate fee for eligible parents or guardians.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Exempts the disabled license plate fees for a parent or guardian of an individual that is permanently confined to a wheelchair and does not own or operate a vehicle. Part of Administration Package.

Fiscal Note: (Dated January 27, 2023) Decrease State Revenue \$27,700/FY23-24/Highway Fund \$600/FY23-24/General Fund \$55,300/FY24-25 and Subsequent Years/Highway Fund \$1,100/FY24-25 and Subsequent Years/General Fund

Senate Status: 02/15/23 - Set for Senate Finance, Ways & Means Committee 02/21/23.

House Status: 02/15/23 - Set for House Finance, Ways & Means Subcommittee 02/22/23.

Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 21, Part 1 and Title 55, Chapter 4, Part 2, relative to registration plates.

SB402/HB661



TRANSPORTATION VEHICLES: Physical therapists can issue certified statements of disability for registration plate.

Sponsors: Sen. Massey, Becky , Rep. Hicks, Tim
Summary: Authorizes licensed physical therapists to issue certified statements of disability in same manner as physicians for a person's application for a disabled registration plate, decal, or placard.
Fiscal Note: (Dated February 1, 2023) NOT SIGNIFICANT
Senate Status: 02/13/23 - Senate passed.
House Status: 02/01/23 - Referred to House Transportation Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 21, relative to certified statements of disability.

SB1450/HB42 TRANSPORTATION VEHICLES: Pilot program exempting driver of motorcycle from crash helmet requirement.

Sponsors: Sen. Roberts, Kerry , Rep. Reedy, Jay
Summary: Creates a pilot program to authorize drivers and passengers of motorcycles, motorized bicycles or motor-driven cycles, including passengers in unenclosed side cars or cabs attached to these vehicles, who are age 21 or older to choose whether or not to wear a crash helmet under certain circumstances. During the program, the driver and passengers must be 21 years of age or older and maintain medical or health insurance that is not provided under medicaid or through the bureau of TennCare. Prohibits law enforcement officers from issuing a citation for violation except when issuing a citation for another separate traffic violation. Provides that the four-year pilot program begin on July 1, 2023, and end on July 1, 2027, and operate during the first week in September and the last week of May annually.
Senate Status: 02/06/23 - Referred to Senate Transportation & Safety Committee.
House Status: 01/12/23 - Referred to House Transportation Subcommittee.
Caption: AN ACT to amend Tennessee Code Annotated, Section 55-9-302, relative to crash helmet requirements for riders and passengers of motorcycles, motorized bicycles, and motor-driven cycles.



Welfare

SB778/HB709 WELFARE: Required authorization to accepting or renewing a waiver of work requirements by the Supplemental Nutrition Assistance Program.

<i>Sponsors:</i>	Sen. Stevens, John , Rep. Littleton, Mary
<i>Summary:</i>	Requires the department of human services to obtain specific authorization from the general assembly before seeking, applying for, accepting, or renewing a waiver of work requirements established by the Supplemental Nutrition Assistance Program. Prohibits the department from exercising the state's option to provide an exemption from the work requirement.
<i>Senate Status:</i>	02/06/23 - Referred to Senate Health & Welfare Committee.
<i>House Status:</i>	02/01/23 - Referred to House Health Subcommittee.
<i>Caption:</i>	AN ACT to amend Tennessee Code Annotated, Title 71, relative to the food stamp program.